

Town of Starksboro  
Planning Commission  
Minutes (Approved)  
December 18, 2025

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Present: Dennis Casey, David Schmidt (Zoom) Luke McCarthy, Dan Kuzio, Dan Nugent  
Others Present: Steve Rooney – Zoning Administrator  
Visitors: None

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Meeting called to order by Chair Dennis Casey at 6:30pm

**Visitors Business:** None

**PC Current Business:**

1. Discuss Zone 1B “opt-in” and Future Land Use Maps:
  - a. Discussion of benefits of opting into the zone 1b exemption to Act 250 review for certain projects. The village area meets all the requirements in the rule and would qualify for the exemption.
  - b. Conversation ensued regarding secondary or third-party review for larger proposed projects that normally would be reviewed by Act 250 but would now fall to the Zoning Office and DRB for review. Current bylaws allow for this but there is no mechanism or threshold for enacting this third-party review. Will discuss further during ZA proposed updates.
  - c. Actual “opt-in” must come from the Selectboard and not the Planning Commission.

**MOTION:** L. McCarthy moved to recommend to the Selectboard that they adopt the Zone 1B resolution for the purposes of Act 250 review. D. Kuzio seconded.

**VOTE:** All in favor.

2. Vote individually on items 1-8 reviewed on 12/4 for inclusion in the bylaws:
  - a. Brief review of proposed definition of dwelling, accessory dwelling unit, and changes in the bylaws

**MOTION:** D. Kuzio moved to accept the proposed language of ADU’s for inclusion in the bylaws. L. McCarthy seconds.

**VOTE:** All in favor

- b. By law enforcement window
  - i. This issue was clarified previously and does not need amendment in the bylaws
- c. Clarification of terms surrounding owner of property

**MOTION:** D. Kuzio moved to accept the proposed language regarding owners for the bylaws. D. Nugent seconded.

**VOTE:** All in favor

- d. Certificate of Compliance / Occupancy
  - i. Clarification of the terms and how they are used within the bylaws

**MOTION:** D. Kuzio moved to include the proposed definitions of certificate of occupancy and certificate of compliance in the bylaws. D. Nugent seconded.

**VOTE:** All in favor

- e. DRB notifications
  - i. General cleanup of language regarding notifying interested parties of DRB decisions in order to match state statutes.

**MOTION:** D. Nugent moved to accept the proposed language. D. Kuzio seconded.

**VOTE:** All in favor

- f. Driveway permits
  - i. D. Casey stated that the driveway permit was never intended to be a driveway permit, but more of a curb cut or access permit. Brief additional conversation regarding process.

**MOTION:** L. McCarthy moved to accept the proposed language for access/driveway permit. D. Nugent seconded.

**VOTE:** All in favor

- g. Building envelopes
  - i. Discussion regarding differed use lots, section numbers, and whether it would apply to all zoning districts.

**MOTION:** D. Kuzio moved to add a differed use lot definition in Section 500 as proposed, but striking the second half of the proposal and add that differed use status must be included on the plat. Under Section 351f add “unless proposed as differed use lot.” L. McCarthy seconded.

**VOTE:** All in favor

#### h. Pools & Ponds

**MOTION:** L. McCarthy moved to add in-ground and above-ground pools to the accessory structure definition. D. Nugent seconded.

**DISCUSSION:** D. Schmidt asked how to handle size and seasonal use. D. Kuzio asked if we should be limiting pool size or listing pools of a certain size as conditional use. Both questions resolved.

**VOTE:** All in favor

- i. Discussion regarding ponds and the communications that were had with the State. Review of other towns’ bylaws regarding ponds.

**MOTION:** L. McCarthy moved to include ponds in the accessory structure definition and list them as permitted use. Permits provided if applicable state and federal permits have been obtained or documentation obtained that permits are not required. D. Nugent seconded.

**VOTE:** All in favor

### 3. Continue review of ZA suggested edits to bylaws

- a. Parking regulations.
  - i. Starksboro bylaws differ from state regulations in a few ways, notably in the size of parking spots on paved vs gravel lots.

**MOTION:** D. Nugent moved to accept proposed changes related to parking regulations. L. McCarthy seconded.

**VOTE:** All in favor

- b. Waiving fees for town projects
  - i. There is no mechanism in the bylaws for waiving fees for projects where the town is the applicant.

**MOTION:** D. Casey moved to accept the proposed language for waiving fees. L. McCarthy seconded.

**VOTE:** All in favor

- c. ROD definition in new bylaws
  - i. This issue was previously discussed, and some changes have been made. Additional conversations of language for section tabled until next meeting.
- d. Fees – special & impact
  - i. Continued discussion from Item 1. Bylaws allow for third party review of complicated projects but nothing in bylaws states what triggers the review and when the DRB or ZA can use the provision. Additional discussion tabled for next meeting.
- e. Pre-application meeting
  - i. Pre-application meetings are currently only required for subdivision or PUD applications. Proposal is to have applicant meet with Zoning Administrator before any application to discuss issues and applicable bylaws.
  - ii. Discussion of time and resources involved in this. Additional discussion of words “should” vs “shall” and how the provision could or would be enforced. Discussion regarding general awareness of zoning process and bylaws, and ways to advertise the permit process and requirements.

**MOTION:** L. McCarthy moved to accept language as proposed however change the word “should” to “strongly encouraged.” D. Nugent seconded.

**VOTE:** All in favor

- f. Checklists, charts and diagrams on the website
  - i. This is a proposal to include some general documents on the website that outline the process and have checklists for various processes. This is more of a “to-do” item than an item to vote on.

- 4. Other bylaw discussions as needed
  - a. No discussion

- 5. Approve any outstanding minutes
  - a. D. Kuzio noted an error with the title of the meeting in the 12/4 minutes.

**MOTION:** D. Kuzio moved to approve the 12/4 minutes with the suggested edits. D. Nugent seconded.

**VOTE:** All in favor

- 6. PC Roundtable
  - a. D. Casey asked about any updates with the Jerusalem Community Center Project. D. Schmidt and L. McCarthy to have a meeting with the Project Manager on Monday 12/22 to discuss contracts and the potential need for a sprinkler.
  - b. D. Schmidt did talk to the VTrans aviation folks about the proposed landing area bylaws and frequency of use. They believe that the town can put restrictions on items such as frequency of

takeoffs/landings, but they differed to the Transportation Board for the final decision. Hopefully we will have a formal response prior to the next PC meeting. Item to appear on next agenda.

- c. D. Kuzio spoke about general Act 181 updates.

**Motion:** D. Kuzio moved to adjourn. D. Nugent seconded.

**Vote:** All in favor

Meeting adjourned at 8:48

Minutes submitted by L. McCarthy