

Town of Starksboro
Planning Commission
Minutes (APPROVED)
December 4, 2025

Present: Dennis Casey (Zoom), David Schmidt, Luke McCarthy, Dan Kuzio (Zoom), Dan Nugent

Others Present: Steve Rooney – Zoning Administrator

Visitors: Jeane Tufts, Jess Rosen, Tom Perry, Devin Belisle, Dan Baker (Zoom), Marguerite Gregory (Zoom), Rich Warren (Zoom)

Meeting called to order by David Schmidt at 6:30pm

Visitors Business: None

PC Current Business:

1. Zoning Bylaw review and revisions:

- a. Discuss potential issues with landing area language.
 - i. It was brought up by a visitor during the Selectboard review of the bylaws that what is proposed in our bylaws may not be enforceable based on state rules. Specifically, the DRB application asks for proposed takeoffs and landings per day. The visitor stated that only the State regulates this, and the Town has no say. DRB may be able to ask for this information, but it may not have any weight on the conditional permit. PC to try to reach out to the VTrans Aviation Coordinator again and get some clarity on the proposed bylaws.
- b. Review Proposed ZA changes.
 - i. PC agreed to move to next agenda items since interested parties were in the room
- c. Discuss Home Business / Home Industry / Contractor Yard interpretations
 - i. S. Rooney gave an explanation on why this was being brought to the PC. A new business on Route 116 was told they needed a Conditional Use Permit to use the residential property as a base of operations for a landscaping company.
 - ii. S. Rooney read the applicable definitions and PC discussed how they overlapped with each other.
 - iii. D. Nugent spoke about the need for permits and the application process.
 - iv. Discussion ensued about home industries and at what threshold someone would need to apply for a permit. Also discussed was enforcement and the fact that there are likely a number of home based businesses operating in Starksboro without permits.
- d. Review Proposed ZA changes
 - i. PC pulled up S. Rooney's chart of proposed changes to the bylaws. The proposed changes are mostly technical in nature and are aimed at bringing clarity to the regulations, or streamlining the application process. S. Rooney discussed each suggestion and the PC discussed. PC got through a number of the suggestions but tabled the rest for a future meeting.
 - ii. Proposed bringing the definition of Accessory Dwelling Units in line with the definition used by the State. Starksboro bylaws also do not define the term "dwelling" even though it is used throughout the bylaws. Discussion regarding access and driveway status in relation to ADU's not increasing the overall count of homes on a property. Additional discussion related to 911 addresses for ADU's.
 - iii. Clarification of the 150 day "clock" on applying both sets of bylaws to the permit review process. This issue is resolved.

- iv. There is no definition of the terms “owner” vs “applicant” when it comes to the DRB or permit process. There have been a few instances where an owner’s representative has presented before the DRB but there has been no official mechanism for the owner of a property to authorize a representative. S. Rooney has created a form to alleviate the technicality and proposed definitions and clarification in the bylaws.
- v. Discussion of certificate of occupancy vs certificate of compliance and how each is used.
- vi. Discussion of how abutting property owners are alerted to DRB hearings. Certified mail vs. first class, who sends out the mailings, and clarification of language in the bylaws.
- vii. Until recently the process for driveway permits did not involve the Zoning Administrator at all. It was a form that the applicant brought to the selectboard, and pending road foreman review the applicant could proceed with work. It was also discussed that the “driveway permit” isn’t actually a driveway permit at all and only allows the applicant to connect their driveway to the town road. S. Rooney proposed formalizing the process (which has already been improved) and clarifying all this in the bylaws.
- viii. Lengthy discussion regarding building envelopes and the present language requiring them on any subdivision. If a landowner wants to divide their property and sell with no proposed development, should the town require that they create a building envelope? Or allow the purchaser to do that when they apply for a building permit?
- ix. Pools (in-ground or above) are on the fee schedule indicating a permit is required, however there is no specific mention of them in the bylaws. Proposal for adding language. Discussion regarding ponds and whether towns can regulate them, and if there should be some language in the bylaws. PC to reach out to DEC to get clarification on jurisdiction and potentially regulation suggestions.
- e. Discuss other bylaw issues as needed
 - i. No other issues

2. Approve any outstanding minutes:

- a. The last PC meeting was a joint PC/Selectboard meeting where one set of minutes was taken for both meetings. It was unclear if the SB had approved these minutes at their last meeting, or if they had edits.

Motion: D. Nugent moved to approve the minutes of the joint PC/SB meeting on 11/6. D. Kuzio seconded.

Vote: All in favor

3. PC Roundtable

- a. L. McCarthy received an email from a member of the energy committee and ACRPC regarding the MERP grant, and it’s use on the Jerusalem Community Center project. ACRPC concerned about timing of use of funds and general scope of project vs what was stated in the MERP application. Since L. McCarthy was not involved with the grant application and has no knowledge of the scope, he connected ACRP with the project GC, Silver Maple Construction.

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

Vote: All in favor

Meeting adjourned at 8:26

Minutes submitted by L. McCarthy