

Town of Starksboro  
Planning Commission meeting  
March 7, 2019  
Unapproved

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**Board members present:** Dennis Casey, Jeff Keeney, Denny Barnard, Dan Nugent, Rodney Orvis, Brad Boss  
**Unable to attend:** Dan Harris  
**Others present:** Rebecca Elder (ZA), Richard Lucia

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The meeting was called to order at 7:05 p.m. by Chair Dennis Casey.

Welcome was made to new board members, Brad Boss and Rodney Orvis.

#### Election of officers

**Motion:** Denny Barnard nominated Dennis Casey. Jeff Keeney 2<sup>nd</sup>.

**Discussion:** none

**Motion carried.**

**Motion:** Rodney Orvis nominated Jeff Keeney to the position of vice chair. Denny Barnard 2<sup>nd</sup>.

**Discussion:** none

**Motion carried.**

The board discussed whether the role of clerk is required by law if there is an administrative officer. Rebecca will research for next meeting.

#### Current Business

Rebecca gave background on a recent permit issued for a replacement home on an existing lease lot in Lazy Brook mobile home part. Denny gave a summary of the zoning issues for Brad and Rodney to come up to speed on the discussion. A representative for the residents of the park is giving a summary of their concerns later in the evening.

The board reviewed maps and information in preparation for the conversation with Alan Quittner at the 3/21 meeting. He is requesting the board's consideration of a change in the zoning district line between the Low Density district and the Forestry & Conservation district along Gore Road. The board review past bylaws, historical descriptions of the zoning districts and changes made in the past. They also looked at maps of the area from the natural resources atlas showing slope and stream information in addition to parcel data.

#### Lazy Brook MHP residents' association – Richard Lucia

Richard Lucia came to speak to the board as the group representative for a newly formed resident homeowners' association at Lazy Brook MHP. The part is owned by the Addison County Community Trust. There are 35 resident homes in the park with 46 residents represented in Starksboro.

The group has concerns now with the land development at 23 Ash Lane. A zoning permit was recently issued for a new home to be placed on this lot. Mr. Lucia stated that there was a 35+ year footprint. Residents expected a replacement home to go on the same spot. The lot was "redeveloped" for reasons they don't understand. Neighbors thought the lot just needed a septic replacement. Mr. Lucia said that these types of changes in affects the budget for everyone in the park. He said that ACCT passes expenses on to the residents via rent increases.

The residents' association wants to hear the town's perspective on what's going on and want to see better communication among the town, the ACCT, and the park residents. They want to know what is expected of ACCT as the landowner.

Residents pay rent, which is supposed to cover the costs for infrastructure needs and repairs and maintenance at the parks. According to Mr. Lucia, the rent has increased annually for 3 yrs. There was 28% request this past year. The group went to mediation to address the problem.

Mr. Lucia also stated concerns about water flow issues coming off Lincoln Hill Road. There were culverts installed by Huntington to address water run-off. The park residents are concerned that the water now flows into Starksboro. There have been 3 floods in the park in 35 years. Mr. Lucia said there are only 4" drainage culverts with an excavated ditch.

Mr. Lucia said that the Lazy Brook residents feel alone and without the knowledge they need about issues that are happening in their front yards. They want a community. The park has space for a ball field, for outdoor activities, for play space for kids, but have not received support from ACCT on these ideas due to liability issues. They are hoping this will change.

There has been a staffing change at ACCT and the park manager, Mary Jackman, left the organization. She now works for Parker Excavating, which has the contract for services and repairs at the ACCT parks in Starksboro. The residents would like to see open, fair bidding practices for contracts in the park.

They understand the setback issues that are happening. Richard said the home on the corner of Cherry Lane, for example, is too long and too wide. The front yard is too small and the home is too close to the road. This is only one example.

Dan Nugent spoke as DRB chair and acknowledged the frustrations. The Town doesn't want any increase to the amount of nonconformity. The result is that larger homes cannot be placed in the parks. The parks were designed for the older, smaller, single-wide mobile homes. Richard said residents think that double-wide homes should be allowed as long as the septic system can handle the number of bedrooms. From a zoning perspective, there is more to review such as setback requirements that make double-wide homes very hard to place within the parks.

The residents' association has tried repeatedly to communicate with the Dept. of Housing and Community Development and has not received cooperation or assistance. The group has been working with CVOEO for guidance on establishing their association and on how to proceed with various issues.

Jeff Keeney did not issue any permits in Lazy Brook MHP when he was Septic Officer for the town. Mr. Lucia stated that he is concerned about dumping of old septic soil on the Huntington side of the park. There are 3 families with children who live close to the dumping area. The soil has been rained on and drains onto their lots (ie. Contact with items such as toys, bicycles, lawn equipment, etc). Any soil removed from a septic area must be handled per the State's protocol for containment and removal. The State took oversight of potable water and septic systems in 2007.

State statute reference: Title 10, Chap 153 – Mobile home laws – ACCD

Dan Nugent asked Richard for a list of bullet points of the main concerns. Some of these are:

- Drainage ditch – water supply (pumping up to Hillside)/expensive and inefficient.
- No backup generator; sometimes out of power for 5 days (health issue – no water)
- Roads – Nov. 8 brought into gravel; snow came; then came in for plowing; Parker does the plowing and the road maintenance and is not keeping the roads in good condition.
- Fair bidding practices – residents want to see services being put out to bid for best prices and service.
- Water lines that need to be replaced – i.e. Elm Lane about 100 ft needs replacing
- Septic system compliance – systems that need to be replaced on the vacant lots.

Denny Casey asked Mr. Lucia to provide the PC with a list of the problems. The PC is currently reviewing the Bylaws and they want to ensure the regulations will be helpful. Mr. Lucia asked about the bylaws as they pertain to the MHPs. The parks were created before zoning and are considered “nonconforming” lots. The Bylaws require that any future development does not create additional nonconformities. (i.e. do not increase the level of nonconformity)

Jeff Keeney said the town needs to know when illegal activity is going on. Residents should send formal complaints to the zoning administrator who will inform the PC. He also suggested speaking with the new legislators representing our district: Mari Cordes and Caleb Elder. They can be helpful and should be aware of what the residents’ complaints are.

**Resident Association Goals and Purpose:**

- To improve the quality of life for residents
- Keep rent affordable
- Improve services in the park
- Build community spirit
- Establish effective communication between the park owner, residents, and the town.

ACCT has owned the MHPs since 1991.

The PC asked Mr. Lucia to send copies of all land development related complaints to the board as well as ACCT so the board members can stay informed. Copies will be sent to the town office via Rebecca.

[Richard Lucia departed at 9 pm]

Rodney Orvis and Brad Boss asked some questions about the history of the parks, how the lots are delineated, what the infrastructure is now, etc. Rodney asked if all new or replacement homes for the parks could come through the DRB for site plan review. This would be an expensive and lengthy process for applicants.

The group discussed the “Vermod” homes – these are high-efficiency homes that are intended to be a permanent home and should have proper infrastructure. There is not the proper amount of space to install these correctly in the parks. A community water system would be needed first.

Permanent foundations cannot be put into the parks. The infrastructure cannot support them and the parks were designed to be temporary housing, not permanent.

[Review of minutes](#)

**Minutes of 1/17/19**

**Motion:** Denny Barnard made a motion to approve the minutes of 1/17/19. Jeff Keeney 2<sup>nd</sup>.

**Discussion:** none

**Motion carried** (Brad and Rodney abstained.)

**Minutes of 2/21/19**

**Motion:** Jeff Keeney made a motion to approve the minutes of 2/21/19. Dan Nugent 2<sup>nd</sup>.

**Discussion:** none

**Motion carried.** (Brad and Rodney abstained.)

**Next meeting:**

1. Invite Alan Quittner to come at 7:30 p.m. on 3/21 to discuss request for zoning district change
2. Resume review of the bylaws

Rebecca will make a copy of the current bylaws for Rodney and Brad along with the minutes and bylaw discussions/changes.

**Motion to adjourn:** Dan Nugent made a motion to adjourn at 9:05 p.m. Jeff Keeney 2<sup>nd</sup>.

**Motion carried.**

Respectfully submitted,

Rebecca Elder  
Zoning Administrator

DRAFT