

Town of Barnet Planning Commission & Zoning Board Minutes

Meeting Date & Time: September 14, 2021. 7PM

Location: Barnet Fire Station – 151 Bimson Drive, Barnet, VT. 05821

Board Members Present: Ben Adams, Bruce Denio, Trent Roy, Elizabeth Evans, Mark Bowen, Eric Skovsted, and clerk, Dawn Holtz.

Also present: Shirley Warden – Barnet Planning & Zoning Administrative Officer, Dylan Ford - Barnet Selectboard member, and Alison Low – Senior Planner at NVDA.

Minutes:

- **Agenda item #1 - Those present:** Chairman, Ben Adams, called the meeting to order at 7pm with the above list present.
- **Agenda item #2: Review and approve previous meeting's minutes.** No edits needed. **Decision:** Evans made a motion to approve the draft of minutes for the August 10, 2021 meeting. Denio and Bowen both seconded the motion. Motion approved.
- **Agenda item #3: Meet with Alison Low & Dylan Ford to discuss grants for the town:**
Discussion: Low reviewed her previous statements about updating the Barnet town plan and presented a printed estimate of the costs associated with updating. Bowen asked Low to clarify if this includes an enhanced energy plan, Low verified it does. Low indicated that typically “general updates” are charged to the town such as updating maps, utilities, etc and this is accounted for in the estimate. Ford then mentioned that there were 2 requests from PC&ZB board members for the board to apply for and use funds from a municipal planning grant to update the town plan. Ford came to the meeting to verify that all PC&ZB board members agreed on this and to ask how committed the board is to enhanced energy planning and should that be the focus of the application for the municipal planning grant. Ford also asked how much money the PC&ZB board would be requesting. Evans then commented that after attending a webinar on applying for the grant her impression is that in order to be eligible for the funds, a project must be a substantial and it seems the PC&ZB board’s request for funds just to do the updates to the town plan would not qualify. Evans, Low, and Ford then asked if it was worth applying if it seems we are not eligible. Low commented that NVDA already has money set aside to cover energy costs so it would not make sense to apply for the grant using enhanced energy plans as a basis for the application. Ford stated that the Barnet Selectboard would request a letter be sent to them by Nov. 1st if PC&ZB board wants to have the funds added to the budget. Warden noted that the current town plan seems to be in line with what the town is actually doing. Evans then brought up the energy committees that are being formed in surrounding towns and raised the question if Barnet should get involved in that. Bowen clarified that energy committees are made up of citizens and typically not board members, but they can be a helpful addition. **Decision:** Bowen moved that the PC&ZB board send a request letter to the Barnet Selectboard requesting \$5000 be added to the town budget for the purpose of updating the town plan. The amount is based on the written estimate provided by Low. Evans seconded the motion, all approved – motion carried.

APPROVED 11/9/2021

- Ford and Low left the meeting at 7:25pm and further discussion ensued about forming a sub-committee of PC&ZB members to work on the updates to the town plan. Warden mentioned that more copies of the current town plan are needed at the town clerk's office. Warden also mentioned that if a sub-committee is formed and there are meetings that take place, the meetings may be subject to the Vermont Open Meeting Law and general public would need to be invited. Adams suggested to make an announcement at a regular PC&ZB meeting about the town plan updates so that the public is aware. **Decision:** All agreed that when the time comes this will be revisited or announced at a regular meeting. No motions made.
- **Agenda item #4 - Old business: Discussion:** Bowen asked what the status of the Lawton property is, they are still in violation. Warden said she is waiting for them to apply for their Act 250 permit and that the town listers visited the property. After the visit, Mr. Lawton called Warden to ask why and if they could just show up for a site visit. Warden is researching the PC&ZB ROPs and Bylaws for guidance on how to handle this type of situation. Bowen proposed the question of should the PC&ZB ask the town selectboard to consult the town attorney on the matter. Adams suggested sending a letter of violation with a warning of the standard \$200/day fine if the Lawton's do not correct their current violations. Warden stated that as the ZAO she will not send such a letter as she already has sent a letter letting them know they are in violation and to move forward with more action would require an attorney or some legal precedence. All PC&ZB members indicated that they simply want to remind the Lawtons that they are still waiting for them to correct their issues, meanwhile they are still operating their business while being knowingly in direct violation, no one wants to discourage a town business. All board members also agreed that they are confused about what the next steps are. Roy also pointed out that people are complaining so the board needs to act. Discussion ensued about consulting legal advice and board members also reviewed the Zoning Bylaws to verify authority over the situation. **Decision:** Upon review of the bylaws Bowen moved to make a request to the town selectboard to seek legal advice about how to further enforce zoning violations as indicated in Section 201.02 - F. of the zoning bylaws. Evans seconded the motion, all approved, motion carried. Adams stated he will call the selectboard to make the request and will provide an update at the next meeting.
- **Cont'd Agenda item #4 : Discussion:** Warden made the board aware that Kevin Dugrenier has applied to put a house on the property located at 382 Comerford Dam Rd. and that potential issues with the floodplain may be a concern. PC&ZB suggested to have Sacha Pealer, Regional River Scientist & Manager, take a look at the location. Adams noted that if the legal town maps say that it is out of the floodplain then it is good. Warden said she would also like to require mylar maps for the town. **Decision:** No motion required, board will wait to see if an issue is determined by Pealer and then deal with it accordingly, there is no action required by the board at this time.
- **Agenda item #5 - Correspondence: Discussion:** Holtz stated there has been no correspondence. Warden stated as of this meeting, there are no applications waiting for the next meeting.
- **Agenda item #6 -Adjourn: Discussion & Decision:** Bowen moved to adjourn the meeting, Evans seconded. Chairman Adams called the meeting to an end at 8:49pm.