

**Town of Barnet Planning Commission & Zoning Board Minutes**

**Meeting Date & Time:** May 9, 2023. 7 PM

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

**Board Members Present:** Ben Adams, Zachary Mangione, Bruce Denio, Eric Skovetsed, Dawn Holtz, Dennis McLam, Elizabeth Evans, Mark Bowen, Trent Roy.

**Also present:** Shirley Warden – Barnet Zoning Administrative Officer

**Members of the public present:** Dale Ryder, Evan Perkins, Bill Biddle, Allison Low (NVDA), and Dylan Ford.

**Hearing/Meeting Minutes:** Adams called the scheduled hearing/meeting to order at 7:02 pm with the above listed present. Adams read scheduled hearings aloud and began proceedings:

**Public Hearing(s) Minutes:**

**Application #10-23 received on 03/03/2023 from applicant(s) Dale Ryder of 44 Brook Circle Barnet, VT. 05821, tax map #23-01-01 to be considered under Section 205.03 of the Barnet Zoning bylaws for setback from property lines, right of ways, or town highways.**

- Adams asked for clarification of application request and explained to Mr. Ryder that a setback variance was needed. Mr. Ryder explained issues with small lot, culvert, and driveway access. Discussion ensued. It was noted no abutting property owners were present.
- It was noted that the town right-of-way for the road would supersede any variance/decision made by the zoning board.

**Motion:** Based on the findings, McLam moved to approve the request for a variance considered under §205.03 of the zoning bylaws, for proposed carport location. Denio seconded the motion. All were in favor.

**Decision:** Based on the following findings of fact, the board unanimously approves the request for a variance for application #10-23 considered under §205.03 of the Barnet Zoning Bylaws.

**Findings of Fact:**

- Unique conditions of property - the small size of the lot and the location of the road.
- Because of these conditions a variance is needed.
- An unnecessary hardship has not been created by applicant.
- Variance will not alter the character of the neighborhood.
- Variance will afford minimum relief and be least deviation from zoning bylaws.

**Application #13-23 received on 04/14/2023 from applicant(s) Gabrielle Hamilton on behalf of Madelaine Hamilton Estate for consideration of a conditional use for Private Burial Ground, physical address of 859 Whitehill Rd Barnet, VT. 05821 under Section 305.01 AG Conditional Use #4, of the Barnet Zoning bylaws.**

- Adams asked for explanation of application request.

- Mr. Perkins stated that he was present as both abutter and proxy for applicant as she could not be present.
- Mangione disclosed he had prior conversations with applicant about request.
- Adams asked if burial ground is near ground water, Evans stated no and explained “green burial” process.
- Holtz shared info sheet for VT statutes regarding burial grounds provided by ZAO Warden. Discussion ensued.
- It was noted another abutter, Dylan Ford, was present and was asked if she wished to speak to the request. Ford stated no.

**Motion:** Based on the findings, Denio moved to approve the request for conditional use, private burial grounds, under §305.01 of the zoning bylaws. Bowen seconded the motion. All were in favor.

**Decision:** Based on the following findings of fact, the board unanimously approves the request for a conditional use for private burial grounds for application #13-23 which meets requirements under §305.01 AG Conditional Use #4 of the Barnet Zoning Bylaws as well as VT statute 18 VSA §5319 (b)(2) and a map will be available on file at town clerk’s office as part of the permit.

**Findings of Fact:**

- Due to the property layout and location of the burial grounds, the request meets the requirements of §305.01 AG Conditional Use #4 of the Barnet Zoning Bylaws.
- The approved conditional use will not have undue adverse effects on existing or planned community facilities, character of the affected area, effect on traffic & roads, effect on utilization of renewable energy resources.

**Regular Meeting Minutes:**

- **Agenda #1 - New/Proposed agenda items:** Skovsted shared a letter mailed to him from Mary Jane Egerton regarding short term rentals in other towns. The letter will be kept on file.
- **Agenda #2 - Edit/Approve April minutes -** Adams motioned to approve minutes as written. Roy seconded. McLam, Bowen, and Evans abstained due to being absent for April meeting. Adams, Holtz, Mangione, Skovsted, and Denio voted to approve minutes. April minutes approved as written.
- **Agenda #3- ZAO Updates -** Warden stated she had nothing at this time.
- **Agenda #4 - Continuing/Other Business:** Skovsted and Evans presented completed draft of Barnet Town Plan update. Ms. Low of NVDA gave an overview of items needing to be added/edited. Mr. Biddle offered explanation of Town Plan vs. Zoning Bylaws and history of previous editing work. Ford shared the Selectboard uses town plan when considering direction to go on projects, and making decisions. Ford raised concerns about ease of finding info in the document. Discussion ensued. Final draft work will continue and be shared at next meeting.
- **Agenda #5 - Correspondence -** None.
- **Agenda #6 - Adjourn-** Adams asked if there was any other business, all stated no. Evans motioned to adjourn meeting. Bowen seconded, all were in favor. Meeting adjourned at 8:45pm.