

Town of Barnet Planning Commission & Zoning Board Minutes

Meeting Date & Time: Sept. 12, 2023. 7 PM

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

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

Also present: Shirley Warden – Barnet Zoning Administrative Officer

Members of the public present: Mary Jane Edgerton, Chris Cartter, Mel Hale

Hearing/Meeting Minutes: McLam called the scheduled hearing/meeting to order at 7 pm with the above listed present. McLam read scheduled hearing notices and VT statutes on private burial grounds aloud, then began proceedings:

Public Hearing(s) Minutes:

1. **Application #32-23 received on 07/15/2023 from applicant(s) Mary Jane Edgerton & Mary E. Dawson of 506 Tripp Lane, for Family Burial Plot, §305.01 conditional use #4, of the Barnet Zoning bylaws. To be reviewed under §307, conditional use #4, cemeteries and state board of health guidelines.**
 - McLam verified application request with applicant.
 - Board members discussed requirements of applicable bylaw sections and setback requirements.

Motion: Based upon the following findings listed below, Bowen moved to approve the request for a family burial plot with no additional conditions so long as plot complies with state statutory requirements, 18 V.S.A. §5319. Denio seconded the motion. All were in favor.

Findings of Fact:

- All setback requirements are met.
- All bylaw requirements are met - §305.01 conditional use #4 & §307, conditional use #4
- No additional conditions were set.
- The conditional use will not have adverse effects on capacity of existing or planned community facilities, character of the affected area, traffic & roads in the vicinity, or utilization of renewable energy resources.
- Applicant was made aware of state statutory requirements, 18 V.S.A. §5319.

Decision: Based on the above findings of fact, the board unanimously grants the request for a conditional use for application #32-23 considered under §305.01 conditional use #4 & §307, conditional use #4 of the Barnet Zoning Bylaws and state statutory requirements, 18 V.S.A. §5319.

2. **Application #33-23 received on 07/15/2023 from applicant(s) Cartterfield Family Trust, 804 County Hill Rd, for Family Burial Plot, §307 conditional use lot on #02-01-10.1, of the Barnet Zoning bylaws. To be reviewed under §307, conditional use #4, cemeteries and state board of health guidelines and/or health officer approval.**

- Board verified application request with applicant.
- Board members discussed requirements of applicable bylaw sections and setback requirements.

Motion: Based upon the following findings listed below, Adams moved to approve the request for a family burial plot with no additional conditions so long as plot complies with state statutory requirements, 18 V.S.A. §5319. Evans seconded the motion. All were in favor.

Findings of Fact:

- All setback requirements are met.
- All bylaw requirements are met - §307, conditional use #4
- No additional conditions were set.
- The conditional use will not have adverse effects on capacity of existing or planned community facilities, character of the affected area, traffic & roads in the vicinity, or utilization of renewable energy resources.
- Applicant was made aware of state statutory requirements, 18 V.S.A. §5319.

Decision: Based on the above findings of fact, the board unanimously grants the request for a conditional use for application #33-23 considered under §307, conditional use #4 of the Barnet Zoning Bylaw and state statutory requirements, 18 V.S.A. §5319.

3. **Application #37-23 received on 08/04/2023 from applicant(s) Ryan Hale/Melvin & Lana Hale Life Estate, tax map id #05-02-09 Tower Rd(class 4), to convert permitted shed to dwelling, §402 of the Barnet Zoning bylaws. To be reviewed under §402 and definition of public road.**

- Warden noted a correction of names on the application. The names should read Ryan & Julie Hale and Melvin & Lana Hale. The lot listed under the Life Estate is not part of the application, it is a separate lot. Bowen asked for clarification.
- Bowen asked if shed to be converted was the same form a previous application. Applicant stated it was and explained the reason for the change.
- All setback requirements are met.
- No additional conditions were set.
- The change of use will not have adverse effects on capacity of existing or planned community facilities, character of the affected area, traffic & roads in the vicinity, or utilization of renewable energy resources.

- Applicant was made aware that no emergency services would be available due to the class 4 road.
- Point of order was made - change of use approval includes addition.

Motion: Based upon the following finding(s) listed below, Bowen moved to approve the request for a change of use with no additional conditions. Adams seconded the motion. Denio abstained as an abutting property owner. All others were in favor.

Findings of Fact:

- State septic permit is already in place.

Decision: Based on the above findings of fact, the board unanimously grants the request for a conditional use for application #37-23 considered under §402, change of use on a back lot.

Regular Meeting Minutes:

- **Agenda #1 - New/Proposed agenda items:** None.
- **Agenda #2 - Edit/Approve August minutes -** Bowen noted an error in wording - “substantial reference should be substantial deference”, all agreed. Change noted and made.
- **Agenda #3- New Business -**
 - A. Warden shared info from VT Aerospace on helipads.
 - B. Warden updated board on state permit in motion from a previous application.
 - C. Warden shared news about Barnet Solar LLC in West Barnet.
- **Agenda #4 - Continuing/Other Business:**
 - A. Holtz stated she will be away from October 11-25.
 - B. Holtz stated she will likely need to resign from board and secretary position at end of year.
 - C. It was noted no new interest to fill board positions.
 - D. It was noted this is Evans’ last meeting - she previously resigned from board.
- **Agenda #5 - Correspondence -** None.
- **Agenda #6 - Adjourn-** McLam asked if there was any other business, all stated no. Bowen motioned to adjourn meeting. Adams seconded, all were in favor. Meeting adjourned at 7:57pm.

A true copy, 9/12/23 - Attest: Dawn Holtz, Board Clerk