

Town of Barnet Planning Commission & Zoning Board Minutes

Meeting Date & Time: November 14, 2023

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

Board Members Present: Ben Adams, Dawn Holtz, Dennis McLam, Mark Bowen, Trent Roy, and Bruce Denio.

Also present: Shirley Warden – Barnet Zoning Administrative Officer

Members of the public present: Thomas Lang, Timothy Kearney, Maria Kearney, Sue Sinclair

Hearing/Meeting Minutes: Adams called the scheduled hearing/meeting to order at 7:20 pm with the above listed present. Adams read scheduled hearing notices then began proceedings:

Public Hearing(s) Minutes:

1. **Application #49-23 received on 10/10/2023 from applicant(s) Thomas and Sandra Lang of 489 Bailey Farm Lane/Lot #21-21-06, §422.03 of the Barnet Zoning bylaws for setback from property lines, right of ways or Town Highways**
 - Adams asked applicant for clarification of exact location of proposed deck
 - Bowen asked the applicant to further explain the request.
 - Applicant provided copy of acquired shoreline permit and photo of property and site.
 - No abutters were present.
 - 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 deck within 100 feet of Harvey's lake and 10 feet from sideline setbacks. Denio seconded the motion. All were in favor.

Findings of Fact:

- Unique conditions of property - the small size of the lot.
- Because of these conditions a variance is needed.
- An unnecessary hardship has not been created by the applicant.
- Variance will not alter the character of the neighborhood, §402 required right of ways.
- Variance will afford minimum relief and be least deviation from zoning bylaws.
- No additional conditions were set.

Decision: Based on the above findings of fact, the board unanimously approved application #49-23 for the request for a deck within 100 feet of Harvey's lake and 10 feet from sideline setbacks considered under §422.03 of the Barnet Zoning bylaws for setback from property lines, right of ways or Town Highways.

Regular Meeting Minutes:

- **Agenda #1 - New/Proposed agenda items-** Warden informed the Board of Maria Kearney's application #54-23 for a bakery/cafe expired in May of 2023. Kearny requests another permit for the same use; Warden informed the Board they have the option of waiving the hearing under these circumstances.

Motion: Adams motioned to waive site plan review/hearing as allowed under §306 of the Barnet Zoning Bylaws. Roy seconded. All were in favor.

Decision: Board unanimously voted to waive site plan review/hearing as allowed §306 of the Barnet Zoning Bylaw, finding the use is consistent with the former use and the size of the building will not change.. Roy seconded. All were in favor.

- **Agenda #2 - Edit/Approve October minutes -** Bowen noted spelling error. Change noted and made. Holtz motioned to approve minutes with correction. Bowen seconded.
- **Agenda #3- New Business -**
 - A. Warden shared new state license requirements for contractors, noting the Board does not need to take action on this.
 - B. Holtz nominated Sue Sinclair for the current vacant board seat and secretary position. Sinclair confirmed her interest in participating in both roles. Adams nominated Jake Stevenson for upcoming board vacancy,

Motion: Adams motioned to submit the nominations of Sinclair and Stevenson to the Select Board. McLam seconded. All were in favor.

Decision: Holtz will submit nominations of Sinclair as Secretary and Board member and Stevenson as a Board member to the Select Board.

- C. Bowen stated that he will submit resignation from the Board effective immediately.

- **Agenda #4 - Continuing/Other Business:** None.
- **Agenda #5 - Correspondence:** None
- **Agenda #6 - Adjourn-** Adams asked if there was any other business, all stated no. Holtz motioned to adjourn the meeting. Roy seconded, all were in favor. Meeting adjourned at 7:55pm.

A true copy, 12/14/2023 - Attest: Susan Sinclair, Board Secretary