

Town of Barnet Planning Commission & Zoning Board (Board) Meeting Minutes

Meeting Date & Time: April 9, 2024, at 7 p.m.

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

Board Members Present: Benjamin Adams, Bruce Denio, Dawn Holtz, Zachary Mangione, Dennis McLam, Trent Roy, Eric Skovsted, Susan Sinclair, and Jacob Stevenson. All attended in person.

Also Present: Shirley Warden – Barnet Zoning Administrative Officer and Chad Hickey of the Law Office of Charles D. Hickey, PLC attended in person.. Attending via teleconference was Brian Monaghan of Monaghan Safar, PLLC.

Members of the Public Present: Jonathan Brown, Shaun Bourn, Quinton Liberty, and Wallace Thrall.

Appeal Hearing Minutes:

- Roll Call: Chairman McLam called the meeting to order at 7:00 p.m. and initiated a roll call of Board members present.
- **Hearing:** Hearing for an appeal submitted by Jonathan Brown and Quinton Liberty of 430 Railroad Street, Apt.1, St. Johnsbury, VT 05819 related to the denial of permit #02-24 of Symns Pond Road, Barnet, VT 05821. Applicants disagree with the Zoning Administrative Officer's reasons for denying the permit.
 - Sinclair asked Hickey to open the discussion and present evidence for the appeal. On behalf of his clients, Hickey discussed the location of the structures in question and referred to the floodplain maps that represent Brown's property. He noted that the boundaries of the floodplain map were unclear and a professional interpretation of the map was required. He asked that his clients be granted additional time to hire consultants/surveyors before further zoning violations were issued.
 - Discussion ensued.
 - The Board discussed Zoning Bylaw procedures related to permit applications and zoning violation fees. Adams, Roy, Mangione, and Skovsted asked Brown and Hickey about the property and the location of the structure referenced in the permit.
 - The Board, Hickey and Monaghan discussed how much time might be needed to have the property surveyed.
- **Motion:** Adams made a motion to permit Brown and Liberty 60 days to pursue a professional interpretation of the floodplain map. To do so, permit application #02-24 must be withdrawn and Brown and Liberty must refile for a permit. During this 60 day period, no further zoning

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violations (and subsequent monetary penalties) will be issued relating to this matter. Holtz seconded the motion.

- **Vote:** The Board unanimously voted in favor of the motion.
- **Decision:** Brown and Liberty will withdraw the existing permit application and are granted 60 days to demonstrate structures are not within a floodplain. They must inform the Zoning Administrative Officer on/before June 10, 2024 of their findings and refile the permit.

Regular Meeting Minutes:

- Agenda #1 - Edit/Approve March minutes: Adams motioned to approve minutes as written. Roy seconded, all present were in favor.
- Agenda #2 - New/Proposed Agenda Items: At Warden's request, the Board discussed a transition plan for the Zoning Administrative Officer in the event Warden does not wish to apply for an additional term. Sinclair will follow up with the Selectboard to discuss.
- Agenda #3 - New Business/Zoning Administrative Officer Update:
 - Warden distributed a report of the fees collected from January 1, 2024 to April 1, 2024.
- Agenda #4 - Continuing/Other Business:
 - Town Plan: Skovstead informed the Board the Town Plan was approved by the Northern Vermont Development Association (NVDA) on April 10, 2024.
 - Bylaw Update: No updates at this time.
- Agenda #5 - Correspondence:
 - None
- Agenda #6 - Adjourn: McLam asked if there was any further business before the Board; all present agreed there was none. McLam motioned to adjourn the meeting. Adam seconded; all present were in favor. Meeting adjourned at 8:30 p.m.

Submitted May 14, 2024, by:



Susan Sinclair
Planning Commission and Zoning Board Secretary