

FINAL MINUTES May 13-2025

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

Meeting Date & Time: May 13, 2025

Location: Town Hall – 154 Church Street, Barnet, VT 05821.

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

Also Present: Dennis Marquise Zoning Administrative Officer (ZA)

Members of the Public Present: Shirley Warden, Robert Warden

Chairman Dennis McLam called the meeting to order at 7:00 p.m. and informed all attendees that the meeting was being recorded as required for Vermont's meeting laws.

Hearing:

Abutter appeal of Zoning Permit 06-25 issued to Robert Warden dated March 13, 2025, for property located at 138 Chamberlain Road. Tax Map # 0009-01-06.01

The Chair read the Notice of Appeal. The Zoning Administrator reported that he had an e-mail from Lars Botzjorns, the appealing party, and had stated in that e-mail that he had withdrawn his appeal. The e-mail stated as follows:

"After meeting with Rob yesterday we have decided to forego the need for a hearing. We talked about future shared management of the ROW. His house site is acceptable based on his assurances to grade and revegetate the slope. He said he may have to move the house slightly downhill (away from the ROW) if he needs to change from a basement to a slab based on his engineer's assessment of the site."

Lars Botzjorns did not attend the hearing

Robert Warden acknowledged that e-mail reflected his discussions with the Lars about how the right of way will be handled.

The ZA stated that it was not clear that a row even existed at this point as the town may have "thrown up the road" which the ZA believes means that the ownership is usually turned over to the abutting parties.

A motion was made to accept the withdrawal of the appeal by the appellant and close the public hearing.

A motion was made and seconded and the motion passed unanimously.

Regular Meeting

- **Agenda #1** - Edit/Approve April 8, 2025, minutes: The ZA said that he did not have the name of the person who had submitted correspondence at the last meeting. Susan said it was Grace Gershuny. A made a motion to accept the minutes as amended and they were accepted by unanimous consent.

- **Agenda #2** - New/Proposed Agenda Items: NONE

- **Agenda #3** - New Business There was a brief discussion about pushing the rewrite of the zoning bylaws forward. Ben suggested that the ZA could aid in that rewrite. The ZA indicated that he would be willing to help in that regard. He also asked if anyone had touched base with Alison Low and whether there was any grant money available to help with this rewrite. There are a few state mandates that need to be incorporated into the new document and, at the very least, Alison Low's commission should have a last look at it.

Eric said he would reach out to Alison to see what may be available.

The ZA said that some clarity has been brought to the issue of how subdivisions are to be handled in town. A legal opinion pointed out a couple of things...all subdivisions need to be approved by the Planning Commission/ZBA but in the rewrite of the bylaws, the town can allow the ZA to handle two lot subdivisions and boundary line adjustments. The ZA pointed out that there is very little in the bylaws which address subdivisions and they way they should be handled. State law also requires that all subdivisions be performed by a licensed surveyor.

The ZA mentioned that he has an application for a 2-lot subdivision from Neko Case' surveyor. The surveyor was under the impression that this is something that the ZA can handle based on past practice. The ZA asked the Board if they would authorize the ZA to permit this subdivision in the interim. Otherwise, the applicant would have to wait for two months to obtain approval from this Board. Without objection, the Board allowed this subdivision to be reviewed and approved by the ZA so long as it meets the requirements of lot size and frontage.

- **Agenda #4** - Continuing/Other Business: NONE

- **Agenda #5** - Correspondence: NONE

- **Agenda #6** - Adjourn: McLam asked if there was any further business before the Board; all present agreed there was none. He motioned to adjourn the meeting; all present were in favor. Meeting adjourned at 8:30 p.m.

Draft submitted May 13, 2025, by: Dennis Marquise