

## **DRAFT MINUTES September 9, 2025**

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

**Meeting Date & Time:** September 9, 2025, at 7 PM

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

**Board Members Present:** Dennis McLam, Dan Deatruck, Susan Sinclair, Eric Skovsted, and Trent Roy, Ben Adams

**Also Present:** Dennis Marquise Zoning Administrative Officer (ZA)

**Members of the Public Present:** Daniel Ehlers

Chairman Dennis McLam called the meeting to order at 7:00 p.m. The meeting was not recorded as the equipment was not available. Three members were not present.

### **Hearings**

**The Chair read the Notice of Hearings as follows:**

**Application 2025-39 by Scott and Jenn Stephens seeking an after-the fact conditional use permit to restore a brook channel adjacent to their access road (right-of-way). Their property is located on West Main Street, Parcel ID: 0020-20-30.**

**Application 2025-40 by Fred and Claire Groll seeking conditional use approval to remove sediment and install a rip rap wall along the banks of Harvey's Lake located at 263 Bailey Farm Lane, Parcel ID: 0021-21-26**

The Zoning Administrator recommended that both hearings be continued to the next scheduled meeting because it is not yet clear what the state may or may not mandate for fixes to these applications since they are both in the flood plain. Barnet regulations, which require a conditional use permit, were vague about the remedy and that the ZA is more comfortable bringing the state's recommendations to the Board before having the Board decide.

Ben Adams said that he was part of the Groll meeting with the state of Vermont this week and that it was determined at that meeting that no state permitting was required for the work. There was a feeling expressed by a couple of Board members that it would not require a permit from the town either.

The Zoning Administrator said he would follow up

A motion was made to continue both hearings until the next scheduled meeting. The decision was unanimous.

The chair noted that Dan Ehlers was in attendance and whether he had any comments. He asked the Board to further condition the approval given to Eric Skovsted to operate a hockey rink. Ehlers said that the noise is bothersome...the sound of the puck hitting the boards and that the use occurs many days a week until 9 PM. He said it was disturbing his peaceful enjoyment of his property.

The chair explained that they do not have the authority to change conditions and that the matter should have been timely appealed to the Superior Court and that Ehlers is now barred from appealing the decision of the ZBA. Ehlers said he would consult with his attorney.

Dan Deatruck asked the ZA if he could check the permit to see if any conditions were not being adhered to.

Ehlers left the meeting.

### **Regular Meeting Agenda**

The ZA said that an employee of the NVDA, Liam Abbate, was here to explain the new regional land use maps and the methodology behind the thinking of the regional commission. These maps were mandated by the state legislature to determine changes to Act 250's jurisdiction.

The deal that the legislature struck last year to promote housing, Act 250 would no longer review housing projects within the village areas but assume additional jurisdiction on properties in the hinterlands of the towns. Act 250's focus would be on river corridors, forestry blocks and wildlife corridors and habitats.

The map showed the expanded village designations and the more critical natural resource areas in town.

It was mentioned that Act 250 may have a larger role in Barnet as one of the prerequisites for limited jurisdiction by Act 250 is for the town to have subdivision regulations, which it's ordinance currently does not qualify.

The ZA said that the Board was working on that and wondered what constituted "subdivision regulations" to satisfy the state as subdivisions are mentioned in the ordinance. Abbate said they are too short and need to be more detailed.

Abbate went on to explain the various land use categories.

He was met with some skepticism about Act 250 assuming a larger role in town.

Abbate said that the NVDA is looking for feedback from the town about these mapped areas and he will need it by the end of October. That feedback may or may not be included in the final map. To help the Board with context Abbate promised to do an overlay that shows how Barnet's current zoning districts mesh with the new plan and he will get that to us soon so the Board can see the impact and give feedback based on that overlay.

1. Minutes from August 12, 2025, meeting were approved without changes

2. No new agenda items were brought forth

3. There was no new business discussed

4. Continuing and/or other business

Continuation of zoning bylaws review.

The ZA has started tweaks to the Zoning regulations but that it will take some time. He hopes to have a portion of the regulations started by the next meeting

5. There was no correspondence

6. The meeting was adjourned around 8:20

Draft submitted September 9, 2025, by: Dennis Marquise