

DRAFT MINUTES October 14, 2025

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

Meeting Date & Time: October 14, 2025, at 7 PM

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

Board Members Present: Dennis McLam, Zach Mangione, Susan Sinclair, Eric Skovsted, Trent Roy, Ben Adams, and Jacob Stevenson

Also Present: Dennis Marquise Zoning Administrative Officer (ZA)

Members of the Public Present: Calvin Willard, Shane Stevenson, and Joe Breidenstein

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

Hearings

The Chair read the Notice of Hearing as follows:

Continuation of 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.

This matter was discussed by the Applicant's representative Shane Stevenson. Shane asked the Board to grant an extension of time for the Applicants to remove the block retaining wall installed by the Applicants for the purpose of stabilizing the bank that had washed in recent flood events. The Applicants performed this work to maintain their ability to travel the right-of-way across an abutter's property to their camp. Shane indicated that he was charged with responsibility to get his client into compliance with the Barnet bylaws.

It was noted that a state stream alteration permit was required to work in the stream, and none was obtained. It was also noted in correspondence from the state that the wall would need to be removed as it did not meet the standard of construction for bank stabilization.

Shane said that the state will not allow the removal of the wall without a stream alteration permit which will address acceptable techniques to stabilize the bank.

He is working to file that permit with the state but indicated it will take time for the state to process the paperwork. He indicated that with winter coming, this clean-up and remediation will

take some time and may not be completed until spring. He asked the Board not to impose the per diem penalty.

The Board indicated it would not impose a penalty so long as the remediation was done in conformance with the approved stream alteration permit.

The chair questioned whether it (the Board) had the authority to impose fines, and he thought the fines were imposed by the courts.

Joe Breidenstein, an abutter, questioned whether the Applicant even a right-of-way and the ability to make these alterations.

There was some discussion on whether the gravel placed on the right-of-way was considered as road construction or road maintenance. The ZA acknowledges that it is not clear how the two are classed. Shane argued that the import of gravel prohibition was for new construction and not maintenance.

Joe Breidenstein said that the imported gravel will be washed down the stream in the event of a flood.

As for the camper and the gazebo, there was correspondence for the state offering two options to the Applicant: To seek a letter of flood plain map amendment to show that the camper and gazebo are out of the flood plain or permit the travel trailer using Barnet's conditional use process.

Shane said that the gazebo has been removed so that is no longer an issue. He also questioned whether the town had the authority to regulate this camper as the bylaws were not clear whether his client's trailer met the definition in the bylaws.

Shane indicated that he would file an application with the town for the trailer.

The Board decided to allow this remediation to proceed on the timeline as proposed by the Applicant on the condition that the ZA is kept into the loop as to progress and that the application will be continued to the next hearing and possibly beyond if the Applicant is making progress on the permitting and remediation.

Continuation of Application 2025-40 by Fred and Claire Groll seeking conditional use approval to remove sediment and stabilize a bank along Harvey's Lake located at 263 Bailey Farm Lane, Parcel ID: 0021-21-26.

Ben Adams said he was doing work for the Grolls and recused himself from the Board in any deliberations or discussion but represented the Grolls in this application.

Adams stated that the Applicant was trying to re-establish his shore frontage on his property, so he filed for a permit to do so. The state met with the Applicant and Ben Adams at the site and determined that if certain conditions are met the state had no input over the matter.

The letter from Department of Environmental Conservation letter signed by Alexis Nevis dated September 24, 2025, indicated that the project proposal includes grading shoreline sediment on Harveys Lake that was deposited during recent flooding. The proposal also includes channel management activities in the intermittent stream adjacent to the shoreline, including sediment removal and bank stabilization

It was also noted in that letter that the town needs to issue a conditional use permit for this activity after a hearing by the Board. It was noted that is why this matter is being heard tonight.

The state indicated “as long as these actions do not involve bringing in new earthen material (fill) into the SFHA, then the project can maintain flood storage capacity and meet the Flood Hazard Regulations (413). Likewise, sediment removed from the intermittent stream must be removed entirely from the SFHA.”

It as noted in that letter, that the stone riprap may not be prohibited considered “fill” if it is embedded into the existing, eroded streambank (not narrowing the stream channel) and its volume is less than the volume of material removed from the SFHA in the stream.

A motion was made to approve this work consistent with what is outlined in the Department of Environmental Conservation letter signed by Alexis Nevis dated September 24, 2025. The vote was unanimous.

Reconsideration of Application 2025-35 by Calvin Willard, 1199 Goss Hill Road, which was earlier denied which would have created a non-conforming lot through subdivision.

The Applicant apologized for his non-attendance at the last meeting and reiterated his request to allow the subdivision of his land to create a non-conforming lot, i.e. a lot that would be 1.5 acres in a 3-acre zone. He explained how the land was in conservation except for the 1.5 acres and another 3 plus acres across the road. He also explained that the land trust has no flexibility to alter the terms of that easement, so he is coming to the Board for relief. The Applicant was asked if he could simply combine the 3 acres across the road which was also excluded for the conservation easement to form a single marketable lot. While acknowledging that is a possibility, his hope was to keep that lot as a separate lot for family members in the future.

A motion to close the public hearing and enter private deliberative session was approved.

Regular Meeting Agenda

1. Minutes from September 9, 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 Board reviewed the proposed regional land use map showing the overlaid town's zoning districts. The ZA indicated that the regional commission wanted feedback by the end of October. Some members of the Board said they did not think they had much latitude to change the mapping boundaries.

5. There was no correspondence

6. The meeting was adjourned around 8:20

Draft submitted October 14, 2025, by: Dennis Marquise