

## **FINAL MINUTES November 11, 2025**

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

**Meeting Date & Time:** November 11, 2025, at 7 PM

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

**Board Members Present:** Dennis McLam, Zach Mangione, Eric Skovsted, Trent Roy, Ben Adams, Jacob Stevenson, Dan Deatrick

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

**Members of the Public Present:** Shane Stevenson, Jeff Pratt, Hugo Palmer

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 Hearings 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.**

**Application 2025-47 by Jeffrey Pratt seeking an after-the fact conditional use permit for a cabin and grading in or near a flood plain or brook. His property is located at 206-240 Bridge Street, Parcel ID: 0024-01-74.**

### **Application 2025-39**

Shane Stevenson was in attendance to represent the Applicants. He said he was working on the stream alteration permit with the state to stabilize the bank of the stream consistent with the requirements of the state. He indicated that the state is pushing to get this work done by the end of November. This work will require the placement of gravel along the right of way. Shane asked the Board whether placement of gravel on the right of way is allowed as maintenance or is it considered fill.

Shane said he interprets the ordinance that maintenance is allowed but a new driveway would require a permit. He indicated that they would be placing up to 3 inches of gravel along the road.

The Board discussed the issue, and the result was that it did not feel that maintaining a road is something that requires a permit.

The ZA said that there seemed to be some inconsistency in the bylaws.

There was discussion of the next step as it pertained to the trailer and the underlying gravel that was placed there. Shane said that he had a surveyor at the site, and he felt the elevation of the trailer site was outside the flood plain and did not require a permit unless the trailer was occupied more than 60 days per year pursuant to the bylaws.

Shane insisted the area was outside of the mapped floodplain.

ZA said he would look at the map again to see if there was any merit to Shane's claim but felt that he determined it was in the mapped area and that determination was echoed by state officials.

### **Application 2025-47**

Hugo Palmer initially presented Pratt's case arguing that the unpermitted tiny home that was built was outside of the flood area and he personally sited the tiny home in the one area that did not get flooded in 2024.

Palmer said he did not realize he needed a permit as he thought that since it replaced the destroyed mobile home, one was not required but admitted that he was in error.

A Board member pointed out that had the Applicant applied for a zoning permit, we would not be here considering this application in the first place

The ZA said that the house appears to be in the mapped flood zone. He also said that the mapping reflects flooding from the Passumpsic River only and does not reflect the recent flooding from Simpson Brook that created many of the problems for this site.

There was discussion on flood mapping, and the Board members made it clear that whether the mapping is right or wrong, the bylaws indicate that we need to abide by the mapping provided and it appears that the tiny home is in the Flood Hazard Area. The ZA has the authority to determine if it is in or outside the flood plain and has indicated that it is within the mapped area and the Vermont mapping is consistent with FEMA maps but acknowledged that FEMA maps are difficult to read.

The solution that seemed the most palatable with the Board is to move the tiny home outside of the flood mapped area and obtain a permit for that location consistent with what the state wrote in its determination letter to the ZA.

There is a secondary issue that needs to be addressed, which is the grading that occurred on the property during and after the flood. Pratt said it was the town's contractor that shored up the brook and that he had nothing to do with it. It is not clear who has the responsibility to clean that matter up and restore the bank to its original contours.

The Board voted to deny the application of the Applicant since the unpermitted home is within the flood mapped area and new structures are not allowed to be permitted in that area.

The Applicant said he would appeal the decision to Superior Court (Environmental Division)

The ZA said a written decision would be made soon and sent to the Applicant and the Applicant has 30 days to appeal the decision. The ZA also cautioned the Applicant that no one should be living in the tiny home until it is permitted. Pratt indicated that Hugo was living there.

### **Regular Meeting Agenda**

1. Minutes from October 14, 2025, meeting were approved with one change regarding clarification of the timing of the installation of the block wall on the Stephens property.
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 said he has done some substantial editing to the bylaws and will distribute those prior to the next meeting.
5. ZA said he sent along correspondence regarding the timing of comments to the proposed regional land use mapping. There did not seem to be any interest by the Board to critique the map as the sentiment of the Board was that no meaningful changes were encouraged by NVDA.
6. The meeting was adjourned around 8:20

Draft submitted November 11, 2025, by: Dennis Marquise