

**BARRE TOWN DEVELOPMENT REVIEW BOARD**  
**MINUTES FOR JULY 15, 2020**

Special meeting

The Barre Town Development Review Board held a special public hearing on **Wednesday, July 15, 2020** beginning at 6:30 p.m. via zoom video conferencing and teleconferencing. There was no physical meeting place per Covid-19 legislative action.

**MEMBERS TELECONFERENCE (ZOOM)**

Mark Reaves, Jim Fecteau, Angela Valentinetti, Jon Valsangiacomo, Chris Neddo, Cedric Sanborn and Craig Chase (Zoom & phone)

**MEMBERS ABSENT:**

Charles Thygesen, Sr.

**STAFF PRESENT (ZOOM):**

Chris Violette and Cindy Spaulding

**OTHERS PRESENT (ZOOM):**

Hugh Dow (agent for the applicant)

**CHANGES TO THE AGENDA:**

No changes to agenda

**WARNED PUBLIC HEARINGS**

**APPLICANT:            **Freeman / Variance****

Request by Hugh Dow on behalf of Cathie Freeman for a 25' variance of right-of-way (Plainfield Brook Road) setback (50' required) in accordance with Article 7, section 7.9 allowing a 25' setback from Plainfield Brook Road for the placement of a single-family dwelling (moving from one spot to another) on property located at 21 Plainfield Brook Road; parcel ID: 009/034.00.

Consultant:    None

Date:            July 10, 2020

**STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,**  
**PLANNING OFFICER**

This is a warned public hearing for the purpose of hearing a request for a variance in accordance with Article 7, section 7.9, whereas it was determined after submission of a building permit that the proposed project by the applicant cannot meet the minimum setback in accordance with Article 2, table 2.2.

The subject parcel is located on Plainfield Brook Road in a low-density residential zone that requires a 50' setback from the road right-of-way. The parcel is 2.2 acres in size.

Ms. Freeman has submitted a building permit to move her existing mobile home from its current location on her land to a point that is safer. The reason for doing this is that over time, especially after Tropical Storm Irene, the bank of Gunners Brook has eroded to a point very close to the back of her mobile home. It is very unnerving to have the brook that close and she and her son, Hugh Dow, are concerned that further erosion could jeopardize the home all together. They worry about this during each storm.

The submitted building permit, now on hold pending this proceeding, would move the home some 25' or so away from the river. Moving the home will buy time for Ms. Freeman to remain on her land and in her home for the rest of her life or for as long as she is able. Whether this will be a permanent fix for this home and parcel is not known. Will the brook continue to erode without intervention? Probably! Is shoring the bank a possibility? Maybe, but likely to be very costly and not something that Ms. Freeman is in a position to undertake. Maybe a potential future owner would be able to salvage the lot.

The applicant submitted responses to the variance criteria which are included in your packets. For the record, the applicant answered the five question in the affirmative and offered a little detail as to unique physical circumstances that prevent conformity which of course relates to the brook eroding close to her house.

Below are the variance criteria

- A. Are there unique physical circumstances or conditions that prevent conformity.
- B. That because conformance cannot be adhered to due to A above, the variance is necessary to enable reasonable use of the property.
- C. The unnecessary hardship was not created by the appellant.
- D. The variance will not alter the essential character of the neighborhood where the property is located.
- E. The variance will represent the minimum variance that will afford relief.

**SUMMARY, RECOMMENDATIONS & PROPOSED CONDITIONS:**

This lot is subject to major factors that prevent much of it from being usable. While being 2.2 acres in size, Gunners Brook runs right through the middle of her property making a large portion of it unusable. What is left has topography issues and of course the brook itself.

It is likely that moving the home is a temporary fix that at some point a more permanent solution will be needed. Or maybe the lot just will not be suitable for a residential use. Mr. Dow has indicated to me that they just want to make it safe for his mother to live out the rest of her life there.

With regard to the criteria, there clearly are unique physical circumstances, it is reasonable for the applicant to want to keep her home there and a variance will allow reasonable use of her property. The applicant did not create this issue, she was not the original developer of this lot, and by moving the home 25' closer to the road, leaving a 25' setback, the character of the neighborhood isn't going to be

impacted and it will not be detrimental to the welfare of the public. Anything less than a 25' variance likely doesn't provide quite enough relief.

I recommend approval of a 25' variance of right-of-way setback (Plainfield Brook Road) allowing for the placement of a single-family dwelling 25' from the edge of said right-of-way.

**COMMENTS/MOTION**

Mr. Violette provided an overview and his recommendations as outlined above.

Mr. Reaves asked Mr. Dow on behalf of Cathie Freeman the variance criteria questions and Mr. Dow answered yes to all questions.

Ms. Valentinetti asked if the structure was set to the original 50' setback. Mr. Dow confirmed that the it was already at the original setback.

*On motion by Mr. Neddo, seconded by Mr. Fecteau, the Development Review Board approved the request by Hugh Dow on behalf of Cathie Freeman for a 25' variance of right-of-way (Plainfield Brook Road) setback (50' required) in accordance with Article 7, section 7.9 allowing a 25' setback from Plainfield Brook Road for the placement of a single-family dwelling (moving from one spot to another) on property located at 21 Plainfield Brook Road; parcel ID: 009/034.00. All members voted in the affirmative.*

**ADJOURN:**

*A MOTION was made by Mr. Valsangiacomo, to adjourn the meeting. Ms. Valentinetti o seconded the motion and the Board voted unanimously to adjourn the meeting at 6:40 p.m.*

Respectfully submitted,

Cindy Spaulding, Clerk for DRB

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Mark Reaves, Chair

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Craig Chase (Alternate)

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Jon Valsangiacomo, Vice Chair

\_\_\_\_\_  
Angela Valentinetti

\_\_\_\_\_  
Cedric Sanborn

\_\_\_\_\_  
Chris Neddo

\_\_\_\_\_  
Jim Fecteau

Due to COVID-19 pandemic, these minutes were approved on August \_\_\_\_\_ via teleconference.  
Participants: