

**DEVELOPMENT REVIEW BOARD
MINUTES FOR THE REGULAR HEARING
THURSDAY, January 4, 2024
DRAFT**

A regular meeting of the Barre City Development Review Board was held in person and video conference. The hearing was called to order by Chair, Linda Shambo (Ward I) at 7:00 pm., noting quorum was met.

Note: Permit Administrator Michelle La Barge-Burke, who normally staffs the Development Review Board represented the City and was the defendant in the appeal before the Board. Per Ordinance, she did not act as a staff member during the hearing or deliberations, therefore, Planning Director Shatney staffed the Board for the entire evening.

Present: Ward I members Linda Shambo and Chrysta Murray; Ward II members Vice-Chair Sarah Helman and Jayme Bauer; Ward III members Colin Doolittle and Katrina Pelkey; and At-Large member Kendall Schmidt.

Absent: At-Large Member Jessica Egerton

Staff Present: Janet Shatney, Planning Director

Public Present (from presentations and Sign-in Sheet): Amy Rodger, Appellant; Joseph Crosier; James Rodger; Michelle La Barge-Burke

1. **Adjustments to Agenda:** None.
2. **Visitors and Communications:** None.
3. **Old Business:**
 - a. **Consideration of December 7, 2023 Minutes:**
Motion to approve the minutes with a spelling correction was made by S. Helman and seconded by J. Bauer, **motion carried unanimously 7-0-0.**
 - b. **Consideration of December 7, 2023 Decision:**
Motion to approve the decision for 60 Circle Street was made by C. Murray and seconded by S. Helman, **motion carried unanimously 7-0-0.**
4. **New Business:**

Amy Rodger, Appellant, 5 Brooklyn Street. Seeks appeal of the Flood Hazard Permit.

The Chair informed A. Rodger there was a quorum of the Board present and that in order to receive a positive outcome, there must be at least 5 votes in the affirmative. With 7 of the 9-member board present, there was an option to postpone to allow for a more full board to be present. A. Rodger chose to proceed.

To be approved at the 2/01/2024 Hearing

The Oath was administered to A. Rodger and J. Crosier who wished to address the Development Review Board.

The Chair called the hearing to order at 7:05 pm.

The presentation included, but was not limited to the following testimony:

- Rodger explained the building permit was received and believed that the rehabilitation project could move forward; received flood hazard permit instructing appellant to raise the house
- Branch Street, directly behind the property sits at the top of the bank behind the house, and believes that because of the steep bank, there would be no way to get any equipment in to raise the house to be in compliance with the flood permit
- Water service line comes in through the basement, so if the house needed to be raised, does not understand how that would work
- The lot the house lives on is small to begin with, and the house is approximately one foot from the toe of the steep bank behind that goes up to Branch Street. Photos were shared at this time
- J. Crosier stated A. Rodger is the best neighbor to have, and he is concerned that others in the city will have to pay if she leaves the City

At this point, J. Rodger, A. Rodger's husband wished to address the board and Chair Shambo administered the oath to him.

- J. Rodger stated he lives in Tennessee, his wife has worked so hard to purchase the house, work on it, improve it, and has been hard to watch her lose, and bear the ongoing burdens.

Chair Shambo asked J. Shatney if there was any documents needed to be read into the record, and there was none.

Chair Shambo then asked each of the Board members if they had any comments or questions.

- J. Bauer asked what other ways did A. Rodger receive any financial help. A. Rodger responded that she received a very small amount from FEMA for housing assistance while displaced from the home; received a very small amount from the Community Relief fund; did not qualify for any Efficiency Vermont assistance, nor any FEMA funding to help rehabilitate the structure
- K. Schmidt agreed there is no room between the rear of the home and the steep bank
- Chair Shambo asked about permit timing and pending permitting.

With no further comments from the Board, staff or the public, Chair Shambo stated that the Board would go into deliberative session after the hearing to make a decision, and can call the Permitting Office in the morning for the decision if rendered, and will receive a letter within two weeks.

Motion by J. Bauer and seconded by S. Helman to close the public hearing at 7:35 pm, **motion carried unanimously 7-0-0.**

5. **Deliberative Session:** Motion by S. Helman to go into deliberative session, seconded by K. Schmidt at 7:36 pm, with Chair Shambo inviting J. Shatney into the session, motion carried unanimously 7-0-0.

Motion by C. Murray and seconded by K. Pelkey to leave Deliberative Session at 7:55 pm, **motion carried unanimously 7-0-0.**

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Motion by J. Bauer to approve appeal application as presented and include both staff recommendations, seconded by S. Helman, **motion carried unanimously 7-0-0.**

6. **Roundtable:** Nothing was offered.

7. **Executive Session:** None.

8. **Adjourn:** K. Pelkey asked for clarification that the February meeting start at 7 pm and not 6:30 pm as voted on previously. Discussion occurred that once the by-laws are updated and approved, the meeting date will change to the new time. The meeting adjourned at 7:58 pm on motion from S. Helman seconded by J. Bauer, **motion carried unanimously 7-0-0.**

The open portions of this hearing were recorded on the video meeting platform.

Respectfully Submitted,

Janet E. Shatney, Planning Director
Acting Recording Secretary

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