

TOWN OF POMFRET
ZONING BOARD OF ADJUSTMENT

DRAFT

Minutes of Meeting
June 24, 2025

MEMBERS PRESENT: Benjamin Brickner, Kyle Hansen, Lindsay Hyde, Shaun Pickett, Michael Schmell and Seth Westbrook

MEMBERS ABSENT: Susan Burgess

OTHERS PRESENT: Justin Pouliot, Preston Bristow ("ZA")

A hearing was held regarding the following matter:

Application ZP25-11 by Four Lite Designs, LLC (on behalf of property owner Alan Ricks) ("Applicant") for conditional use approval (and/or approval of a waiver or variance, if necessary) to replace the existing private bridge spanning the Pomfret Brook and located in the special flood hazard area thereof at 2568 Pomfret Road (Parcel No. 0124).

CALL TO ORDER

Chair Benjamin Brickner called the meeting to order at 7:06 pm. The hearing was recorded.

AGENDA REVIEW

Mr. Brickner moved and Kyle Hansen seconded that an executive session be added immediately before adjournment. Unanimous.

HEARING ON APPLICATION #ZP25-11

Mr. Brickner then announced the hearing and described the matter to be heard.

Mr. Brickner then asked if anyone on the ZBA wished to disclose any conflicts of interest or ex parte communications relevant to the proceeding. Michael Schmell disclosed he is an abutting property owner and Seth Westbrook disclosed that he periodically works with Justin Pouliot of Fourlite Design-Build, Applicant's construction contractor. Messrs. Schmell and Westbrook confirmed they could take action on the Application fairly, objectively, and in the public interest despite the foregoing disclosures. No other ZBA members disclosed a conflict of interest or ex parte communication.

The ZBA then afforded any persons wishing to achieve status as an interested person an opportunity under 24 V.S.A. § 4465(b) to identify themselves. No persons present asserted status as an interested person. Mr. Pouliot was then sworn in.

The subject property is a +/- 66-acre parcel located at 2568 Pomfret Road in the Town of Pomfret (Parcel No. 0124).

Prior to the hearing the following materials were received by the ZBA:

1. Site Plan dated April 15, 2025, "Existing Conditions Bridge Crossing, Christina De La Cierva & Alan Ricks", by Smith & Pospesil Land Surveying Company, PLLC;
2. Proposed Layout Site Plan; Precast Layout, Elevation & Details; Plan Views & Reinforcing dated May 29, 2025, by Michie Concrete Products, Project No. 25-15627;
3. Letter dated May 29, 2025, from Ned Swanberg, Central Vermont Floodplain Manager, to the ZA; and
4. Email dated June 6, 2025, from Ned Swanberg, Central Vermont Floodplain Manager, to the ZA.

During the hearing the following testimony was heard by the ZBA. Mr. Pouliot presented plans for the bridge replacement project, explaining the following key elements:

1. The existing bridge has a 15-foot 6-inch clear span; the new bridge will have a 26-foot clear span, opening up the channel of Pomfret Brook by approximately 10 feet.
2. The new bridge will use a 30-foot precast concrete deck set slightly askew to accommodate the driveway approach.
3. The new bridge substructure will be elevated slightly higher than the existing structure: approximately 4 inches on the Pomfret Road side and approximately 11 inches on the private property side.
4. Foundation work will include abutment blocks on the private property side and enhancements to the current foundation on the Pomfret Road side.
5. The new bridge will be designed to highway standards with appropriate weight ratings.
6. Guardrails will be installed along both Pomfret Road and the new bridge. The Pomfret Road guardrails will match the current guardrails; the new bridge guardrails may be of a distinctive design.
7. Bank armoring will be added on the north side of the bridge using abutment blocks.
8. The bridge design has been influenced by input from both Scott Jensen, River Management Engineer, and Ned Swanberg, Central Vermont Floodplain Manager.
9. A stream alteration permit application has been submitted and administratively received by the Watershed Management Division on June 19, 2025. A copy of the file-stamped application was provided to the ZBA.
10. The new bridge orientation will remain skewed rather than perpendicular to Pomfret Road to improve access, particularly for emergency vehicles.
11. The new concrete deck will provide better width and durability compared to the existing structure.

12. Construction timeline is estimated at 3 weeks to one month once work begins.
13. Work must be completed by October 15 per state limitations on construction work in and adjacent to streams.
14. If ZBA approval is substantially delayed, Applicant may install a temporary, 100,000-pound rated bridge as the existing bridge is a safety risk, particularly for heavier vehicles.

Shaun Pickett moved and Mr. Schmell seconded that the hearing be closed. Unanimous. The hearing was closed at 7:33 pm.

APPROVAL OF MINUTES

Lindsay Hyde moved and Mr. Hansen seconded approval of the April 8, 2025 meeting minutes as presented. Unanimous.

EXECUTIVE SESSION

Mr. Brickner moved and Mr. Pickett seconded that the ZBA enter executive session pursuant to 1 V.S.A. 313(a)(1)(E) to discuss pending or probable civil litigation to which the Town of Pomfret may become a party, the premature general public knowledge would clearly place the Town at a substantial disadvantage. Unanimous. The ZBA entered executive session at 7:38 pm.

Mr. Pickett moved and Mr. Schmell seconded that the ZBA exit executive session. Unanimous. The ZBA exited executive session at 8:12 pm, with no decisions having been made therein.

ADJOURNMENT AND DELIBERATIVE SESSION

Mr. Hansen moved and Mr. Pickett seconded that the meeting be adjourned. Unanimous. The meeting was adjourned at 8:12 pm.

The board thereafter entered into a non-public deliberative session pursuant to 1 V.S.A. 312(e).

These minutes approved at Pomfret, Vermont, this ____ day of [REDACTED], 2025, and signed by the chair of the Pomfret Zoning Board of Adjustment on its behalf pursuant to 24 V.S.A. § 1141.

Benjamin Brickner, Chair