

**TOWN OF BARNARD**  
Development Review Board  
Application for Conditional Use Review  
Findings and Decision

In re: Salguero Conditional Use Permit  
Permit Application No. ZP 21-01

**INTRODUCTION AND PROCEDURAL HISTORY**

1. This proceeding involves review of an application for conditional use submitted by Sonia Salguero under the Town of Barnard Zoning Bylaw.
2. The application was received by Town of Barnard Administrative Officer Rob Ramrath on February 26, 2021. A copy of the application is available at the Barnard Town Hall.
3. On March 25, 2021, notice of a public hearing was published in the Vermont Standard and physically posted at the Barnard Town Hall offices, the exterior Town Hall Bulletin Board and at the Barnard General Store.
4. On March 9, 2021, a copy of the notice of a public hearing was mailed to the applicant. On March 16, 2021, a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the application:
  - MELROD JOSHUA & DAVID M CO - OWNER: WRAY TARA
  - KENARY LLC 50 LIBERTY DR BOSTON, MA 02210, SCHOCH JASON WERNER TRUSTEE CO - OWNER: TARLOW LISA E
  - TRUSTEE 340 OCEAN HOUSE RD CAPE ELIZABETH, ME 04107
  - FAILLA VINCENT J CO - OWNER: FAILLA SUMMER J
  - KENT ELI S
  - DAVIS TERRY LYNN
  - Twin Farms, LLC
  - MOREL JOSEPH R CO - OWNER: MOREL AMY R
  - DILL DAN CO - OWNER: MURPHY CLAIRE M
  - LONG ELLEN
  - VASCONCELLOS CAROL A CO - OWNER: CAROL A VASCONCELLOS
  - HAMBSCH VT RESIDENTIAL TRUST
  - HARRIS JOHN K JR CO - OWNER: HARRIS PATRICIA E
  - WOODWARD JEAN L TRUSTEE CO - OWNER: JEAN L WOODWARD
6. The application was considered by the development review board at a public hearing on April 15, 2021. The development review board reviewed the application under the Town of Barnard Zoning Bylaw, as amended November 6, 2012.
7. Present at the hearing were the following members of the development review board:
  - Teo Zagar
  - Doreen Hurley
  - Edythe Wright
  - Kurt Lessard

- Justin Park

8. At the outset of the hearing, the development review board afforded those persons wishing to achieve status as an interested person an opportunity under 24 V.S.A. § 4465(b) to demonstrate that the criteria set forth in that statute could be met. The development review board granted interested person status to the following persons:

- Justin Lancaster; lives at 453 Lime Pond Road and is 1/3 owner of the property upon which the business will be located.
- Alexa Veralli; business partner to Sonia Salguero

9. During the course of the hearing the following exhibits were submitted to the development review board:

- Property sketches
- Proposed facility sketches

These exhibits are available at: The Barnard Town Hall offices.

## FINDINGS

Based on the application, testimony, site visit, exhibits, and other evidence the development review board makes the following findings:

1. The applicant seeks a conditional use permit to construct a Home Business 2 educational facility. The subject property is a 260 acre parcel located at 284 Lime Pond Road in the Town of Barnard (tax map parcel no. 03-0412.1).
2. The property is located in a Rural, Forest and Farmlands District as described on the Town of Barnard Zoning Map on record at the Town of Barnard municipal office and section 2.2.3 of the Zoning Bylaw.
3. Conditional use approval is requested for the project as a Home Business 2 as that term is defined in section 4.10 of the Zoning Bylaw.

## DECISION AND CONDITIONS

Based upon these findings, and subject to the conditions set forth below, the development review board grants the application for Home Business 2 Conditional Use.

As conditioned, the proposed development meets the requirements of Sections 4.10 of the Zoning Bylaw.

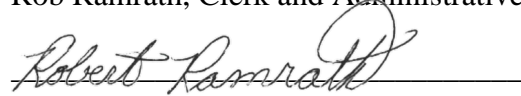
1. The application will not have an undue adverse impact on the capacity of existing or planned community facilities.
2. The application will not have an undue adverse effect on the character of the area affected, as defined by Section 2.2.3 of the Town of Barnard Zoning Bylaw.
3. The application will not have an undue adverse effect on traffic and roads and highways in the vicinity.
4. The application will not have an undue adverse effect on any existing bylaws currently in effect.
5. The application will not have an undue adverse effect on utilization of renewable energy resources.
6. The application will satisfy the requirements of the bylaw with respect to:

minimum lot size/distance from adjacent or nearby uses/performance standards/site plan review criteria/any other criteria required by the bylaw.

The Development Review Board approves the application:

Dated at Barnard, Vermont, this 20th day of April, 2021.

Rob Ramrath, Clerk and Administrative Officer.

A handwritten signature in cursive script, reading "Robert Ramrath", is written over a horizontal line.

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the development review board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.