

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

In re: Permit Application No. ZP 21-19: Darrow/Daughtry - Conditional Use Approval for a driveway and a bridge across Locust Creek at 9374 VT RT 12

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for conditional use for a driveway and a bridge across Locust Creek submitted by Erin Darrow (engineer) on behalf of Howard Daughtry (property owner) under the Town of Barnard Zoning Bylaw.
2. The application was received by Town of Barnard Administrative Officer Rob Ramrath on August 16, 2021 and referred to the DRB on August 25, 2021. A copy of the application is available at the Barnard Town Hall.
3. On September 2, 2021, notice of a public hearing was published in the Vermont Standard, and physically posted at the Barnard Town Hall offices and at the Barnard General Store on August 30, 2021.
4. On August 26, 2021, a copy of the notice of a public hearing was mailed to the applicant, and on August 30 to the following owners of properties adjoining the property subject to the application:

Parcel Number	GIS Number	Cama Number	Property Address	Owner Name	Co-Owner Name	Owner Address	Owner City	Owner State	Owner Zip
05-0260	05-0260	05-0260	650 FRANCIS RD	MONSALVAT FARM HOLDINGS LLC	C/O LESSARD KEVIN	PO BOX 126	BARNARD	VT	05031-0126
05-0488	05-0488	05-0488	235 GILLS RD	WILSON DAVID	KNOTT OLIVA	235 GILLS ROAD	BETHEL	VT	05032
									05031-0288
06-0014.1	06-0014.1	06-0014.1	9572 VT RTE 12	QUILLIA GARTH	MARTIN LYNNE	PO BOX 288	BARNARD	VT	
									06016-9526
06-0182	06-0182	06-0182	9178 VT RTE 12	DAVIS ARTHUR G	LINDQUIST PAULINE	257 EAST RD	BROAD BROOK	CT	
06-0284	06-0284	06-0284	9273 VT RTE 12	JOHNSON STEPHEN G	JOHNSON MEGAN B	PO BOX 299	BARNARD	VT	05031
06-0399	06-0399	06-0399	9393 VT RTE 12	ENSER RICHARD W	ENSER SUZANNE	9393 VT RTE 12	BETHEL	VT	05032
06-0754	06-0754	06-0754	8839 VT RTE 12	NEW TWIN BROOK FARM LLC		8839 VT RT 12	BETHEL	VT	05032
06-0796	06-0796	06-0796	9515 VT RTE 12	WITHINGTON EDWARD E	WITHINGTON MARSHA E	9515 VT RT 12	BETHEL	VT	05032-9225

5. The application was considered by the development review board at a public hearing on September 20, 2021 following a site visit. The development review board reviewed the application under the Town of Barnard Zoning Bylaw, as amended August 29, 2012.

6. Present at the hearing were the following members of the development review board:

- Teo Zagar
- Sonja Doppelhofer-Withington
- Doreen Hurley
- Justin Park
- Kurt Lessard

7. 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. No interested persons were present at the hearing.

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

- Property sketches & maps
- Engineering schematics
- Supplemental memorandum

These exhibits are available at: The Barnard Town Hall municipal 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 for a driveway and a bridge across Locust Creek at 9374 VT RT 12. The subject property is an 85 acre parcel located in the Town of Barnard (tax map parcel no. 06-0284).
2. The property is located in a Rural Farm and Forest District as described on the Town of Barnard Zoning Map on record at the Town of Barnard municipal office and section 2.2.4 of the Zoning Bylaw.
3. As the proposed project lies within a Flood Hazard Overlay it must meet the requirements of Sections 3.7 and 5.1 of the Zoning Bylaw, in addition to the General Conditional Use Standards of Section 4.11.
4. Applicants have received or are in the process of receiving all necessary state permits and demonstrated compliance with relevant Town of Barnard zoning bylaws.

DECISION AND CONDITIONS

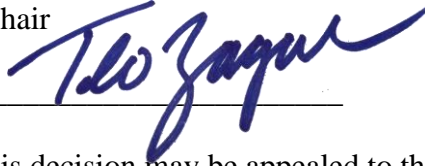
Based upon these findings, the development review board grants the application for Conditional Use for a driveway and a bridge across Locust Creek.

The proposed development meets the requirements of Sections 3.7, 4.11, and 5.1 of the Zoning Bylaw.

The development review board approves the application:

Dated at Barnard, Vermont, this 30st day of September, 2021.

Teo Zagar, Chair

A handwritten signature in blue ink that reads "Teo Zagar". The signature is written in a cursive style and is positioned above 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.