

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

**In re: Permit Application No. ZP22-04**

**Conditional Use Hearing:**

ZP22-04

For Parcel 04-820, in an area on the west side of the property, between Stage Rd and Cottage Rd in the Town of Barnard, VT. The proposed project is described as follows: 8 New tree house lodging units and associated driveway and utilities, Conditional Use

**INTRODUCTION AND PROCEDURAL HISTORY**

1. This proceeding involves review of an application for conditional use submitted by Twin Farms under the Town of Barnard Zoning Bylaw.
2. The application was received by Town of Barnard Administrative Officer Rob Ramrath on March 24, 2022. A copy of the application is available at the Barnard Town Hall.
3. On April 14, 2022, 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 April 6, 2022.
4. On April 6, 2022, a copy of the notice of a public hearing was mailed to the applicant and to the following owners of properties adjoining the property subject to the application:

ALL THIS LLC  
C/O KATHERINE WIMMER  
1659 LA LOMA ROAD  
PASADENA, CA 91105

BEECHER HENRY K EST  
C/O NE INV MGT INC ATTN: 100 HIGH ST SUITE 1000  
BOSTON, MA 02110-2301

BERKLEY MATTHEW R TAE KYUN KIM  
900 N BROADWAY AVE 122  
LOS ANGELES, CA 90012

CARUSO JAY CARUSO LINDA  
PO BOX 184  
BARNARD, VT 05031

COOGAN LUKAS A J COOGAN MICHELLE C  
4829 STAGE RD  
SOUTH POMFRET, VT 05067

COX RACHEL TRUSTEE BERGER CLIFFORD TRUSTEE

PO BOX 73  
BARNARD, VT 05031-0073

EDWARDS VICTORIA EDWARDS KRISTIN E  
PO BOX 269  
BARNARD, VT 05031

FLANNIGAN JOHN ERIC  
6 RUSTIC DR  
ESSEX JUNCTION, VT 05452

GILSON LLC  
C/O BEN ARONSON 5091 CHEQUERS CT  
RIVERSIDE, CA 92507

GLICK IRIS TRUSTEE SKATES JEFFREY TRUSTEE  
24270 SE HWY 450  
UMATILLA, FL 32784

HANZL KENNETH  
8 MOORE RD  
MONTVILLE, NJ 07045

JOHNSTON ERIC A JOHNSTON JULIE M  
PO BOX 6  
BARNARD, VT 05031-0006

KENT ELI S  
13 LOW LAND FARM RD  
ESSEX, MA 01929-1222

KLEIN JOHN TRUSTEE KLEIN BARBARA TRUSTEE  
16 LIVINGSTONE AVE  
JERICO, NY 11753

KLINE NANCY W  
144 WILSON DR  
LANCASTER, PA 17603

LANCASTER RICHARD M LANCASTER GINA L  
PO BOX 161  
BARNARD, VT 05031

LAWLER HEATHER  
PO BOX 54  
BARNARD, VT 05031

MASSEY FRED  
2 SIXTY WEST DR  
LEXINGTON, VA 24450  
MELDON JOHN J FITZGERALD DIANA  
60 N WATER ST  
NEW BEDFORD, MA 02740

MELLINGER DIANE  
PO BOX 193  
BARNARD, VT 05031-0193

MOREL JOSEPH R MOREL AMY R  
PO BOX 1116  
BARNARD, VT 05031

RED FARMHOUSE TRUST FIELD RICHARD & JONATHAN  
PO BOX 188  
BARNARD, VT 05031

STEVENS MATTHEW CONTE NICOLE C  
10154 VT RTE 12  
BETHEL, VT 05032

WEBER JESSICA GALAROWICZ DEAN  
PO BOX 275  
BARNARD, VT 05031

5. The application was considered by the development review board at a public hearing on May 3, 2022 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
- Edythe Wright
- 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 & project description

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 conditional use approval to construct 8 new tree house lodging units and associated driveway and utilities. The subject property is a 224.79 acre parcel located at 452 Royalton Turnpike in the Town of Barnard (tax map parcel no. 04-820).
2. The property is located in the Barnard Commercial District as described on the Town of Barnard Zoning Map on record at the Town of Barnard municipal office and section 2.2.7 of the Zoning Bylaw.
3. Applicants satisfactorily addressed questions by the DRB regarding construction, timeline, fire safety, and building and infrastructure details.
4. Applicants have received all necessary state permits and demonstrated compliance with all relevant Town of Barnard zoning bylaws.

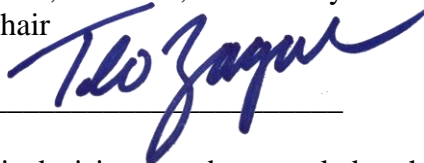
5. During the hearing, some key facts were shared including:
- Barnard Fire Chief Scott Mills had walked the plan and approved the project from the perspective of fire apparatus access.
  - State Fire Marshalls approved the plans.
  - Barnard Highway Foreman Jeff Tracy approved the plan regarding any additional volume or needs on town roads.
  - Building heights would be within limits of Barnard Zoning Regulations.
  - The new private road on the property would be clear for a 20 ft width as required by Scott Mills and the Barnard Zoning Regulations.
6. In addition to above, findings during deliberative session:
- The proposed development will not create an undue adverse effect on any of the elements enumerated in Barnard Zoning Regulations Section 4.11
  - The proposed development conforms with applicable requirements of Barnard Zoning Regulations

During the deliberative session a motion was made to approve the project as presented with no conditions. A vote in the affirmative was unanimous.

#### **DECISION**

Based upon these findings, the development review board grants the application for Conditional Use approval for permit ZP-22-04.

The development review board approves the application:  
Dated at Barnard, Vermont, this 9th day of May, 2022.  
Teo Zagar, Chair



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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.