

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

**Shannon Liss-Riordan Family Trust**  
**Permit Application No. ZP22-16**

**Conditional Use Hearing:**  
ZP22-16

For Parcel 01-0786, 6235 Stage Road in the Town of Barnard, VT. The proposed project is described as follows: A 2,000 sf principal residential structure in the LAK district.

**INTRODUCTION AND PROCEDURAL HISTORY**

1. This proceeding involves review of an application for conditional use submitted by Shannon Liss-Riordan Family Trust under the Town of Barnard Zoning Regulations on file at the Barnard Town Hall offices.
2. The application was received by Town of Barnard Administrative Officer Rob Ramrath on July 19, 2022. A copy of the application is available at the Barnard Town Hall offices.
3. On August 11, 2022, notice of a public hearing was published in the Vermont Standard and physically posted at the Barnard Town Hall offices, inside & outside and at the Barnard General Store on August 2, 2022.
4. On August 2, 2022, a copy of the notice of a public hearing was emailed to the applicant. The notice of public hearing was sent via U.S. Post on August 2, 2022 to the following owners of properties adjoining the property subject to the application:

Mailing Address: ALLEN DAVID ALLEN MARGARET  
17 HILLCREST DR  
  
HAMPTON FALLS, NH 03844

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Mailing Address: BARNARD BOAT & SWIM CLUB C/O  
GEORGE HELMER  
1202 S PERRY RD  
  
WOODSTOCK, VT 05091

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Mailing Address: BAUCHIERO JAMES M BAUCHIERO  
AMY E  
45 LONGVIEW DR

SUFFIELD, CT 06078

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Mailing Address: CAMP PHILLIP CABOT  
PO BOX 1144  
  
BARNARD, VT 05031-1144

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Mailing Address: TWIN FARMS LLC  
PO BOX 115  
  
BARNARD, VT 05031

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Mailing Address: DOTEN JOHN DOTEN SYLVIA  
397 BARBERRY HILL  
  
WOODSTOCK, VT 05091-1369

Mailing Address: FARINAS EBEN J TREASH LINDA A  
PO BOX 848  
  
BARNARD, VT 05031

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Mailing Address: MAYNES PHILIP W MAYNES JUDITH A  
PO BOX 14  
  
BARNARD, VT 05031-0014

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Mailing Address: BAUCHIERO FRANK E BAUCHIERO  
 JANICE J  
 1574 SKYLINE DR  
 SOUTH ROYALTON, VT 05068

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Mailing Address: REA WILLIAM G JR  
 PO BOX 1149  
 BARNARD, VT 05031-1149

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 PO BOX 1149  
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 BARNARD, VT 05031-1149

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Mailing Address: REA WILLIAM G JR  
 PO BOX 1149  
 BARNARD, VT 05031-1149

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Mailing Address: MILLER SCOTT  
 PO BOX 867  
 BARNARD, VT 05031

5. The application was considered by the Development Review Board at a public hearing on September 8, 2022 following a site visit. The Development Review Board reviewed the application under the Town of Barnard Zoning Regulations, as adopted November 6, 2012.
6. Present at the hearing were the following members of the Development Review Board:
  - a. Teo Zagar
  - b. Doreen Hurley
  - c. Ellen Miles
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. A record of the name and address of persons wishing status as an interested person is indicated below. All persons on the list were present or wrote letters and actively participated in the hearing.

<b><u>NAME (FIRST/LAST )</u></b>	<b><u>MAILING ADDRESS</u></b>	<b><u>BARNARD PROPERTY ADDRESS</u></b>
Maria Freddura	PO Box 205 Barnard, VT 05031	50 North Rd.
Bill Deckelbaum	PO Box 132 Barnard, VT 05031	6248 Stage Rd.
Diane Savarese	92 Bow Dr. Arlington, MA 02474	6298 Stage Rd.
Susan Milord	288 Otto Merrill Rd So. Royalton, VT 05068	151 Grove Rd.
Dagney Trevor	PO Box 42 Barnard, VT 05031	160 Grove Rd.
Nancy Anderson Joan Hazney	PO Box 43 Barnard, VT 05031	305 Grove Rd.
Margaret Edwards	PO Box 268 Barnard, VT 05031	3431 N. Perry Rd
Loren French Turkel Design Rep. of Applicant	183 E. Main St. Gloucester, MA 01930	
Dabota Wilcox Turkel Design Rep. of Applicant	32 Bossi Ave, Randolph, MA 02368	
Jake Wright Turkel Design Rep. of Applicant	Turkel Design, Representative of applicant.	

Kurt Lessard Rep. of Applicant	PO Box 1 Barnard, VT 05031	295 North Rd.
Kevin Riordan Applicant	182 Walnut St. Brookline, MA 02445	6235 Stage Rd.
Mary Lee Camp	PO Box 1144 Barnard, VT 05031	6144 Stage Rd.
Sherry Sprague	PO Box 1142 Barnard, VT 05031	141 Grove Rd.
Peter Stoddard	PO Box 1148 Barnard, VT 05031	321 Grove Rd.
Rebeca Bellows Kate Bellows	2100 Jamieson Ave. Alexandria, VA 22314	
Letter Dallalfar, Arlene	Not given	200 Grove Rd
Letter Maureen Farrell	116 School Street, Chelmsford, MA 01824	169 Grove Rd
Letter Jim and Sharon Jackson	PO Box 27 Barnard, VT 05031	189 Grove Road
Letter William Klein	Not given	276 Grove Rd
Letter Adam and Dena Rhys	Not given	134 N Rd

8. During the hearing the following exhibits were submitted to the Development Review Board:
  - a. Board Review Package including:
    - i. Hearing Agenda.
    - ii. Logistical Checklist.
    - iii. Zoning Permit Application.
    - iv. Certified Abutter's List.
    - v. Abutter and Public Warning.
    - vi. Applicable excerpts from the Barnard Zoning Regulations.
    - vii. Design, survey and wetlands details of the project from Turkel Design, the architects for the applicant.
  - b. Various large-scale renderings were offered by Turkel Design, the architects for the applicant.

## **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 for a 2,000 sf principal residential structure in the LAK district. The subject property is a 0.873 acre parcel located at 6235 Stage Road in the Town of Barnard (tax map parcel no. 01-0786).
2. The property is located in the Lakeshore (LAK) District as described on the Town of Barnard Zoning Map on record at the Town of Barnard municipal office and section 2.2.8 of the Barnard Zoning Regulations.
3. The applicant satisfactorily addressed questions by the DRB regarding use, future intentions, and details of property.
4. The subject parcel is covered by section 4.5 EXISTING SMALL LOTS of the Barnard Zoning Regulations.
5. The subject property is contiguous to another lot, tax map parcel no. 01-0264. As such, the subject property does not enjoy the exemptions described in section 4.5 EXISTING SMALL LOTS.
6. The applicant intends to redesign the septic system and apply for a Vermont wastewater permit.
7. The house design describes an indoor therapy pool. Recreational Uses and Structures are not allowed in the LAK district according to section 3.1 USES by DISTRICTS of the Barnard Zoning Regulations.
8. The Barnard Zoning Regulations defines Recreational Use or Structure as follows: *A place designed and equipped for the conduct of recreational activities of a non-commercial nature, including tennis courts, swimming pools, ponds, riding rinks and indoor arenas.* Despite the principal use of the structure as a dwelling, the existence of the pool, indoor or not, therapeutic or not, renders it non-conforming with Barnard Zoning Regulations.

During the Deliberative Session a motion was made to deny the application due to the non-conformance with the indoor pool. The vote was unanimous to deny the application.

**DECISION**


Based upon these findings the Development Review Board denies the application for 2,000 sf principal residential structure in the LAK district, ZP-22-16.

This document authored by Rob Ramrath, Clerk, Barnard Development Review Board. Dated at Barnard, Vermont, this 12th day of October, 2022.

  
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Development Review Board Denial, Dated at Barnard, Vermont, this 14th day of October, 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.