

## LINCOLN ZONING BOARD OF ADJUSTMENT

**Application #22-028 – Appeal of Decision by Lincoln Zoning Administrator  
Re: Bicknell Trust Zoning permit (Application #21-011) issued June 1, 2021**

### ENTRY ORDER RE SITE VISIT

Having heard argument and reviewed submissions by, or on behalf of, the Applicant/Appellee Norman Bicknell as Trustee of the Bicknell Lincoln Land Revocable Trust (Bicknell) and Appellant/Interested Parties Sarah Laird, Peg Sutlive, Dan Guy, Jacquelyn Tuxill, Alison Zimmer, and Louise Rickard (Appellants)<sup>1</sup> concerning the conduct of a site visit by the Lincoln Zoning Board of Adjustment (“ZBA”), the ZBA hereby requests, pursuant to 24 V.S.A. §4461(b), that a site visit be conducted to examine the subject property as part of the hearing process.

The ZBA recognizes that conducting a site visit at the subject property will present practical and safety challenges given the topography, remoteness and limited access issues that are inherent in this location. The ZBA also recognizes that a site visit will involve the convening of a public hearing under 1 V.S.A. §312(a) and may, accordingly, require that some reasonable accommodations be considered in conducting the site visit.<sup>2</sup>

In order to facilitate the scheduling and planning for this site visit, the ZBA hereby requests that Bicknell and the above-referenced Appellants, by and through their respective counsel, confer and submit to the ZBA, to be posted on the Lincoln Town website, joint recommendations concerning the conduct of the site visit, to include recommendations of the following:

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<sup>1</sup> The ZBA recognizes that other individuals are also seeking interested party status in this appeal. In mentioning the six individually named persons referenced above, the ZBA does not intend the list to be exclusive but rather to indicate those individuals who have specifically put forward arguments and positions on the conduct of a site visit.

<sup>2</sup> The ZBA notes that 1 V.S.A. §312(e) and (g) do not expressly exempt site visits conducted by appropriate municipal panels from application of the Open Meetings Law although Section 312(e) does exempt site visits conducted by the Vermont Superior Court, Environmental Division.

1. A date and time for the site visit.
2. The terms of a limited waiver/hold harmless agreement to be signed by all attending persons in advance of the site visit.
3. The manner by which the site visit can be conducted in a safe and orderly fashion involving limited and suitable vehicular transportation that can be reasonably provided to ZBA members and interested persons as needed who have elected to attend the site visit.
4. A date, in advance of the site visit, by which all persons wishing to attend will be required, in writing, to confirm their intent to attend the site visit and whether they will require vehicular transport to the site.
5. The ZBA hereby requests that Bicknell prominently place, in advance of the site visit, a 24" balloon with a contrasting color at the location of the proposed structure to be placed at an elevation which corresponds with the western peak or the highest point of the structure as permitted.

The ZBA hereby requests that counsel for Bicknell and the Appellants confer and submit, on or before July 26, 2022, mutually agreeable recommendations by which a site visit incorporating the above can be conducted. A ZBA entry order scheduling the site visit will follow.

Dated this 21st day of July, 2022.

LINCOLN ZONING BOARD OF ADJUSTMENT MEMBERS

s:/ Tommie Thompson  
Tommie Thompson, Chair

s:/ Serena Fox  
Serena Fox

Barry Olson

s:/ James Warnock  
James Warnock

s:/ Patricia Waugh  
Patricia Waugh

s:/ Josiah Jackson  
Josiah Jackson

s/ Nicole E. Lee  
Nicole E. Lee

s/ Harry Reynolds  
Harry Reynolds

s/ Stephen Halnon  
Stephen Halnon, as alternate