

In re: Bicknell Trust

Affidavit of Sarah Laird




I, Sarah Laird, upon being sworn, do depose and say as follows.

1. I reside at 925 Elder Hill Road in Lincoln.
2. I am personally familiar with the Bicknell Trust property, having been to the site a number of times, and have walked or skied by the end of the driveway many times.
3. The Bicknell Trust property is uphill from and not distant from my property. I cannot see the Bicknell Trust property from my land, but I see it daily as I drive or walk to and from my land and around Lincoln.
4. I had learned that the Bicknell Trust was considering building a residential building on the Bicknell Trust site, and was concerned about its impacts on the environment, the town viewshed, and me as a person who enjoys the viewshed and as a person living downhill and downstream from the Bicknell Trust property.
5. If the "Z" notice of issuance of a zoning permit, and of the right to appeal, had been posted on a public right of way near the Bicknell Trust property in 2021, I would have seen it because of my frequent driving and walking along the public right of way.
6. If the "Z" notice of issuance of a zoning permit, and of the right to appeal, had been posted on a public right of way near the Bicknell Trust property in 2021, after I had seen it I would have appealed the issuance of the zoning permit. I know I would have appealed because I feel strongly that the Bicknell Trust property is inappropriate for constructing a camp, a house or any other significant structure. Such construction will harm the environment and the town's viewshed of Mount Abraham, which I enjoy daily. The construction may also harm the waters that flow downhill from the site if grey and wastewater is not properly disposed of, such as by a leach field.
7. I am not knowledgeable about zoning law in general or the Lincoln zoning ordinance in particular.
8. In 2022, I learned that a zoning permit had been issued to the Bicknell Trust, so I tried to obtain a copy. I sought a copy from the Town. I did not obtain a copy until Monday, April 4, 2022.
9. On Sunday, April 10, 2022, at my request, Attorney James Dumont delivered a notice of appeal signed by me and many other affected Lincoln residents to Zoning Administrator Anne Moreau-Kensek and the Chair of the Zoning Board, Tommie Thompson. He did so by emailing it to them (with a copy to me) at 8:49 pm and by placing a paper copy that evening in the Town Clerk's dropbox, next to the entrance to the Town Office. I know that Ms. Moreau-Kensek received it Sunday or Monday, because she emailed Attorney Dumont about it on Monday.
10. As noted above, I am not familiar with zoning law or the Lincoln zoning ordinance. However, based my consultation with Attorney Dumont over the past month or so and his oral presentation to the zoning board, I understand that site plan review is authorized by statute and is referred to numerous times in the ordinance.
11. If site plan review had occurred in 2021, I would seek the same relief as I seek now – a) location of the building on the Bicknell Trust property in a location where it would be least visible to the public; b) explicitly restricting height to one story; c) limiting the size of windows; d) requiring


use of nonreflective glass; e) requiring use of shutters at night and during the 305 days a year when not occupied (because of its wastewater permit, it can be occupied no more than 60 days a year); f) requiring a nonreflective, dark-colored roof; and g) requiring screening by trees and shrubs, including regrowth of scrub along the western end of the building (at its present site, which appears to be unlawful – see below).

12. These mitigating measures would reduce the impact of the development on me as well as on many other residents of Lincoln.
13. At the zoning hearing held in this matter on May 23, 2022, the Bicknell Trust's lawyers and from Ms. Moreau-Kensek confirmed the belief I had that the foundation for the building was not located at the site set forth in the zoning application. At this point, there is no doubt whatsoever that the building foundation was not placed in the location set forth in the application.
14. The foundation is located significantly west of the location shown in the application, in a more visible location than the location shown in the application.
15. As I understand how zoning works (and, again, I am not an expert), a zoning permit authorizes construction of what was applied for. A zoning permit does not authorize construction of a building in a location other than what was applied for. If one obtains a zoning permit to build in one location on a site, and then builds on another location on the site, the building that is being constructed lacks a zoning permit. It is unlawful.



Sarah Laird

At Bristol, on this 20 day of June, 2022, Sarah Laird personally appeared before me and she subscribed and swore to the truth of this Affidavit and that it is her free act and deed.



Notary Public
No. 157.0004789
expires: 1/31/2023