

**FINAL****Town of Wallingford, VT Development Review Board (DRB)  
Findings of Fact, Conclusions of Law, Decision & Order(s)**

**Application #:** 23-25

**Applicant/Owner:** S. Harshman

**Address:** 1774 Route 7 South Wallingford, VT 05773

**Subject Property Location:** 1774 Route 7 South, Wallingford, VT 05773

**Town Parcel:** 7011774

**INTRODUCTION**

The Zoning Administrator (ZA) received a complete Application on 7 August 2023, which was reviewed per Article V of Wallingford Zoning Regulations (effective Sept. 2015). The ZA determined that the application involved a Conditional use and was denied and referred to the DRB on 7 August 2023. The Applicant appealed the denial and the DRB was notified of the application. The Owner was notified of the Public Hearing from the ZA by Certified Mail. The Applicant and abutting property owners were notified 10 August (documented by Certificate of Mailing) that a Public Hearing was scheduled for 7:00 pm, 31 August 2023, at Town Offices, 75 School St., Wallingford Village. Public Notice was also published in the Rutland Herald and posted in three other public locations on 10 August 2023.

Accordingly, a Public Hearing was convened by the DRB on 31 August 2023, with a quorum of DRB Members in attendance. The Zoning Administrator and the Applicant were present.

Jurisdiction was taken by Articles III (Specific District Regulations) and IV (Review of Conditional Use) of the Zoning regulations. Following receipt of testimony, the DRB voted to go into Deliberative Session. Exiting from Deliberative Session, the Board approved the application with conditions.

**FINDINGS of FACT**

1. The subject property is located in the Agricultural Rural Residence Zone of Wallingford. It operated in the past as a Bed & Breakfast. The barn and accessory units served as a Reception / Party venue (i.e., weddings, etc., ) a.k.a White Rocks Inn, under previous owners. The parcel consists of 17.5 acres, with a septic system.
2. The Application was requesting to operate as a short-term rental in the main house only. Rentals would be made through the existing Sparkle Barn website. The barn and accessory buildings were not included in the application.
3. The Fire Marshal had been contacted and approved the facility for 8-guests.

**FINAL**

**CONCLUSIONS of LAW**

1. **By-Laws in Effect:** The DRB may approve a Use or Activity in a Zoning District upon demonstration it can or will comply with all standards outlined in the Town regulation, or the Town & Regional Plan.
2. **In Conclusion:** The DRB APPROVES the Application, with certain Conditions.

**DECISION and ORDERS**

Based on the final Application documentation, Testimony of Record, and Review of the applicable regulations, the Wallingford Development Review Board hereby APPROVES APPLICATION #23-25 with CONDITIONS as follows:

- Comply with Fire Marshal requirements.
- Comply with State Health inspection requirements.
- Adhere to the 8-guest rule.
- As stated, 2-day minimum and 2-week maximum stay for guests.
- Temporary (one day) special small gatherings of no more than 12 participants.
- Permit applies to the Main House only. Any other activities will require separate permits.
- Must comply with all State wastewater permit requirements.

The majority vote of the Wallingford Development Review Board APPROVES this Application with the CONDITIONS specified, and orders the Zoning Administrator to issue a Permit with this Decision and its Conditions, attached to and part of the final permit as follows:

David Ballou: Approve  
 Jillian Burkett: Approve  
 Elizabeth Blaisdell: Approve

Signed by the Vice-Chair, on behalf of the DRB: David F. Ballou on Sept 22, 2023

Received by the Zoning Administrator: Eric Blaisdell on Sept 26, 2023