

**Notice of DRB Decision  
Town of Stowe Zoning Office  
PO Box 216  
Stowe VT 05672**

You recently received approval for the subdivision listed below from the Development Review Board. Attached is a copy of the DRB decision for your records. All final subdivisions must be signed by the DRB Chair and recorded within 180 days from approval. Please note any conditions of approval that must be met before the plan can be recorded. You are also required to obtain separate zoning approvals and/or permits for any new construction on the newly created lots. A fee of \$15/page is required for recording.

Please contact the Planning and Zoning Office at 253-6141 if you have any questions.

**APPLICATION INFORMATION**

**Project Number** 5135  
**Application Date** 4/20/2015  
**Physical Location** 673 SOUTH MAIN ST  
**Map ID** 07-263.000 **Tax ID** 03061-010  
**Project Description** CREATE 7 ACRE PLANNED UNIT DEVELOPMENT (PUD) WITH TWO LOTS  
**Owner** MILL POND DEVELOPMENT LLC  
**Applicant** DEAN ECONOMOU MILL POND DEVELOPMENT LLC  
**Applicant Address** PO BOX 1401  
STOWE VT 05672

**APPROVALS ON RECORD**

Action Taken	Date	End of Appeal Period	Expiration Date
DRB DECISION	6/9/2015	7/9/2015	12/6/2015

  
Zoning Office

  
Date



**Conclusion:** The PUD is over 3 acres.

4. **Section 12.3.3(E) – Density.** 1.69 acres is zoned LVC and 5.27 acres is zoned RR 1. The current office use does not require any density. No further development is proposed at this time. Any future development of Lot #2 will be able to use all the density available on the two lots.

**Conclusion:** No density is required at this time.

5. **Section 12.3.3(F) – Multiple Zoning Districts:** The PUD is in the LVC and RR 1 Districts. No development is proposed at this time.

**Conclusion:** No development is proposed at this time.

6. **Section 12.4 – Open Space:** The site plan shows an open space area of .96 acres which includes wetland areas. At the hearing the applicant amended the plan to have the open space include the area indicated on the plan plus all areas within the required double setbacks. A total of ±2.8 acres, or 40% of the parcel, is proposed to be designated as open space. The open space consists of wetland areas and the perimeter of the rear portion of Lot #2.

**Conclusion:** An adequate open space has been proposed. A recorded plan shall be recorded as per Section 12.2 indicating the open space area.

#### **SECTION 5.1 – GENERAL PLANNING STANDARDS:**

7. **Section 5.1(1) – Character of Land for Subdivision:** Lot #1 is developed with an office building. The vicinity near South Main Street is a mix of commercial uses. The vicinity in the rear and side of Lot #2 where it is zoned RR1 is a mix of residential uses.

**Conclusion:** There is nothing in the character of the parcel that would preclude it from being used as proposed.

8. **Section 5.1(2) – Natural and Scenic Features:** Wetland areas exist on Lot #2. The wetlands are proposed as part of the open space area.

**Conclusion:** The natural features will be adequately protected.

9. **Section 5.1(3) – Protection of Significant Wildlife Habitat and Natural Communities:** The parcel is not within a mapped significant wildlife habitat and natural communities.

**Conclusion:** This provision is not applicable.

10. **Section 5.1(4) – Historic Resources and Community Character:** No historic features are known to exist on the parcel.

**Conclusion:** This provision is not applicable.

11. **Section 5.1(5) – Reserved Strips:** No reserved strips are proposed.

**Conclusion:** This provision is not applicable.

12. **Section 5.1(6) – Screening and Landscaping:** No landscaping is proposed as part of the subdivision development. No development is proposed at this time. Landscaping and screening could be required as part of any review for future development of Lot #2.

**Conclusion:** This provision is not applicable.

13. **Section 5.1(7) – Pedestrian Access:** No sidewalks exist in the area. There are plans in place for the Town to install sidewalks along South Main Street within the next year. No development is proposed at this time.

**Conclusion:** There is no need for the applicant to provide for further pedestrian access as part of this application.

14. **Section 5.1(8) – Traffic:** No development is proposed at this time.

**Conclusion:** This provision is not applicable.

15. **Section 5.1(9) – Municipal Facilities:** No municipal department review forms returned indicated that the proposed development would have any adverse impact on their respective departments. No development is proposed at this time.

**Conclusion:** The subdivision of this parcel will not have an undue adverse impact on any municipal facilities.

16. **Section 5.1(10) – Lot Configuration:** The lots are not irregular in shape.

**Conclusion:** The lot configuration is adequate as proposed.

17. **Section 5.1(11) – Building Zone:** Lot #1 is already developed. Section 12.6(4)(B) requires a 10-foot minimum setback for interior lots. A 20-foot internal setback is proposed between Lot #1 and Lot #2. No development is proposed on Lot #2 at this time. Double setbacks are shown where required. The open space area includes the wetlands. The double setbacks and open space areas are proposed as the building zone for Lot #2.

**Conclusion:** The building zone is adequate for Lot #2.

18. **Section 5.1(12) – Fire Protection Facilities:** No development is proposed at this time. Any future development requiring Board review will be reviewed by the Fire Department.

**Conclusion:** This provision is not applicable.

19. **Section 5.1(13) – Disclosure of Subsequent Development Plans:** Lot #2 is expected to have development in the future. Any future subdivisions or conditional uses would require Board review and approval.

**Conclusion:** Future development will require Board review and approval except for uses that can be administratively approved..

20. **Section 5.1(14) – Private Enforcement Mechanisms:** An easement exists for the current shared driveway. A shared driveway maintenance agreement is proposed for future development. According to the applicant's testimony, the site plan has an incorrect note regarding a right-of-way for Heather Palmer. This will be removed on the recorded plan.

**Conclusion:** The private covenants will ensure maintenance of the existing driveway.

21. **Section 5.2 – Prominent Hillsides and Ridgelines:** The lots are not within the RHOD.

**Conclusion:** This provision is not applicable.

22. **Section 5.3 – Open Space and Cluster Development:** An open space area is shown on the plan and will protect the wetland areas.

**Conclusion:** The existing open space plan is adequate.

23. **Section 5.4 – Road Standards and Coordination with Public Highways:** No new roads are proposed.

**Conclusion:** This provision is not applicable.

24. **Section 5.5 – Utilities and Stormwater Management:** No development is proposed at this time.

**Conclusion:** This provision is not applicable. .

### DECISION

Based upon the foregoing Findings of Fact and conclusions of law in re: **5135 (Mill Pond Development)** the Board took the following action:

A motion was made by Mr. Clymer and seconded by Mr. Walton to approve the application with the following conditions:

1. Any change to the plans or the proposed use of the property shall be brought to the Zoning Administrator's attention, prior to its enactment, for a determination if an amendment is required.
2. Pursuant to V.S.A. Title 24, Chapter 117, the approval of this final subdivision application shall expire after 180 days from such approval unless a final subdivision plat shall have been duly filed or recorded in the office of the Town Clerk. No land development associated with this subdivision shall be commenced until such time as the survey plat has been duly signed and filed in the Land Records.
3. The subdivision plat shall be prepared in accordance with 27 VSA § 1403 and Section 4.3 of the Stowe Subdivision Regulations.

Voting in favor: Mr. Clymer, Mr. Lizotte, Mr. Diender, Mr. Hand, Mr. Mumley, Mr. Walton and Mr. White. Voting to deny: None. Voting to abstain: None Absent: Mr. Collotta

The motion carries 7– 0; the application is approved.

Dated at Stowe, Vermont this the 9<sup>th</sup> day of June 2015.

By:   
Doug White, Chair

Any interested person may appeal this decision to the Vermont Environmental Court within thirty (30) days in accordance with 24 V.S.A. § 4471.