

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

You recently received approval for the project listed below from the Development Review Board. Attached is a copy of the DRB decision for your records. Any conditions of approval required to issue a zoning permit have been met and your zoning permit will be issued without any further action required from you.

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

APPLICATION INFORMATION

Project Number 5538
Application Date 1/10/2017
Physical Location 87 FARR HILL RD
Map ID 07-309.070 Tax ID 03041-015
Project Description CONVERT TWO-FAMILY DWELLING TO FOUR MULTI-FAMILY UNITS
Owner THOMAS C MICHELSON
Applicant THOMAS C MICHELSON
Applicant Address 87 FARR HILL RD
STOWE VT 05672-5251

APPROVALS ON RECORD

Action Taken	Date	End of Appeal Period	Expiration Date
DRB DECISION	2/14/2017	3/16/2017	3/16/2019

Richard Baker

Zoning Office

Date

2/14/17

TOWN OF STOWE
DEVELOPMENT REVIEW BOARD
Findings of Fact & Conclusions of Law

IN RE: Thomas Michelson
87 Farr Hill Road
Stowe VT 05672

5538

PROCEDURAL HISTORY:

The Development Review Board received this application on January 10, 2017. The application was warned in the Stowe Reporter and posted on April 16, 2015. The application was warned in the Stowe Reporter on January 19, 2017. A public hearing was held on February 7, 2017 at which time the hearing was closed. This decision was rendered electronically by the Board on February 14, 2017. Thomas Michelson presented the application to the Board.

FINDINGS OF FACT & CONCLUSIONS OF LAW: During its review of this application, the Board made the following Findings of Fact:

1. Thomas Michelson owns 5 ± acres at 87 Farr Hill Road within the Rural Residential (RR) 1 and 2 Zoning Districts. A duplex is constructed on the lot.
2. The applicant is requesting approval to convert the duplex into four multi-family units. The new units will mostly be within the existing building footprint except for a small addition on one side. The window and door configurations will also change. A new shop and garage will also be constructed for residential uses.
3. The applicant submitted three hand drawn site plans, floor plans, hand drawn elevations and photographs showing the current and proposed changes to the building.
4. Randy and Lori Wetzel sent an email dated 2/6/17 regarding the use of Farr Hill Road.
5. Staff submitted the state statute on maintenance on private roads.
6. Under the provisions of the Zoning Ordinance, this application was reviewed a conditional use.

3.7(2)(A) – Standards of review (Conditional Use Applications): Pursuant to the requirements of the Stowe Zoning Ordinance, all Conditional Use Applications are reviewed under the requirements of Section 3.7(2)(A):

7. **Section 3.7(2)(A)(1) – Capacity of existing or planned community facilities and services:** No Municipal Department reviews indicated that the proposed development would have any adverse impact on their respective departments. All water and sewage is on-site.

Conclusion: The project has no effect on the Town's existing or planned facilities or services.

8. **Section 3.7(2)(A)(2) – Traffic on roads and highways in the vicinity:** A second driveway connected to an existing driveway on an adjacent parcel fronting Route 100 is proposed. This drive is intended to serve the newly proposed dwelling units. The existing driveway is off of Farr Hill Road, a private road. Minimal additional traffic will be generated on Route 100 with the addition of two dwelling units.

Conclusion: The change of use is not anticipated to adversely affect traffic in the area.

9. **Section 3.7(2)(A)(3) – The character of the area affected:** Multifamily dwelling units are allowed in the RR Districts. Minimal changes in the appearance of the building are proposed.

Conclusion: The proposed use will not adversely affect the character of the area.

10. **Section 3.7(2)(A)(4) – Regulations and ordinances in effect:** Multi-family units are allowed as a conditional use. A density chart on the site plan shows that up to 11 dwelling would be permitted on the lot. All setbacks are met.

Conclusion: The proposed use is in conformance with the bylaws currently in effect.

11. **Section 3.7(2)(A)(5) – Utilization of renewable energy sources:** The development will not restrict the ability to use renewable energy sources.

Conclusion: The proposed use will not adversely effect the utilization of renewable energy sources.

Section 3.7(2)(B) – Other Standards of Review:

12. **Section 3.7(2)(B)(1) – Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, or rare and irreplaceable natural area.** No scenic or natural areas or historic buildings are found on the parcel.

Conclusion: The change of use will not have an undue adverse effect on the effect on the scenic or natural beauty of the area, aesthetics, historic sites, or rare and irreplaceable natural areas.

13. **Section 3.7(2)(B)(2) - Project will not result in undue water, noise or air pollution.** The four dwelling units are not anticipated to generate any more water, noise or air pollution than similar uses allowed in the zoning district.

Conclusion: There will be no undue water, noise or air pollution resulting from this proposed project.

14. **Section 3.7(2)(B)(3) –Access Management:** A second driveway connected to an existing driveway on an adjacent parcel fronting Route 100 is proposed. The existing driveway has an access from Farr Hill Road, a private road. There is no new access of off a public road.

Conclusion: The access is acceptable as proposed.

15. **Section 3.7(2)(B)(4) – Shared Access:** Farr Hill Road is a private road serving several adjacent lots. The existing driveway from Farr Hill Road will remain. The email from Randy and Lori Wetzel expressed concerns about the additional traffic on Farr Hill Road. They also expressed concerns about the lack of a maintenance agreement. A second driveway connected to an existing driveway on an adjacent parcel fronting Route 100 is proposed. This drive is intended to serve the newly proposed dwelling units. Therefore, there should be no additional traffic on Farr Hill Road. State statues address shared maintenance on private roads when no formal agreement is in place. Therefore, this is not an issue to be addressed by the Board.

Conclusion: No additional shared access is proposed. The Board will require, as a condition of approval, that the two driveways serving the multi-family building shall not be connected.

16. **Section 3.7(2)(B)(5) – Circulation and Parking:** Eight parking spaces are required for four dwelling units. Ten parking spaces are proposed to be constructed in several small lot areas.

Conclusion: The existing parking is adequate.

17. **Section 3.7(2)(B)(6) – Pedestrian Circulation and Access:** The applicant does not propose any pedestrian circulation. No pedestrian sidewalks exist in this area.

Conclusion: The Board concludes that no pedestrian circulation is required given the scope of the development.

18. **Section 3.7(2)(B)(7) – Landscaping:** No additional landscaping is proposed. The new units will mostly be within the existing building footprint except for a small addition on one side.

Conclusion: No additional landscaping is required.

19. **Section 3.7(2)(B)(8) – Stormwater Management:** No significant changes in the amount of impervious surface are proposed.

Conclusion: No additional stormwater management is required.

Section 4.8 – Outdoor Lighting

20. **Section 4.4(2) – Lighting plan:** Only recessed lighting is proposed.

Conclusion: Recessed lighting is acceptable.

DECISION

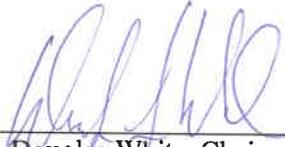
Based upon the foregoing Findings of Fact, in RE: **5538 (Michelson)**, the Board found that the application meets the Zoning Regulations criteria for approval with the following condition:

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. The two driveways serving the multi-family building shall not be connected.

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

The motion carries 5– 0; the application is approved.

By: _____


Douglas 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.

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