

Development Review Board **APPROVED 7.15.14**

Town of Stowe- June 17, 2014

The Stowe Development Review Board met Tuesday, June 17, 2014 in Memorial Hall starting at 5:00 P.M.

Members present: Peter Collotta, Brian Leven, Doug White, Michael Diender, Mike Beaugnies and Drew Clymer. Absent: Chris Walton. Also present: Rich Baker, Zoning Officer and those listed in the minute's book.

Project #: 4949 Freeman Family LLC Dwelling in the RHOD WITHDRAWN

Project #: 4953 Full Circle Healing Arts: Office Building Old Farm Road WITHDRAWN

5:00 P.M.

Project #: 4956

Owner: Baraw Enterprises Inc.

Tax Parcel #: 6-085.000

Location: Off Cottage Club Road South of Sunset Grille Old Farm Road Lot C2-B

Project: Construct Building for Beer Production and Retail Sales

Zones: MRV/RR 2

Doug White, Vice chaired the meeting as Vice Chair since Chairman Brian Leven excused himself from participating saying he is a friend of the applicant but had not discussed the project with them. Doug explained to those in the audience the procedure he would use as chair, addressing all questions to the Board and he assured those that wished to speak would have the opportunity to do so. Present were Mark D'Angelo, Mike Smith, John Grenier; Austin, Austin Design; Wagner as Landscape Architect and Harold Ormind. (others speaking were in the audience and signed in). Mark gave an overview and then John Grenier explained the project as being a 4.23 acres parcel located off Cottage Club Road with 2 acres in the MRV zone. There is an existing drive going to the property; parking requires 21 spaces and 121 spaces have been provided; internal sidewalks; 60' x 150' and setback 120' from Cottage Clud Road; 1900 s.f. of retail space for beer and related items; 1200 s.f. of office space; no discharge from project; no erosion during or after construction; brewery waste will be stored with all tanks being below ground and double lined. Mr. Austin described the design as being a steel building using lot of natural light; 90% as the beer making area; elevator for the silo portion; tasting room; stainless steel roofing; there will be no expansion of this building stated Mr. D'Angelo. Landscaping plan described using some large sculptures; several cherry trees. Mr. A'ngelo stated one would not be able to purchase beer and drink on

the property. He said they interpreted the traffic study by the Vtrans rule who is reviewing the project. Ben Swanson, traffic engineer reviewed the study in detail to those present. A memo from Harry Shepard, Public Works Director dated 6/17/14 was submitted re: sewer and water protection area recommending a Wastewater Management Agreement with the Selectboard (this will be a condition approval). . Board went through the

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CONDITIONAL USE REVIEW: Sec. 3.7(2)(A)(!) Capacity of existing or planned

community facilities & services: brewing can result in high strength sewer flows, which require special treatment process, and Weston & Sampson discussed the pre-treatment system to be used. The public well protection area includes the parcel under development with the letter dated 5/25/14 from Weston & Sampson. The letter from Harry Shepard was brought into the testimony The Fire Department had no comments. Rich Haab from Sunset Grill made a statement that he has a well on his property, which needs to be protected. **tape 1 side 2 Sec. 3.7 (2)(A) (2) Traffic on roads & highways:** A long discussion took place over traffic with people in the audience concerned and all did not agree with the traffic study presented, which determined the project would have no undue adverse impact on traffic; Peter Collotta questioned the level of review and asked if the traffic at the Waterbury facility was taken into consideration. Mr. Collotta stated traffic at the Waterbury facility was unacceptable. Mr. ??? said he felt the size of the property reflects the traffic study . Mr. D'Angelo stated this application has nothing to do with the Waterbury facility and Mr. Collotta disagreed saying the DRB has the ability to hire their own traffic engineer for review. Mr. Collotta asked why the report did not address truck traffic and the answer was, they will be using a state highway with 5 tractor trailers per week and will not be shipping the beer, it is a manufacturing and retail operation. Nancy Stead in the audience, brought up subject of the intersection of Rte 108 and Barrows Road, the problems which already occur at the intersection and asked that be addressed. The guidelines from Vtrans were used in the study stated Mr. ??? said there have recommendations for that area. Donna Adams representing Stowe Cemetery Commission, referred to a previous letter which had been sent to the applicant restricting the hours of operation when there is a funeral or other activity taking place at the cemetery and asked that traffic be allowed to park on the side of the road during a function. Donna was told that parking is a Selectboard issue. Mr. D'Angelo stated they would agree to the stipulations requested by the Cemetery Commission **tape 2 side 1 Sec. 3.7 (2)(A)(3) Character of the area affected:** Board found there will not be an undue impact on the character of the area, even though a town owned cemetery abuts the parcel. **Sec. 3.7(2)(A)(4) Regulations and ordinance in effect:** All setbacks will be met; and uses allowed in the district. **Sec. 3.7(2)(A)(5) Utilization of renewable energy sources:** the development will not restrict the use of renewable sources; **Sec. 3.7(2)(B)(1) Other standards of review: N/A Sec. 3.7(2)(B)(2) Project will not result in undue water, noise or air pollution:** odors were addressed in the Weston & Sampson letter dated 5/25/14. Mr. Collotta asked what measures are in place to control the odors which will be tested every day. Answer was the brewing stacks will vent within the building and there will be no objectionable odor on the exterior stated Mr. ???. Hours of operation to be 6:00 A.M. to 8:00 P.M. for the brewery and 11:00 A.M. to 7:00 P.M. for retail sales. Mr. D'Angelo stated they will not be shipping any products out of the facility. The Board will require several conditions to satisfy these criteria. **Sec. 3.7(2)(B)(3) Access Management:** curb cut permit has been granted and access is acceptable and been

granted by the Public Works Director; **Sec.3.7(2)(B)(4) Shared Access:** none being proposed; **Sec.3.7(2)(B)(4) Circulation & Parking:** parking lot to be gravel with 107 spaces provided. **Sec. 3.7(2)(B)(6) Pedestrian Circulation:** internal pedestrian

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circulation access provided; **Sec..3.7(2)(B)(7) Landscaping:** extensive landscaping proposed (and on record) as to the numbers and species. condition; **Sec. 3.7(2)(B)(8) Stormwater Management:** adequate management has been provided; **Sec. 4.8 Outdoor Lighting:** Lighting plan on file which will all to be downward lighting and found to be adequate. **tape 2 side 2** Mr. White replied to Ms. ??? (in the audience) comments and concerns (mostly about parking) with enforcement, saying when there is a new application, the Board continues to strive to be consistent in their decision process. Mr. Baker stated it is his job to draft the decision and the Board's job to review/approve. If there are conditions being violated, Mr. Baker has to deal with the enforcement.

Mr. Diender moved to instruct the Zoning Administrator to draft Findings of Fact and Conclusion of Law re: Project # 4956 with the following **CONDITIONS**

- (1)** Any change to the plans or the proposed use of the property shall be brought to the attention of the Zoning Administrator, prior to its implementation, for a determination if an amendment shall be required;
- (2)** the zoning permit shall not be issued until a Wastewater Management Plan & Water Source Protection Agreement has been addressed and signed by the Selectboard and filed in the Land records;
- (3)** A zoning permit shall not be issued until a revised landscaping plan is submitted to the Zoning Administrator showing the truck delivery rain garden plantings to be coniferous trees and shrubs;
- (4)** no odor shall be detected beyond the property boundaries;
- (5)** hours of operation shall be 6:00 A.M. to 8:00 P.M.; for brewery operations and 11:00 A.M. to 7:00 P.M. for retail sales.
- (6)** there will be no shipping or deliveries between 1000 P.M. and 7:00 A.M. except with review and approval of the DRB.
- (7)** construction shall cease with a 48 hour notice prior to and while a funeral or other function is being held at the West Branch Cemetery ;
- (8)** Production over 10,000 barrels per year shall require review/approval of the DRB. Mr. White told those in attendance, the Board continues to strive to be consistent in their decision process. Voting in favor of the motion: Mr. Beugnies; White; Diender and Clymer. Voting against the motion. Mr. Collotta. Mr. Leven , sat in the audience, and did not participate in the hearing and Mr. Walton was absent.

BREAK for 10 MINUTES:

7:50

Project #: 4961

Owners: Puddicomb Trust

Tax Parcel #7-156.000

Location: 6 Stowe Hollow Road

Project: Relocate Barn and Reconstruct Connector to House. Requesting waiver of Front Yard Setback.

Zones: RR 2/SHOD

Brian Leven took over as Chairman. Present were Mr. & Mrs Puddicomb as well as Barbara Baraw from the SHP Commission who has voted to support the project. The project is on 2.55 acres located at 6 Stowe Hollow Road in the RR 2 and SHOD. The barn is a historic district and seeking a 60' setback waiver to relocate the barn and connect

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to the house. Sec. 10.10 allows for the front yard setback and Mr. Puddicomb stated they would be pushing it back as far as possible to utilizing the barn. By doing this, will not be encroaching on the front yard and will be more complying. Will be putting a new foundation and reconstructing the barn. On a motion by Mr. White and seconded by Mr. Clymer, a motion was made to instruct the Zoning Administrator to draft Findings of fact and Conclusion of Law allowing the setback waiver. All present voted in favor of the motion. Mr. Walton was not present.

8:10

Project #: 4974

Owners: Gibbs, Rick & Bethany

Tax Parcel #: 7-126.010

Location: 271 Birch Hill Road

Project: Construct Single-Family Dwelling with RHOD Review

Zones: RR 3/RHOD

Present was Pat Stevens from TCE. Parcel of 27 acres is located at 271 Birch Hill Road. and application is for Lot # 5 of the Cabral 2004 Family Trust. Application is for a single family dwelling located in the RHOD. Mr. Baker stated the site is completely cleared (Drew & Doug have visited the site) and found it is not visible. Driveway in and less than the 12%. Dwelling to be below the ridgeline. House to be

earthtone colors. RHOD review done. Lighting cut sheets on file with recessed lights and downward lighting except for 2 motion lights. Peter moved to approve as described, seconded by Drew with all in favor except Chris Walton who was not present.

ELECTION of OFFICERS: On a motion by Drew and seconded by Peter, Brian Leven was appointed Chairman and Doug White Vice Chair. All in favor.

Minutes of June 3, 2014: Peter moved to accept as written, seconded by Drew with all in favor except Michael Diender who was not present at the 6.3.14 meeting.

There being no further business to come before the Board, the meeting adjourned at 8:25 P.M.

Respectfully submitted,

Barbara S Allaire

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There being no further business to come before the Board, the meeting adjourned at 8:25 P.M.

Respectfully submitted,

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4 The regular meeting of the Stowe Development Review Board was held Tuesday, July 1,
5 2014 in the Memorial Room in the Akeley Memorial Building starting at 5:00 P.M.
6 Members present: Brian Leven, Peter Collotta, Doug White, Michael Diender and Drew
7 Clymer. Absent: Chris Walton and Michael Beugnies. Also present: Rich Baker, Zoning
8 Administrator.
9

10 **5:00 P.M.**

11 **Project #: 4984**
12 **Owners: Grogan, Rachael & Cook, Cameron**
13 **Tax Parcel #: 7-294.000**
14 **Location: 724 Cady Hill Road**
15 **Project: Construct single family dwelling in RHOD**
16 **Zones: RR 2/3 & 5 RHOD**
17

18 Present were Rachael & Dick Grogan and Cameron Cook. Dick described the property as
19 being Lot # 7 of the Syn-Cronamics of Canada Ltd subdivision located at 724 Cady Hill
20 and in the RHOD. Plans are to build a single family-two story dwelling using natural
21 materials with a black roof. A visual analysis was submitted and described by Dick dated
22 5/30/14 showing the sight lines. Based on the analysis, with the existing trees and the
23 terrain, it was found there will be no or limited public vantage points. The applicant
24 submitted cut sheets for clear glass windows. Plans are to cut 4-5 trees near the house site
25 and the remainder of the trees will not be cleared except for the installation of power and
26 phone lines. The driveway exists and is less than 12%. Downward lighting to be used
27 except for a motion sensor light to be install on the rear of the dwelling next to the
28 driveway facing the woods. There being no more discussion, Mr. Collotta moved to
29 instruct the Zoning Administrator to draft Findings of Fact and Conclusion of Law with
30 the **CONDITION:** (1) If there is any change to the plans or the proposed use of the
31 property, the applicant shall return to the Zoning Administrator, prior to
32 itsimplemenation, for a determination if an amendment shall be required. Mr. Clymer
33 seconded the motion with all in favor except Chris Walton and Mike Beugnies who were
34 not present.
35

36 **5:15**

37 **Project #: 4982**
38 **Owner: Very Vermonty Corp/Baraw Enterprises**
39 **Tax Parcel #: 11-101.000**
40 **Location: 4492 Mountain Road**
41 **Project: Reverse Development Rights from Stoweflake Resort to 4492**
42 **Mountain Road**
43 **Zone: UMR**
44

45 Present were Mr. & Mrs Dick Benoit who explained that Very Vermonty owns 4.2 acres
46 at 4492 Mountain Road. On 11/20/07 the Board approved a transfer of Development

1 Rights (TDR's) from 4492 Mt. Road to Stoweflake Resort with "An Agreement
2 Regarding Use of Development Rights" and "Density Reduction Easement and Transfer
3 of Development Rights to Benefited Property". Now Very Vermonty wishes to change
4 the transfer to be 1 acre, leaving 4492 Mt Road with 3.2 acres of development rights. It
5 was noted that Stoweflake has not used any of the TDR's for development. Mr. Diender
6 moved to instruct the Zoning Administrator to draft Findings of Fact and Conclusion of
7 Law re: project # 4982 with the following **CONDITION:** (1) the approval shall not go
8 into effect until the revised TDR documents are submitted and approved by the Town.
9 Mr. Clymer seconded with all members in favor except Mr. Walton and Mr. Beugnies
10 who were not present at the meeting. .

11
12 **5:30**

13 **Project #:** 4983

14 **Owner:** 740 Robinson Springs Trust

15 **Tax Parcel #:** 11-026.020

16 **Location:** 740 Robinson Springs Road

17 **Project:** Requesting Waiver of Double Setbacks for PRD and Modification of
18 Conservation Zone.

19 **Zones:** RR 5/RHOD
20

21 Present were Jeremy Huff for the applicant, Robinson Springs Homeowners and Clark
22 Abbott, representing himself, two other property owners as well as 740 Robinson Springs
23 Trust Association. Jeremy stated the lot in question is # 2, one of the original homes in
24 RS, which was built in 1982. He stated he is asking for 2 things (1) double setback
25 waiver from 150' to 75' and (2) conservation zone setback waiver from 100' (along the
26 rear property to 70'. One year after the house was built, the owners obtained a variance
27 for a garage, then 5-6 years later, put a connector between the two structures within the
28 double setbacks and within the conservation zone and not in accordance with the var
29 iance issued in 1983. Since the violations are beyond the 15-year statue of limitations for
30 enforcement, no CO's can be issued. At that time no certificate of occupancy was
31 required so the violations were not recognized. Jeremy stated his client purchased the
32 property knowing there were violations, but would now like to build a dormer and
33 expand the connector (not part of this application). **tape 1 side 2.** Jeremy stated there is
34 mechanism in the zoning regs to allow for a waiver and that is what he is asking for. He
35 said there could be any level of modifications in the future to this property. Mr. Collotta
36 said he had a difficult time when the owners purchased a property, knowing there were
37 violations and for the board to help try and make them go away. Mr. Diender said the
38 buyer accepted the fact there were violations and could build a new garage in a different
39 location on the property. Mr. Clymer said it is an illegal structure and now to grant the
40 waivers would make it a legal structure. Mr. White said there was an original PRD (with
41 some lots being less than 5 acres) subdivision and over a period of time, owners have
42 come in and thru the town's generosity and different waivers have picked away at the
43 original approval. Mr. Diender felt the Board would be altering the original PRD (double
44 setbacks) and possibly setting a precedent for future properties in town. Mr. Clymer
45 asked what the justification is for the waiver and Jeremy said since 1982, development
46 has resulted in some very large lots where setbacks are not an issue. Mr. Abbott, in the

1 audience stated he does not wish to object, speaking for RS said they have no legal issue
2 but he is seeking legal advice. As a neighbor, the people purchased the property knowing
3 full well the risks, and could leave it in perpetuity, which would be disaster, stated Mr.
4 Abbott. He said they are looking to upgrade the older houses in RS and this would help
5 the development as well as add to the tax base. He stated he is concerned about the
6 precedent but as individuals, would like to have the houses upgraded. Mr. White said he
7 did not feel to grant a waiver along the whole property is needed and is concerned with
8 the conservation easements. The waiver could be only the part, which would fix the
9 situation, not for the entire property. Mr. Clymer stated when the development was
10 approved back in 1982, it was approved by others (abutters) knowing there was going to
11 be a conservation zone and now to reduce it would be a problem for him more than the
12 double setback. Mr. White said, as the footprint exists now, with the setbacks they could
13 build from there without any waiver. Mr. Clymer stated he would need a compelling
14 reason to adjust the conservation zone and was against reducing the setbacks. Mr. Huff
15 explained what the applicant would like to build. Mr. Diender stated the garage could be
16 made into a finished area and build a separate garage. Mr. Huff said the family would like
17 to be able to go from one area to another in the house. Mr. Leven said the Board needs to
18 look at the waiver issue, the PRD has changed, there is conserved space, and the
19 neighbors outside the PRD don't mind. Mr. Huff said he felt the double setbacks are to
20 for this type of PRD but for cluster development. Mr. Collotta asked the members why
21 they are working on this so hard and Mr. White said this is an opportunity to clean up
22 some mistakes. Mr. Clymer said they need to come in and show what it is they wish to do
23 with the existing footprint-- he didn't know what they want. Mr. Collotta asked what this
24 approval would do for any future owner. Mr. Diender felt they should come back with the
25 existing footprint and what it is they want to do with that. Mr. Collotta asked Board
26 members if any one had a concern that in the future they may be asked to perform more
27 specific crafted solutions and the Board may be taking on obligations etc, which are not
28 their job. Mr. White agreed but felt the property could be cleaned up. He felt the
29 improvements could be made between the house and garage. Mr. Clymer said he wants to
30 be comfortable if it comes up again and he is not convinced the Board should be making
31 exceptions. Mr. Leven stated there are current violations but the statutes have expired and
32 he felt to change the conservation zone is a way of "going down a slippery slope" but
33 could probably be convinced to grant a waiver. After continued discussion, it was
34 apparent no decision was going to be made and Mr. White moved to **RECESS Project #**
35 **4983 to AUGUST 16, 2014** at the applicant's representative's (Mr. Huff) request,
36 seconded by Mr. Collotta with all in favor.

37
38 Members agreed to discuss any amendment to the DRB Rules & Regs at their next
39 meeting.

40
41 There being no further discussion, the meeting adjourned at 7:00 P.M.

42
43 Respectfully submitted,

44
45
46 Barbara S. Allaire

1 Stowe Development Review Board
2 July 7, 2015- Memorial Hall

DRAFT

3
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7 Members present: Doug White; Peter Collotta, Michael Diender, Chris Walton, Drew
8 Clymer; Nick Lizotte (alternate) and Tom Hand. Absent: Tyler Mumley. Also present:
9 Rich Baker, Zoning Officer, Brian Leven; Judy Foregger and Tommy Gardner, Stowe
10 Reporter.

11
12 **5:00 P.M.**

13 **Project: 5164**

14 **Owners: PIRAQ LLC**

15 **Tax Parcel #: 11-199.000**

16 **Location: 3148 Mountain Road (former Mile-Away)**

17 **Project: Demolish Historic Building**

18 **Zone: MRC**

19 Mr. Lizotte revealed to members he is located in the same office as Brian Leven, the next
20 presenter.

21
22 Brian Leven present, as was Judy Foregger representing the applicant. Mr. Leven stated
23 the property is located at 3148 Mountain Road on 2.5 acres of land. The building is
24 historic and the request is to demolish and replace. Stowe Historic Preservation
25 Commission recommended at their meeting 5/27/15 the demolition with conditions,
26 which Mr. Leven said he wished to address. Mr. Clymer asked how long the applicant
27 has owned the building (response, last spring). Mr. Baker stated the water and electricity
28 has been turned off for years. Mr. White stated the owner purchased a distressed
29 property. Mr. Clymer questioned if he purchased and let it run down in order to demolish.
30 An e-mail from Cliff Borden dated 7/4/15 asking the Board to consider not allowing the
31 building to be torn down as he felt new development was going to alter the way one
32 approaches Rte 108 and its looks in the same way countless other roads in the country
33 have. Mr. Leven said the condition the SHPC put on was that a new building on the
34 parcel (Sec. 10.8 (6) should replicate the style and mass of the building demolished and
35 he felt that was an undue burden on the applicant. The provision in the bylaws has no
36 standards he said. Mr. Diender asked if the provision had ever been used and Mr. Leven
37 said not that he was aware of. Mr. Clymer said it states style and massing which he felt
38 are two separate issues. Mr. Leven felt they are different depending on where they would
39 be located, the massing could be different. Mr. Baker stated there would be design review
40 for any new building re: style and massing like buildings in the area but the SHPC
41 condition is more significant. Mr. Leven felt the design review is too restrictive and
42 difficult to interpret. Ms. Foregger stated the property is not marketable the way it is and
43 makes selling worse to put restrictions on it. She said there is very little left in the interior
44 which is historic. Mr. Lizotte said how would the Board not set a precedent, one could
45 turn the heat off, let mold set in, and then be asked to allow the demolition. He felt it is
46 not a hardship the Board should deal with. Mr. Leven felt the feasibility does it in with

1
2 marketability. It is feasible to rehabilitate anything but this is focused on economic
3 feasibility and this not economically feasible, stated Mr. Leven. Mr. Diender said based
4 on the bylaws it is difficult as he felt it marketable, could rebuild in the same style and
5 put 5 condos in there. **tape 1 side 2** Mr. Leven stated he had given reasons why it is not
6 feasible or marketable to restore the building. Mr. Hand stated he has read the report done
7 by CRITERIUM Lalancette Engineers dated 5/1/15 and said there is nothing
8 insurmountable and nowhere did it say the building is a total loss. SHPC says they agree
9 it may be better to start over but it is a significant building on the Mt. Road and it can be
10 replicated. Mr. Lizotte felt it is not a hardship when one purchases the building knowing
11 the condition (the building is under contract not purchased). Mr. White said the town has
12 the power to do what is in the bylaws and felt the Board should start the review under
13 Sec. 10.8 (A) the SHPC has determined it has historic value; (B) Mr. Hand and Mr.
14 Clymer felt it could be redone and the report doesn't say otherwise and it is up to the
15 applicant to convince the board otherwise; Mr. White said there are ways to put the
16 building back together. Mr. Hand stated some of the things which need to be done are
17 normal maintenance. Mr. White stated there has been no numbers to review as to what it
18 would cost to do it either way, tear down and rebuild or rehab the way it is. (C) the
19 building has not been condemned although there are a few safety hazards. The burden of
20 proof is on the owner (D) Mr. Leven said it is possible to redo but is not economically
21 feasible. Ms. Foregger gave the Board some figures including the cost of the land. Mr.
22 White stated it appeared the Board couldn't get by Sec.10.8 (1) **tape 2 side 1** Mr. Leven
23 felt they have met the burden in this section. Members continued to discuss. A straw poll
24 of the members took place with Mr. Clymer stated he didn't have enough hard data as to
25 why it should come down and haven't met the criteria; Mr. Walton said he felt it worth
26 while to get the opinion of counsel re: the definition of feasibility but felt the building
27 could be replicated; Mr. Collotta suggested recessing; Mr. Diender supports the SHPC
28 with their conditions; both Mr. Hand and Lizotte felt the building could be restored; Mr.
29 White stated he felt it feasible to put the building back together and gave examples of
30 places which have been restored; Mr. White asked Mr. Leven what the applicant would
31 like to do and the answer was they would like to have the opportunity to respond with
32 more info although he didn't know if there was more available.

33
34 On a motion by Mr. Clymer and seconded by Mr. Collotta, the hearing was **RECESSED**
35 **at the applicant's request to August 4, 2015.** All in favor

36
37 **Minutes of June 16, 2015:** Mr. Walton moved to approve as written, seconded by Mr.
38 Clymer with all in favor.

39
40 There being no further business to come before the Board, the meeting adjourned at 6:30
41 P.M.

42
43 Respectfully submitted,

44
45
46 Barbara S. Allaire.

Development Review Board **DRAFT**
Town of Stowe- July 15, 2014

The regular meeting of the Stowe Development Review Board was held Tuesday, July 15, 2015 in Memorial Hall starting at 5:00 P.M.

Members present: Chris Walton, Brian Leven, Peter Collotta, Doug White and Michael Beagnies.

Absent: Michael Diender and Drew Clymer. Also present: Rich Baker, Zoning Administrator and those listed in the minutes book.

5:00 P.M.

Project #: 4983 (RECESSED on 7/1/14. Requesting to RECESS to 8/5/14.

Owner: Robinson Springs Trust

Tax Parcel #: 11-026.020

Location: 740 Robinson Springs Road

Project: Request for waiver of Double Setbacks for PRD and Modification of Conservation Zone.

Zones: RR 5/ RHOD

Chris moved to grant the **RECESS to AUGUST 5, 2014**, seconded by Mike Beagnies with all present in favor.

5:05

Project #: 4995

Owners: Mt. Mansfield Company, Inc.

Tax Parcel #: 14-002.000

Location: 198 Mansfield Base

Project: Construct Addition to Mansfield Mountain Operations Center

Zones: RR 5/SKI PUD/RHOD/FHD

Present was Rob Apple who stated some locker space has been eliminated the locker room space in the Ski School was eliminated so would like to build a building with for locker rooms onto the Mansfield

Mountain Operation Center. Two-phase project 1368 s.f. on the east end (150 lockers) and 1,058 s.f. on the south side (will have 96 patrol lockers), 1-story and looking for approval for both phases at this time. Mr. Apple said the use would be for lockers space only. There will be no lockers in the Adventure Center, stated Mr. Apple. Building to be at highest peak 9'10"; and no additional landscaping planned. There will be no additional water, sewer or parking required. Exterior to be Board and Batten stained to match the existing building; 1 small downward shining light above the door; no landscaping proposed. Board reviewed the **Conditional Use Criteria** and Chris moved to instruct the Zoning Administrator to draft Findings of Fact and Conclusion of Law with the following **CONDITION:** (1) Any change to the plans or the proposed use of the property shall be brought to the attention of the Zoning Administrator prior to its implementation, for a determination if an amendment shall be required. Peter seconded the motion with all members present in favor.

5:15

Project #: 4981
Owner: Percy, Sally
Tax Parcel #: 7A-006.000
Location: 288 South Main Street
Project: Construct Seven (7) Multi-Family Units
Zones: VC10/SHOD

Present were Elisa Mayes who presented the project by way of a slide show; David Scheuer and ????, Architect. Ms. Mayes described the project as being a 7-unit development on 0.5 acres owned by Sally Percy. Located at 288 South Main St., north of the Public Safety Building. The Public Works Director's letter dated 8/13/13 addressed engineering issues. Ms. Mayes stated they have eliminated a garage near the street and moved the building back on the east elevation to accommodate the site lines better and will allow for landscaping along Rte 100. Trees will be trimmed up on the trunks to allow for site. Each building will have a balcony. Traffic report done by RSG dated 5/29/14 with recommendations. Ms. Mayes described the units, which will be placed around a courtyard. Mr.??? said they felt there should be a major statement on the buildings thereby the design on the east elevation to help break up the front and make the buildings more visible. Peter asked about the "farm stand building". Some members felt it was a separate application and some felt it was a part of this application (Mr. Baker felt it was approved as part of the previous application). This will be determined. Nancy Stead, in the audience questioned the size, gave some history of the area and felt it is too much for such a small area. Ms. Mayes responded saying it covers 32% of the lot. **Sec. 3.7 CONDITIONAL USE REVIEW: 3.7(2)(A)(1)** Capacity of Planned community facilities and services. Memo on record by Harry Shepard dated 8/13/13; EMS department satisfied with site visibility; Traffic study requires trees to be monitored and

trimmed as a condition. Applicant proposing a heated turn-around for EMS. Doug questioned using Harry Shepard's letter from the previous proposal and felt it should be updated. **3.7(2)(A)(2) Traffic on Roads** Peter said the landscaping schedule is difficult to read so asked that it be explained. **Sec. 3.7(2)(A)(3) Character of the Area:** in the VC 10 district which allows for a dense pattern of development; **Sec. 3.7(2)(A)(4) Regulations and Ordinances in Effect:** this development would meet all the setbacks required; **Sec. 3.7(2)(A)(5) Utilization of renewable energy resources:** this project will not restrict the use of renewable energy resources; **Sec. 3.7 (B) Other Standards of Review: (1) Undue adverse effect on the scenic or natural beauty ----**

Former gas station listed as a historic building and is covered under # 23 stated Mr. Baker. He said the demolition was approved but a separate permit was not issued. **(2) will not result in undue water, noise or air pollution:** air conditioners on the ground and cannot be seen from the road; no windows units proposed. **(3) Access Management:** curb cut permit remains valid; **(4) Shared Access N/A;** **(5) Circulation & Parking** 13 parking spaces being provided with 7 required; **(6) Pedestrian Circulation and Access:** new sidewalk along Rte 100 being built and an internal sidewalk part of this project; **(7) Landscaping:** landscaping plan on file showing some plantings along all property boundaries as well as trees along Rte 100; **(8) Stormwater Management:** stormwater will be collected and directed to the Town stormwater system. **Sec. 3.7(2)(1) Special Provision for VC District:** front yard does not include parking or outside storage. Unit # 2 has an entry on the street side. **Sec. 4.8 Lighting:** downward and recessed lighting with wall mounted fixtures on the 2nd story. Peter questioned the lighting plan as not being clear. **Sec. 10.3 Stowe Historic Overlay District & Historic Buildings:** Sarah McClane present and representing the Stowe Historic Preservation Commission. They recommended denial in a letter dated 6/25/14 based mostly on the massing of the buildings and requested changes. (Sarah described the changes). They want a perspective from the street and Peter agreed he needed one. David Scheuer stated they were prepared to return to the SHPC re: the elevation on the street side, but would like a reading as to where they stand. Doug agreed re: the size and massing, concerned with the pitching of the roofs; would like to see the letters on file refer to this project and not the previous project and said the project is mixing a lot of styles. David said this was intentional and felt the design is better. Sarah said the front entrance is a combination of residential/commercial etc and there are different styles; roof pitches and shapes with a 73' long facade along Rte 100. This was a concern stated Sarah. Architect said the different styles are intended to make a statement. Brian said as a Board member he has always taken stock in the SHPC recommendations and they do a good job. He said he relies heavily on the SHPC and would like to see the applicant return to SHPC. Doug said with the presentation this date, he could have some of the same recommendations the SHPC had. and needs a current traffic report, as there may be different numbers at this time. Peter said he needs more street perspective. Brian said his biggest concern is the massing. Peter moved to **RECESS Project # 49891 to SEPTEMBER 9, 2014,** seconded by Chris with all in favor.

Minutes of June 17, 2014. On a motion by Doug and seconded by Peter, the minutes were approved as amended.

Minutes of July 1, 2014: Brian moved to approve as written, seconded by Doug with all

those present in favor.

On a motion by Doug and seconded by Chris, members adopted the **Rules of Procedure** as revised dated this date. All in favor.

September Meetings the 9th and 16th.

Respectfully submitted,

Barbara S. Allaire

1
2 Stowe Development Review Board
3 Tuesday, August 5, 2014
4

DRAFT

5 The regular meeting of the Development Review Board was held Tuesday, August 5,
6 2014 in the Memorial Room starting at 5:00 P.M.

7
8 Members present: Brian Leven, Doug White, Peter Collotta, Chris Walton, Drew Clymer
9 and Michael Diender. Absent: Michael Beugnies. Also present: Rich Baker, Zoning
10 Administrator and those listed in the minutes book.
11

12 **5:00 P.M.**

13 **Project #: 4983 (RECESSED from 7/1/14)**

14 **Owner: 740 Robinson Springs Trust**

15 **Tax Parcel #:11-026.020**

16 **Location: 740 Robinson Springs Road**

17 **Project: Requesting a waiver of Double Setbacks for PRD and Modification of**
18 **Conservation Zone.**

19 **Zones: RR 5/RHOD**

20 Present was Jeremy Huff from the Law Office of Stackpole and French representing the
21 owner. Jeremy stated the double setback would be kept except around the existing
22 structure and the new addition-- approximately one-fifth of the addition will be in
23 compliance. Requesting to add a dormer to the easterly side of the garage but will not be
24 extending the footprint. Jeremy said the dormer would barely extend over into the
25 Conservation zone. Plans are to expand the footprint of the connector and make it two
26 stories. Jeremy gave the following reasons for allowing the request as this is to be limited
27 development; site conditions will not allow the expansion; area heavily forested; the
28 existing structure does not comply and zoning allows for a 50% expansion (which was in
29 place when zoning was adopted). The structure would be compliant if it predated zoning;
30 told members what the conservation zone does and does not allow. The statute of
31 limitation is past with no violation being imposed. This will have no impact on the
32 neighbors who have all been notified of the plan with no negative responses stated
33 Jeremy. He said they would return to the Board for RHOD review and more architectural
34 plans. Discussion: Sec. 12.4 (b) ?? Brian said it is unique situation with this property and
35 rare for a property to come forward with a violation that old; referred to # 4 and did not
36 feel it an unreasonable request representing the conditions. Drew said he was concerned
37 with setting a precedent with other properties in RS. As the double setbacks are there to
38 protect all properties. Doug uncomfortable with not having to review exactly what it is
39 they want to do and asking us to allow building on something which will make it more
40 nonconforming. Doug said this is new construction and we are being asked to waive
41 different things. That development has certain setbacks, which were approved, stated
42 Doug. Drew asked how the Board could grant a waiver? Michael concerned with
43 precedent setting. Brian said there is not another property in RS with the same situation,
44 structure there and built in violation. Jeremy felt this very unique. Members had several
45 other comments and then Peter moved to DENY project #

1 4981. Doug seconded the motion with Brian Leven voting against the motion; Peter
2 Collotta, Doug White, Michael Diender and Drew Clymer voting in favor of the motion;
3 Chris Walton abstained and Michael Beaugnies was absent. Motion carries.

4
5 **5:45**

6 **Project #: 5001**

7 **Owner(s) Sargent, Timothy & Bethany**

8 **Tax Parcel: 10-222.000**

9 **Location: 1878 & 1944 Pucker Street**

10 **Project: Lot Line Adjustment between 1878 & 1944 Pucker Street Properties**

11 **Zone: RR 2**

12 Present were Tim Sargent and Cliff Mandigo. Tim said he and his wife currently own 1.0
13 acre at 1878 Pucker Street with a dwelling. This acreage includes 0.5 acres & dwelling
14 plus the purchase of 0.46 acres from Cliff Mandigo, one of which was 3 contiguous small
15 lots owned by Mr. Mandigo. Because the 3 lots were not in "separate & non-affiliated
16 ownership by deed" a lot line adjustment is being sought. **tape 1 side 2** Tim explained the
17 reasons for the purchase and lot line adjustment and is concerned his dry well (which
18 may go under the road) may fail and there is no possible way to get a septic system on the
19 small lot near his house. Tim said there is no intent to develop the lot, only use for a
20 backup septic area. (soils have been tested and found to be suitable for an in-ground
21 septic system) There is a garden there at the present time. Tim said at the time of
22 purchase he referred to the language in Sec..3.A(1) and interpreted "non-affiliated
23 ownership" to mean the conveyance from Mr. Mandigo was allowable since he had
24 received the 0.46 acres via separate deed as well as two other parcels and this was the his
25 belief even though the parcel was contiguous to the other parcels at the time zoning was
26 adopted in 1975. Mr. When asked Tim said Mr. Mandigo would not agree to an
27 easement. Tim stated if this were to be approved, Mr. Mandigo's lot would be more non-
28 conforming and his (Tim's) would be more conforming. He said he and his wife would
29 agree to any covenants placed on the lot saying it can only be developed for septic usage.
30 Mr. Clymer asked what would happen if the septic system failed and they couldn't
31 purchase the property and Tim said, "he didn't know". Mr. Sarget stated Sec. 3.2 of the
32 regs and read it aloud which says "-- lot line adjustments involving such a lot shall not
33 affect the lots nonconforming status" According to Mr. Baker "status" in the sentence was
34 to make it clear that a lot line adjust meant of a pre-existing lot would not result in the
35 inability to develop the lot since it would not be as configured at the time zoning was
36 enacted. Members had difficulty, especially Brian, with the word status and this was
37 discussed. Brian said it appears to be very unclear and the Planning Commission should
38 possibly should look at that sentence. Mr. Baker said he encouraged the Sargent's to apply
39 for a variance but Tim chose not to. Discussion continued and members agreed to review
40 the request as a variance under Sec. 2.12 (1) (A) well on the property serves another
41 house but will be protected and the exiting house lot has no room for a septic system to
42 be located on it; (2.12 (1) (B) there is an existing well head on the property and this area
43 will serve as a replacement area; (2.12 (C) the applicant did not create the hardship; (2.12
44 (1) (D) the existing configuration of the area will not be altered; (2.12(E) the variance is
45 the minimum that will allow for any use of the Sargent building. On a motion by

1 Michael and seconded by Peter to grant a variance for the the reduction of the Mandigo
2 lot from 1.5 acres to 1.0 acres with the following CONDITIONS:
3 (1) Any change of the plans or the proposed use of the epoeprerty shall be brought to the
4 attention of the Zoning Administrator, prior to its enactment, for a determination if an
5 amendment shall be required; (2) Pursuant to V.S.A Title 24, Capt. 117 ---- and (3) The
6 subdivision plat shall be prepared in accordance with 27 VSA # 1403 and Sec. 4.3.
7 Voting in favor of the motion to approve a lot line adjustment by way of a variance, were:
8 Mr. Leven, Collotta, Clymer, Diender and Walton. Mr. Beaugnies was absent. No one
9 voted no or abstained.

10
11 **Minutes of July 15, 2014:** On a motion by Brian and seconded by Drew the minutes
12 were approved.

13
14 There being no further business to come before the Board, the meeting adjourned at 6:30
15 P.M.

16
17 Respectfully submitted,

18
19
20 Barbara S. Allaire

Development Review Board

September 9, 2014

APPROVED 10.7.14

The regular meeting of the Stowe Development Review Board was held Tuesday, September 9, 2014 in Memorial Hall starting at 5:00 P.M.

Members present: Brian Leven; Doug White, Chris Walton and Drew Clymer. Absent: Michael Diender; Peter Collotta and Michael Beaugnies. Also present were: Rich Baker, Zoning Administrator and those listed in the minute's book.

5:00 P.M.

Project #: 4981 (RECESSED from 7/15/14)

Owner: Percy, Sally

Tax Parcel #: 7A-006.000

Location: 288 South Main Street

Project: Construct seven (7) Multi-Family Units

Zone: VC10/SHOD

Mr. Leven swore in those in the audience who might choose to speak. Present to present were Elisa Mayes, David Scheuer and Steven Moore, Architect. Ms Mayes stated they have revised the architecture and went to the SHP committee who has recommended approval with conditions dated ? Ms. Mayes went through the changes on each elevation. No height or setback changes being requested. The roof pitch has been changed and trim work changed. The north elevation plans have not been changed 7" clapboards will be wrapped around the bottom; no change to the west elevation. South elevation siding been addressed. Plans are for 7 units on 1.5 acres. Harry Shepard, Public Work Director submitted memos dated 9/9/14 re: driveway entrance; rock removal and pavement repair and memo dated 8/14/14 re: site line was offered into evidence. Peter Stone, in the audience addressed the Board saying adamantly how dangerous the location is for people coming out into traffic, saying it is suicidal. He vigorously stated it is the wrong place to build anything as there are no site lines. Nancy Stead, in the audience said the DRB and the SHP committees are too wary of the historic location of this property, this being the gateway to Stowe, she said the massiveness of the project is in appropriate, some of the units could be pushed back and asked the Board to pay more attention to the Town Plan and the section in the town plan. She said the developer is seeking more density than necessary on such a small lot. Mr. Scheuer responded saying he was encouraged to build closer to the street as the plan indicates. Brian told the applicant there were only 4 members present at this meeting and barely a quorum. Mr. Scheuer could continue with that or ask for a recess to the upcoming week. David was upset to postpone again but requested a RECESS to September 16, 2014. Doug told the applicant he was sorry and appreciated his patience but it would be better to have more members present. On a motion by Doug and seconded by Drew, the meeting will be **RECESSED to September 16, 2014** with all members in attendance in favor.

5:20

Project #: 5007

Owner: Desaultels, Jay

Tax Parcel #: 5-047.100

Location: 249 Falls Brook Lane

Project: Construct Single Family Dwelling (RHOD REVIEW)

Zones: RR5/RHOD

Mr. Desautels present and said he owns 10.07 acres within the RHOD. The lot was created in 2006 as part of the Czaja & Moore subdivision. The dwelling will be single story. Mr. Baker told members it is a flat site which has been cleared and has no view. A 50' stream setback is being maintained. RHOD review: there will be a few trees cleared next to the house and the remaining trees outside the no-cut zone will not be cleared. The driveway is already in and less than a 12% slope; building ridgeline will be below the existing ridgeline; siding and roofing materials to be earth tone ; only recessed lighting being proposed. On a motion by Chris Walton and seconded by Drew Clymer, the Board approved the Zoning Administrator to draft Findings of Fact and Conclusion of Law re: Project #: 5007 as presented. **CONDITION: (1)** any change to the plans or the proposed use of the property shall be brought to the attention of the Zoning Administrator, prior to its implementation, for a determination if an amendment shall be required.

5:45

Project #: 5023

Owner: Desautels, Jay

Tax Parcel #: 5-047.100

Location: 249 Falls Brook Lane

Project: Expand Previously Approved Building Zone

Zones: RR5?RHOD

Mr. Desautels is seeking approval to enlarge previously approved building zone. All other elements of the original approval shall remain. No public vantage points from the property. The expansion is a part of the already approved cleared area. Mr. Clymer moved to instruct the Zoning Administrator to provide Findings of Fact and Conclusion of Law re: Project # 5023 with the following **CONDITIONS:** (1) Any change to the plans or the proposed use of the property shall be brought to the attention of the Zoning Administrator prior to its implementation, to determine if an amendment shall be required; (2) all conditions of the past subdivision approval shall remain in effect unless modified by this decision; (3) Pursuant to V.S.A. Title 24, Chapter 117 the approval of the final subdivision -----, (4) the subdivision plat shall be prepared in accordance with 27 V.S.A 1403 & Sec. 4.3 of the subdivision regulations. Mr. White seconded the motion with all in favor. **tape 1 side 2**

5:50

Project #: 5006

Owners; Dalieri, Elizabeth & Eric

Tax Parcel #: 1-006.000

Location: 685 Putnam Forest Road

Project: Construct Pond & Tennis Court (RHOD REVIEW)

Zones: RR5/RHOD

Mr. Leven disclosed that the applicant are friends and Mr. Walton stated the applicants are neighbors of his. Members had not problem with either taking part or did the applicant's representative. Sam Scofield presented and stated the Dalieres own 8.25 acres at 685 Putnam Forest which has a single family dwelling. Seeking to install a tennis court and pond (260' x 120'. Elevation of house is 1600' and the only place in town this can be seen is from Barnes Camp because of the trees and terrain. Limited clearing to take place. In 2006 the DRB approved the location of the dwelling. RHOD REVIEW with all criteria being met. No exterior lighting proposed. Chris moved to instruct the Zoning Administrator to draft Findings of Fact and Conclusion of Law re: Project # 5006 with the following **CONDITION:** Any change to the plans or the proposed use of the property shall be brought to the attention of the Zoning Administrator, prior to its implementation, for a determination if an amendment shall be required. Doug seconded the motion. All in favor. :

6:00 P.M.

Project #: 4949
Owners: Freeman Family LLC
Tax Parcel #: 8-041.040
Location: Near 900 Taber Ridge Road, Lot # 20
Project: Construct Single Family Dwelling (RHOD REVIEW)
Zones: RR5/RHOD

Mr. Scofield presented with Don Post and Stacie Post in the audience. The Freeman Family own 33 acres at the end to Taber Hill Road and as a part of this is Lot # 20 of a subdivision approved in 1990. Requesting to construct a dwelling on this lot. Vantage points are the Freeman house, Dewey Hill and coming down Stowe Hollow Road in a specific location. Mr. Scofield stated the lot is already cleared and the vantage point for the proposed house will be towards the Pinnacle . RHOD REVIEW: windows will have a 11% reflectivity. Limited clearing next to the house; the building ridgeline is below the the existing ridgeline; siding and roofing materials to be of earth-tone colors; only recessed lighting to be used; no development to take place on slopes over 15%. Doug moved to instruct the Zoning Administrator to draft Findings of Fact and Conclusion of Law approving Project #; 4949 meeting the RHOD standards with the following **CONDITION:** Any change to the plans or the proposed use of the property shall be brought to the attention of the Zoning Administrator, prior to its implementation, for a determination if an amendment shall be required. Drew seconded the motion with all in favor. Mr. Collotta, Diender and Beaugnies were absent.

6:20

Project #: 4953
Owners: Full Circle Healing LLC
Tax Parcel #: 7-313.02 B
Location: Old Farm Road Lot C2-B
Project: Construct a Commercial Building with 4 Apartments, Office Space & Yoga Studio
Zone: RR 1

Present were Maria & Paul Davies; Susie Benoit; Sara Reed, Angela Robens and Kary Bennett. Kim Brown arrived later. Proposing to construct a two-story building with a walk out basement on a 3.8 acre parcel on Old Farm Road. It is Lot C2-B. Beginning of driveway is shared with Stowe Electric. Traffic has direct access to Rte 100; the parcel is within a development that includes office uses; RR 1 zone; parking for 24 cars ; a 50' setback will be maintained adjacent to the wetlands as will a 50' setback from the top of the bank. Mrs Davies (?), who lives uphill from the proposal) present and concerned with traffic coming and going to the building with lighting shining in to their property. 5- 4' high lighting posts proposed with no exterior building lighting plan presented. Mr. Brown stated they would be happy to put in a berm where the parking lot is to help screen cars coming in which would be 8-9' below. Mr. Davies said he would like screening like the McKecknie property in the village. This discussion continued with the neighbors (and amongst themselves) Mr. Brown said plantings will be between 3 & 4' high. **tape 2 side 1** Drew said he understood the applicants are willing to continue the planting line with cedars to the end north of the parking spaces. Doug had stated the berm would be up next to a shear wall/slope. In answer to Mr. Davies concern, Mr. Baker stated they would need to get a CO to insure the project is completed as approved, including the landscaping. There is the possibility of a temporary CO as one cannot plant in the winter. This discussion continued at length with Doug feeling the Board was redesigning the project and suggested the neighbors and applicant get together and resolve the landscaping plan and return. Mr. Davies continued to have concerns. Board felt it not clear where the building site is on the plan; lighting plan not specific. Chris moved to **RECESS to September 16, 2014** with Doug seconding. All in favor.

7:10

Project #: 5022
Owners: Lucia Woll Family Trust
Tax Parcel #: 11-055.000
Location: 2548 Weeks Hill Road
Project: Create Two Lot Subdivisions
Zones: RR5/RHOD

Present was Patricia Kules, Little River Survery Co. Ms. Kules stated the Woll family own 10.2 acre parcel at 2548 Weeks Hill Road. A pre-existing non conforming dwelling is located on the lot. The family also owns a lot of 6.8 acres adjacent to this parcel and asks to subdivide into two lots; parcel 1A 5.2 acres (which will include the existing dwelling and Lot 1B of 5.0 acres which will be developed in the future. Parcel 1B will have anew driveway access which the Stowe Public Works Director has looked at the situation and determined it could require off site clearing along a portion of the frontage . **Subdivision Regs Reviewed** in detail. no natural features on the lot. Drew moved to instruct the Zoning Administrator to draft Findings of Fact and Conclusion of Law with the following **CONDITIONS:** (1) Any change to the plans and the proposed use of the property shall be brought to the attention of the Zoning Administrator, prior to its implementation, for a determination if an amendments shal be required; (2) All subdivision conditions i.e. Title 24 Chap 117 and 27 VSA # 1403 sec. 4.3 of the Sub Regulations. Doug seconded the motion with all in favor.

Minutes of August 5, 2014 Chris moved to accept as written, seconded by Drew with all those present in favor.

There being no further business to come before the board, the meeting adjourned at 7:40 P.M.

Meeting Respectfully submitted,

Barbara S. Allaire

Development Review Board

September 16, 2014

DRAFT

A meeting of the Stowe Development Review Board was held Tuesday, September 16, 2014 starting at 5:00 P.M. in Memorial Hall.

Members present: Brian Leven; Dog White, Peter Collotta, Drew Clymer and Chris Walton. Absent: Michael Diender and Michael Beaugnies.

Also present: Rich Baker, Zoning Administrator and those listed in the minutes book.

5:00

Project #: 4981 (RECESSED from 9.9.14)

Owner: Percy, Sally

Applicant: Scheuer, David

Tax Parcel #: 7A-006.000

Location: 288 South Main Street

Project: Construct Seven (7) Multi-Family Units

Zones: VC10/SHOD

Present were David Scheuer, Attorney David Pocius of Paul Frank & Collins & ?

Brian Leven, Chair, told the audience as well as Board members that at the September 9, 2014 meeting there were only 4 Board members present and Mr. Scheuer asked for a recess to allow for more Board members to take part in the decision of which there were 5 present at this meeting. Mr. Collotta stated he had listened to the recording and had no questions. There were no questions from those in the audience. Mr. Scheuer had the opportunity to offer more evidence and chose not to. Mr. Walton moved to instruct the Zoning Administrator to draft Findings of Fact and Conclusion of Law re: Project # 4981 with the following **CONDITIONS: (1)** Any change of the plans or the proposed use of the property shall be brought to the attention the Zoning Administrator, prior to its implementation, for a determination if an amendment shall be required; **(2)** All conditions recommended by Harry Shepard, Public Works Director for the Town in his memorandum dated September 9, 2104 shall be followed; **(3)** the final design for the pergola shall be approved by the Town before a zoning permit is issued to ensure that it will not interfere with the ambulance turnaround; **(4)** vegetation along Route 100 shall be trimmed and maintained so as not to interfere with the sight distance from the public Safety Building and **(5)** a zoning permit shall not be issued until the land sway between the Town and the property

owner is completed and recorded. Mr. White seconded the motion with Mr. Levn, White, Collotta and Walton voted in favor. Mr. Clymer voted no and Mr. Beaugnies and Diender were absent.

5:10

Project #: 4953 (RECESED from 9.9.14)

Owner: Full Circle Healing Arts

Tax Parcel #: 7-313.02B

Location: Old Farm Road, Lot C2-B

Project: Construct Commercial Building with 4 Apartments, Office Space and Yoga Studio

Zone: RR 1

Present were owners, Mr. & Mrs Reilly, Paul Davies, and Kim Brown. Mr. Leven stated the outstanding issue is the landscaping plan. Mr. Clymer stated he had been to the site and asked the distance for the driveway to the closest house? Mr. Baker said it is a common r.o.w which veers off. Mr. White said he had looked at the lay of the land and felt the comments described by the neighbors was a little misleading. Sara Reed abutter disagreed and Mr. White said the site has a very good way of fitting the building in. It is the Rte 100 corridor and the homes are in that corridor. Mr. Brown arrived and described the proposed 7' berm which will be measured fro the parking lot grade which will help to reduce night time glare; adding a mix of species along the eastern edge of the parking ,lot to provide some screening to the residential properties. After some additional questions and answers from the audience as well as the members of the Board. Mr. Clymer moved to instruct the Zoning Administrator to draft Findings of Fact and Conclusion of Law re: project # 4953 and according to the amended plan dated 9/16/14 with the following **CONDITION:** (1) Any change to the plans or the proposed use of the property shall be brought to the attention of the Zoning Administrator, prior to its implementation, for a determination if an amendment shall be required. Mr. Walton seconded the motion with all members present in favor. Mr. Beaugnies and Diender were absent. .

Members were sorry to learn of the misfortune Michael Diender and wife Debra had in losing their home. Our thoughts are with them.

October meetings on the 7th and 21st.

There being no further business to come before the Board, the meeting adjourned at 5:45 P.M.

Respectfully submitted,

Barbara S. Allaire

-

The Development Review Board for the Town of Stowe met Tuesday, October 7, 2014 in Memorial Hall starting at 5:00 P.M.

Members present: Brian Leven, Doug White, Peter Collotta, Michael Diender, Michael Beaugnies, Chris Walton and Drew Clymer. Others present: Rich Baker, Zoning Administrator, those listed in the minutes book.

5:00 P.M.

Project #: 5032

Owners: Lascolea, Rebecca & James

Tax Parcel #: 6-101.140

Location: 217 High Ridge Road

Project: Construct Single Family Dwelling in the RHOD

Zones: RR 3/RHOD

Present were Robert Jenenez, Architectural Designer for Truax/Cullen & Lee Grutchfield as well as Gordon Dix builder. The Lascolea own 15.58 acres at 217 High Ridge Road and propose to build a 4,000 s.f. Dwelling , 4 bedroom on a parcel of 10.58 (Lot A-1 of the Cabral 2004 Family Trust Subdivision. . Lot has existing driveway and some clearing previously done. A visual analysis was done and it was stated the house no or limited visibility from off-site due to the remaining trees and the terrain. There are no public vantage points identified. The dwelling will be below the ridgeline within the Cady Hill Forest lands in her rear. It is possible that a small area of Trapp Hill Road could be visible in the distance and Mr. Baker agreed with this after doing a site visit. It was stated Marvin windows with cardinal glazed glass will be used which have a low reflective coating; If needed, Mr. Jimenez stated they will plant eastern hemlock and yellow birch trees if needed for blocking the view. Siding and roofing materials will be earth tone. 48% of the view side elevation to be glass. The Sunlight, Shading and Reflection plan shows that during the summer the sun will shine on the windows for about 1 hour in the evening. No glass reflection shall be visible off-site. Lighting to be downward. No development will take place on slopes over 15%. **RHOD Review:** It was agreed that the development meets the RHOD standards. On motion by Mr. White and seconded by Mr. Beugnies, the motion was made to instruct the Zoning Administrator to draft Findings of Fact and Conclusion of Law with the following **CONDITION:** (1) Any change to the plans or the proposed use of the property shall be brought to the attention of the Zoning Administrator, prior to its implementation for a determination if an amendment shall be required. All members in favor.

5:25

Project #: 5025

Owner: Joshua Weinreich 2112 Trust

Tax Parcel #10-080.000

Location: 1645 West Hill Road

Project: Three (3)-Lot Subdivision

Zone: RR 3

Present representing the applicant was Darrow Mansfield who stated the Trust owns 74.6 acres located at 1645 West Hill Road and propose to subdivide into three (3) parcels, Lot 1 of 14.5 acres (where there is a dwelling) and the trees along the road will remain. Lot 2 will be 30.4 acres and have the balance of the road frontage; Lot 3 29.7 acres, which will keep the lower meadow, open. Sec. 5.1 Review: prime agricultural fields are currently used for hay but building sites are located partially within the ag land. Wetlands are outside the development. Significant deer yard area on portions of Lots 2 & 3 and the driveway to Lot 3 is located along the edge of the deeryards. This is all identified in the Forest Management Plan. The applicant agreed to a restriction not to allow further subdivision of the wintering yard. No historic resources on the lots. Mr. White stated he was concerned with the deeryards and building zone of Lot 3. Sec. 5.1(13) Mr. Mansfield stated this is for estate planning and he was not aware of any development. Sec.5 4. a new driveway being proposed 560' from the existing driveway, which is all, allowed due to the potential impact on the wetlands and in order to maintain safe sight distances. The Goodhues, in the audience stated they were concerned with the wetlands in the south corner and Mr. Mansfield responded that the wetlands surround the cabin but not within any building zone. Sec. 5.5 only limited clearing is proposed with the development. On a motion by Mr. Collotta and seconded by Mr. Walton the motion was made to instruct the Zoning Administrator to draft Findings of Fact and Conclusion of Law with the following **CONDITIONS:** (1) Any change to the plans or the proposed use of the property shall be brought to the attention of the Zoning Administrator, prior to its enactment, for a determination if an amendment shall be required; (2) Pursuant to Title 24 Chapt 117, the approval of the final application shall expire within 180 days if the plat has not been filed or recorded (3) the subdivision shall be prepared in accordance with 27 VSA # 1403 and Sec. 4.3 of the Stowe Subdivision Regs; (4) no further lots may be created within the deer wintering yard. A note shall be added to the recorded plat; the open fields outside the building zones shall be preserved as open fields. A note shall be added to the recorded plat stating such. All members in favor of the motion.

Minutes of September 9, 2014

Minutes of September 16, 2014:

On motion by Doug White and seconded by Peter Collotta, the minutes were approved.

The November meeting is scheduled for the 4th.

There being no further business to come before the Commission, the meeting adjourned at 6:20 P.M.

Respectfully submitted,

Barbara S. Allaire

1 Development Review Board **DRAFT**
2 Town of Stowe
3 Tuesday November 4, 2014
4

5 The regular meeting of the Development Review Board was held Tuesday, November 4,
6 2014 starting at 5:00 P.M. in Memorial Hall.
7

8 Members present: Doug White, Michael Diender, Chris Walton and Drew Clymer.
9 Absent: Michael Beaugnies, Peter Collotta and Brian Leven. Also present: Rich Baker,
10 Zoning Administrator. Those in the audience were: Sam Bartlett, Michele Foster,
11 Cynthia Siley; Chris Austin and Mr. & Mrs John Springer Miller.
12

13 **5:00P.M.**

14 **Project #: 5053**

15 **Owner: Anne Bartlett Revocable Trust 2007**

16 **Tax Parcel #: 6-003.100**

17 **Location: 201 Haul Road**

18 **Project: Construct Single Family Dwelling; Barn, Guest House**

19 **Zones: RR 5/RHOD**
20

21 Doug White, chaired the meeting as Vice Chair in the absence of Brian Leven.
22 Present representing the owner was Sam Bartlett who gave an overview of the project as
23 being a single-family dwelling located on 34 acres with a detached barn. The clearing and
24 the driveway were previously done. He stated that approximately 1 acre will be tree cover
25 and the building is to be placed back into the slope. Mr. Bartlett showed samples of the
26 materials to be used i.e. siding light gray; roof material zinc "freedom gray" in color. The
27 windows will be of non-reflective glass. The view will be looking out towards the
28 Pinnacle. Board reviewed **Sec. 9 RHOD** there will be lights 12-15' up on 3 trees and with
29 downward lighting. 2 sky lights along the top of the house and 1 on the barn. There are 3
30 pull-offs along the driveway, which has less than a 12% grade. Very limited site clearing
31 will be required. No public vantage points have been identified since the dwelling is
32 located below the ridgeline. No development will take place on slope above 15%. Chris s
33 moved to instruct the Zoning Administrator to draft Findings of Fact and Conclusion of
34 Law re: Project # 5053 with Drew seconding the motion. All present in favor.
35

36 **Minutes of October 7, 2014:** On a motion by Chris and seconded by Drew the minutes
37 were approved with no corrections. Michael abstained.
38

39 There being no further business to come before the Board, the meeting adjourned at 6:00
40 P.M.
41

42 Respectfully submitted,
43

44
45 Barbara S. Allaire

1 Development Review Board
2 Town of Stowe- December 2, 1014

DRAFT

3
4 The regular meeting of the Stowe Development Review Board was held Tuesday,
5 December 2, 104 in the Memorial Room in the Akeley Memorial Building starting at
6 5:00 P.M.

7
8 Members present: Doug White, Vice Chair; Peter Collotta, Chris Walton, Mike
9 Beaugnies and Drew Clymer. Absent: Michael Diender and Brian Leven.
10 Also present: Rich Baker, Zoning Administrator and those listed in the Minutes book.
11 Doug White, Vice Chair, chaired the meeting in the absence of Brian Leven.

12
13 **5:05**

14 **Project #: 5078**
15 **Owner: Thom Properties**
16 **Tax Parcel #: 7A-028.000**
17 **Location: 35 South Main Street**
18 **Project: Requesting Waiver for Sign Width**

19 No one was present for this hearing so the Board asked that it be put to the end of the
20 meeting.

21 Present was Steve Sisler present requesting a waiver to allow an 18' width sign while
22 only 10' is allowed in the SHOD and in VC 10. Mr. Sisler compare the proposed sign to
23 the one located on Shaw's building on Main Street, which is 50% of the length of the
24 building. The SHPC found that the building width to sign width ratio matched the
25 existing pattern and recommended approval. Chris moved to instruct the Zoning
26 Administrator to draft Findings of fact and Conclusion of Law to allow the waiver of
27 dimensional requirements for the sign, seconded by Drew with all in favor.

28 **CONDITION:** Any change to the plans or the proposed use of the property shall be
29 brought to the attention of the Zoning Administrator, prior to its implementation, for a
30 determination if an amendment shall be required.

31
32 **5:10**

33 **Project #: 5071**
34 **Owner: Crook, Andrea G.**
35 **Tax Parcel #: 6-065.010**
36 **Location: 402 Cottage Club Road**
37 **Project: Lot Line Adjustment**
38 **Zone: RR2**

39 Present was Chris Austin from Grenier Engineering who explained that Ms Crook owns
40 7.2 acres at 402 Cottage Club Road in RR 2. The parcel consist of two lots, parcel # 1 of
41 2 acres and dwelling; lot # 2 5.2 acres. The lot line adjustment will allow for Lot # 1 of 3
42 acres and dwelling and Lot # 2 of 4.2 acres. This line adjustment will allow for the
43 existing dwelling to meet the required setbacks on the side towards the undeveloped lot. a
44 Currently a driveway permit for Lot # 2. Board reviewed Sec. 5.1 with Peter moving to
45 instruct the Zoning Administrator to draft Findings of fact and Conclusion of Law with
46 the following **CONDITIONS:** (1) Any change in the élans or the proposed use of the

1 property shall be brought to the attention of the Zoning Administrator, prior to its
2 implementation, for a determination if an amendment shall be required. (2) Pursuant to
3 VSA Title 24, Chapter 117, the approval of the subdivision(3) The subdivision
4 plat shall be prepared in accordance with 27 VSA # 1403 & Sec. 4.3 of the Stowe
5 Seditions Regulations. All members in favor.

6
7 **5:20**

8 **Project #: 5076**

9 **Owners: Mt. Mansfield Co.**

10 **Tax Parcel #:14-002.000**

11 **Location: Bingham Meadows, 6142 Mountain Road**

12 **Project: Seeking Temporary Parking lot for 1014-2015 Winter Season; grading
13 plans for 2015**

14 **Zones: RR 5/SKI PUD**

15 Rob Apple present requesting approval for a temporary parking lot for 50 cars for the
16 2014-15-winter season on a portion of the hill that has been placed in the Bingham
17 Meadows field as part of the Adventure Ctr. Its use will be during peak times and during
18 construction. This parking lot will be used primarily for construction workers and
19 employees, stated Rob. Rob stated it would not be used for parking during next winter.
20 said the Touring Ctr fills with cars first. Chris said he felt the Board needed to mitigate
21 for the homeowners who had sent in letters which are on file, stating their concerns re:
22 noise, etc. After additional discussion and a review of the criteria in Sec. 3.7, Mike
23 Beugnie moved to instruct the Zoning Administrator to draft Findings of Fact and
24 Conclusion of Law with the following **CONDITIONS:** (1) Any change to the plans or
25 the proposed use of the property shall be brought to the attention of the Zoning
26 Administrator, prior to its implementation for a decision if an amendment shall be
27 required: (2) The parking lot use shall be abandoned at the end of the 2014-15 winter
28 season and then shall be regarded as proposed by July 31, 2015; (3) the parking lot use
29 shall be limited to construction workers and Stowe Mountain Resort employees. Signage
30 shall be installed stating this criteria; (4) the parking lot shall only be used from 6:00
31 A.M. to 6:00 P.M.. Peter seconded the motion with all in favor except Michael Diender
32 and Brian Leven who were not present. in lot will only be used from 6:00 A.M. to 6:00
33 P.M. .

34
35 **Project # 5068**

36 **Owner: Landmark Lane Development LLC**

37 **Tax Parcel #11. 202.020**

38 **Location: Landmark Lane**

39 **Project: Request a 5-Year Extension of Previous Approval for Building F**

40 **Zones: UMR/MOD**

41 Drew moved to **POSTONE to December 16, 2014**, seconded by Chris
42 with all in favor.

43
44 There being no further business to come before the Board, the meeting adjourned at 6:45
45 P.M.

46 Respectfully submitted,

Barbara S. Allaire

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2
3

1 house; construct an addition and construct a new building in the rear. A total of four units
2 are proposed with the project. The parcel is developed with a single-family dwelling. The
3 dwelling is listed as an historic structure in the Vermont Historic Survey. The application
4 was reviewed as a conditional use.

5
6 Ms. Mayes reviewed the site plan prepared by Grenier Engineering dated 9/16/14;
7 landscaping plans prepared by Jordan Associates dated 8/11/14; and elevations and
8 details prepared by Stephen Moore dated 10/22/14. A public sanitary sewer is proposed
9 to be eliminated and replaced with private sewer utilities. New water service is also
10 proposed. June Reilly, the property to the north, has agreed to be connected to the private
11 system as opposed to being directly connected to the public system. June Reilly
12 commented that she did not favor the new development next to her property, but thought
13 it meet the zoning requirements. She stated she was willing to enter into a private utility
14 agreement with the developer and future Home Owners Association since her house will
15 no longer be directly connected to public sewer. Barbara Allaire commented that she
16 thought the development was not in character with the area; expressed concerns about the
17 loss of a single-family house; expressed concerns with cars backing out into the street and
18 thought the barn should be restored instead of being demolished.

19
20 The Board then conducted a conditional use review. Mr. Baker reviewed the letter from
21 Harry Shepard, Stowe Public Works Director, dated 12/10/14, addressing concerns
22 regarding the infrastructure including water, sewer, driveway entrance, and sidewalks and
23 the need for additional details. The applicant will need to receive an encroachment
24 permit and a driveway entrance permit from Mr. Shepard. The additional details required
25 will be addressed with the approval of these permits. In addition, there will need to be a
26 development agreement as outlined in Mr. Shepard's memo. An agreement between the
27 applicant and Ms. Reilly also needs to be executed. Mr. Shepard recommends that rock
28 excavation required within the Town Right-of-way shall be undertaken using non-
29 explosive techniques. The Fire Department has also reviewed the plans and is satisfied
30 that they can provide adequate fire protection given that there shall be no locked door to
31 the interior courtyard as shown on the elevations and that the egress windows for Units 1
32 and 4 are located on the North and South elevations. The Board accepted the staff
33 recommendations for a zoning permit not to be issued until the items in Mr. Shepard's
34 memo are addressed and the Fire Department's concerns are made part of the approval.

35
36 Some Board members expressed concerns about the additional traffic created by three
37 more units on the parcel and whether the existing driveway access was adequate given
38 the sight line distances. There was also discussion regarding the adequacy of parking and
39 the process for snow removal. Ms. Mayes stated that snow will be removed from the site
40 since there are no snow storage areas. The landscaping plan was found to be adequate.
41 Only recessed lighting is proposed.

1
2 The Board reviewed the written recommendation from the Stowe Historic Preservation
3 Commission and concurred that the project met the SHOD design guidelines. The Board
4 accepted the staff recommendation that an architect shall certify that the building was
5 built in accordance with the details provided before a Certificate of Compliance is issued.
6

7 Barbara returned to the table to take the vote and minutes.
8

9 Mr. Collotta moved to instruct the Zoning Administrator to draft Findings of Fact and
10 Conclusion of Law re: Project #: 5003, seconded by Mr. Diender, with the following
11 conditions:

- 12 • This project shall be completed according to the plans hereby approved. Any
13 change to the plans or the proposed use of the property shall be brought to the
14 Zoning Administrator's attention, prior to its enactment, for a determination if an
15 amendment is required.
- 16 • The zoning permit shall not be issued until the encroachment and driveway
17 entrance permits have been approved, the development agreement has been
18 executed and the utility agreement with Ms. Reilly has been executed as discussed
19 in Harry Shepard's memo dated 12/10/14.
- 20 • Rock excavation required within the Town right-of-way shall be undertaken using
21 non-explosive techniques
- 22 • There shall be no locked door to the interior courtyard as shown on the South
23 elevation and that the egress windows for Units 1 and 4 are located on the North
24 and South elevations.
- 25 • A registered architect shall certify that all construction is in accordance with the
26 elevations and details submitted before a Certificate of Compliance is issued.
27

28 Voting in favor: Mr. Diender, Mr. Leven, Mr. Walton, Mr. White, and Mr. Collotta.

29 Voting to deny: Mr. Clymer. Voting to abstain: None Absent: Mr. Beugnies
30

31 The motion carried 5-1.
32

33 **Minutes of December 2, 2014:** On a motion to approve by Chris and seconded by Peter
34 the minutes were approved. Michael Diender and Brian did not vote as they were not
35 present for the 12/2/14 meeting.
36

37 Brian Leven has resigned from the Board in order to pursue a different path in his
38 professional life. Doug expressed his thanks to Brian from the Board for his 10 years of
39 service saying Brian has been a significant person and chairman to work with, his
40 knowledge and expertise has been very valuable to the Board and the town.
41

1 Rich Baker also thanked Brian and said during his 25 year career as Zoning Officer for
2 various towns, Brian has been a topnotch chairman to work with.

3

4 **ELECTION of OFFICERS:**

5 Drew moved to elect Doug White as **Chair**, seconded by Chris Walton with all in favor
6 (Doug did not vote).

7

8 Michael Diender moved to elect Drew Clymer as **Vice Chair**, seconded by Peter with all
9 in favor except Drew who did not vote.

10

11 There being no further business to come before the board, the meeting adjourned at 6:35
12 P.M.

13

14 Respectfully submitted,

15

16

17 Barbara S. Allaire and Rich Baker

1 Development Review Board
2 Town of Stowe- December 2, 1014

DRAFT

3
4 The regular meeting of the Stowe Development Review Board was held Tuesday,
5 December 2, 104 in the Memorial Room in the Akeley Memorial Building starting at
6 5:00 P.M.

7
8 Members present: Doug White, Vice Chair; Peter Collotta, Chris Walton, Mike
9 Beaugnies and Drew Clymer. Absent: Michael Diender and Brian Leven.
10 Also present: Rich Baker, Zoning Administrator and those listed in the Minutes book.
11 Doug White, Vice Chair, chaired the meeting in the absence of Brian Leven.

12
13 **5:05**

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17 **Location: 35 South Main Street**
18 **Project: Requesting Waiver for Sign Width**

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20 meeting.

21 Present was Steve Sisler present requesting a waiver to allow an 18' width sign while
22 only 10' is allowed in the SHOD and in VC 10. Mr. Sisler compare the proposed sign to
23 the one located on Shaw's building on Main Street, which is 50% of the length of the
24 building. The SHPC found that the building width to sign width ratio matched the
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32 **5:10**

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34 **Owner: Crook, Andrea G.**
35 **Tax Parcel #: 6-065.010**
36 **Location: 402 Cottage Club Road**
37 **Project: Lot Line Adjustment**
38 **Zone: RR2**

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3 VSA Title 24, Chapter 117, the approval of the subdivision(3) The subdivision
4 plat shall be prepared in accordance with 27 VSA # 1403 & Sec. 4.3 of the Stowe
5 Seditions Regulations. All members in favor.

6
7 **5:20**

8 **Project #: 5076**

9 **Owners: Mt. Mansfield Co.**

10 **Tax Parcel #:14-002.000**

11 **Location: Bingham Meadows, 6142 Mountain Road**

12 **Project: Seeking Temporary Parking lot for 1014-2015 Winter Season; grading
13 plans for 2015**

14 **Zones: RR 5/SKI PUD**

15 Rob Apple present requesting approval for a temporary parking lot for 50 cars for the
16 2014-15-winter season on a portion of the hill that has been placed in the Bingham
17 Meadows field as part of the Adventure Ctr. Its use will be during peak times and during
18 construction. This parking lot will be used primarily for construction workers and
19 employees, stated Rob. Rob stated it would not be used for parking during next winter.
20 said the Touring Ctr fills with cars first. Chris said he felt the Board needed to mitigate
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30 shall be installed stating this criteria; (4) the parking lot shall only be used from 6:00
31 A.M. to 6:00 P.M.. Peter seconded the motion with all in favor except Michael Diender
32 and Brian Leven who were not present. in lot will only be used from 6:00 A.M. to 6:00
33 P.M. .

34
35 **Project # 5068**

36 **Owner: Landmark Lane Development LLC**

37 **Tax Parcel #11. 202.020**

38 **Location: Landmark Lane**

39 **Project: Request a 5-Year Extension of Previous Approval for Building F**

40 **Zones: UMR/MOD**

41 Drew moved to **POSTONE to December 16, 2014**, seconded by Chris
42 with all in favor.

43
44 There being no further business to come before the Board, the meeting adjourned at 6:45
45 P.M.

46 Respectfully submitted,

Barbara S. Allaire

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