

1
2
3
4
5
6
7
8

**PLANNING COMMISSION
TOWN OF STOWE
Monday, January 5, 2015
Minutes**

9
10
11
12

The Stowe Planning Commission held a regular meeting on Monday, January 5, 2015 at the Akeley Memorial Building starting at 5:30 p.m.

13

Members Present:

14
15
16
17
18
19
20

Chuck Baraw, Chair
Arnie Ziegel
Mila Lonetto
Terry McNabb
Neil Percy

Members Absent:

21
22
23
24
25
26
27

Chuck Ebel, Vice Chair

Bob Davison

28
29
30
31
32
33
34

Others present: Rob Apple, Sam Gaines, Scott Noble, George Lewis, Ed Stahl, Tommy Gardner and Tom Jackman, Director of Planning.

35
36
37
38

Minutes:

39
40
41
42

The minutes of the December 15^t meeting were approved on motion by Mr. McNabb, seconded by Mr. Ziegel.

Town Plan

Mr. Apple and Mr. Gaines attended the meeting on behalf of Stowe Mountain Resort to provide input to the Town Plan and to provide an update on the ongoing expansion of the resort.

Mr. Gaines urged the PC to remove the language concerning impact fees, that they are an extra expense that is an impediment to development. He also stated that lodging facilities are narrowly defined in the zoning regulations and the PC should consider how to deal with single family homes that get rented for less than a week. He also stated that the PC should not advocate to turn lodging facilities into housing, that the town needs more lodging units. He also advocated for additional Mountain Rd. Shuttle winter service.

Mr. Apple provided an update on the resort expansion. They have approximately 200 more units to complete their build-out. Mr. Ziegel asked what the PC should be considering in terms of transportation issues as a result of ongoing expansion. Mr. Apple stated that their Act 250 permit is good for up to 400,000 skier visits per year and that there are various thresholds that kick in permit conditions related to transportation. At 375,000 visits, they will be required to have police at various intersections.

In addition to another 200 units, there will also be additional retail space for a total of 6 different shops, underground parking, a small family restaurant, downhill MTB trail, zip line, indoor aquatic center and an aerial adventure course.

Mr. Ziegel asked what the PC should be focused on long-term and Mr. Gaines answered that workforce housing would be the most important. The resort has added 200 full-time jobs and many more part-time and there aren't enough people in the immediate area to fill positions because of the lack of housing that they can afford. Mr. Apple said that keeping the Village

43 vibrant is also very important. Mr. Gaines stated that their guests often complain that there isn't
44 enough to do in the Village.

45

46 There will not be another meeting in January. The Town Plan public hearing will be scheduled
47 for Monday, February 2.

48

49 The meeting was adjourned at 7:00.

50

51 Respectfully submitted, Tom Jackman, Director of Planning

1
2
3
4
5
6
7
8

**PLANNING COMMISSION
TOWN OF STOWE
Monday, June 1, 2015
Minutes**

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

The Stowe Planning Commission held a regular meeting on Monday, June 1, 2015 at the Akeley Memorial Building starting at 5:30 p.m.

Members Present:

Chuck Ebel, Chair
Mila Lonetto, Vice Chair
Chuck Baraw
Arnie Ziegel
Neil Percy

Members Absent:

Terry McNabb

Bob Davison

Others present: Tom Jackman, Director of Planning.

Minutes:

The minutes of the February 18 public hearing were approved on motion by Mr. Ebel, seconded by Mr. Ziegel.

Park & Ride Survey

Mr. Jackman distributed a draft of a commuter survey that was developed by request of the Selectboard who are interested in determining if there is a need for a park & ride lot in town. Commission members offered a few suggestions which Mr. Jackman will incorporate into the survey. The Selectboard will discuss it at their June 8 meeting.

Election of Officers

Mr. Ebel was elected Chair on a motion by Mr. Baraw, seconded by Ms. Lonetto.
Ms. Lonetto was elected Vice Chair on a motion by Mr. Ziegel, seconded by Mr. Ebel.
Mr. Ziegel motioned to ask the Selectboard to approve a resolution thanking Mr. Baraw for his years of service as PC Chair. The motion was seconded by Mr. Ebel and passed unanimously.

PC Report on Selectboard Changes to Draft Town Plan

Mr. Jackman distributed a draft report that is required by state statute in response to changes that the Selectboard made to the draft Town Plan. The Commission approved the report on a motion by Mr. Ziegel, seconded by Ms. Lonetto.

Zoning Revisions

Mr. Jackman distributed the following items:

- A list of recommended zoning revisions from the 2015 Stowe Town Plan.
- A list of staff recommended zoning changes generated through the development review process
- An analysis of existing lodging facilities and the maximum number of multi-family dwelling units that could be developed under current zoning.
- A summary of H.40, Renewable Energy and Siting of Facilities, as passed by the legislature. It contains 2 items of direct relevance to planning commissions:

- 42 ○ Planning commissions are given automatic party status in all Public Service
- 43 Board proceedings.
- 44 ○ Municipalities may adopt screening standards for ground-mounted solar facilities
- 45 in their zoning regulations.
- 46 ● Several different scenarios for changes to the village parking regulations that the PC
- 47 discussed in 2014.

48

49 The Commission decided to begin its review of the zoning regulations with the staff

50 recommended changes. Mr. Jackman will invite Rich Baker, the Zoning Administrator, to the

51 June 15 meeting.

52

53 The meeting was adjourned at 7:00.

54

55 Respectfully submitted, Tom Jackman, Director of Planning

1
2
3
4
5
6
7
8

**PLANNING COMMISSION
TOWN OF STOWE
Monday, June 15, 2015
Minutes**

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

The Stowe Planning Commission held a regular meeting on Monday, June 15, 2015 at the Akeley Memorial Building starting at 5:30 p.m.

Members Present:

Chuck Ebel, Chair
Mila Lonetto, Vice Chair
Chuck Baraw
Arnie Ziegel
Neil Percy

Members Absent:

Bob Davison

Others present: Rich Baker, Director of Zoning.

Minutes:

The minutes of the June 1, 2015 were approved on motion by Mr. Percy, seconded by Ms. Lonetto.

Overview of Zoning Regulations

Mr. Baker presented an overview of the zoning regulations and the related state statues enabling towns to have local land use regulations. In addition, the purposes of the various primary and overlay districts were discussed.

Review of Staff Recommended Zoning Changes

The Commission began a review of a list of staff recommended zoning changes generated through the development review process. The consensus was to accept items #1 through #5. They included:

- Clarifying that short-term events approved by the Selectboard under a Special Event Permit are exempt from zoning review.
- Clarifying that residential structures under 100 square feet that require design review under Section 10, Stowe Historic Overlay and Historic Buildings, need a permit.
- Requiring all construction needing design review to obtain a Certificate of Occupancy.
- Changing the title of “Section 10.13: New Buildings in Overlay District” to “Section 10.13 New Buildings Requiring Design Review”.
- Clarify that the lot merger requirement is for lots in separate ownership in 1975 or existing recorded plans (not "and") which has always been the interpretation. Also add a definition of what is a "plat" for clarification. Last, add clarification regarding what is the area of a pre-existing lot and that a parcel is not two lots if bisected by a town road.

Mr. Baker discussed the difference between a variance and waiver provisions. The Commission reviewed some proposed language which would add a provision to allow setback waivers under certain circumstances. The Commission will continue to discuss the possibly of adding a waiver provision at their next meeting.

43 **Upcoming Meeting Schedule**

44 Several members were not available for the July 6th meeting. It was decided to cancel the July 6th
45 meeting. Rich Baker will be present at the July 20th meeting to assist with the continued review
46 of the additional staff draft language changes.

47

48 The meeting was adjourned at 7:10.

49

50 Respectfully submitted, Rich Baker, Director of Zoning

1 **PLANNING COMMISSION**
2 **TOWN OF STOWE**
3 **Monday, July 20, 2015**
4 **Minutes**

5
6 The Stowe Planning Commission held a regular meeting on Monday, June 20, 2015 at the
7 Akeley Memorial Building starting at 5:30 p.m.
8

Members Present:

Chuck Ebel, Chair
Mila Lonetto, Vice Chair
Chuck Baraw
Arnie Ziegel
Neil Percy
Bob Davison

Members Absent:

None

9
10 **Others present:** Rich Baker, Director of Zoning.
11

12 **Minutes:**

13 The minutes of the June 15, 2015 were approved on motion by Mr. Ziegel, seconded by Ms.
14 Lonetto.
15

16 **Review of Staff Recommended Zoning Changes**

17 The Commission continued a review of a list of staff recommended zoning changes generated
18 through the development review process
19

20 The Commission discussed whether to add a setback waiver provision. David Jaqua presented
21 information on the limitations of expansion of non-complying buildings on his property on
22 Covered Bridge Road and how a waiver could allow a more reasonable expansion than permitted
23 under the current regulations. The consensus of the Commission was to consider language
24 allowing setback waivers needed for safety and code requirements, energy conservation, and
25 buildings that existed prior to 12/31/75. Staff was asked to consider possible language to expand
26 the setback criteria beyond what was proposed. The Commission will discuss setback waivers at
27 a future meeting.
28

29 . The consensus was to accept items #7 through #11 as drafted. They included:

- 30 • Expand landscaping conditional use criteria to make it clear that landscaping and
31 screening is being reviewed. Expand screening to discuss commercial venting systems
32 which have been historically reviewed by the DRB
- 33 • Add an additional requirement under Section 3.9, Nonconforming Uses and
34 Nonconforming Structures to address non-conforming densities.
- 35 • Add section allowing Transferable Development Rights to be reversed.
- 36 • Clarify that single-family and two-family residential historic demolition can be an
37 administrative approval which has been the practice.

- 38 • Provide a more precise standard for the waiver for double setbacks in PUD's and PRD's
39 which currently is somewhat vague.

40

41 **Upcoming Meeting Schedule**

42 The Commission will continue their review of the staff recommendations starting with item #12
43 at the August 3rd meeting.

44

45 The meeting was adjourned at 7:00.

46

47 Respectfully submitted, Rich Baker, Director of Zoning

40 matter. It is also recommended that the Select Board be invited to the same meeting. This
41 meeting would likely occur this fall. The Commission agreed with this recommendation.

42

43 **Upcoming Meeting Schedule**

44 The Commission will review the ability to screen solar panel screening and review the final draft
45 language of staff recommendations

46

47 The meeting was adjourned at 6:50 pm.

48

49 Respectfully submitted, Rich Baker, Director of Zoning

1 **PLANNING COMMISSION**
2 **TOWN OF STOWE**
3 **Monday, August 17, 2015**
4 **Minutes**

5
6 The Stowe Planning Commission held a regular meeting on Monday, August 17, 2015 at the
7 Akeley Memorial Building starting at 5:30 p.m.
8

Members Present:

Chuck Ebel, Chair
Mila Lonetto, Vice Chair
Chuck Baraw
Arnie Ziegel
Neil Percy
Bob Davison
Brian Hamor

Members Absent:

None

9
10 **Others present:** Tom Jackman, Planning Director.
11

12 **Minutes:**

13 The minutes of the August 3, 2015 were approved on motion by Mr. Hamor, seconded by Mr.
14 Baraw.
15
16

17 **Reports & Updates**

18 Mr. Jackman gave updates on the village staircase project, the West Branch/Rec Path restoration
19 project and notified the Commission about potential items of interest on the upcoming
20 Selectboard meeting agenda.
21

22 **Review of Staff Recommended Zoning Changes**

23 The Commission continued its review of a list of staff recommended zoning changes generated
24 through the development review process. They agreed to the following proposed setback waiver
25 criteria:
26

- 27 (8) The Development Review Board may grant a waiver from setback requirements when:
- 28 1. Fire safety, disability accessibility, or other building code requirements cannot be
29 reasonably satisfied without a waiver or;
 - 30 2. Energy conservation and renewable energy structures cannot be reasonably developed
31 without a waiver or;
 - 32 3. The waiver is necessary to allow for reasonable expansions of existing uses given the
33 configuration of development on the parcel prior to December 31, 1975, irregular lot
34 configuration, or restrictions of existing topography.
35

36 In all cases, the waiver shall meet all of the following criteria:

- 37 1. The proposed development shall not adversely impact the overall character of the
38 surrounding area or neighborhood.
39 2. The proposed development is compatible in scale and design with the surrounding
40 area.
41 3. The proposed waiver shall not exceed 20% of any setback requirement.
42 4. The proposed development would not impinge upon sight distances on public and
43 private roads.
44 5. The proposed development would not adversely impact the use of the adjacent parcel.
45

46 The Commission discussed the changes to statute that gives municipalities party status in Public
47 Service Board proceedings and gives municipalities the ability to adopt an ordinance regarding
48 screening solar facilities.
49

50

51 **Upcoming Meeting Schedule**

52 The next Planning Commission meeting will be September 21.
53

54 The meeting was adjourned at 7:00.
55

56

Respectfully submitted, Tom Jackman

1 **PLANNING COMMISSION**
2 **TOWN OF STOWE**
3 **Monday, September 21, 2015**
4 **Minutes**

5
6 The Stowe Planning Commission held a regular meeting on Monday, September 21, 2015 at the
7 Akeley Memorial Building starting at 5:30 p.m.
8

Members Present:

Chuck Ebel, Chair
Chuck Baraw
Arnie Ziegel
Bob Davison
Brian Hamor

Members Absent:

Mila Lonetto, Vice Chair
Neil Percy

9
10 **Others present:** Doug White, DRB Chair, Michael Diender, Tom Hand, Tommy Gardner, Rich
11 Bake, Zoning Director and Tom Jackman, Planning Director.
12

13 **Minutes:**

14 The minutes of the August 17, 2015 meeting were approved on motion by Mr. Baraw, seconded
15 by Mr. Davison.
16

17 **Meeting with DRB Members to Discuss Recommended Zoning Changes**

18
19 Mr. Baker led off the meeting with a discussion of the proposal that events requiring a Special
20 Events Permit from the Selectboard be exempt from zoning. This would eliminate duplicative
21 processes, allow for the possibility of events in areas of town that would not normally be allowed
22 by zoning and leave it to the Selectboard to decide each year how many events are appropriate
23 for the Mayo Farm Events Fields.
24

25 Most of evening was devoted to landscaping and screening and the subjective nature of making
26 decisions when these are required.
27

28 Doug White, DRB Chair, said he remembers approving a multi-home development in a rolling
29 meadow. The applicant had done everything required by zoning, but to appease neighbors who
30 didn't want to see the new homes, the review board required the applicant to plant trees where
31 none were previously, turning a pristine meadow into a pocket forest.
32

33 Mr. Hand, DRB member, is also a landscape architect by trade. He asked what the objective is
34 for screening, to totally block something from view? He also asked, "What if the solution is
35 worse than the problem?"
36

37 Another philosophical question the board grapples with is how much it should help applicants
38 with a development project. Mr. White said he and other board members find themselves doling
39 out advice to applicants on how to ensure their projects will get approved; in the old days, the
40 board of adjustment would simply say "Sorry" and deny a project.

41

42 Mr. Ziegel asked whether the whole town ought to have a standard that shapes what “beautiful
43 Stowe” looks like.

44

45 Mr. Diender, DRB member, said zoning changes ought not be the same all over town. For
46 instance, Mountain Road is an evolving area, he said, and sometimes the decrepit historic
47 buildings that line it are the problem, not the more modern structures being proposed to replace
48 them. He said: “Mountain Road is not cookie cutter, and I would say thank God.”

49

50 The consensus of both boards was that the current landscaping standards are more than adequate
51 for the DRB to make decisions on a case-by-case basis. Mr. White ended by saying the Board
52 supports all of the zoning changes that the PC has recommended thus far.

53

54

55

56 The meeting was adjourned at 7:10.

57

58 Respectfully submitted, Tom Jackman

39 (1) New buildings **in the SHOD** should have a principal façade that is compatible with the
40 precedence of nearby **historic** structures in terms of scale, massing, and alignments.

41
42 **(2) New buildings requiring design review outside the SHOD should be of a style similar to**
43 **historic buildings found within the SHOD.**

44
45 **(3) New All** buildings should:

46 A. Use architectural types appropriate to the scale and intended use of the building, rather
47 than super-sizing or downsizing a building type for an inappropriate use.

48 B. Place ancillary structures in less visible locations to the side and rear of the primary
49 building.

50 **(4) New buildings** should not borrow from multiple historic styles and combine those into one
51 design.

52
53 **Modify Section 10.8 (1): Demolition and Partial Demolition of Structures**

54 (1) Within the overlay district and for Historic Buildings outside the district, the SHPC
55 first shall review each application for the demolition or partial demolition of a
56 building or structure and make a written recommendation to the DRB within fifteen
57 (15) days of the completed presentation **except when demolition is requested**
58 **under items C, D and E. below, which go directly to the DRB.** Demolition shall
59 mean the act of deliberately destroying all or a portion of a building. The DRB then
60 will conduct a public hearing to review the application and may approve the
61 demolition if they find:

62 A. The SHPC has determined that the structure does not have historical or
63 architectural significance or does not make a positive contribution to the
64 district's streetscape; or

65 B. The condition of the structure has deteriorated to such a degree that
66 rehabilitation and use of the building is not feasible **due to structural or**
67 **building code issues. The structural or building code issues shall be**
68 **significant enough to make rehabilitation not possible. For example, a**
69 **building foundation cannot be repaired because it is not possible to jack**
70 **up the building or interior ceiling heights are too low to meet code**
71 **requirements and cannot be modified.** It is the responsibility of the
72 property owner to demonstrate to the **SHPC and** DRB's satisfaction that
73 rehabilitation is not feasible; or

74 C. The structure is determined to be a deterrent to a major improvement that will
75 be a clear and substantial benefit to the community. This determination of
76 substantial benefit will be made by the DRB: or ~~after receiving a~~
77 ~~recommendation from the SHPC.~~

78 **D. The cost of rehabilitation is significant enough that it would be an undue**
79 **financial hardship to the property owner. A determination of undue**
80 **financial hardship may be granted only if the project complies with one of**
81 **the following requirements:**

- 82 (1) For income-producing properties- the building or site cannot be
83 used or rented at a reasonable rate of return in its present condition
84 or if rehabilitated, and denial of the application would deprive the
85 owner of all reasonable use of the property.
86 (2) For non-income-producing properties- the building or site has no
87 beneficial use as a residential dwelling or as a non-commercial use in
88 its present condition or if rehabilitated, and denial of the application
89 would deprive the owner of all reasonable use of the property.
90 The applicant shall present evidence to demonstrate economic
91 hardship. This could include such items as:
92 • A report comparing the economic return with the current
93 configuration, return with rehabilitation, and return with
94 demolition of the structure
95 • A report prepared by an appraiser on the fair market value of
96 the property with and without approval of the demolition.

97 **or**

- 98 E. The condition of the structure has deteriorated to such a degree that it poses a
99 threat to the public safety as determined by town or state officials and cannot
100 be restored or repaired without causing undue financial hardship to the owner.
101 The burden of proving this hardship is on the owner.

102
103
104
105 The meeting was adjourned at 7:10.

106
107 Respectfully submitted, Tom Jackman

1 **PLANNING COMMISSION**
2 **TOWN OF STOWE**
3 **Monday, November 2, 2015**
4 **Minutes**

5
6 The Stowe Planning Commission held a regular meeting on Monday, November 2, 2015 at the
7 Akeley Memorial Building starting at 5:30 p.m.
8

Members Present:

Mila Lonetto, Vice Chair
Neil Percy
Chuck Baraw
Bob Davison
Brian Hamor

Members Absent:

Chuck Ebel, Chair
Arnie Ziegel

9
10 **Others present:** Rich Baker, Zoning Director and Tom Jackman, Planning Director.
11

12 **Minutes:**

13 The minutes of the October 21, 2015 meeting were approved on motion by Mr. Davison,
14 seconded by Mr. Baraw.
15

16 **Sign Regulation Amendments**

17
18 The Commission began its review of amendments to the sign regulations as recommended by
19 staff and agreed to the following. Items in **purple** are changes that Commission made to the staff
20 recommendations.
21

22 **Purpose**

23
24 The purpose of these sign regulations is to recognize the necessity of appropriate signs to inform
25 the traveling public and aid local businesses in attracting customers. These regulations are
26 designed to encourage outdoor advertising that is compatible with the scenic and historic beauty
27 of the Town of Stowe.
28

29 13.1 General Guidelines

30
31 ***Items 5 through 9 are added as important guidelines from the Reed v Gilbert case.***
32

33 These regulations are to encourage the use of signs that ~~are~~:

- 34 1. ~~Compatible~~ **Are compatible** with the community character.
35 2. ~~Readable~~ **Are readable** and clear.
36 3. ~~Non~~ **Are not** distracting for vehicular traffic.
37 4. ~~Maintained~~ **Are maintained** in safe and good repair.
38 5. **Ensure public safety.**
39 **6. Do not create undue clutter.**
40 **7. Protect private property rights.**

- 41 **8. Protect freedom of speech.**
42 **9. Are content-neutral unless serving a compelling government interest.**

43
44 *The section below on sign approvals is not needed since the process for obtaining a zoning*
45 *permit is already specified in Section 2.5 of the Zoning Regulations.*

46 ~~13.2—Procedure for Approval of Sign Permits~~

47 ~~For the erection of new, replacement, or temporary signs and their appendages, applications shall~~
48 ~~be made to the Zoning Administrator for a sign permit. Applicants shall complete permit~~
49 ~~application forms provided by the Zoning Administrator and shall attach additional information~~
50 ~~pertaining to the proposed sign as the Zoning Administrator may require.~~

51
52 ~~Within thirty (30) days after receipt of a complete application and permit fee, the Zoning~~
53 ~~Administrator shall conduct a review of the application for compliance with these regulations~~
54 ~~and shall either grant a permit or deny the application. If the application is denied, a written~~
55 ~~explanation for the denial shall be provided to the applicant.~~

56
57 ~~Permit fee: Every applicant, before being granted a permit, shall pay to the Town of Stowe such~~
58 ~~permit fee, if any, in accordance with the schedule of fees adopted by resolution of the~~
59 ~~Selectmen.~~

60
61 **13.2 Signs in Residential Districts (all RR and VR Districts)**

62 *The home occupation and non-residential use signs are content-based and removed. A general*
63 *regulation allowing any type of temporary or permanent sign has been added. A definition of a*
64 *neighborhood sign has been also added (see definitions at the end or amendments)*

65
66 **1. No permanent sign shall exceed six (6) square feet on a parcel and shall not be**
67 **within the highway right-of-way. No more than one such sign is permitted per each**
68 **principal residential building or each business.**

69 **2. Temporary signs shall not exceed three (3) square feet and shall be at least twenty**
70 **(20) feet from the travel portion of any public or private road or the distance to the**
71 **principle building, whichever is less. No more than two (2) such signs are permitted per**
72 **property**

73 **3. One (1) neighborhood identification sign (meaning a graphic to identify the entrance to a**
74 **particular subdivision recognized by a given name) is permitted at its entrance. The sign may be**
75 **double faced, and shall not exceed thirty-five (35) sq. ft. in area, ten (10) ft. in height, and ten**
76 **(10) ft. in width, including structural support. If the subdivision or complex has access from**
77 **more than one service road, identification signs will be permitted at each entrance unless both**
78 **entrances are within view of each other. In lieu of a double faced sign, two (2) thirty-five (35)**
79 **sq. ft. signs attached and angled, if warranted, may be approved with suitable landscaping.**

80
81 *The following sign regulations will be removed because they are content based:*

82 ~~1. A home occupation sign is permitted, not to exceed six (6) sq. ft.~~

83 ~~2. One (1) sign identifying any non-residential building or use permitted in residential~~
84 ~~districts is permitted, not to exceed twelve (12) sq. ft.~~

85 ~~3. —A site identification sign up to thirty six (36) sq. ft. for a site or complex containing three~~
86 ~~(3) or more businesses or uses. In addition, an individual business within the site or complex~~
87 ~~may be identified by a building sign not to exceed eleven (11) sq. ft.~~
88

89 13.3 Signs in Commercial Districts **(Districts other than RR and VR Districts)**

90
91 *Language has been added that business signs can be free-standing or mounted. Definitions*
92 *for sign height, business sign, site identification signs and building sign have been added.*
93 *Some vague language regarding design has been removed. Other minor clarifications were*
94 *added.*
95

96 **The following signs are permitted when located on the immediate property:**

97 1. In the HT, MRV and MRC Districts, one (1) business sign not larger than seventy (70)
98 sq. ft. per sign face (message area) may be permitted. In the VC, LVC, MC, IND-PUD, VIL-
99 PUD, WBCSD and UMR districts, business signs shall be no greater than thirty-six (36) sq. ft.
100 The height of a sign, including **the** structural support, shall not exceed fifteen (15) ft. (Twelve
101 (12) feet in VC, LVC, MC, ~~IND-PUD~~, VIL-PUD, WBCSD and UMR districts.). **These signs**
102 **can be free-standing or mounted on the building.**~~The height shall be determined by measuring~~
103 ~~from either road level or the height of the ground at the place of the sign; whichever is higher, to~~
104 ~~the highest point of the sign or structure.~~ Overall width, including **the** structure, is not to exceed
105 twelve (12) ft., (ten (10) feet in VC, LVC, MC, **VIL-PUD WBCSD** and UMR).~~—Except as~~
106 ~~provided in paragraph (2) below, where two (2) or more businesses are located in a single~~
107 ~~building or within attached buildings, or within a cluster of buildings sharing a common~~
108 ~~vehicular entrance and exit, only one (1) sign is permitted.~~ The Zoning Administrator may
109 approve a second sign if unique physical conditions make a second sign necessary in order to
110 ~~adequately advertise the existence of a business~~ **make the business sign visible from a public**
111 **road.**
112

113 2. The following signs are permitted in instances where two (2) or more businesses are
114 located in a single building or within attached buildings or within a cluster of buildings sharing a
115 common vehicular entrance and exit.

116
117 **A.** One site identification sign, which may include individual business signs not to exceed a
118 total of seventy (70) sq. ft. in HT, MRV and MRC districts or thirty-six (36) sq. ft. in VC, LVC,
119 MC, UMR and WBCSD districts. **The height of a sign, including structural support, shall not**
120 **exceed fifteen (15) ft. (Twelve (12) feet in VC, LVC, MC, VIL-PUD, WBCSD and UMR**
121 **districts.). Overall width, including the structure, is not to exceed twelve (12) ft., (ten (10)**
122 **feet in VC, LVC, MC, VIL-PUD WBCSD and UMR).**
123

124 **B.**~~—An individual business within the site or complex may also be identified by a building~~
125 ~~sign not to exceed eleven (11) sq. ft. Variations in the design of signs in a complex may be~~
126 ~~approved by the Zoning Administrator only when a sign plan is submitted for all business units~~
127 ~~in the complex and no individual sign exceeds eleven (11) sq. ft. in area. Signs in a complex~~
128 ~~must be harmonious throughout the entire complex in some manner, such as but not limited to,~~
129 ~~background board, trim, mounting brackets, etc. A graphic or sign must be located on that part of~~
130 ~~the building or lot occupied by the activity.~~

131
132 ~~3. Small, on-premise permanent~~ directional signs, such as entrance and exit signs, not to
133 exceed six (6) sq. ft., ~~may are be permitted by the Zoning Administrator. Entrance or exit signs~~
134 ~~will only be permitted when the driveway is not obvious or otherwise identifiable with a~~
135 ~~particular business or activity.~~ Directional signs along the Stowe Recreation Path shall be limited
136 to no more than one sign per property, shall be of a standardized size and design as approved by
137 the Stowe Selectboard and shall be located at least ten (10') feet from the path.
138

139 4. Appendages: (“that which is attached as if by being hung on, a subsidiary, adjunct or
140 addition”):

141 A. Appendages of a compatible character and texture of material may be made to the sign.
142 The size of appendages shall be included in message area limitations specified in this section.

143 Appendages must be made of permanent, stiff materials and not flexible banner-like materials.

144 B. No appendages will be permitted on the outside of supports.
145

146 5. Two-road exposure: A second sign ~~may~~ shall be permitted for businesses that have
147 property and buildings open to the public which have entrances on two (2) public roads or are on
148 both sides of a public road.
149

150 ~~7. No building sign will be permitted to extend above the peak of the roof on which it is~~
151 ~~erected.~~ *Moved to general requirements*
152

153 ~~1.~~ 13.4 General Sign Requirements

154 1. Maintenance: All signs and other advertising structures, together with all their supports,
155 braces, hooks, guys and anchors, shall be of substantial and sturdy construction, shall be kept in
156 good repair, and shall be painted or cleaned as often as necessary to maintain a clean, neat, safe
157 and orderly appearance. Failure to adequately maintain a sign will constitute a zoning violation
158 ~~enforceable under Section 13.1~~
159

160 2. Wind pressure and dead load: Any sign or advertising structure shall be designed and
161 constructed to withstand a wind pressure load of at least (30) lb. per sq. ft.
162

163 3. Obstruction to safety: No sign shall be erected, relocated or maintained so as to prevent
164 free ingress to or egress from any door, window or fire escape. No sign shall be attached to a
165 standpipe or fire escape.
166

167 4. Signs not to constitute traffic hazards: In order to secure and maintain reasonable traffic
168 safety, no sign shall be erected or maintained in such a manner as to obstruct free and clear
169 vision or so as to distract the attention of the driver of any vehicle by reason of the position,
170 shape or color thereof. Pursuant to the foregoing, no sign shall be erected or maintained in such
171 a manner as to be likely to interfere with, obstruct the view of, or be confused with, any
172 authorized traffic sign, signal or device. Accordingly, no sign or other advertising structure shall
173 make use of the words “STOP”, “GO”, “LOOK”, “DANGER”, or any other similar phrase,
174 symbol, or character, or employ any color in such a manner as to interfere with, mislead or
175 confuse traffic. Reflective materials are prohibited.
176

177 5. Permanent signs must be made of permanent, stiff materials and not banner-like flexible
178 materials.

179
180 6. **No building sign will be permitted to extend above the peak of the roof on which it is**
181 **erected.**

182
183 13.6 Illumination and Movement of Signs

184
185 *Language has been added to address to address wind-blown devices such as spinners, etc.*
186 *Content-based language has been removed.*

187
188 Signs may be illuminated by a steady light in accordance with the following standards:

189
190 1. The light must be of one (1) color;

191
192 2. The average level of illumination on the vertical surface of the sign shall not exceed 3.0-
193 foot candles;

194
195 3. Lighting fixtures shall be located, aimed, and shielded so that light is directed only onto
196 the sign façade and does not cause glare and a resulting traffic hazard;

197
198 4. Interior illumination will not be permitted for any new or replacement sign.

199
200 5. A lighted sign on an intermittent or flashing circuit or the movement of any light used in
201 connection with any sign such as blinking, traveling, flaring or changing degree of intensity, will
202 not be permitted, with the exception of ~~barber poles, and~~ signs containing clocks and temperature
203 readings. *(Decided to leave in clocks and temperature)*

204
205 6. No neon lighting or self-illuminated signs will be permitted inside a window.

206
207 7. Movement of a sign body or any segment thereof such as rotating, revolving, moving up
208 or down or any other type of action involving a change of position of a sign body or segment
209 thereof, whether caused by mechanical or other means, will not be permitted. **Devices, whether**
210 **part of a sign or not, that contain or consist of banners, posters, pennants, ribbons,**
211 **streamers, strings of lights, spinners, or other similarly moving devices or signs, which**
212 **move or swing as a result of wind pressure, or are mechanically driven, are prohibited**
213 **unless they are specifically permitted within these regulations.**

214
215 13.7 Temporary ~~and Portable Business~~ Signs

216
217 *Language has been added that temporary signs must be mounted on the building or*
218 *permanent sign. Content-based language has been removed. The requirements have been*
219 *simplified to allow temporary signs in lieu of permanent signs and to allow portable signs for*
220 *seasonal businesses such as the farmers market or Stowe Theater. The time limit for*
221 *temporary signs has been removed. Temporary signs do not currently require a permit and are*

222 *proposed to continue to not need a permit. Definitions for portable and temporary signs have*
223 *been added.*

224
225 ~~1. Temporary business signs must comply with the dimensional, locational and number~~
226 ~~restrictions of permanent signs as detailed elsewhere in Section 13.7. Temporary signs must be~~
227 ~~either securely mounted on the principle building or securely mounted on or below a~~
228 ~~permanent sign structure. If mounted below a permanent sign, the total area of all~~
229 ~~temporary and permanent signage shall not exceed the total area allowed for the~~
230 ~~permanent sign. One temporary sign, mounted on the building, not to exceed twelve (12)~~
231 ~~square feet in area, is permitted per business in addition to those allowed on or below the~~
232 ~~permanent sign. Seasonal businesses are permitted to use a temporary or portable sign in~~
233 ~~lieu of a permanent sign.~~

234
235 A. ~~If incorporated into or under a permanent sign, and of a compatible character and/or~~
236 ~~texture material.~~

237
238 B. ~~For a seasonal or short time business, for up to (3) three months, if in compliance with~~
239 ~~other requirements of this section.~~

240
241 C. ~~Where a business is under construction, or a sign is being repaired.~~

242
243 ~~2. Event Banners constructed to Town of Stowe specifications and erected by the Town of~~
244 ~~Stowe are permitted for up to one (1) week (or longer if space permits) to advertise special~~
245 ~~community events that are open to the public. Commercial and sponsor identification must be~~
246 ~~minimal and second to the event name.~~

247
248 ~~3. "OPEN" banners, no larger than 12 sq. ft., are permitted for a period not to exceed one (1)~~
249 ~~month, for a newly opened or relocated business.~~

250 251 13.8 Unsafe, Outdated and Unlawful Signs

252
253 1. If the Zoning Administrator finds that any sign is unsafe or has been constructed in
254 violation of the provisions of this Section, an enforcement action shall be taken in accordance
255 with **these regulations.**~~Section 13.9.~~ The Zoning Administrator may require the adjustment or
256 relocation of any sign to help ensure vehicular and pedestrian safety.

257
258 2. This action shall apply also to any sign now or hereafter existing, which no longer
259 identifies a bonafide business conducted or a product sold, on the lot on which it is located.

260 261 13.9 Nonconforming Signs

262
263 1. Nonconforming signs shall be brought into conformance with these regulations if the
264 building space identified by the sign undergoes a change in name. The Zoning Administrator
265 may permit a nonconforming sign to continue even if the name changes for businesses located
266 within historic buildings as defined by these regulations, upon a positive recommendation from
267 the Stowe Historic Preservation Commission.

268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309

13.10 Planned Unit Development Signs

1. Signs in Resort and SKI PUD may be no larger than signs in the Highway Tourist district, except for signs not visible from a public road as allowed under Section ~~H~~12.

13.10 Signs Exempt from These Regulations and Not Requiring a Permit
Content-based sign language has been removed. Language was added regarding decorative flags, government signs, street number signs, and event directional signs. A definition of government signs has been added.

1. Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance;
2. Window signs, posters, banners, stencils or lettering on the inside of a window, except for neon signs or self-illuminated signs
3. ~~Signs erected or sanctioned by the Town of Stowe;~~ **Government signs**

The Commission ended its review at this point and made the following small changes to the Definitions:

Sign height: Sign height shall be determined by measuring the height of the natural ground at the ~~place~~ base of the sign to the highest point of the sign or structure.

Sign, government: A permanent, temporary, or portable sign that is constructed, placed or maintained by the federal, state or local government or a sign that is required to be constructed, placed or maintained by the federal, state or local government either directly or to enforce a property owner's rights, such as “No Trespassing” signs. These signs are meant to serve a compelling governmental interest.

Sign, portable: Any structure without a permanent foundation or otherwise permanently attached to a fixed location, which can be carried, towed, hauled, or driven and is primarily designed to be moved rather than be limited to a fixed location. Portable signs may include, but are not limited to, “sandwich board” style signs.

The meeting was adjourned at 7:10.

Respectfully submitted,
Tom Jackman, Director of Planning

1 **PLANNING COMMISSION**
2 **TOWN OF STOWE**
3 **Monday, December 7, 2015**
4 **Minutes**

5
6 The Stowe Planning Commission held a regular meeting on Monday, December 7 2015 at the
7 Akeley Memorial Building, starting at 5:30 p.m.
8

Members Present:

Chuck Ebel, Chair
Mila Lonetto, Vice Chair
Neil Percy
Brian Hamor
Arnie Ziegel

Members Absent:

Bob Davison
Chuck Baraw

9
10 **Others present:** Tom Jackman, Planning Director.
11

12 **Minutes:**

13 The minutes of the November 6, 2015 meeting were approved on motion by Mr. Hamor,
14 seconded by Mr. Ziegel
15

16 **Planning Director's Report**

17
18 Mr. Jackman brought the Commission up to speed on the status of the North Hill cell tower, the
19 Polo Field shelter and the Stowe Mountain Bike Club's end of the season report to the
20 Conservation Commission.
21

22 **FY'17 Capital Budget**

23
24 The Commission reviewed the Town's capital budget requests that were submitted for FY'17, as
25 well as the Town Manager's draft recommended projects to advance for funding.
26

27 Commission members agreed with the Town Manager's recommendations with one exception.
28 For safety reasons, they advocate that the Rec Path Underpinning and Railing at the Luce Hill
29 Bridge Crossing (\$30,000) be advanced for funding. If this project cannot be added to the current
30 recommended list of projects, they recommended that it be prioritized over the Akeley Building
31 Heating Control System (\$40,000).
32

33 In the event that additional funds are freed up (such as a successful grant award for the Air
34 Packs) the Commission recommended funding the Stowe Hollow Rd. Culvert (\$40,000) and
35 allocating the rest of the funds towards the Lower Village Sidewalk project.
36

37 Additionally, the Commission recommended that the Town move towards including building
38 maintenance repairs in the Town's operational budget under some form of Building Maintenance
39 Fund similar in nature to the existing Paving and Equipment funds. They expressed concern that

40 important projects such as the ones that were submitted for capital funding will keep being put
41 off do to other priority capital projects:

- 42 • Akeley Building Heating Control System (\$40,000);
- 43 • Painting/Repairs to Bloody Brook School, Akeley & Ski Museum ((\$67,000);
- 44 • Library Carpet (\$45,000); and
- 45 • Parks Maintenance Shed Insulation (\$12,694).

46

47 The meeting was adjourned at 7:10.

48

49 Respectfully submitted,

50 Tom Jackman, Director of Planning