



**Notice of DRB Decision**  
**Town of Stowe Zoning Office**  
**PO Box 730**  
**Stowe VT 05672**

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

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

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**APPLICATION INFORMATION**

Project Number 6854  
Application Date 4/13/2022  
Physical Location 78 HIGHLAND AVE  
Map ID 7A-138.000 Tax ID 02138  
Project Description CONSTRUCT 14' X 27.5' ADDITION; ADDING 1 CAR GARAGE AND EXTENDING LIVING SPACE  
Owner RYAN LAMBERG  
Applicant KIM BROWN PROJECTS KIM BROWN  
Applicant Address PO BOX 92  
WATERBURY CENTER VT 05677

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**APPROVALS ON RECORD**

Action Taken	Date	End of Appeal Period	Expiration Date
SHPC RECOMMENDATION	7/13/2022		APPROVE WITH CONDITION TO REMOVE CHIMNEY AND WINDOW
DRB DECISION	10/4/2022	11/3/2022	11/3/2024

*Sarah McShane*

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Zoning Office

**TOWN OF STOWE  
DEVELOPMENT REVIEW BOARD**

**Findings of Fact & Conclusions of Law**



**PROJECT:** 6854

**SUBJECT PROPERTY:** 78 Highland Avenue; # 7A-138.000

**PROPERTY OWNER:**

Ryan Lamberg & Anne Krumme  
250 Owls Head Lane  
Stowe, VT 05672

**APPLICANT:**

Ryan Lamberg/RL Consulting Services  
250 Owls Head Lane  
Stowe, VT 05672

**APPLICATION:**

The Applicant, Ryan Lamberg/RL Consulting Services, on behalf of property owner Ryan Lamberg & Anne Krumme (herein referred to as the "Applicant"), requests a dimensional setback waiver for a project generally described as the construction of a new entrance deck, a 27' x 14' residential addition, and an attached rear deck. The subject parcel, consisting of ±0.139-acres, and located at 78 Highland Avenue [#7A-138.000], is in the Village Residential 20 (VR-20) Zoning District and Stowe Historic Overlay District (SHOD). The application has been reviewed by the Development Review Board (DRB) under applicable standards of the Town of Stowe Zoning Regulations (as adopted October 9, 2018 & May 23, 2022 - 24 V.S.A. § 4449(d)) for the purpose of reviewing a dimensional setback waiver. The DRB's procedural history and relevant findings are attached.

**REVIEW PROCESS:**

*(Application materials, hearing notices, meeting minutes on file at the Stowe Town Office.)*

A development application was filed by Applicant Ryan Lamberg. The application was accepted as administratively complete on May 23, 2022 by Zoning Administrator Sarah McShane and referred to the Stowe Historic Preservation Commission (SHPC) for review. The SHPC reviewed the application on June 8, 2022 and July 13, 2022 and granted positive recommendations. Upon receipt of SHPC recommendations, staff referred the application to the DRB for a public hearing. A public hearing of the DRB was scheduled for September 20, 2022 and warned by the Zoning Administrator in accordance with Section 2.14 of the regulations and 24 V.S.A. §4464. The hearing notice was published in the Stowe Reporter on August 25, 2022.

The public hearing to consider the application convened September 20, 2022, with a quorum of the DRB present. The public hearing was held at the Stowe Town Office with remote participation available via Zoom. No *ex parte* communications or conflicts of interests were reported. Members who participated in the review included: D. Clymer, L.Wasserman, M.Diender, P.Roberts, C.Walton, D.Kelly, and M. Black.

The following persons attended and participated in the hearing process:

- Ryan Lamberg, 250 Owls Head Lane, Stowe, VT 05672
- Doug White, PO Box 294, Stowe, VT 05672
- Chapman Smith, 71 Highland Ave, Stowe, VT 05672

**THE RECORD:**

The following materials were submitted in support of the application and entered into the hearing record:

1. Town of Stowe Development Application, dated 04/11/2022;
2. Project narrative, submitted by Ryan Lamberg, no date;

6. The existing dwelling was constructed in ~1957 and does not conform to the current setback requirements, as such can be considered a lawful pre-existing nonconforming structure. The Applicant's narrative states: *"By virtue of issuing this waiver, the applicant can improve a small house design that negatively impacts no one, so that a family may live in the village. Current zoning requires a waiver to build this opportunity for a family home in the village."*
7. On June 8<sup>th</sup> and July 13<sup>th</sup>, the Applicant met with the SHPC and requested a dimensional waiver for the setback requirements pursuant to Section 10.9 which states:

*Section 10.9 Dimensional Waivers for Historic Buildings and All Buildings Within the Overlay District: (1) Following recommendation from the HPC, the DRB may grant a waiver from the dimensional requirements of the underlying zoning district or from the 50' setback from watercourses if it finds that granting the waiver will result in the preservation and renovation of the historic building, or the preservation of the historic pattern of land use of the surrounding area...Waivers may be granted for projects including but not limited to small additions, accessory buildings, porches, dormers, windows and changes to the roofline. The DRB may grant a waiver from the maximum building height up to a maximum limit of thirty-three (33') feet for 2-story buildings and forty (40') feet for 3-story buildings.*

8. Following HPC review on July 13<sup>th</sup>, the Commission voted to recommend approval of the project as presented with the removal of the chimney and middle window on 'Left' elevation and referred their recommendations to the DRB for further review.
9. Per Section 2.10, upon completion the Applicant is required to provide reasonable proof that all required setbacks have been satisfied when proposed structures are within fifteen (15') feet of any required setback.
10. The maximum building coverage in VR-20 is 30%. Building coverage means: *That portion of a site, expressed as a percentage, occupied by all buildings or structures, (not including public utility structures), that are roofed or otherwise covered and that extend more than three (3') feet above the surface ground level. The building roof overhang up to 6 feet in length is not included as part of the building coverage area.*
11. The Applicant provided the following building coverage calculations:

Existing Building Coverage	1064 sf = 17.5%	Proposed Building Coverage	1753 sf = 28.87%
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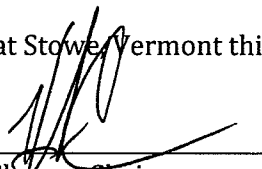
12. The existing building contains a single-family dwelling. No changes of use are proposed.
13. The maximum building height in VC-10 is 28' /35 feet [35 feet for mixed-use buildings with pitched roofs, with a minimum 3:12 pitch, containing at least two (2) dwelling units]. Section 16.23 defines the term 'Building Height' to mean "Vertical distance measured from the average elevation of the proposed finished grade at the front or rear of the building to the highest point of the roof for flat and mansard roofs, and to the average height between the highest ridge and its contiguous eave for other types of roofs. On sloping sites the height will be measured on the uphill side." The elevation drawing [Rear Elevation Revised] label the building height to be 23' 9.75", as defined under the regulations.

3. The DRB accepts the recommendations of the SHPC. The project must be completed in accordance with the approved plans and the SHPC recommended approval.
4. The installation of outdoor light fixtures is limited to those described and depicted within the application.
5. Site construction shall adhere to the standards outlined in Section 3.12(2)(A-E) including:
  - a. The amount of soil exposed at any one time must be kept to a minimum.
  - b. Areas of exposed soil that are not being actively worked, including soil that has been stockpiled, must be stabilized.
  - c. Stormwater shall be controlled during construction to minimize soil erosion and transport of sediment to surface waters.
  - d. Soil disturbance shall not be allowed between the period of October 15 to April 15 unless adequate erosion control measures are provided as outlined in Section 3.12(2)(A-C) taking into consideration winter and spring conditions.
  - e. The stormwater drainage system must be continuously maintained to ensure that existing drainage patterns are not altered in a manner to cause an undue adverse impact on neighboring properties, town highways or surface waters.
6. A Certificate of Occupancy must be obtained from the Zoning Administrator prior to occupancy and use to ensure that the project has been completed as approved by the Development Review Board, as required under Section 2.10 of the zoning regulations. Prior to the issuance of a Certificate of Occupancy, the Applicant must provide the following:
  - a. Reasonable proof that all required setbacks have been satisfied. Reasonable proof may include a survey, certification of setbacks by a surveyor, or demonstrating physical location of property boundaries;
7. These conditions of approval shall run with the land and are binding upon and enforceable against the permittee and his successors. By acceptance of this approval, the Applicant agrees to allow authorized representatives of the Town of Stowe to access the property subject to this approval, at reasonable times, for purpose of ascertaining compliance with the conditions of approval.

The motion passed, 7-0

Voting in favor: D. Clymer, L.Wasserman, M.Diender, P.Roberts, C.Walton, D.Kelly, and M. Black  
Voting to deny: None

Dated at Stowe, Vermont this the 4 day of October 2022

By:   
Drew Clymer, Chair