

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

You recently received approval for the subdivision listed below from the Development Review Board. Attached is a copy of the DRB decision for your records. All final subdivisions must be signed by the DRB Chair and recorded within 180 days from approval. Please note any conditions of approval that must be met before the plan can be recorded. You are also required to obtain separate zoning approvals and/or permits for any new construction on the newly created lots. A fee of \$25/page is required for recording.

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

**APPLICATION INFORMATION**

Project Number 6582  
Application Date 5/25/2021  
Physical Location 0 COVERED BRIDGE RD [LOT 1]  
Map ID 07-341.010 Tax ID 17045-010  
Project Description SUBDIVISION AMENDMENT- MODIFY CLEARING AREAS TO ACCOMMODATE CHANGE IN DRIVEWAY LOCATION; CONSTRUCT POND  
Owner CHRISTOPHER MEANEY  
Applicant JOHN GRENIER GRENIER ENGINEERING  
Applicant Address PO BOX 445  
WATERBURY VT 05676

**APPROVALS ON RECORD**

Action Taken	Date	End of Appeal Period	Expiration Date
DRB DECISION	8/17/2021	9/16/2021	2/13/2022

*Sarah McShane*

Zoning Office



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



**PROJECT:** 6582

**SUBJECT PROPERTY:** 0 Covered Bridge Rd [Lot 1] (#07-341.010)

**PROPERTY OWNER:**

Christopher Meaney  
4120 Devonwood Drive  
Marietta, GA 30066

**APPLICANT:**

John D. Grenier PE  
Grenier Engineering  
PO box 445  
Waterbury, VT 05676

**APPLICATION:**

The Applicant, John D. Grenier PE of Grenier Engineering, on behalf of property owner Christopher Meaney (herein referred to as the "Applicant"), requests final subdivision review for a subdivision amendment to modify the previously approved location of the driveway access onto Covered Bridge Road and modifications to previously approved clearing limits. The subject parcel is located within the Rural Residential 3 (RR3) zoning district and is served by Covered Bridge Rd, a Class 3 town highway. The subject lot is part of the previously approved Brayton Marvel Family Trust 3-Lot Subdivision [S-06-05] [Project 3017] approved by the Development Review Board in a written decision dated June 21, 2006. The application was reviewed by the Development Review Board under the Town of Stowe Subdivision Regulations (effective through July 16, 2012) and the Town of Stowe Zoning Regulations (as adopted October 9, 2018). The Development Review Board's procedural history and relevant findings are attached.

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

An application for final subdivision review was filed by Applicant John Grenier and received by the Zoning Director on May 25, 2021. The application was accepted as administratively complete by Town of Stowe Zoning Director Sarah McShane and referred to the Development Review Board for a public hearing. A public hearing of the DRB was scheduled for July 20, 2021, and warned by the Zoning Director 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 July 1, 2021. The Applicant submitted a completed certificate of service in accordance with Section 2.14(1)(B).

The public hearing to consider the application convened on July 20, 2021, with a quorum of the DRB present. No ex parte communications or conflicts of interests were reported. The hearing was held at the Stowe Town Office, 67 Main Street, with remote participation available through 'Zoom'. Board members participating in the 7/20 review included: D. Clymer, F. Aumand III, T. Hand, P.Roberts, L. Wasserman, C.Walton, and M.Diender.

The following persons attended and participated in the hearing process, and may be afforded status as interested persons with rights to appeal:

- John D. Grenier PE, Grenier Engineering, PO Box 445, Waterbury, VT 05676
- Brice Simon, P.O. Box 240, Stowe, VT 05672
- Kim Brown, PO Box 92, Waterbury Center, VT 05677
- Christopher Meaney, 4120 Devonwood Drive, Marietta, GA 30066
- David Jacqua, 368 Covered Bridge Road, Stowe, VT 05672

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

- Town of Stowe Development Application, dated 5/20/2021;
- Project Narrative prepared by Grenier Engineering, dated 5/24/2021;

- Lot 1 Site Plan 'Chris Meaney' prepared by Grenier Engineering, Sheet 1 of 2, dated 5/19/2021; [Proposed]
- Lot 1 & 2 Site Plan 'Chris Meaney' Brayton Marvel Family Trust 3-Lot Subdivision prepared by Grenier Engineering, Sheet 3 of 4, dated 7/29/14 [last revised]; [Previously Approved]
- DRB Decision dated June 21, 2006 & Previously approved subdivision plat (S-06-05) [staff]
- Comments from Department of Public Works & Stowe Fire Department, dated 7/8/2021;
- Written comments from David Jaqua, dated 7/16/ 2021;
- Lot 1 Site Plan 'Chris Meaney' prepared by Grenier Engineering, Sheet 1 of 2, dated 5/19/2021; [last revised 7/15/2021]
- Comments from Department of Public Works, dated 7/16/2021; [with attached sketch drawing showing altered curb and sight distances]

The DRB adjourned the hearing that evening, following the submission of testimony and evidence, marking the start of the 45-day period for the issuance of written findings and a decision.

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

The Applicant's request for amended subdivision approval was reviewed by the Development Review Board (DRB) for conformance with applicable requirements including the following:

Town of Stowe Zoning Regulations (as adopted October 9, 2018)

- Section 2- Administration and Enforcement
- Section 5- Zoning Districts
- Section 6- Uses, Dimensional Requirements and Density

Town of Stowe Subdivision Regulations (effective through July 16, 2012)

- Section 2 – General Provisions
- Section 3- Administration and Enforcement
- Section 4- Submission Requirements
- Section 5- Planning and Design Standards

**SECTION 2.16 FLEXIBILITY AND FINALITY IN THE PERMITTING PROCESS (STOWE CLUB TEST)**

1. Section 2.16(1) states: *"In order to determine if it is appropriate under the circumstances to allow an amendment of a permit or approval, the DRB shall evaluate any application that proposes an amendment of a final approval and assess the competing policies of flexibility and finality in the permitting process. An amendment is considered a request to modify the project plans, exhibits, and /or representations by the applicant that lead to the decision and which have been incorporated into the approval through a specific or general condition. For the purpose of this section, conditions include all stated conditions in a decision and elements of a recorded plat or plan."*
2. The Applicant seeks a subdivision amendment to modify the previously approved location of the driveway access onto Covered Bridge Road and revisions to previously approved clearing limits. The Applicant seeks to relocate the driveway to the approximate center of the southerly property line.
3. At the outset of the hearing, the Board reviewed Section 2.16 and the circumstances in which to allow an amendment of a permit or approval as outlined in Section 2.16(2)(A-C).

4. On June 21, 2006, the Development Review Board approved the Brayton Marvel Family Trust 3-Lot Subdivision [S-06-05] [Project 3017]. The approved subdivision plat contains the following notation "50' wide no clearing zone other than for maintaining the meadow and removing dead trees."
5. Three kinds of changes justify altering a condition of a permit or approval:
  - A. *Changes in factual or regulatory circumstances beyond the control of a permittee; or*
  - B. *Changes in the construction or operation of the permittee's project, not reasonably foreseeable at the time the permit was issued; or*
  - C. *Changes in technology.*
6. During the hearing Attorney Brice Simon provided testimony there have been changes in the construction of the project that were not reasonably foreseeable at the time the permit was issued. He testified that the property ownership has since transferred, and that construction of a pond was not considered at the time of original approval. It was noted that the pond can be used as fire protection and was not part of the original plans. The altered driveway location is generally designed to accommodate the pond.

**Conclusion:** Based on the above findings, the Board concludes the Applicant provided sufficient testimony and evidence to grant approval of the requested permit amendment. Section 2.16(A & B) provides the Board the authority to modify past permit conditions under certain appropriate circumstances. The Board concurs that there have been changes in the construction of the project, not reasonably foreseeable at the time the permit was issued.

**DIMENSIONAL REQUIREMENTS:**

7. **Zoning District.** The subject parcel is located within the Rural Residential 3 (RR3) zoning district as shown on the Official Town of Stowe Zoning Map (as adopted October 9, 2018).
8. **Lot Area, Lot Width.** The subject lot contains ±6.87 acres. No changes to lot area or lot width are proposed under this application.
9. **Setbacks.** The RR3 district requires setbacks of 60 ft (front) and 60 ft (sides/rear). Section 15.6 states 'Driveways and Parking Facility Setbacks- Except for common driveways, driveway and parking facility setbacks shall be as follows, unless abutting property owners agree to less: (1) HT, UMR, MRV, MRC, MC, RR1 and RR2: Ten (10') feet from property lines. (2) RR3 and RR5: Twenty-five (25') feet from property lines.' The proposed driveway setback is not labeled but clearly meets the required 25' setback. A man-made pond is proposed in the southeastern quadrant of the parcel. Section 4.10 regulates the construction of ponds and requires ponds be set back at least ten (10') feet from all property lines, unless the abutting property owner agrees to less. The proposed pond meets this requirement.

**Conclusion:** Based on the above findings, the Board concludes the proposed subdivision amendment conforms to the applicable district dimensional requirements.

**SUBDIVISION REGULATIONS**

**SECTION 5.1 – GENERAL PLANNING STANDARDS:**

10. Upon review of the application the Board found that the following General Planning Standards are not applicable to this application:
  - Section 5.1(1) – Character of Land for Subdivision.
  - Section 5.1(5) – Reserved Strips.
  - Section 5.1(7) – Pedestrian Access.

Section 5.1(8) – Traffic.  
Section 5.1(10) – Lot Configuration.  
Section 5.1(11) – Building Zone.  
Section 5.1(13) – Disclosure of Subsequent Development Plans.  
Section 5.1(14) – Private Enforcement Mechanisms.  
Section 5.2 – Prominent Hillsides and Ridgelines.  
Section 5.3 – Open Space and Cluster Development.  
Section 5.5 – Utilities and Stormwater Management.

11. **Section 5.1(2) – Natural and Scenic Features:** All subdivisions shall be designed to prevent undue adverse impact on: brooks, streams, water bodies, ground water resources and wetlands; prime agricultural soils, farmland resources and scenic meadowland; important forest resources; aesthetic resources and scenic vistas, including views onto and arising from subject property. In order to preserve natural and scenic features, the Board is authorized to:

*a) Establish or limit the building site or other improvements to avoid the parcelization, isolation, or destruction of natural features;*

*b) Require setbacks from property boundaries or identified natural features greater than specified in the Zoning Regulations in order to create buffer zones and prevent degradation to significant natural features;*

*c) Establish preserve areas where development is restricted or prohibited and specific land management techniques are employed to protect or enhance significant natural features.*

- The Applicant proposes to modify the previously approved location of the driveway access onto Covered Bridge Road and amend previously approved clearing limits.
- The parcel is located within the Rural Residential 3 (RR3) zoning district; a district predominantly containing other residential uses.
- The parcel contains Class 2 wetlands and associated wetland buffers. The proposed relocated driveway does not appear to be located within the wetland or wetland buffer. A man-made pond is proposed in the southeastern quadrant of the parcel. An emergency overflow appears to drain under the proposed bridge and into the wetland and wetland buffer.
- Covered Bridge Road is a designated Scenic Road under the Town's adopted Scenic Road Policy.
- As shown on the ANR Natural Resources Atlas, the subject lot contains inventoried wetlands, hydric soils, and wetland advisory areas. Lands outside of these areas contain prime agricultural soils.
- No change to the previously approved building zone is proposed.

**Conclusion:** Based on the above findings, the Board concludes the proposal will not have an undue adverse impact on noted natural and scenic features.

12. **Section 5.1(3) – Protection of Significant Wildlife Habitat and Natural Communities:** All mapped significant wildlife habitat areas are required to be shown on subdivision site plans. If any portion of a proposed subdivision is within an identified significant wildlife habitat area the DRB may require the submission of a wildlife habitat assessment, prepared by a wildlife biologist or comparable professional, to identify potentially impacted habitat and provide recommended management strategies. Vermont Fish and Wildlife Department staff may also be consulted to provide guidance with this review.

- The Applicant proposes to modify the previously approved location of the driveway access onto Covered Bridge Road and amend previously approved clearing limits.
- According to the Town of Stowe Town Plan 'Significant Wildlife Habitat & Natural Communities Map' the parcel does not contain stream and associated riparian area, Class 2 wetlands, lands within the highest priority habitat and connecting blocks, ecological hotspots, or priority wildlife crossings.
- As shown on the ANR Natural Resources Atlas the subject lot does not contain inventoried wetlands, hydric soils, and wetland advisory areas. Lands outside of these areas contain prime agricultural soils.
- No changes to the previously approved building zone are proposed.

**Conclusion:** Based on the above findings, the Board concludes the proposal will not have an undue impact any Significant Wildlife Habitat and Natural Communities.

13. **Section 5.1(4) – Historic Resources and Community Character:** Subdivisions are required to minimize undue adverse impact on historic sites and the character of the Town. Subdivisions in or adjacent to existing village areas, including Stowe Village, Lower Village, Moscow and designated commercial growth centers, shall be designed to reflect traditional village settlement patterns characterized by an appropriate scale of development, an interconnected street network with development oriented to the streetscape, a mix of land uses and pedestrian access. Subdivisions in rural areas shall result in minimum undue adverse impact on the rural landscape as characterized by open fields, forested mountains and hillsides. The rural character exists due to the scenic vistas, large uninterrupted forested areas, open fields along public roads, and limited development along roads. The subdivision regulations define village and rural areas as follows:

***Area, rural: Any area in the Town of Stowe not defined as a village area.***

***Area, Village: All areas within the VC, VR, MRV, MCR, LVC, and MC Zoning Districts.***

- The Applicant proposes to relocate the driveway to serve Lot 1 and amend previously approved no clearing areas.
- A 50' no clearing area(s) are shown on the proposed plan. The proposed relocated driveway creates a new clearing zone to accommodate the driveway and required sight distances. A man-made pond is proposed in the south-east quadrant of the parcel. Grading necessary for the pond construction appears to impact the no clearing zone along the southerly property line.
- No change is proposed to the previously approved building zone.
- A large portion of the frontage along Covered Bridge Road is proposed to remain with a notation that no clearing is allowed other than for maintaining the meadow and removing dead trees.
- Covered Bridge Road is a scenic treelined gravel road. The parcel contains a swath of trees along the frontage of Covered Bridge Road.
- Covered Bridge Road is classified a Scenic Road. The Town of Stowe Scenic Road Policy is a policy intended to guide staff on maintenance operations in the Town Highway, not restrict private property rights or access to property.

**Conclusion:** Based on the above findings, the Board concludes the proposal is in conformance with Section 5.1(4), Historic Resources and Community Character.

14. **Section 5.1(6) – Screening and Landscaping:** The DRB is authorized to require the planting or preservation of trees or other vegetation to provide visual screening of development or to otherwise soften

and/or lessen the impact of development on natural features and scenic vistas. Street trees along public or private roadways may also be required in order to establish a canopy effect in developed areas and where existing street trees are already present in the vicinity. The size, type, or location of such trees shall depend on the particular land parcel. Section 4.6 (Landscaping Standards) of the Zoning Regulations shall be used as a guideline for any required landscaping. A maintenance plan of all existing and proposed landscaping shall be prepared and submitted for review. Such a plan shall address specific measures to be taken to ensure the survival, and if necessary, replacement, of designated landscaping during and after the construction; parties to be responsible for ongoing maintenance; and any Town obligations for maintenance.

- No landscaping is proposed however the Applicant proposes to amend previously approved clearing areas.
- A 50' no clearing area(s) are shown on the proposed plan. The proposed relocated driveway creates a new clearing zone to accommodate the driveway and required sight distances.

**Conclusion:** Based on the above findings, the Board concludes the proposal is in conformance with applicable requirements of Section 5.1(6) – Screening and Landscaping. See conditions of approval.

15. **Section 5.1(9) – Municipal Facilities:** The Applicant must demonstrate that the proposed subdivision will not create an undue burden on municipal facilities or create an unreasonable demand for municipal services.

- Staff requested comments on the proposal from respective Town departments including the Department of Public Works, Fire Department, Stowe Electric, Police Department, EMS, and Parks and Recreation.
- Harry Shepard- DPW Director provided the following comments: *“From Public Works perspective, I believe that either the Driveway Entrance as proposed, or possibly shifted 70'+/- max to south (must maintain 165' min site line to crown in road to south with 15' offset from edge of road as indicated on the attached) are permissible. However, in both cases, additional clearing and grading at the intersection with the road to achieve the required site line as depicted on the attached is required. We would also seek to have the culvert further from the edge of the road.”*
- No Municipal Department review forms returned indicated that the application would have any adverse impact on existing or planned community facilities and services.
- The proposed lot has access to Covered Bridge Road a Class 3 town-highway. A driveway entrance permit will be required for the “curb cut” onto the town highway.
- Comments from the Fire Chief were requested. Fire Chief Kyle Walker provided the following comments:

*The driveway looks ok. I do need more information on the bridge though. Specifically, what is the weight rating for it? We don't have any bridge specifications, so I tagged Harry on this message. His understanding of bridges far exceeds mine.*

*I recommend a condition that the proposed timber bridge be design for AASHTO HS 20 wheel loading, certified by an VT PE. [Harry Shepard]*

- No additional municipal comments were received.



**Conclusion:** Based on the above findings, the Board concludes the proposal will not create an undue burden on municipal facilities or create an unreasonable demand for municipal services. See conditions of approval.

**16. Section 5.1(12) – Fire Protection Facilities:** The regulations require adequate water storage or distribution facilities for fire protection to be available. This may include the installation of ponds and dry fire hydrants and the extension of public water with fire hydrants. Where practicable, or where required by the Board, fire hydrants shall be installed by the subdivider. Construction of driveways and roads shall be in general compliance with the Stowe Fire Department Construction Standards where applicable.

- Comments from the Fire Chief were requested. Fire Chief Kyle Walker provided the following comments:

*The driveway looks ok. I do need more information on the bridge though. Specifically, what is the weight rating for it? We don't have any bridge specifications, so I tagged Harry on this message. His understanding of bridges far exceeds mine.*

*I recommend a condition that the proposed timber bridge be design for AASHTO HS 20 wheel loading, certified by an VT PE. I have a Driveway Entrance Permit application on my desk for this one that I will review by tomorrow. I note that there is a significant earthwork associated with the pond construction, including a fill embankment near the road in what is labeled as "Revised No Clear Zone". I would not be surprised if this one engenders some interest from the neighborhood.*

- The Applicant proposes changes to the driveway access and a 30' x 20' wide timber bridge. The driveway appears to be approximately 15'-16' in width.
- During the hearing the Applicant testified the proposed bridge is actually a large concrete box culvert and it meets a higher standard, H25 Standard, than the AASHTO HS 20-wheel loading standard.
- A man-made pond is proposed in the south-eastern quadrant. During the hearing the Applicant confirmed the pond could be used for fire protection.

**Conclusion:** Based on the above findings, the Board concludes the proposal is in conformance with applicable requirements of Section 5.1(12) – Fire Protection Facilities.

**17. Section 5.4 – Road Standards and Coordination with Public Highways:** All proposed public and private roads shall be designed to ensure the safe and efficient movement of vehicles. Roads shall be logically related to topography so as to produce usable lots and reasonable road grades and shall be in harmony with existing and proposed public highways. Wherever extensions of proposed roads could rationally provide public access to adjacent properties or connection to existing public State or Town highways, a right of way across the subdivider's property may be required. Section 16.48 of the Zoning Regulations define the term 'Driveway' as follows... "A roadway used to access not more than three (3) dwelling units that is in private ownership."

- The Applicant proposes to relocate the driveway to serve Lot 1.
- Covered Bridge Road is a town-maintained highway. A driveway entrance permit from Department of Public Works will be required for the driveway entrance and work within the public road right-of-way.

**Conclusion:** Based on the above findings, the Board concludes the proposal is in conformance with applicable requirements of Section 5.4 – Road Standards and Coordination with Public Highways.

## **DECISION**

On a motion by F.Aumand III, seconded by M.Diender, the Development Review Board hereby approves the Applicant's request for Final Subdivision approval for the proposed subdivision modifications as described in the application dated 5/20/2021 and shown on *Lot 1 Site Plan 'Chris Meaney' prepared by Grenier Engineering, Sheet 1 of 2, dated 5/19/2021; [last revised 7/15/2021]* with the following conditions of approval:

1. The project shall be completed, operated, and maintained in accordance with (a) the conditions of this approval and (b) the permit application, plans, and exhibits on file in the Town of Stowe Zoning Office and other material representations. Any change to the plans or the proposed use of the property shall be brought to the Zoning Administrator's attention, prior to its enactment, for a determination if an amendment is required. The Zoning Administrator is granted the authority to review and administratively approve non-material modifications to the approved plans upon finding that the proposed change or alteration would not have affected the decision made or any conditions if had been included in the plans as approved.

The approved plan(s), amended herein, are:

*Lot 1 Site Plan 'Chris Meaney' prepared by Grenier Engineering, Sheet 1 of 2, dated 5/19/2021; [last revised 7/15/2021]*

The above approved plan shall be modified to locate the proposed driveway entrance as shown in the sketch drawing submitted by Harry Shepard/ Department of Public Works, dated 7/16/2021.

2. All conditions of prior approvals, except as amended herein, remain in full force and effect.
3. Prior to recording the approved subdivision plat, the Applicant shall obtain a driveway entrance permit from the Department of Public Works. A copy of the approved driveway entrance permit shall be provided to the Zoning Administrator and kept on file in the Planning & Zoning Office.
4. The proposed stream crossing shall be designed and maintained to, at minimum, AASHTO HS 20-wheel loading by a professional engineer licensed within the state of Vermont.
5. Prior to the issuance of a Certificate of Occupancy for any future dwelling on Lot 1, a professional engineer licensed within the state of Vermont shall provide written confirmation that the stream crossing has been designed and installed to meet, at minimum, AASHTO HS 20-wheel loading standards.
6. Pursuant to 24 VSA Chapter 117, the subdivision survey plat shall be submitted for recording in the land records of the Town of Stowe within 180 days of the date of this approval, or the approval shall expire. The final survey plat as recorded shall be prepared in accordance with Section 4.3 of the Stowe Subdivision Regulations and shall include the following notations:

*a. "This plat is subject to the terms and conditions of subdivision approval by the Stowe DRB per the Subdivision Regulations of the Town of Stowe. The terms and conditions of the approval and related information are on file in the Stowe Zoning Office".*

7. The Applicant shall file the final survey plat, signed by the Chair or other authorized representative of the Development Review Board, with the Stowe Town Clerk in accordance with the requirements of 27 V.S.A. Chapter 17 and Section 4.3 of the Stowe Subdivision Regulations. No land development associated with this subdivision shall be commenced until such time as the survey plat has been duly signed and filed in the Land Records. Two paper copies of said plat shall be filed with the Zoning Administrator.
8. Monuments shall be placed on all subdivided parcels in conformance with the Rules of the Board of Land Surveyors.

9. Clearing shall be restricted to the areas shown on the approved plan, amended herein. Lands outside of the approved clearing areas shall be left undisturbed except as necessary to remove dead or diseased trees and to promote the health of the forest.
10. The wetlands and associated buffer shall be flagged or otherwise marked on the ground. These areas must be left undisturbed except for projects receiving an approved State of VT Wetlands Permit.
11. Site construction shall adhere to the standards outlined in Section 3.12(2)(A-E) including:
  - o The amount of soil exposed at any one time must be kept to a minimum.
  - o Areas of exposed soil that are not being actively worked, including soil that has been stockpiled, must be stabilized.
  - o Stormwater shall be controlled during construction to minimize soil erosion and transport of sediment to surface waters.
  - o 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.
  - o An adequate 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.
12. The Applicant shall conform to the Vermont DEC Low Risk Site Handbook for Erosion Prevention and Sediment Control, published by the Watershed Management Division of the Vermont Department of Environmental Conservation when performing excavation and site work.
13. These conditions of approval shall run with the land and are binding upon and enforceable against the Applicant 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 purposes of ascertaining compliance with the conditions of approval.

Voting favor: D. Clymer, F. Aumand III, P.Roberts, L. Wasserman, C.Walton, and M.Diender.

Voting to deny: None

Abstain: T. Hand

Motion PASSED 6-0-1

Dated at Stowe, Vermont this the 14 day of August 2021

By:   
Drew Clymer, Chair

**NOTICES:**

1. In accordance with 24 V.S.A. § 4449(e), applicants are hereby notified that state permits also may be required prior to land subdivision or construction. The applicant should contact the DEC Permit Specialist for District #5 (802-505-5367) to determine whether state permits are required.
2. The applicant or another interested person may request reconsideration of this decision by the Development Review Board, including associated findings and conditions, within 30 days of the date of this decision by filing a notice of appeal that specifies the basis for the request with the Secretary of the Development Board. Pursuant to 24 V.S.A. § 4470, the board may reject the request within 10 days of the date of filing if it determines that the issues raised on appeal have already been decided or involve substantially or materially the same facts by or on behalf of the appellant.
3. This decision may also be appealed to the Environmental Division of the Vermont Superior Court by the applicant or another interested person who participated in the proceeding before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Division Court Proceedings.
4. In accordance with 24 V.S.A. § 4455, on petition by the municipality and after notice and opportunity for hearing, the Environmental Division may revoke a permit based on a determination that the permittee violated the terms of the permit or obtained the permit based on misrepresentation of material fact.

