

45 Zoning: RR1/RR2

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47 Chair Clymer swore in Tom Michelson at 5:13pm. Mr. Michelson was present and provided an
48 overview of the proposed subdivision. Mr. Michelson stated the property was previously
49 subdivided and this lot should have been further subdivided but it was not. Now he would like to
50 subdivide lot B-2 into two lots for financial reasons.

51

52 Discussion regarding lot area and width. Mr. Michelson stated the lot width of B-2A is 187' wide
53 and Lot B-2B is 190' wide.

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55 Discussion regarding where the lots will be accessed from. Mr. Michelson stated the lots would be
56 accessed from Farr Hill Road. Chair Clymer clarified the front setbacks considered facing Rt 100;
57 confirmed by Mr. Michelson.

58

59 Discussion regarding the number of units on the property currently. The Zoning Administrator
60 requested clarification as to how many units are currently on Lot B-2A. Mr. Michelson stated Lot B-
61 2A currently has 2 units but was approved for 4 unit. Question was raised on whether or not the
62 permit approving 4 units on Lot B-2 had expired.

63

64 Discussion regarding wetlands on Lot B-2B. M. Black requested clarification on the boundary of
65 the wetlands and the dimensions of the house sites. Zoning Administrator confirmed the VT
66 Agency of Natural Resources Atlas shows wetlands on Lot B-2B with a large wetlands advisory
67 layer as well. Chair Clymer stated that the wetlands are not delineated on the plans so it is unclear
68 if the house sites could be developed there.

69

70 The Zoning Administrator requested clarification as to whether or not the right-of-way serves all
71 of the lots; B-1, B-2A,B-2B, and B-3; Mr. Michelson confirmed. Chair Clymer requested clarification
72 on how many units are on each lot. Mr. Michelson stated on Lot B-1 there are 8 units, Lot B-2a
73 there is currently 2 units but could potentially site 4 units, Lot B-2b is proposed for a single-family
74 home and possibly a small cabin, and Lot B-3 is vacant.

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76 Discussion of Lot B-2b and the potential building zones. Mr. Michelson stated he would like to have
77 a single-family home on the far end away from Rt 100 and potentially a small cabin at the near end,
78 closer to Rt 100. L. Wasserman requested to see a landscaping plan to show screening from Rt
79 100.

80

81 Discussion of maintenance of right-of-way. Mr. Michelson stated the lots have deeded agreements
82 to share maintenance of the right-of-way.

83

84 Chair Clymer repeated that the Board would like to see delineation of the wetlands on Lot B-2B,
85 landscaping plan, confirmation from VTrans of right-of-way off Rt 100, and the dimensions of the
86 proposed house sites.

87

88 Mr. Michelson requested continuation of the review to June 7th, 2022. A motion was made at
89 5:37pm by M. Diender to continue the meeting to date and time certain of June 7th, 2022. The

90 motion was seconded by M. Black and passed unanimously.

91 Project #: 6810

92 Owner: 1190 Stowe Realty Holdings LLC

93 Tax Parcel #: 07-004.010

94 Location: 1190 Mountain Road

95 Project: Building Addition & Exterior Modifications/ Hood System & Two Wood Oven Flues

96 Zoning: HT/FHD

97

98 Chair Clymer swore in Paul Saylor at 5:38pm. Mr. Saylor provided a project overview. The project
99 includes adding two oven flues to the roofline, no change in use requested at this time.

100 The zoom monitors went down in Memorial Hall at 5:40pm at which time the applicant was asked
101 to pause their overview of the project. Connection was regained at 5:48pm and the review
102 continued.

103 Discussion regarding the seating number. Mr. Saylor stated they plan on 170 seats between indoor
104 and outdoor seating. The Zoning Administrator requested the Board ask for clarification as to the
105 use of the property. Mr. Saylor stated the use would remain nightclub and restaurant, but that
106 their business model does not typically include live entertainment.

107 L. Wasserman requested clarification on if the existing flue is to remain and what the output of all
108 of the flues would be. Mr. Saylor stated the existing flue would remain and be used for the hot line
109 but the new flues would be used for the wood fired ovens and would produce wood smoke.

110 L. Wasserman asked if there was any plan for outdoor music. Mr. Saylor stated it would not be
111 requested under this application but potentially requested in the future. Discussion regarding
112 procedure of requesting outdoor music.

113 A motion was made at 5:55pm by M. Diender to approve the project as presented. The motion was
114 seconded by M. Black and unanimously approved.

115 Project #: 6808

116 Owner: Aaron and Carolyn Solo

117 Tax Parcel #: 07-073.080

118 Location: 0 Foxfire Ln

119 Project: Preliminary Subdivision: Subdivide 67 acres into 9 Lots and 1 'buffer' Lot

120 Zoning: RR2

121 At 6:01pm Chair Clymer swore in the applicant party, which included Aaron Solo, Gunner McCain,
122 and George McCain; as well as the following interested parties: Scott Atkins, Tom Hubbs, Carol
123 Fano, William Viets, Nathan Hazard, and Peter Blain.

124 Gunner McCain provided a project overview stating the request is for a 9 lot subdivision of 67
125 acres, all lots would be accessed through a pre-existing right-of-way off West View Heights, the
126 total building lots would be 9 as a deeded agreement restricts the total number of homes to 9 and a
127 10th buffer lot would be created.

128 Discussion regarding character of the land. Gunner McCain stated they believe the request is
129 appropriate for the area and they are staying away from the wetlands and steep slopes as much as
130 possible. Chair Clymer stated he had walked the property and it is very wet and ledgy unclear how
131 the developments propose to access lots and/or flatten.

132 P. Roberts requested clarification of the buffer lot. Gunner McCain stated the lot would either be
133 merged with the abutting lots that are part of this subdivision or conveyed to the abutting
134 property owner in the future.

135
136 Chair Clymer discussed his site visit. He noticed several springs noted on plans and witnessed
137 waterlines on top of the ground running across property. He asked for clarification on those lines
138 and if there were any deeded rights in place regarding the springs and water lines. Gunner McCain
139 stated not aware of any rights for those lines.

140 Scott Atkins stated there was no notice of an agreement of crossing their property. He stated the
141 prior owner has maintained the right-of-way for logging purposes and it is only 15' wide.
142 Concerned about the spring and wetland around right-of-way and how development will affect it.

143 Carol Fano stated several homes off Scribner Road have deeded rights to spring fed systems on the
144 property.

145 Discussion regarding wetlands and the wetland buffers. Gunner McCain clarified that shown on the
146 plans the darker shaded represented the wetlands themselves while the lighter shading
147 represented the buffer zones. Gunner McCain stated all wetland buffer setbacks are shown
148 respected on the plans.

149 Discussion regarding the prime agricultural soils noted by the VT Agency of Natural Resources.
150 Gunner McCain stated they are confirming that information with VT Agency of Natural Resources
151 and the Homeowners Association agreements will show that no clear cutting beyond the building
152 envelope, they can cut but not clear cut.

153 M. Diender asked how visible the property will be from vantage points acknowledging that this is
154 not in the RHOD. Gunner McCain discussed the in-fill development idea behind the proposal.

155 Carol Fano asked for clarification on who is responsible if the development creates erosion and
156 stormwater issues that flood other neighboring properties.

157 Discussion regarding wildlife impact.

158 Discussion regarding rural character. Gunner McCain stated the character shouldn't be defined by
159 what is there now but what the regulations allow today.

160 L. Wasserman expressed concern regarding visualizing clearing plan from ground level in the
161 nearby vicinity and vantage points. Concern also expressed for the large building envelopes and
162 cutting zones. Gunner McCain stated the large building envelope is to provide flexibility to future
163 owners to develop the lots as they would like.

164 The Zoning Administrator noted that no supporting documentation was provided showing the
165 access over West View Heights over to the subject property. The Applicant needs to show how that
166 access is gained. Gunner McCain noted there is a deeded right-of-way to Mansfield View but not
167 proposing to utilize that. The Zoning Administrator noted that the Fire Chief may recommend
168 utilizing both rights-of-way access points over only having a single entrance/exit to the properties.

169 S. Atkins stated the developer of Westview Heights created the right-of-way. M. Black stated the
170 right-of-way was conveyed to current owners, Solo's, by the previous owner.

171 M. Diender requested clarification on procedure for development of each lot. The Zoning
172 Administrator confirmed that so long as they are proposing permitted uses under the regulations
173 they could be approved administratively. The Zoning Administrator clarified that the Board could
174 decide how to condition the approval with planned clearing limits, building phasing, etc.

175 Discussion regarding traffic. Gunner McCain stated the traffic analysis found 7 trips at the AM peak
176 and 9 trips at the PM peak with a total of 86 trips per day.

177 Discussion regarding Fire Chief comments. Gunner McCain stated there is a pond noted on the plan
178 of an adjacent property that could be used but currently no turnarounds planned as the
179 development of the lots is not being proposed under this application.

180

181 S. Atkins stated the residents of West View Heights are very concerned with traffic. Currently 6
182 houses on the road, the proposal increases traffic by 150%. Concerned with stability of road as it is
183 fragile and at some points unpassable. Requests clarification on responsibility of new
184 developments and impact to abutting properties. Concerned about sustainability of the road and
185 the infrastructure being overburdened. Gunner McCain stated those new homes would have
186 deeded agreements to share maintenance of the roadway.

187 William Viets also noted that the road cannot support the increased traffic. Requested clarification
188 if the developer proposed to improve the road conditions and what they plan to do about the
189 construction vehicles.

190 The Zoning Administrator clarified it is the responsibility of the applicant to explain how the road
191 meets the standard or how they will upgrade the road to meet the standard, Section 5.4.

192 Peter Blain stated concerned regarding the clearing of the land and relative topography of the land.
193 Currently cannot see anything surrounding his property but the heavy clearing will be extremely
194 visible from his home.

195 Discussion of building zones. Chair Clymer recommended the Board conduct a site visit.

196 Discussion of road. Gunner McCain stated the road would be gravel, 16' wide with 2' shoulders on
197 each side creating a 20' roadway total.

198 Discussion regarding open space. Lots 6 and 9 have space that could be considered open space but
199 would be only accessible by the property owners.

200 Discussion regarding road standards. The Zoning Administrator stated the standard requirement is
201 Class III road standards but the DRB has authority to grant leniency as well. Chair Clymer requested
202 clarification on right-of-way ownership off Route 100. Chair Clymer requested clarification on and
203 proposed improvements to road to support construction. Gunner McCain stated it is up to the
204 applicant to fix any construction damage. Chair Clymer stated that the road currently is close to
205 impassable, recommended that the applicant talk to Westview Heights HOA and come up with an
206 agreement. Road is a concern for the Fire Chief due to its deterioration. M. Diender asked if long-
207 term would the road be considered a Town Road. Chair Clymer clarified it would not, but
208 emergency vehicles still need to safely access the road and be taken into consideration. Chair
209 Clymer requested an analysis of the road condition.

210 Discussion regarding erosion prevention and sediment control. Chair Clymer asked applicant if the
211 ledgy areas created any difficulties in properly addressing erosion prevention and sediment
212 control. Gunner McCain stated felt there was no issue there. C. Fano stated erosion prevention and
213 sediment control is a concern as when her house was built the change of lot caused flooding to
214 neighboring properties and sees that as a potential issue with the clearing and future development
215 of the lots.

216 Discussion regarding town engineer and any comments. The Zoning Administrator stated no
217 comments received but will double check with Department of Public Works.

218 At 7:19pm the motion was made by M. Black to recess the review to a time and date certain of June
219 7th. The motion was seconded by M. Diender and unanimously passed. The Board will conduct a
220 site visit at 4:00 pm and will reconvene the public hearing following the site visit.

221 Chair Clymer stated that the Board is looking for more information regarding the road, building
222 zones, clearing limits, visualizations, water rights confirmed, and would like to conduct a site visit
223 June 7th at 4pm.

224

225 **Other Business:**

226

227 The Zoning Administrator reviewed upcoming agenda items.

228 A motion was made by M. Black to approve minutes from 4-5-22, with a revision to line 125, and
229 seconded by L.Wasserman. The motion passed.

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231 At 7:24pm the Board entered into deliberative session.

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233 At 7:34pm the Board came out of deliberative session, the motion to adjourn the meeting was made
234 by M. Black, seconded by M. Deinder and unanimously passed.

235

236 Respectfully Submitted,

237 Layne Darfler

238 Assistant Planning & Zoning Administrator