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Town of Stowe
Development Review Board
Meeting Minutes – May 17, 2022

4 A regular meeting of the Stowe Development Review Board was held on Tuesday, May 17, 2022,
5 starting at approximately 5:00 pm. The meeting was held at the Stowe Town Office with remote
6 participation using the “Zoom” application.

7 **Members Present:** Drew Clymer, Chair; Mary Black; Peter Roberts; Leigh Wasserman; Tom Hand;
8 David Kelly.

9 **Staff Present:** Sarah McShane- Planning & Zoning Director

10 **Others Present in Person:** Tyler Mumley, Doug White, Evan Harmeling

11 **Others Present via Zoom:** Nick Donahue; Edwin Bitter.

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13 **Approval of the Agenda** – The public meeting was called to order at 5:01 P.M by Chair Clymer

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15 **Development Review Public Hearing-**

16
17 Project #: 6802 (Continued from 4/5 & 5/3)
18 Owner: Hotel Sportiva Stowe LLC c/o Edwin Bitter
19 Tax Parcel #: 07-021.000
20 Location: 876 Mountain Rd
21 Project: Amend 6204; Single Story Unenclosed Structure
22 Zoning: HT

23
24 Edwin Bitter, Tyler Mumley, and Evan Harmeling were present and sworn in at 5:05pm.

25
26 E. Bitter provided an updated project overview. He explained the activity barn foundation
27 sits at 46.4’ from property line, the overhang is at 42’ from property line. The preexisting
28 tennis court sat at 36.8’ from property line.

29
30 D. Clymer asked for clarification on the location of activity barn and if it was centered on the
31 preexisting tennis court. T. Mumley confirmed the activity barn was centered width wise on
32 the previous tennis court.

33
34 Discussion regarding the overhang dimensions.

35
36 T. Hand made motion at 5:09pm to move into deliberative session. The motion was
37 seconded by M. Black. The motion was unanimously passed, and the Board moved into
38 deliberative session.

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40
41 The Board came out of deliberative session at 5:31pm.

42
43 T. Mumley stated the tennis courts are an existing non-conforming structure and they are
44 requesting to use that non-conforming structure footprint for this request.
45

46 N. Donahue stated he was concerned about the noise as they are approved for residential
47 units less than 100' away.

48
49 D. Clymer began standard review at 5:35pm

50
51 T. Hand requested clarification from the Zoning Administrator as to previous expansions
52 into setbacks. The Zoning Administrator responded there are no previous expansions into
53 the setbacks known, the tennis courts were located on the property before 1975
54 regulations.

55
56 D. Clymer requested clarification on the use of the structure. E. Bitter stated the building is
57 intended to be a multi-functional space: sports, social events, birthday parties, graduation
58 parties, weddings, and winter storage. T. Hand requested more specification on wedding
59 uses. E. Bitter stated mostly reception at the activity barn as ceremonies are typically down
60 at the lower meadow area.

61
62 D. Clymer requested clarification on the expected noise level on the different uses, hours of
63 operation, generated noise in general. E. Bitter stated recreation whistles and amplified
64 music anticipated noises. In the past on the property, they have amplified music end at
65 10pm then shift the event to the main building indoors. E. Bitter stated they are willing to
66 work with conditions for amplified music. D. Clymer asked what would the proposed hours
67 be and if any concerts are intended. E. Bitter stated no but he would agree to a condition
68 that no concerts be allowed in that space and would be willing to end events by 10:00pm. D.
69 Clymer requested that a specific end time for music be provided. E. Bitter stated he is
70 requesting 9:00pm. D. Clymer asked for anticipated sporting recreation hours. E. Bitter
71 stated starting time in pavilion would be 9:00 am for recreational use. D. Clymer clarified
72 pavilion use hours would be 9:00 am until 9:00pm. E. Bitter confirmed amplified sound
73 would be no more than 9:00am to 9:00pm and use of the pavilion would end by 10:00pm.

74
75 Doug White requested clarification on what the application stated.

76
77 Nick Donahue asked if the activity could be seasonal and limited to one event per week. He
78 also requested additional plantings and screenings along property line.

79
80 T. Hand requested clarification on use of originally approved structure and this new
81 structure. The use is consistent but now the building does not have walls and is closer to the
82 property line.

83
84 There was general discussion regarding the testimony of potential conditions and concerns
85 regarding use and noise.

86
87 E. Bitter stated the mitigation to noise proposals are limited hours of operation, no concerts
88 within the structure, and there will be temporary canvas sides that can roll down the length
89 of the structure during any amplified sound. D. Clymer requested clarification on the sides
90 that drop down. E. Bitter stated they are canvas sides similar to a wedding tent. E. Bitter
91 stated seasonality for social events would be from Memorial Day weekend to Columbus Day
92 weekend and the building would be used for storage in the winter. T. Mumley stated this is
93 a mixed-use district and there are a lot of uses within the district that this is similar to.

94

95 N. Donahue stated the applicant offered only having one event per week which he would
96 request be a condition. N. Donahue stated that he would like a better understanding of how
97 the tennis court can turn into a structure. D. Clymer provided clarification that the
98 proposed barn is less of a setback encroachment than the tennis court and the tennis court
99 is a structure as defined under the regulations. N. Donahue stated per discussions with the
100 applicant he believes it is better for them as an abutter for the building to be a pavilion with
101 conditions on limited use rather than enclosing the entire thing and having large parties
102 there.

103
104
105 A motion to close testimony was made at 6:05pm by M. Black and seconded by T. Hand. The
106 motion passed unanimously.

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109 Project #: 6850
110 Owner: VTRE Investments LLC
111 Tax Parcel #: 11-103.000
112 Location: 4527 Mountain Road
113 Project: Install Pergola Over Existing Pool Deck
114 Zoning: UMR/FHD

115
116 Nick Lizotte was present and provided a project overview. He explained that the project
117 includes installing a pergola over the pool deck.

118
119 D. Clymer began standard review at 6:09pm.

120
121 N. Lizotte stated he would like to add the plantings of two flowering crab apples along the
122 roadside in front of the stone pergola wall along with lilies and ground cover.

123
124 T. Hand requested clarification on if the pergola counts towards lot coverage. The Zoning
125 Administrator responded that it is a structure under the definitions and the DRB could
126 make a determination whether the open slat roof exempts it from the definition of a
127 building coverage.

128
129 A motion was made at 6:15pm by T. Hand to approve the project as presented including the
130 two additional crab apples as described in testimony and any repurposed pool lighting meet
131 the standards. The motion was seconded by M. Black and unanimously approved.

132
133 **Other Business:**

134
135 The Zoning Administrator reviewed upcoming items.
136 A motion was made at 6:18pm by M. Black to approve minutes from 5-3-22 with typo corrections
137 on line 25 and seconded by D. Kelly. The motion passed unanimously.

138
139 The motion to adjourn the public meeting and move into deliberative session was made at 6:23 by
140 D. Clymer and passed unanimously

141
142 Respectfully Submitted,
143 Layne Darfler
144 Assistant Planning & Zoning Administrator