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Town of Stowe
Development Review Board
Meeting Minutes – June 21, 2022

A regular meeting of the Stowe Development Review Board was held on Tuesday, June 21, 2022, starting at approximately 5:00 pm. The meeting was held at the Stowe Town Office with remote participation using the “Zoom” application.

Members Present: Drew Clymer, Chair; Mary Black; Chris Walton; Leigh Wasserman; Tom Hand; David Kelly; Peter Roberts.

Staff Present: Sarah McShane- Planning & Zoning Director; Layne Darfler- Assistant Planning & Zoning Administrator

Others Present in Person: Leighton Detora, John Kimmich, Jen Kimmich, John Walsh, Ernie Ruskey

Others Present via Zoom: Jennifer Gilbert, Lynn Davis, Mitch and Jen Marder, Rob Scheinfeld, Marion Schaffer, and Richard Esposito.

Approval of the Agenda – The public meeting was called to order at 5:00 P.M by Chair Clymer

Development Review Public Hearing-

Project #: 6871
Owner: Clover Investments Limited
Tax Parcel #: 7A-110.000
Location: 394 Mountain Rd
Project: Create an Outdoor Seating Area
Zoning: VC30

Chair Clymer swore in Lynn Davis at 5:01pm; L. Davis provided a summary of the request to have outdoor seating. Seating includes three picnic tables and two Adirondack style chairs, hours of operation open at 7:00 am closed after 3:30pm with the latest being 5:00pm, no live music.

At 5:03pm T. Hand made the motion to approve the project as presented. The motion was seconded by M. Black and unanimously approved.

Project #: 6905
Owner: Alchemy Holding Stowe LLC
Tax Parcel #: 06-062.000
Location: 100 Cottage Club Rd
Project: Request for Outdoor Music/Events
Zoning: MRV

Chair Clymer swore in Jen Kimmich, John, Kimmich, and John Walsh at 5:04pm. Jen Kimmich provided an overview of the proposed project. The business received approval for a 2-year trial and received no complaints, now returning for approval to host events from 3pm – 6pm.

C. Walton requested clarification on hours and days being requested. J. Kimmich stated they would like to have the flexibility to host events seven days a week from 11am-6pm. J.

47 Kimmich clarified these events are not large, no amplified music beyond a small amplifier as
48 typical at the farmer's market.

49 T. Hand requested clarification on location of events. J. Kimmich indicated that the location
50 will be mainly under the umbrella to the side of the structure as weather depends,
51 otherwise location will be under the overhang of the structure.

52 L. Wasserman asked if there was an easily accessible number or contact information for
53 anyone to reach out if they had an issue with the noise. J. Kimmich confirmed.

54 D. Clymer asked if the events were promoted. J. Kimmich stated they do not promote the
55 events as they are intended to be enjoyed by smaller groups.

56 D. Clymer asked if they ever received complaints regarding noise or events. J. Kimmich
57 stated no complaints received.

58
59 At 5:10pm C. Walton made the motion to approve the project as presented. The motion was
60 seconded by T. Hand. M. Black requested the amendment to the motion to include
61 clarification that the hours and days allowed are expanded to seven days a week 11am -
62 6pm. The amendment was accepted and adopted into the motion. The motion passed
63 unanimously.

64
65 Project #: 6891

66 Owner: State of Vermont Dept of Forest Park & Recreation

67 Tax Parcel #: 01-005.000

68 Location: Pinnacle Heights Road

69 Project: Expand & Improve Existing Parking Area - Pinnacle Meadows Trailhead

70 Zoning: RR5

71
72 Chair Clymer swore in Jenniger Gilbert, Jennifer and Mitch Mardas, and Maryann Sheifer at
73 5:15pm

74
75 J. Gilbert provided a project overview regarding the State of Vermont Department of Forest
76 Parks and Recreation's expansion of the parking lot at Pinnacle Heights Road from 12 stalls
77 to 24 stalls.

78
79 D. Clymer asked if any Town Departments had any comments regarding the project. Zoning
80 Administrator stated no comments were received.

81
82 D. Clymer asked for clarification as to what the goal was for the proposed parking lot
83 expansion. J. Gilbert stated the goal is to get parking off the roadside at the popular trail
84 head.

85
86 D. Clymer requested a timeline for the project. J. Gilbert stated they expect it to be
87 completed within a 3-week time period. They would have traffic control on site and the
88 trailhead would be closed during that time period.

89
90 D. Clymer swore in Walter Opuszynski at 5:22pm. W. Opuszynski stated there would be
91 outreach and signage preparing for the closure of the trailhead to direct users to other trail
92 heads. Construction timeline dependent on company hired to do the work and their
93 capacity, could be a few days to 3 weeks max.

94
95 C. Walton requested clarification on work hours for weekends. W. Opuszynski stated they
96 would like to have flexibility to get the work done as quickly as possible. C. Walton asked if

97 9am starting time would be amenable as a condition. W. Opuszynski agreed 9am starting
98 time would be acceptable.

99
100 T. Hand requested clarification on if the State had any consideration regarding remediation
101 to the road if the construction vehicles cause any damages. W. Opuszynski stated it was not
102 in the budget but would review how they could help and is in discussions with Dean Salvas.
103 J. Marder stated the lower portion of the road is not in good condition and they pay for the
104 roads upkeep, he was concerned about damages from construction but also increased users
105 at the trail head and the increased use of the road. M. Marder stated the road is only
106 maintained until 'Wayne's drive' and then is privately maintained resulting in thousands of
107 dollars they put into the road yearly, he was alarmed that State did not consider damages of
108 use to the road.

109
110 C. Walton asked if there was any contribution from the State for road maintenance. W.
111 Opuszynski stated there is no contribution from the State for the private section of the road,
112 funding is restricted to trail work and trailheads but there may be opportunity to contribute
113 opening up.

114
115 T. Hand asked if the State was opposed a condition to fix any damages caused to the road
116 from the construction project. W. Opuszynski stated they would accept.

117
118 T. Hand requested clarification of the drive isle width, the regulations call for drive isle
119 width to be 24' to accommodate turn around, requested clarification on how people turn
120 around. W. Opuszynski stated the drive isle width is planned at 18' wide, stalls were
121 planned to accommodate larger vehicles, cars would have to back up to the end alcove area
122 to turn around. The travel lane would have to be recalculated in respect to how it cuts into
123 the bank. It is terrain dependent. T. Hand requested clarification on if any ADA compliant
124 spaces provided as well as any screening of the porta let. W. Opuszynski stated there is no
125 screening planned for the porta let; they could add a marker for an ADA space.

126
127 Marion Schaffer and Richard Esposito, both owning property on Farrell Farm Lane,
128 commented on the project.

129
130 W. Opuszynski requested a continuance to date and time certain of July 19, 2022 to return
131 to the DRB with additional information. At 6:07pm the motion was made by C. Walton to
132 continue the review to time and date certain of July 19, 2022. The motion was seconded by
133 T. Hand and unanimously approved.

134
135 Project #: 6902
136 Owner: Neal & Carla G Duran Gorman
137 Tax Parcel #: 11-250.B06
138 Location: 126 Francis Ln
139 Project: Modify Clearing Limits
140 Zoning: RR3

141
142 Chair Clymer swore in Ernie Ruskey and Leighton Detora at 6:08pm. Ernie provided an
143 overview of the changes to the clearing limits proposed. L. Detora provided testimony that
144 the landscaping committee for the area agreed to the new clearing limit.

145
146 C. Walton requested clarification to the project needing DRB approval. Zoning

147 Administrator stated the change in clearing limits and prior DRB approval requires the
148 Board to evaluate the proposal under the Stowe Club Test. It was noted that the Applicant
149 is proposing modifications to the clearing limits ultimately resulting in increased screening.
150 The clearing limits were permissive but not mandatory.

151
152 A motion was made at 6:24pm by C. Walton to approve the project as presented with the
153 usual change order conditions. The motion was seconded by L. Wasserman and
154 unanimously approved.

155
156 **Other Business:**

157
158 A motion was made at 6:25pm by C. Walton to approve minutes from 06-07-22. The motion was
159 seconded by L. Wasserman and passed unanimously.

160
161 A motion to adjourn the public meeting was made at 6:25 by Chair Clymer and passed unanimously.

162
163 Respectfully Submitted,
164 Layne Darfler
165 Assistant Planning & Zoning Administrator