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Town of Stowe
Development Review Board
Meeting Minutes – July 19, 2022

4 A regular meeting of the Stowe Development Review Board was held on Tuesday, July 19, 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; Chris Walton; Tom Hand; David Kelly; Peter
8 Roberts; Michael Diender

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

11 **Others Present in Person:** David McGoughy, Ross Mitchel, Scott Noble, Doug White, Erika Singer.
12 **Others Present via Zoom:** Jennifer Gilbert, Walter Opuszynski, Marina Meerburg, Gunner McCain,
13 Peter Blain-Wellington, Jamie Grierson, Robert Foregger, Christine Derienzo, Aaron Caluin, “AJ”,
14 John Thurgood, David Wolfgang, “16173788054”, Steven Hodska.

15
16 **Approval of the Agenda** – The public meeting was called to order at 5:01 P.M by Chair Clymer

17
18 **Development Review Public Hearing-**

19 Project #: 6814 (cont. from 4/19/22)
20 Owner: Thomas Michelson
21 Tax Parcel #: 07-309.070
22 Location: 87 Farr Hill Road
23 Project: Final Subdivision Review-2-Lot Subdivision of Lot B2
24 Zoning: RR1/RR2

25
26 Zoning Administrator reported that the applicant had indicated the request would be
27 withdrawn but he has not formally submitted the withdrawal; she suggested continuance to
28 date and time certain of August 16th, 2022.

29
30 Motion was made by C. Waltons at 5:02pm to continue to date and time certain of August
31 16th, 2022. The motion was seconded by T. Hand. The motion was approved unanimously.

32
33 Project #: 6891 (cont. from 6/21/22)
34 Owner: State of Vermont Dept of Forest Park & Recreation
35 Tax Parcel #: 01-005.000
36 Location: Pinnacle Heights Road
37 Project: Expand & Improve Existing Parking Area - Pinnacle Meadows Trailhead
38 Zoning: RR5

39
40 Walter Opuszynski and Jennifer Gilbert were sworn in at 5:04pm. Mr. Opuszynski provided
41 an update on the project; features of the area and budget would not allow the expansion of
42 the drive isle to extend to the Boards requested 24’ wide isle, requesting 18’ wide;
43 incorporated the Boards requested ADA compliant port-a-let and ADA compliant parking
44 space; plan to add contingency to fix any damages to the road caused by the construction
45 vehicles.

46 T. Hand asked the Zoning Administrator for clarification regarding what the DRB can
47 regulate in regard to State projects. Zoning Administrator stated municipalities have
48 limitations under statute and cannot interfere with function use.

49
50 At 5:10pm C. Walton made the motion to approve the project as presented. The motion was
51 seconded by D. Kelly and passed unanimously.

52
53 Project #: 6808 (cont. from 4/19/22)
54 Owner: Aaron and Carolyn Solo
55 Tax Parcel #: 07-073.080
56 Location: 0 Foxfire Ln
57 Project: Preliminary Subdivision: 10 Lot Subdivision
58 Zoning: RR2

59
60 Gunner McCain was present to request a continuance to time and date certain of September
61 20th, 2022.

62
63 At 5:12pm C. Walton made the motion to continue to a time and date certain of September
64 20th, 2022. The motion was seconded by M. Black and unanimously approved.

65
66 Project #: 6855
67 Owner: 109 Main LLC
68 Tax Parcel #: 7A-046.000
69 Location: 109 Main St
70 Project: Construct two mixed use additions on existing historic building and associated site
71 improvements
72 Zoning: VC10/SHOD

73
74 T. Hand recused himself from the review; M. Diender sat in as alternate.

75
76 At 5:15pm Tyler Mumley of Mumley Engineering; Graham Mink, property owner; Christian
77 Carey, Architect; Tom Hand, Site Form Landscape Architect; and Scott Noble representing
78 the Community Church were all sworn in by Chair Clymer.

79
80 Mr. Carey provided a project overview. The project includes two 3-story buildings; the
81 north building faces the recreation path and the east building faces Main St, the church, and
82 parking lot. The north building consists of three levels of 2 bedroom apartments; the east
83 building consists of retail on the lower level and the first floor, office space and a residential
84 unit on the second floor, and two residential units on the third floor. North building is
85 aesthetically a Vermont vernacular, while the east building is a Greek revival style matching
86 the characteristics of the immediate area. Area between lot and church is extremely high
87 pedestrian traffic area which is why the commercial windows wrap into that side of the east
88 building. The Applicant requested a height waiver due to the design of the flat roof,
89 maximum for roof is 28' waiver allows up to 40' for flat roof but we are requesting roof
90 maximum at 31'. Height of roof sits just under peak of Lackey building ridgeline.

91
92 D. Clymer requested clarification as to how the structures would be attached to the existing.
93 T. Mumley stated the east structure would be a standalone structure with a 3-5' gap
94 between, they are creating the appearance that the structures are connected but it would be

95 sealing that gap off after with trim and a faux wall.

96

97 D. Kelly asked if that gap was accessible from the exterior or interior. T. Mumley stated they
98 do not plan to have it accessible but if required they could create access.

99

100 T. Hand provided landscape overview; there are three visual focus areas: Main St, the drive
101 between the East building and the Church, and the parking lot. Most work focused on
102 additions with minor landscaping improvements around the existing structures. Creating
103 large pedestrian areas in front of Main St façade with 4' wide sidewalk providing a formal
104 pedestrian access from Main St to parking area and recreation path. Additional tree
105 planning around parking area and additional bike racks.

106

107 T. Mumley provided dimensional overviews of the project. The buildings are mixed use,
108 within the setbacks, and within compliance with density. Traffic analysis showed under 75
109 peak hour trips which meant no further traffic study or analysis required. Proposing 28
110 parking spaces using the Village 50% reduction provision in the regulations. Proposed
111 lighting is mainly building mounted but will have 12' down shielded pole lights in parking
112 lot and bollard lighting down access drive between lot and church. Water will connect to
113 existing line; existing sewer line will need to be replaced but working with the Town to
114 update facilities there. Slight increase in impervious surface, rear parking area will be
115 slightly pushed back further, implementing catch basin and stormwater infiltration system
116 in middle of parking area. Dumpster enclosure to be wood, wood picket fence to limit
117 crossing from lot to lot but creating a formal gravel path leading towards the Rec path
118 staircase to direct visitors there. Utilizing the existing access to the parking lot and egress
119 drive onto Main Street.

120

121 D. Clymer asked for clarification on the access agreement. G. Mink stated there was a pre-
122 existing agreement in place with the church allowing use of the drive intended to allow
123 future growth of the site.

124

125 T. Mumley continued to state that there were ADA spaces in the rear parking area with an
126 ADA ramp to the entrance points to residential and retail spaces. M. Deinder requested
127 clarification on where the access to each use was. T. Mumley stated residential access all
128 from the rear parking lot, with some retail access off Main St. M. Diender continued to ask
129 for clarification if an elevator would be required. G. Mink stated no elevator was required
130 due to the ADA compliant units being at grade and the project did not meet the State
131 requirement to have to have an elevator installed.

132

133 S. Noble brought forward concerns from the Church; concerned regarding impact on the
134 streetscape and view of the church being affected by the new structure. Concerned that the
135 existing greenspace that is heavily used by visitors from the Rec path and Village will be
136 gone leaving very few greenspaces in the Village. Concerned about pedestrian and vehicle
137 safety utilizing the West driveway as it is heavily trafficked, and the new uses will increase
138 traffic utilizing it. Requested professional driveway redevelopment study be submitted and
139 reviewed by the Board.

140

141 Other public comment: David stated he is opposed to the height waiver allowing the
142 building to exceed the height limit.

143

144 Marina stated concern about the visibility impact on the church, believed the flat roof three

145 story structure will dominate the view.

146
147 Erika Skinger stated concerns regarding the development was not in keeping with the Town
148 Plans regarding economic development and environmental quality, enjoyment of the
149 greenspace will be lost.

150
151 Chair Clymer began the standard review at 5:48pm

152
153 D. Clymer asked if the 10' setbacks were met. T. Mumley confirmed. D. Clymer continued to
154 ask that the condition of confirming those setbacks post construction would be acceptable.
155 T. Mumley confirmed.

156
157 D. Clymer requested clarification that the uses were acceptable in area. Zoning
158 Administrator stated the uses were acceptable and that due to the mixed uses that the
159 Board should condition hours of operations.

160
161 D. Clymer requested clarification on the building height. C. Carey stated there was a building
162 on the lot historically which was a three-story flat roof, took design elements of the church
163 and the Lackey building into consideration, Stowe Historic Preservation Commission
164 unanimously approved the project. The height issue came in trying to follow the president
165 of the flat roof and avoid another pitched roof, this is how the 31's came to be; HPC agreed
166 flat roof was better way to go.

167
168 D. Clymer asked the zoning administrator if the Board was provided with the HPC letter of
169 recommendation. Zoning Administrator stated staff had not written one yet but could
170 verbally provide feedback, no conditions were placed by HPC and unanimously approved
171 the project.

172
173 C. Carey continued to state that the project went through informal review as well as three
174 rounds of formal review to iron out the design details.

175
176 D. Clymer requested clarification as to the off-set from the Lackey building. C. Carey stated
177 the new building was pushed 6' further away from Main St and 1' lower in height.

178 D. Clymer requested finished floor measurements. C. Carey stated the retail level was 11'
179 and residential/office levels were 9'. D. Clymer asked if there was room to lower. C. Carey
180 stated there was not room to lower without the residential levels falling below allowable
181 limits.

182
183 Further discussion regarding the space between the proposed East building and the existing
184 Lackey building. M. Diender asked if it was an acting fire safety separation. C. Carey stated it
185 could be considered that but the entire buildings and that void space would be sprinkled. D.
186 Kelly asked if that area would have roof over it. C. Carey stated it would be covered by a
187 roof, it essentially would be completely encased.

188
189 P. Roberts requested clarification of the height of the Lackey building and the proposed
190 building height. C. Carey stated they are both 3 floors. P. Roberts asked if the applicant had
191 explored a similar roof style. C. Carey stated preservation isn't copying or it creates a false
192 history, not trying to look old just trying to fit in; idea is to define Main St and fill in the Main

193 St corridor. Further discussion regarding design elements.

194

195 S. Noble stated the height of the in-fill building is odd.

196

197 D. White stated the use of the term in-fill is inaccurate as their historically has been a
198 building in this placement.

199

200 Marina Meerberg stated that there was always a two story building there and that any
201 pictures visitors take of the church will now have this building in them; opposed to flat roof
202 and height.

203

204 D. Clymer requested more information regarding the traffic analysis. T. Mumley stated there
205 are 47 existing trips at peak hours and they are proposing 24 additional trips, which does
206 not consider off-site parking and pedestrian access. Below typical VTrans threshold of 75
207 trips at peak hours which would have triggered the need for further study. Zoning
208 Administrator requested clarification that the applicants are claiming the 24 proposed trips
209 is an inflated number. T. Mumley confirmed.

210

211 C. Walton requested clarification regarding the access easement. G. Mink stated it is a 3-way
212 agreement between 109 Main, the Church and the Town of Stowe. Provides unrestricted
213 access around church with language that does not restrict the use of the Spaulding lot.

214

215 Zoning Administrator requested clarification on the hours of peak trips in the AM and PM
216 and the numbers at those times. T. Mumley stated AM is less than PM and the hours are
217 7am-9am and 4pm-6pm.

218

219 D. Clymer requested clarification on construction hours. G. Mink stated 7am-6pm Mondays
220 through Friday; 8am -5pm on Saturdays and no work on Sundays or Holidays. D. Clymer
221 requested clarification on timeline or phasing. G. Mink stated they are looking at a 12-18
222 month timeline with no phasing. D. Clymer asked if the alley way would be impaired during
223 construction. G. Mink stated they did not intend to close access off as construction could all
224 be managed from the rear. S. Noble stated the Church has weddings and funerals that they
225 do not want construction during those times. G. Mink stated they would be flexible and
226 work out times with the church for events if needed.

227

228 D. Clymer reviewed staff comments regarding circulation and parking. T. Hand stated they
229 are improving the parking lot by adding landscaping around the perimeter; parking lot
230 design has ADA spaces and accessibility from rear; stormwater infiltration in middle of lot
231 prevents ability to add an island there along with snow removal would be difficult if they
232 installed an island.

233

234 D. Kelley requested clarification on the ADA stalls and sizing. T. Mumley stated the two ADA
235 stalls are 9'x18' with a 5' access isle. Zoning Administrator pointed out that the size of the
236 ADA stalls do not meet the regulations but it is unclear if the regulations for ADA is up to
237 date. T. Hand stated that the oversized stall as required is compensated for by the access
238 stall.

239

240 D. Clymer requested clarification regarding the landscaping and fencing in front of Stowe

241 Public House. Zoning Administrator stated that work was not reviewed by the HPC. D.
242 Clymer stated the applicants could integrate into the proposed work or leave off and apply
243 for that work under a separate permit. G. Mink stated they would like to formally request
244 that landscaping and fencing in front of the Stowe Public House be removed from the
245 proposed plans and they will resubmit at a later date.

246
247 Zoning Administrator stated the Board should review lighting carefully as they have new
248 standards. D. Clymer requested clarification on if the lighting was able to be turned off at a
249 certain hour such as 10pm or 1 hours after close. G. Mink stated he would like the ability to
250 have a lot in the parking lot on and some building lights for safety. M. Diender added the
251 bollard lights along the sidewalk should remain on for safety as well. T. Hand recommended
252 that instead of turning off completely they could change to a timed dimming system. Zoning
253 Administrator requested specifications for all lighting be provided. T. Hand confirmed and
254 stated a photometry plan would also be provided.

255
256 Robert Foregger was sworn in at 7:25pm; R. Foregger stated the Village needs more long
257 term housing, the loss of the greenspace isn't great but not much they can do about it, scale
258 of the building competes with the church, would like it to be smaller; feels the flat roof and
259 height of the building sets a precedent for future buildings to be larger, would like to make
260 sure project doesn't get over lit.

261
262 At 7:30PM Chair Clymer opened the floor to public comments;

263
264 Erika Skinger stated the project conflicts with the Town Plan and the Development Review
265 Board's goals, building doesn't do as much for the Village as the open space does, Stowe
266 Village is a disappointment as there are no places to sit and eat; area has environmental
267 quality.

268
269 No other public comment was provided

270
271 At 7:37pm C. Walton made the motion to end testimony, close the hearing and move into
272 deliberative session. The motion was seconded by M. Diender and unanimously supported.

273
274 **Other Business:**

275
276 A motion was made by C. Walton to approve minutes from 06-21-22. The motion was seconded by
277 D. Kelly and passed unanimously.

278
279 The meeting adjourned and the DRB went into deliberative session to discuss pending decisions.

280
281 Respectfully Submitted,
282 Layne Darfler
283 Assistant Planning & Zoning Administrator