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Town of Stowe
Development Review Board
Meeting Minutes – October 18, 2022

A regular meeting of the Development Review Board was held on Tuesday, October 18, 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, Mary Black, David Kelly, Leigh Wasserman, Sarah Henshaw, Will Ardolino, Peter Roberts

Staff Present: Sarah McShane- Planning & Zoning Director

Others Present in Person: [See sign-in attendance sheet]

Approval of the Agenda – The public meeting was called to order at 5:02 P.M by Chair Clymer.

Project #: 6939 (cont. 8/16/22)

Owner: Andrew McNeil & Todd Bludworth

Tax Parcel #: 07-083.000

Location: 416 Nine Hearths Dr

Project: Preliminary Subdivision Review for a 6-lot Subdivision

At 5:04pm Char Clymer swore in the following persons: Andrew McNeil, Tom Wawrzoniak, John Pitrowski.

T. Wawrzoniak provided an overview of the application submittals. Provided a brief overview of lot depth and materials that were submitted just before the meeting. J. Pitrowski stated fire chief provided comments and the HOA documents were submitted before the meeting as well. Materials were handed to Board members.

Chair Clymer began the standard review at 5:08pm

Chair Clymer asked for clarification regarding the lot width of Lot 1. T. Wawrzoniak stated it was pre-existing so he does not have that. T. Wawrzoniak continued to state that Lot 2 is 202’, Lot 3 is 209’, Lot 4 is 249’. The Zoning Administrator stated looking at the plans the measurements seem to be inaccurate; under the regulations the lot width is measured at the front setback at right angles, so this measurement appears to be the lot depth rather than the lot width. J. Pitrowski stated the instructions stated measure at the center line to get the frontage. The Zoning Administrator suggested the applicant look at the definition of lot width again, she reported it does not affect application but needs to be accurately shown. J. Pitrowski stated the definition needs clarity but will update the plans accurately.

Chair Clymer noted the site to be developed is steep and wet, he requested clarification as to how much cutting and filling would be needed to create the roadway. J. Pitrowski stated driveways are to be between 6 and 12% grade, no major cuts proposed due to existing conditions. J. Pitrowski stated there are wetlands on property that are delineated and are avoided by buffers.

45 W. Ardolino requested clarification on stream crossing points to access Lot 5. T. Wawrzeniak stated
46 culverts are to be installed as shown on plans. J. Pitrowski stated culverts and construction detail in
47 submittal materials.

48
49 P. Roberts requested detail on wetlands delineation and what the mechanism is in place to respect
50 those wetland buffer setbacks shown. T. Wawrzeniak stated State requires demarcation every 30'. J.
51 Pitrowski stated if someone didn't respect it, it is violation of State law. P. Roberts requested
52 clarification on if language is in HOA or deed. T. Wawrzeniak stated there is language within HOA
53 documents.

54
55 Chair Clymer requested clarification of the profile of driveway of Lot 5, is the plan to fill in the area
56 to create driveway grades. J. Pitrowski stated the plan is to fill to get to grade, 4-5' in deepest area,
57 he discussed where that information is provided on the plans. Chair Clymer requested clarification
58 on culver maintenance. J. Pitrowski stated after installation they would be annually inspected and
59 reported on to the State, once every 5 years the permit will have to be renewed. M. Black requested
60 clarification regarding language detailing that requirement under the HOA. J. Pitrowski stated the
61 stormwater language will be in the HOA documents but nothing specifically regarding the
62 maintenance of the culverts.

63
64 Chair Clymer requested clarification on wildlife study. J. Pitrowski stated no significant wildlife
65 habitat.

66
67 Chair Clymer requested clarification regarding wetlands delineation map and how Lots 2 and 5 are
68 restrictive. J. Pitrowski stated they are restrictive, but both are enough to develop and work with
69 contours, illustrations show enough for building and open decks or porches. Chair Clymer
70 requested clarification regarding if the building zones and building sites were hypothetical or
71 locked. J. Pitrowski stated the building zones are absolute but the exact placement of the building
72 site within those zones are hypothetical but relatively close.

73
74 Chair Clymer requested clarification on how much clearing is being proposed. T. Wawrzeniak
75 stated Lots 4, 5, and 6 will need clearing. Lots 2, 3 and 6 already have trees cleared; Lots 4 and 5
76 need clearing with some shading trees being left, there will be approximately ½ acre on each lot for
77 yard space. J. Pitrowski stated no clearing outside of the building envelope outside of the driveway
78 and stormwater pond. Chair Clymer requested clarification on limits of clearing. T. Wawrzeniak
79 stated it is shown as the proposed treeline. Further discussion of clearing limits. J. Pitrowski stated
80 estimating ½ acre of clearing per lot or less. P. Roberts requested a table identifying proposed
81 clearing limit square footage per lot.

82
83 Chair Clymer requested clarification regarding if there are any scenic vistas. T. Wawrzeniak stated
84 lots 2 and 6 would have some scenic vistas. L. Wasserman requested a visual impact analysis be
85 submitted.

86
87 Chair Clymer requested clarification regarding where the medium priority impact block was
88 located. The Zoning Administrator stated it was the wetlands. J. Pitrowski confirmed wetlands.

89
90 Chair Clymer requested clarification regarding the rights to access the right of way off Westview
91 Heights Road. T. Wawrzeniak stated it is within the deeded rights to the property. L. Wasserman
92 asked for further clarification. T. Wawrzeniak stated there is language within the deeds, HOA
93 documents, with no limitations to the use of the right of way. Chair Clymer requested clarification

94 on maintenance of the road. Chair Clymer swore in Andrew McNeil at 5:42pm. A. McNeil stated
95 there is no maintenance agreement yet but one could be put together.

96
97 Chair Clymer stated landscaping shown at Lot 3 and 6 but no specifics shown at this time. T.
98 Wawrzeniak confirmed and explained that each site would have the landscaping specified by
99 whoever purchased and developed the lot in the future, keeping the building envelope small to
100 increase the screening to any development.

101
102 P. Roberts requested clarification regarding the leech fields and if there are reserved fields, what
103 happens if a septic fails. J. Pitrowski stated the State requires the leechfields to be scrapped if they
104 fail and a new one rebuilt in the same location.

105
106 Chair Clymer requested clarification regarding at what point would the HOA take over managing
107 the covenants put forth. T. Wawrzeniak stated there is no answer at this point. J. Pitrowski stated
108 typically they fall under percentages split between the landowners; fall under landowners until
109 sold.

110
111 L. Wasserman requested clarification regarding how the road will be brought up to standards. T.
112 Wawrzeniak stated Percy constructed many years ago and maintains it, the road is in excellent
113 shape. J. Pitrowski stated it is over 24' wide but over time grass has grown in so it just needs to be
114 cut back.

115
116 Discussion regarding utilities. T. Wawrzeniak stated the utilities would be buried. J. Pitrowski
117 stated no additional clearing for utilities needed, they would use the driveway shoulder.

118
119 L. Wasserman asked for confirmation that stormwater would not runoff beyond the property lines.
120 J. Pitrowski stated with the stormwater pond they do not see any impacts further then what already
121 occurs on the site.

122
123 Chair Clymer stated the Board has requested updated rendering of the lot area and width, a table
124 showing the lot clearing calculations, update rendering clearly indicating clearing limits, and a
125 visual impact study.

126
127 J. Pitrowski stated they would like conditions of approval to be made. The Zoning Administrator
128 stated this is a preliminary review so the Board could condition the preliminary approval.

129
130 At 6:13pm L. Wasserman made the motion to direct the zoning administrator to draft a decision
131 approving the project with the conditions discussed. The motion was seconded by S.Henshaw and
132 approved 6-1 with D.Clymer voting in opposition.

133
134 Project #: 6986
135 Owner: Dana & Peter E Percy
136 Tax Parcel #: 07-017.000
137 Location: 281 Cape Cod Rd
138 Project: Preliminary Subdivision Review of PUD; Existing 4 Unit Apartment Building to Remain on
139 Lot 1 of 1.4± Acres, Proposed Lots 2-8 Intended for Single Family Dwellings

140
141 At 6:18pm Chair Clymer swore in Chris Austin, Matt Percy, and John Grenier.

142

143 Mr. Austin provided the project overview. The project has been changed from original proposal to
144 now including site on Cape Cod Rd, they are no longer requesting double setback. Proposed project
145 includes creating single family home lots, reconfiguration of access point through right of way off
146 Cape Cod Rd, residential PUD with existing 4-unit apartment building. Installing sidewalks to
147 connect to Stowe Bike Path. Residential PUD is surrounded by common land to preserve river area
148 and wetlands. Lots 1-9 represent 2.5 acres of development surrounded by open space. Clustered
149 approach modeled by Thomas Lane, narrow corridor of development surrounded by wetland areas.
150 The lots will be served by on-site water and septic. On site stormwater treatment and runoff
151 retention. Project in total includes 28.5 acres, 14-acre area on Cape Cod and 14 acre area on Percy
152 Park. The site has 50 acres in the WBCS district, 11 acres in RR2, 1.8 acres in HT, total allowable
153 units =21 units proposing a total of 12 units. They submitted a landscaping plan providing
154 screening to Cape Cod Rd. The double setback is honored on all sites of existing development. The
155 apartment building has its own separate access off Cape Cod Rd. Developable lots are mainly in
156 open fields so minimal clearing will be needed. Wetlands are within common land where no
157 development will ever occur.

158
159 M. Black asked for clarification on if a boundary line adjustment is needed. Mr. Austin stated there
160 is a 2-acre lot line adjustment to create an edge of open space lot surrounding development. Line
161 was pointed out during the meeting.

162
163 Chair Clymer began the standard review at 6:25pm.

164
165 Chair Clymer requested clarification regarding lot size. Mr. Austin stated the total area is 28.5 acres.

166
167 The Zoning Administrator stated the plans do not fully show the setbacks and what is or is not
168 within the PUD, and requested the Board require an updated site plan showing the entire PUD and
169 the setbacks. The Board should decide how the non-conforming buildings could be expanded or
170 relocated in the future as well as restrict any future development within the setbacks. Mr. Austin
171 stated the plans do not currently show the double setback on the existing building. The Zoning
172 Administrator clarified any buildings connected to the PUD would be required to meet the double
173 setback standard. Mr. Austin stated the double setback can be shown if needed. The Zoning
174 Administrator clarified that if the Board were to grant preliminary final approval the decision
175 should address the existing buildings within that double setback and any future buildings would be
176 restricted to that on the shop parcel.

177
178 Chair Clymer stated there is a mapped watercourse. Mr. Austin stated they disagreed with the
179 watercourse mapping by the State and have located it in the field. The watercourse runs into the
180 wetlands.

181
182 D. Kelly requested clarification on changing setbacks. Mr. Austin stated the setbacks are 10' interior
183 and development of houses are to be setback a minimum of 25'. A 10' setback on each side creates
184 20' setback between buildings. D. Kelly asked what the footprint of buildings would be. Mr. Austin
185 stated between 1800-2200 sf, demonstrating a nice size home within the clustered development.

186
187 Mr. Austin continued to state the map provided in comments show a stream course next to the
188 apartment building and they have mapped it as drainage from Cape Cod Rd that comes from the
189 golf course that ends in the wetland with no outlet. M.Percy stated the wetland boundaries have
190 been mapped and studied.

191

192 Chair Clymer requested clarification regarding density. Mr. Austin stated proposing 12 units of
193 density with 9 units remaining. D. Kelly requested clarification regarding transferring density from
194 commercial section over, as well as if the commercial operation is there available residential
195 density. Mr. Austin stated the PRD regulations allow the Board the ability to assign the density
196 anywhere within the project; assigning the density to the residential areas there are 9 additional
197 units available we could assign anywhere within the PRD.

198
199 The Zoning Administrator requested clarification regarding access to the shop parcel. Mr. Austin
200 stated it is a separate parcel and access will be separate through Cape Cod Rd.

201
202 Chair Clymer requested clarification regarding the landscape plan. Mr. Austin stated the landscape
203 plan focuses on deciduous trees along roadway, there is a small existing berm off the roadway
204 already, property naturally slopes down.

205
206 Chair Clymer noted a sidewalk is proposed. Mr. Austin stated there is a proposed sidewalk to
207 connect a grass footpath to the bike path. M. Black stated it would be nice to see the sidewalk
208 extend to Cape Cod Rd for bus pick up.

209
210 Mr. Austin stated traffic generation is estimated at 2 trips per residence during peak hour, 16 trips
211 estimated which is well below the study requirement.

212
213 Discussion regarding emergency service standards. Chair Clymer requested confirmation that the
214 fire safety standard was met. Confirmed the roadway meets standard, there is no municipal water
215 so fire hydrants are not available.

216
217 Chair Clymer requested clarification regarding if parking requirements were met. The Zoning
218 Administrator stated for each single-family home two parking spaces are required when they apply
219 for the construction of those homes.

220
221 At 7:02pm D. Kelly made the motion to direct the zoning administrator to draft a decision
222 approving the project as presented with the staff recommended conditions. The motion was
223 seconded by Mary Black and unanimously approved.

224
225 AT 7:05PM The Board took a short recess returning at 7:10PM

226
227 Project #: 6987
228 Owner: JDVT LLC
229 Tax Parcel #: 06-088.000
230 Location: 1652 Mountain Rd
231 Project: Construction of Mixed-Use Building Containing Retail and 20 Residential Units

232
233 At 7:10pm Chair Clymer swore in David Wolfgang, Jim Williams, John Grenier, Josh Wolfgang, and
234 Kim Brown.

235
236 Mr. Wolfgang provided a project overview: the project proposes a mixed-use building containing 2
237 retail spaces and 20 workforce housing units. The site is easy and accessible off two roads, bike
238 path and bus stop. Chair Clymer requested clarification as to how they propose to identify the
239 residential units as workforce housing. Mr. Wolfgang stated workforce housing is desperately
240 needed, the apartments are affordable mid-range pricing to attract workforce needs.

241

242 Chair Clymer began the standard review at 7:12pm

243

244 D. Kelly requested clarification as to the Zoning Administrators notation regarding setbacks. The
245 Zoning Administrator stated that being a corner lot the parcel has two front yards and two side
246 yards which will need to be updated and revised, the buildings meet the setback requirements as
247 what is shown is greater than required.

248

249 Chair Clymer requested clarification regarding the size of retail spaces. Mr. Wolfgang stated one
250 retail unit will be 4900 sq ft and the other will be 3750 sq ft.

251

252 Chair Clymer stated that under density requirements the applicants are allowed 23 residential units
253 with the allowance of 20 additional residential units remaining. Zoning Administrator confirmed.

254

255 The Zoning Administrator requested clarification regarding if there is any proposed office space.
256 Mr. Wolfgang stated there are no office spaces proposed, only retail and residential uses proposed.

257

258 Chair Clymer requested clarification on traffic study numbers. Mr. Grenier stated study found 26
259 trips in a.m. and 42 in p.m. peak hours, study based on existing and proposed uses. Chair Clymer
260 asked if trips were generated off Rt. 108 access. Mr. Grenier stated that is his belief.

261

262 Zoning Administrator stated VTrans has not confirmed whether an 1111 permit is required but
263 may comment under ACT 250 review. Mr. Grenier stated no work within ROW so no permit may be
264 required.

265

266 Chair Clymer requested clarification on how many parking spaces are going to be provided. Mr.
267 Wolfgang stated proposing 100 spaces, the requirement is for 91. Chair Clymer asked if they will be
268 designated spaces. Mr. Wolfgang stated there will be 3 separate areas designated per use. The
269 Zoning Administrator asked for further clarification. Parking layout was further discussed
270 regarding traffic patterns and designated areas. D. Kelly asked if the parking lot would be paved and
271 marked. Mr. Wolfgang confirmed it will be paved and marked.

272

273 Chair Clymer requested clarification regarding the front entrance connection to the bike path. Mr.
274 Wolfgang provided an explanation as to how the lot ties into the bike path with ADA
275 accommodations.

276

277 The Zoning Administrator stated the applicants are willing to reserve space for a potential bus
278 shelter on the lot. Discussion regarding bus shelter placement and possibility. Mr. Wolfgang stated
279 he would be happy to accommodate a pull off and shelter. The Zoning Administrator stated parties
280 could work with VTrans.

281

282 D. Kelly asked for clarification regarding mechanical placements. The Zoning Administrator stated a
283 transformer cabinet is shown in plans and screened by the building itself. Mr. Wolfgang stated there
284 would be additional mechanicals that would be screened by a wall, as shown on plans.

285

286 Chair Clymer requested dumpster enclosure details. Mr. Wolfgang pointed them out in plans. W.
287 Ardolino requested clarification regarding the dumpster location. Mr. Grenier pointed out the
288 location on plans.

289

290 Chair Clymer requested clarification on stormwater. Mr. Grenier stated in the northeast corner of
291 property they will have a series of stormwater containment and on site treatment provided; post
292 development outfall or discharge will be less than pre-development.

293
294 D. Kelly asked the Zoning Administrator for clarity regarding access points and curbing. Zoning
295 Administrator stated the Cape Cod Rd side is clearly defined, on Mountain Rd it is only defined by
296 grass, the Board could require curbing or definition of that access. D. Kelly asked the applicants if
297 they had plans to improve that access. Mr. Wolfgang stated the access is pretty well defined
298 currently.

299
300 Chair Clymer requested clarification on how many stories the buildings include above grade. Mr.
301 Wolfgang stated 3 stories above grade including a full basement.

302
303 Chair Clymer asked for clarification regarding the building's overall mass and design. Mr. Williams
304 stated it is an 'H' style building with apartments clustered on ends and in the middle, which drives
305 the generation of the footprint. Mr. Williams continued to state that the floorplans of the 2nd and
306 3rd floor are similar, the building pushes out as it goes down to grade to accommodate the retail
307 uses. Mr. Williams further depicted access into the building as well. Mr. Williams continued to
308 discuss the elevation renderings, color choices were earth tones, within siding they developed a
309 face wrapping around the building to provide some separation from retail to residential. Mr.
310 Williams stated the walkout basement is only under the gable on the north end and pointed out the
311 stone wall where the mechanical equipment would be located. Mr. Williams presented the 3D
312 renderings discussing the changing of massing on the elevations, proposed driveway, as well as
313 proposed site improvements.

314
315 D. Kelly requested clarification regarding how residents access their units and how retail is
316 accessed. Mr. Williams stated the first-floor plan shows tenants park in designated spaces and then
317 will enter the vestibule to elevator service up to residential spaces; there are separate access points
318 for residential and retail spaces, there are also service entrances all of which will be clearly
319 marked.

320
321 Chair Clymer requested clarification regarding lighting plans. Mr. Williams stated within the
322 parking lot there are double sided fixtures, pole mounted fixtures set at 16' along with single post
323 lighting. Confirmed within lumen requirements.

324
325 Chair Clymer read through the Source Protection Overlay standard. Mr. Wolfgang confirmed
326 criteria met.

327
328 P. Roberts requested clarification regarding if there is a pedestrian access across the parking lot
329 from the retail to the existing Pinnacle building. Mr. Wolfgang confirmed.

330
331 At 8:04pm L. Wasserman made the motion to direct the zoning administrator to draft a decision
332 approving the project with recommended conditions. The motion was seconded by W. Ardolino.
333 The motion passed unanimously.

334
335 **Other Business:**

336
337 Meeting minutes from 10/04 were approved by motion made at 8:05 by L. Wasserman, seconded
338 by M. Black and unanimously approved.

339

340 At 8:07pm M. Black made the motion to enter into deliberative session and adjourn the meeting, the
341 motion was seconded by L. Wasserman and unanimously approved.

342

343 The meeting adjourned and the DRB entered deliberative session.

344

345 Respectfully Submitted,

346 Layne Darfler

347