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**Town of Stowe
Development Review Board
Meeting Minutes – January 3, 2022**

A regular meeting of the Development Review Board was held on Tuesday, January 3, 2023, 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, Chris Walton, Tom Hand, Peter Roberts, Leigh Wasserman, David Kelly, William Ardolino (alternate), Sarah Henshaw (alternate)

Staff Present: Sarah McShane- Planning & Zoning Director, Ryan Morrison- Deputy Zoning Administrator

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

Approval of the Agenda

Chair Clymer called the meeting to order at 5:04pm

At 5:04pm T. Hand moved to go into deliberative session. The motion was seconded by M. Black and passed unanimously.

At 5:18pm the board exited deliberative session and Chair Clymer called the meeting back into order.

Project #: 6971 (Cont. from 10/4 & 11/1)

Owner: Paul E Percy Trustee/Percy Farm Trust

Tax Parcel #: 10-114.000

Location: 29 Percy Hill Rd

Project: Increase Ag-PUD by Adding Landmark Meadows; Amend Density on Parcel Within Bouchard AG-PUD

Zoning: RR2

Chair Clymer noted that, after legal counsel, the DRB will not be deciding the issue of who owns the development rights.

At 5:21pm Chair Clymer swore in Paul Percy, William Grigas, and Kristen Sharpless.

Chair Clymer provided Mr. Percy, Mr. Grigas, and Ms. Sharpless the opportunity to offer comment before the DRB would review the standards. Mr. Grigas noted that the memo he submitted prior to the first hearing, on behalf of the Covered Bridge group, still adequately lays out their perspective.

Chair Clymer noted that after consultation with the Town Attorney, the DRB will not apply the Stowe Club Test.

At 5:26pm C. Walton made the motion to close the hearing, and deliberate and render a written decision within 45 days. The motion was seconded by M. Black and unanimously approved.

Project #: 7020 (Cont. from 12/06)

45 **Owner: 1500 Edson Hill Holdings LLC**
46 **Tax Parcel #: 11-029.000**
47 **Location: 1500 Edson Hill Rd**
48 **Project: Partial Review of Section 3.9(1)(c) (4) & (6)/Nonconforming Use**
49 **Zoning: RR5/RHOD**

50
51 At 5:33pm Chair Clymer swore in Tyler Mumley and Eric Stacy.

52
53 T. Mumley handed out an additional memo which is a revision to the original October 2022
54 narrative. He explained they are seeking approval for construction of new building area that will
55 house lodging units. The timeline was created to understand what happened on the property over
56 the years. In the 40s and 60s the majority of Edson Hill was constructed and there was a 10-unit
57 manor building and a 10-unit annex building which still exist today. In the early 80s they were
58 approved to construct 2 carriage houses, each containing 4 units. In 1986 the Planning Commission
59 approved a third carriage house of 4 units and also approved modifications to the annex building to
60 decrease from 6 lodging units upstairs to 3 lodging units upstairs, and from 4 staff rooms
61 downstairs to 2 staff rooms downstairs – essentially a swap for the third carriage building.

62
63 T. Mumley stated that as of 1986, there were 28 units; 10 units in the manor, 10 units in the annex,
64 and 8 units in the two carriage houses. And from the late 80s until now, the annex was decreased
65 and the third carriage house was added. Over time, 1 unit was removed from the manor, and then
66 later 2 more units were removed from the manor.

67
68 Chair Clymer asked if the footprint of the three cottages have remained the same since they've been
69 built. T. Mumley confirmed. Chair Clymer asked if the footprint of the manor has changed since it
70 was constructed. T. Mumley responded that it hasn't since the 1970s. The annex has changed with
71 a 15'x40' addition in 2017. Chair Clymer asked if the only aggregate floor area that has changed
72 since the applicant's timeline ends was the 15'x40' addition to the annex? T. Mumley confirmed.

73
74 T. Mumley stated that they are in front of the DRB to confirm the number of units allowed on the
75 property. Once this information is confirmed they will prepare a site plan which reflects the actual
76 proposal.

77
78 T. Hand stated that one thing to clarify on the plans and memo is the total unit count. Chair Clymer
79 stated that the real focus will be the aggregate floor area. T. Hand stated that the floor space of
80 actual nonconforming use space, not other uses that are permitted on the property, should be
81 focused on and the other half of it is the unit count. As a whole, you've continued to operate as a
82 lodging facility, a use that has never stopped. This comes down to what's the unit count that you
83 want to work against, and is it the initial 28 or the 26 or 24 unit count when the 50% expansion
84 regulation was adopted. T. Mumley confirmed that they'd like to go back to 28.

85
86 Chair Clymer requests a straw vote to determine how the board will rule in moving forward –
87 either basing the nonconforming use on aggregate floor area or unit count. There are two
88 considerations: 1) the acceptance that the unit count is 28, and 2) that the board agree with the
89 square footage calculations.

90
91 S. McShane asked how many units exist today. T. Mumley responded that there are 22 lodging units
92 and the owner's quarters which has 2 bedrooms in it.

93

94 L. Wasserman asked how the lobby and other buildings that are involved in the resort use are
95 characterized. T. Mumley responded that to him, the nonconforming use includes anything that is
96 accessory to the nonconforming use. The restaurant, the lobby, anything that's not purely sleeping
97 quarters are still part of the nonconforming use.
98

99 Chair Clymer commenced the straw vote. The first question: does the board agree with the square
100 footage calculations that have been presented, which include a potential expansion of 6,833 sf? 6
101 board members voted in the affirmative and 1 member Chris Walton, abstained. The second
102 question: does the board agree with the unit calculation of 28 allowable units? The board
103 unanimously agreed.
104

105 S. McShane stated that in terms of procedure this is a formal application, however they have only
106 requested partial review. The applicant can either withdraw the application, or it can be continued
107 to a time and date certain. The applicant requested a continuance to the June 6, 2023 DRB meeting
108 date.
109

110 At 6:20pm L. Wasserman made the motion to continue the application to the June 6, 2023 DRB
111 meeting date. The motion was seconded by M. Black and approved with 6 in the affirmative and 1
112 abstaining (C. Walton).

113 **Project #: 7039**

114 **Owner: The Green Mountain Experience LLC**

115 **Tax Parcel #: 11-149.000**

116 **Location: 3418 Mountain Rd**

117 **Project: Construct an 80' X 150' Recreation Building with Associated Site Improvements**

118 **Zoning: UMR/RR2**
119

120 M. Black recused herself from the review. Will Ardolino (alternate) and Sarah Henshaw (alternate)
121 joined the meeting for this review. Chris Walton left the meeting entirely and did not participate.
122

123 At 6:23 pm Chair Clymer swore in Tyler Mumley, George Coultas and Noah Labow.
124

125 T. Mumley provided a brief summary of the project; the Applicant is proposing a new building on
126 the subject property to operate as an indoor recreational use. There is an existing driveway which
127 will be improved, and an existing foundation for a previous structure that will be removed. The
128 proposed building will be 80'x150' and used as an indoor recreational use. The building will be
129 serviced by municipal water and sewer. An application has been submitted to VTrans for the
130 access. Improvements consist of parking areas, pedestrian access, minor landscaping, and
131 stormwater improvements. Parking is anticipated for the number of employees and guests, taking
132 into consideration that a high number of guests will be dropped off. A 50-foot buffer from existing
133 wetlands will be maintained.
134

135 S. McShane stated that the use is a conditional use in the underlying zoning district. T. Mumley
136 stated that there are no outdoor recreation uses proposed, but there could be the occasional person
137 hanging out outside.
138

139 Chair Clymer asked the applicant if they're aware of the Stowe Fire Chief's conditions and if they'll
140 be able to satisfy those. T. Mumley confirmed.
141

142 At 6:37pm Chair Clymer swore in abutting property/condo owner Rob Wettach.

143

144 T. Hand stated that he has concerns over the aesthetics of the structure and the surrounding
145 environment, and whether the structure will be permanent. George Coultas confirmed that it will
146 be a permanent structure and it will be difficult to see.

147

148 Rob Wettach stated that they (residents of Savage Pond) will be looking down on the structure and
149 want trees to stay and the buffer maintained.

150

151 T. Hand proposed a site visit to assess the aesthetic impacts to the surrounding area and
152 neighboring historic home, as well as an overall review of the project.

153

154 Chair Clymer noted that the parking regulations require parking to locate at the rear and/or sides
155 of a commercial property. The proposal identifies parking at the front. G. Coultas stated that they
156 will utilize the pre-existing parking conditions where parking was located at the front.

157

158 W. Ardolino asked if there will be competitions held inside the space. G. Coultas responded that
159 there may be one held every once in a while, but no regular competitions.

160

161 T. Hand asked if the parking area had accommodations for vehicles to be able to circle back around.
162 T. Mumley responded that they will take that into consideration.

163

164 T. Hand noted that landscaping around the building and around the parking lot should be looked
165 into for additional screening, shading and general aesthetic purposes, while also taking into
166 consideration snow storage.

167

168 Chair Clymer asked about use of the existing pond for use as stormwater mitigation. T. Mumley
169 responded that it's a manmade pond and has an overflow structure into the existing stream.
170 Stormwater from the east side of the structure would be collected via swale then brought down to
171 the pond. Then the entire west side of the building and parking areas and such would sheetflow to
172 a new swale and then to a new dry-pond area below the parking which will have an overflow to an
173 existing swale that connects to an existing culvert which then goes to an existing ditch and flows
174 down towards Mountain Road. This is more an informal stormwater control system since the
175 project doesn't trigger the need for local or state stormwater permits.

176

177 T. Mumley stated that in the middle of the parking lot is a double headed cobra head light. Sidewalk
178 bollards will illuminate the walkways leading to the entrance.

179

180 Chair Clymer asked about interior lighting and the possibility of light emitting through the tent-like
181 material. G. Coultas responded that the structure has a top crown that will be transparent, but the
182 rest of the roof will not emit any light. Noah Labow responded that they will need interior lighting
183 to be able to operate till closing time. T. Hand stated that additional lighting should be looked into
184 along the entry drive for safety precautions, as long as they have minimal impact.

185

186 T. Hand noted again that he'd like to conduct a site visit. Chair Clymer asked if there are any other
187 outstanding issues needing to be addressed. T. Mumley responded that they will look into
188 additional landscaping and confirmation on lighting. T. Hand noted the following to be addressed:
189 confirmation on the color of the structure; confirmation of the character and aesthetic of the
190 structure and landscaping; confirmation on whether or not the neighboring house is historic or not
191 and if there are any implications to that; confirmation that parking lot landscaping requirements
192 have been met; and confirmation of the lighting standards.

193
194 At 7:40pm T. Hand made the motion to continue the application to the January 17, 2023 DRB
195 meeting, proceeded by a site visit at 4:00pm on that same day, with the information requested
196 submitted a week prior and the site staked by January 13, 2023. The motion was seconded by
197 Sarah Henshaw and approved unanimously.

198
199 At 7:43pm Chair Clymer declared a five-minute break before beginning the next application review.

200 **Project #: 7021**
201 **Owner: LC1 Owner Stowe Vt LLC c/o Lajoie & Goldfine**
202 **Tax Parcel #: 7A-101.000**
203 **Location: 89 Golden Eagle Dr**
204 **Project: Final Subdivision Review to Create 3 Lots**
205 **Zoning: VC30/VR40/HT**

206
207 M. Black rejoined the meeting. S. Henshaw left the meeting.

208
209 At 7:51 Chair Clymer swore in Chris Austin, Sarah Heneghan, Carol Van Dyke, Herb Hillman, and
210 Danielle Pack McCarthy.

211
212 C. Austin provided a brief summary of the project; the Applicant is proposing a three lot
213 subdivision of the existing 31 +/- acre resort property which contains the Golden Eagle resort and
214 their multiple buildings. No construction is proposed and there are 3 existing accesses for each
215 proposed lot. The 1.02 acre lot will contain the existing historic house along Rte. 108 that isn't part
216 of the resort. The 15 acre resort lot will contain all resort buildings of the property. The third lot,
217 Lot A, located on the south side of Eagle Ridge Road, will be 14.8 +/- acres in size. Three different
218 zoning districts exist throughout the subject property: Highway Tourist; VC-30; and VR-40.

219
220 Danielle Pack McCarthy asked what the purpose of the subdivision is. C. Austin responded that the
221 purpose is to separate the historic house from the resort property and to separate the acreage
222 south of Eagle Ridge Road from the resort itself, essentially just reconfiguring the parcels.

223
224 At 7:55pm Chair Clymer went through the standards.

225
226 Chair Clymer asked if there were any questions or concerns from the abutters. Carol Van Dyke
227 asked what's to be done with the historic home. C. Austin responded that the home is currently
228 unoccupied and does not contain sewer/water services. There are no plans for the structure and
229 the applicant just wants to subdivide it off from the resort use. Also, it was acknowledged that
230 there is one owner for the proposed 3 lots, and the subdivision plan will be revised to reflect that.

231
232 At 8:09pm T. Hand made the motion to have the zoning administrator draft findings of facts and
233 conclusions of law approving the application. The motion was seconded by M. Black and
234 unanimously approved.

235
236 **Other Business:**

237
238 At 8:13pm the motion was made to approve the minutes from 12-6-22 by T. Hand. The motion was
239 seconded by M. Black and unanimously approved.

240
241 At 8:38pm the meeting was adjourned.

242

243 Respectfully Submitted,

244 Ryan Morrison

245