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**Town of Stowe
Development Review Board
Meeting Minutes – August 1, 2023**

A regular meeting of the Development Review Board was held on Tuesday, August 1, 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, Tom Hand, David Kelly, Mary Black, Peter Roberts, Patricia Gabel, and Andrew Volansky (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

Meeting Chair Clymer called the meeting to order at 5:03pm.

Tom Hand made the motion to go into deliberative session. David Kelly seconded the motion, and with a unanimous vote, the Board went into deliberative session.

At 5:23pm, deliberative session ended, and Chair Clymer reopened the meeting.

Development Review Public Hearings

Project #: 7114

Owner: Ryan Lamberg & Anne Kromme

Tax Parcel #: 7A-138.000

Location: 78 Highland Ave

Project: Demolish single-family dwelling [after-the-fact] and construct a new single-family dwelling

Zoning: VR20/SHOD

Peter Roberts and Andrew Volansky were recused.

Chair Clymer opened the hearing and swore in Ryan Lamberg, Travis Spaulding and Chris Nordle. Chris Nordle presented the application on behalf of the owner/applicant. C. Nordle explained the history of the project, and that the HPC had recently recommended approval for the after-the-fact demolition and the plans for the new home to be constructed. The DRB reviewed each applicable standard. Tom Hand made a motion to direct the Zoning Administrator to draft Findings of Fact and Conclusions of Law in support of the Applicant’s request for an after-the-fact demo and construction of a new single-family dwelling. The motion was seconded by Mary Black and approved 4-0 (Patricia Gabel abstained).

Project #: 7173

Owner: Tarwood NV Incorporated c/o Pomerleau Real Estate

Tax Parcel #: 07-010.000

Location: 1056 Mountain Rd

Project: Convert existing gym & yoga tenant areas to daycare center/install new windows

46 **Zoning: HT**

47

48 Chair Clymer opened the hearing and swore in Michael Perpall. Mr. Perpall presented the
49 application, which is to expand the existing Apple Tree Learning Center into adjacent, indoor space.
50 The proposal will see an increase in the number of children and staff, as well as additional traffic
51 daily. The number of parking spaces dedicated to the daycare center will also increase. Mr. Perpall
52 stated that the parking for all users of the property will be satisfied. The DRB reviewed each
53 standard, discussed, and asked questions of the applicant. Tom Hand expressed concern that the
54 parking study didn't adequately address all businesses in the facility and requested that it be
55 revised to do so. Following DRB review, Mary Black made a motion to continue the hearing to the
56 August 15, 2023 meeting date and that the Applicant provide additional parking information. The
57 motion was seconded by Andrew Volansky and unanimously approved.

58

59 **Project #: 7186**

60 **Owner: Katherine Pavelich & Stefan Grundmann**

61 **Tax Parcel #: 7A-170.000**

62 **Location: 11 Taber Hill Road**

63 **Project: Setback waiver to construct a garage within rear setback**

64 **Zoning: VR20 / SHOD**

65

66 Chair Clymer opened the hearing and swore in Sam Scofield, Architect for the Applicant. The
67 application involves a request by the Applicant to permit a rear yard setback waiver to construct a
68 new garage. The DRB reviewed each standard, discussed, and asked questions of the applicant.
69 David Kelly asked if the Applicants considered a one-car garage in an effort to comply with the rear
70 yard setback requirement, or if they considered acquiring additional land from the neighboring
71 property to be able to comply with the setback requirements. Mr. Scofield responded that a two-car
72 garage is desired and there will likely be an accessory dwelling unit in the upper floor. Mr. Scofield
73 was unaware if there were any conversations between the Applicants and the neighboring property
74 owners about acquiring more land so that the rear yard setback could be met. Following DRB
75 review, Andrew Volansky made a motion to direct the Zoning Administrator to draft Findings of
76 Fact and Conclusions of Law in support of the Applicant's request for a rear yard setback waiver for
77 the proposed garage. The motion was seconded by Tom Hand and passed with a 6-1 vote (David
78 Kelly).

79

80 **Project #: 7157**

81 **Owner: AWH Stowe Resort Hotel LLC c/o AWH Partners LLC**

82 **Tax Parcel #: 11-138.000**

83 **Location: 199 Topnotch Dr**

84 **Project: Extend outdoor event permit to 11/23/2025**

85 **Zoning: UMR / FHD**

86

87 Chair Clymer opened the hearing and swore in participants; Paul Martin & Nancy LaVanway. The
88 application involves a request to extend an existing events permit for an events tent. Mr. Martin
89 said that they have been coming to the DRB every two years to obtain the same extension for the
90 last several years. No changes to the existing permit are proposed. The DRB reviewed each
91 standard, discussed, and asked questions of the applicant. Chair Clymer asked when the tent
92 currently in place went up. Mr. Martin responded that the tent went up on May 18th. Chair Clymer
93 also asked if there were any changes from the existing permit and/or event activities. Mr. Martin
94 confirmed that there are no changes proposed. Mr. Martin also noted that the tent is planned to be

95 taken down by November 23rd, but they'll usually take it down by the end of October when no more
96 events are planned. Nancy LaVanway asked if they would consider having the tent flaps down all
97 the time. Mr. Martin responded that the flaps are usually up unless the weather is cold and/or
98 rainy. The flaps at both ends of the tent are usually always up to allow for easy ingress/egress.
99 Tom Hand made a motion to direct the Zoning Administrator to draft Findings of Fact and
100 Conclusions of Law in support of the Applicant's request to extend the outdoor event permit to
101 11/23/2025. The motion was seconded by Andrew Volansky and unanimously approved.
102

103 **Project #: 7167**
104 **Owner: Nathan Hemmer & Megan Lea**
105 **Tax Parcel #: 07-382.000**
106 **Location: 62 Watts Ln**
107 **Project: Variance request to construct a new garage**
108 **Zoning: RR5**
109

110 Chair Clymer opened the hearing and swore in participants; Nathan Hemmer, Mike Hemmer and
111 Ernest Chenoweth. Nathan Hemmer presented the application, noting that he would like a variance
112 to the front yard setback because placing the garage in a location that complied with setbacks is
113 difficult due to topography, wetlands, and the location of the septic system. The DRB reviewed each
114 standard, discussed, and asked questions of the applicant. Tom Hand noted that he had a difficult
115 time seeing compliance with the first variance criteria, which also happens to be an approval
116 criterion for setback waivers – which is that topography makes development impossible. He stated
117 that development can occur on such slopes, noting that the existing house exists on the same slope
118 immediately adjacent to the proposed garage. Other DRB members shared that thought. After
119 running through other possibilities, the sense was that neither a variance or a setback waiver could
120 apply, and the applicant should consider revising the plans to demonstrate compliance with the
121 setback requirements or withdraw the application. The applicant testified that he withdraws the
122 application.
123

124 **Project #: 7165**
125 **Owner: Stowe Electric Department**
126 **Tax Parcel #: 07-134.000**
127 **Location: 0 Cady Hill Rd (e911 # to be assigned)**
128 **Project: Construct storage barn and related site improvements**
129 **Zoning: RR2**
130

131 Chair Clymer opened the hearing and swore in participants; Jackie Pratt, Michael Lazorchak, RJ
132 Thompson, Gregory Morrill, Tim Bartholomew, and Margaret Scotti. Jackie Pratt presented the
133 application which is to construct a storage barn for Stowe Electric. The property already is used for
134 storage, albeit outdoor storage. That outdoor storage will be stored inside the new barn. There will
135 be 2 additional trucks visiting the property per week. The barn will replace an existing berm and
136 act as a substitute screen to the neighboring Transco facility. The DRB reviewed each standard,
137 discussed, and asked questions of the applicant. RJ Thompson commented that the proposed
138 location is the most amenable, but his primary concern is the increased truck traffic, and requested
139 that a condition be placed on the permit limiting traffic to no more than 5 trips per week. Another
140 requested condition is that there be no storage of hazardous materials. Ms. Pratt reiterated that
141 truck traffic already exists to the property because it is already used as a storage yard. The only
142 difference is that storage will now be inside. She noted the likelihood of 2 additional vehicle trips
143 per week to the property. Discussion focused heavily on vehicle traffic to the property. Tom Hand

144 noted the presence of an existing Stowe Electric Department facility in downtown Stowe and
145 questioned the need for this additional storage facility. Jackie Pratt responded that the Cady Hill
146 Road property is, and will continue to be, used as a storage facility for the Electric Department –
147 with indoor versus outdoor storage being the result. There is still need for this storage facility to
148 remain in use. Tom Hand also noted a lack of landscaping and recommended that more be
149 installed, including more ground cover. Jackie Pratt noted that the building design aims to create a
150 rural barn appearance, and that its location within the existing berm will make the barn appear less
151 imposing while acting as a screen to the Transco facility. Regarding the landscaping, she felt that
152 the proposed evergreen trees, in combination with surrounding landscaping that will remain, will
153 provide adequate landscaping. Following DRB review, David Kelly made a motion to direct the
154 Zoning Administrator to draft Findings of Fact and Conclusions of Law in support of the Applicant’s
155 request to construct a storage barn and related site improvements. The motion was seconded by
156 Peter Roberts and passed with a vote of 5-2 (Tom Hand & Chair Clymer).

157

158 **Other Business:**

159

160 None.

161

162 **Approval of Minutes:**

163

164 A motion to approve meeting minutes from July 18, 2023 was made by David Kelly and seconded by
165 Mary Black. The motion passed unanimously.

166

167 At 8:16pm the meeting was adjourned.

168

169 Respectfully Submitted,

170 Ryan Morrison

171 Deputy Zoning Administrator