



**Town of Stowe
Development Review Board
Meeting Minutes – September 5,
2023**

A regular meeting of the Development Review Board was held on Tuesday, September 5, 2023, starting at approximately 4:30 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, Chris Walton, Peter Roberts, Michael Diender, Will Ardolino, and Patricia Gabel

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

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

Meeting Chair Clymer called the meeting to order at approximately 4:30pm.

(4:35 PM) Executive Session – Legal Matters

David Kelly made a motion, seconded by Mary Black to enter executive session to receive confidential attorney-client communications made for the purpose of providing professional legal services and upon finding that premature general public knowledge would clearly place the public body at a substantial disadvantage. The motion passed unanimously. The DRB entered executive session; members of the public exited the room. DRB members participating in the executive session included Drew Clymer, Tom Hand, David Kelly, Mary Black, Michael Diender, and Will Ardolino.

The DRB exited executive session at approximately 5:00 pm. Michael Diender made a motion, seconded by Mary Black, to approve the request for a remand of project # 7057. The motion passed unanimously. Will Ardolino and Michael Diender left afterwards and did not attend the regularly scheduled DRB hearings.

Peter Roberts, Chris Walton, and Patricia Gabel joined the DRB following the executive session and participated in the regularly scheduled public hearings.

Development Review Public Hearings

Project #: 7133 (Cont. from 8/15/23)

Owner: LC1 Owner Stowe, LLC c/o Lark Capital

Tax Parcel #: 7A-101.000

Location: 89 Golden Eagle Dr

Project: Construct 6 Lodging Unit Cabins, Remove Internal Roadway and Parking Area, and Relocate Parking.

Zoning: VC-30/HT

Sarah McShane explained that the Applicant requested to continue the hearing to obtain additional information. Mary Black made a motion to continue the hearing to the September 19th DRB meeting. The motion was seconded by David Kelly and unanimously approved.

46 **Project #: 7218**
47 **Owner: Castine Mountain Road LLC**
48 **Tax Parcel #: 11-103.000**
49 **Location: 4527 Mountain Rd**
50 **Project: Reopen Hearing on Projects 5768 & 6521 [No. 21-ENV-00098] per Environmental**
51 **Court Remand/Construct a Duplex.**
52 **Zoning: UMR**

53

54 [This hearing is a remand of Project #5768 from the Environmental Division of the Vermont
55 Superior Court. Judge Thomas S. Durkin remanded the application to the DRB so the DRB could
56 render adequate findings of fact and conclusions of law with respect to the standards established in
57 the Town of Stowe Zoning Regulations. Judge Durkin vacated condition 7 as an invalid condition
58 subsequent and remanded issues outlined in Mr. Seaberg's questions 2 through 9 related to side
59 yard landscaping, screening, stormwater impacts, stormwater management, compatibility with the
60 existing site and neighboring properties, and character of the area, so that the DRB could
61 incorporate more specific and sufficient findings and conclusions and may more fully address the
62 deficiencies identified in the Court's analysis of Mr. Seaberg's Questions 2 through 9.]

63

64 [Judge Thomas S. Durkin vacated part of Condition 15 requiring the Applicant to maintain "an
65 adequate stormwater drainage system... to ensure... [no] undue adverse impact on the neighboring
66 properties" and remanded the matter to the DRB to make necessary findings of fact and conclusions
67 of law regarding undue adverse stormwater impacts on neighboring properties under § 3.12(2)(E).
68 Judge Durkin further directed the DRB to review the Applicant's revised landscaping plans to
69 ensure that § 4.6(3)(D) is satisfied and suggested that it would be wise for the DRB to require
70 Applicant to submit a revised site plan that no longer depicts the proposed duplex connecting to
71 town sewer. The Environmental Court decision stated, "*we strongly encourage the DRB to require*
72 *Castine to submit its final revised site plan prior to reaching its second decision on remand, as a matter*
73 *of good housekeeping and avoiding any potential for confusion.*" To date, the Applicant has not
74 submitted revised plans as requested by the DRB in January 2023.]

75

76 Chair Clymer opened the hearing and swore in Nick Lizotte, George McCain and Michael Seaberg.

77

78 Nick Lizotte addressed the issues, noting that the DRB had waived landscaping requirements.
79 Michael Seaberg stated that there is no reason that the landscaping trees can't be planted. Sarah
80 McShane noted that, to date, the Applicant has not submitted revised plans as requested by the DRB
81 in January 2023. The revised plans include: a landscaping plan, a stormwater plan, and a revised
82 site plan depicting the proposed duplex no longer connecting to town sewer as directed by the
83 Court.

84

85 George McCain provided comments as to the swale and stormwater generated by the proposed
86 project.

87

88 Mary Black made the motion to continue the hearing to the November 21st DRB meeting date, and
89 that Mr. Lizotte provide the revised plans as previously requested. The motion was seconded by
90 Patricia Gabel and unanimously approved.

91

92 **Project #: 7217**
93 **Owner: Castine Mountain Road LLC**
94 **Tax Parcel #: 11-103.000**
95 **Location: 4527 Mountain Rd**
96 **Project: Reopen Hearing on Project 5999 [No. 22-AP-028 & No. 21-ENV-00013] per**
97 **Environmental Court Remand/Construct an Attached Dwelling Unit.**
98 **Zoning: UMR**

99
100 [This hearing is a remand of Project #5999 from the Environmental Division of the Vermont
101 Superior Court. Judge Thomas S. Durkin vacated conditions 14 and 16 and remanded the
102 application back to the DRB so the DRB may render adequate findings of fact and conclusions of law
103 with respect to the standards established in the Town of Stowe Zoning Regulations § 3.12(2)(C) and
104 (E). Judge Durkin also remanded the application to the DRB so that the DRB may more fully
105 address the deficiencies identified in the Court's analysis of Mr. Seaberg's Questions 1 and 2. Judge
106 Durkin encouraged the DRB to review its decision in full and consider whether additional detail
107 may help to clarify what was decided and how the decision was reached. Upon review, the
108 Supreme Court affirmed in part, and reversed and remanded in part, the Environmental Court's
109 decision affirming the DRB's approval of Applicant's conditional use application. The
110 Environmental Court then remanded the matter back to the DRB to make findings and conclusions
111 consistent with the Supreme Court's opinion. In January 2023, the DRB requested of the Applicant
112 to provide a revised landscape plan(s) consistent with Section 4.6(3)(D) or a narrative explaining
113 why the DRB should waive this requirement and the DRB's authority to do so, and to provide any
114 supplemental information that the Applicant would like the DRB to consider regarding the time
115 schedule for completion of buildings, parking spaces, and landscaping.]

116
117 Chair Clymer opened the hearing and swore in Nick Lizotte, George McCain and Michael Seaberg.

118
119 Nick Lizotte presented the project, noting that the DRB needs to state that they waive landscaping
120 requirements. Michael Seaberg stated that there is no reason that the landscaping trees can't be
121 planted. Sarah McShane noted that, to date, none of the requested items have been submitted.

122
123 Chris Walton made the motion to continue the hearing to the November 21st DRB meeting date, and
124 that Mr. Lizotte provide the previously requested items. The motion was seconded by Mary Black
125 and unanimously approved.

126
127 **Project #: 7180 (Cont. from 8/15/23)**
128 **Owner: Spruce Peak Realty LLC**
129 **Tax Parcel #: 14-011.000**
130 **Location: Red Sled Drive/Hourglass Drive**
131 **Project: Construct Building C - a mixed-use/multi-family dwelling with 56 dwelling**
132 **units/restaurant/retail areas and associated site improvements**
133 **Zoning: RR5/SKI PUD**

134
135 Chair Clymer opened the hearing and swore in Sam Gaines, Rob Apple, John Ashworth and Dave
136 Marshall.

137

138 Sam Gaines and Rob Apple presented the application, which includes construction of a mixed-use
139 building – including 56 dwelling units and restaurant/retail spaces on the ground floor. Recently, a
140 lot line adjustment was approved to accommodate the new building. Chair Clymer went through
141 the standards. Chair Clymer asked if the proposal eliminates any public/day use parking. S. Gaines
142 replied that the newly built parking garage nearby will address each application for development in
143 the Spruce Peak area. Chair Clymer also asked how the proposed building fits in with the other
144 buildings in the development. S. Gaines it will be roughly the same scale as the adventure center. S.
145 Gaines added that they met with Fire Chief Reeves and they will incorporate his requirements into
146 revised plans. Additionally, a new agreement with the Town for water and sewer allocation will be
147 sought. Chair Clymer inquired about traffic impacts. S. Gaines responded that this was all part of
148 the master plan. This building is the last remaining large building of the master plan. They are able
149 to see how often regular users of the buildings check-in and remain onsite for the duration of their
150 stays, utilizing nearby amenities – thus no real reason to come and go from the development. Day-
151 use parking will continue to be provided on the Spruce Peak side and the Stowe Mountain side.
152 They have agreements in place to be able to share one another’s parking when demand dictates,
153 such as skier days, special events, etc.

154
155 John Ashworth gave an overview of the proposed landscaping – which is consistent with
156 landscaping throughout the Spruce Peak area. Stormwater will tie into the existing stormwater
157 system. T. Hand asked about the height of the pole lights. S. Gaines responded that they will be
158 consistent with pole lights found around the Spruce Peak area – 12’ along pedestrian walkways, 15’
159 along roadways, and bollards will be 32”.

160
161 David Kelly made the motion to close testimony and direct the Zoning Administrator to draft
162 Findings of Fact and Conclusions of Law in support of the Applicant’s request to construct Building
163 C as presented. The motion was seconded by Mary Black and passed 6-1 (Patricia Gabel).

164
165 **Project #: 7182**
166 **Owner: Stowe Country Homes / Alison Karosis**
167 **Tax Parcel #: 07-150.000**
168 **Location: 541 South Main St**
169 **Project: Construct a Laundry Room Building Addition**
170 **Zoning: LVC**

171
172 Chair Clymer opened the hearing and swore in participants; Alan Guazzoni, Alison Karosis, Tyler
173 Mumley, Josh Ravit, and Linda Giudice.

174
175 Alan Guazzoni presented the application, which includes the construction of a laundry room
176 addition and an additional parking area. The laundry addition will be just for tenants of the
177 property, not open to the public. The duplex structure currently under construction will be used
178 for workforce housing for Stowe Country Homes or J-1s. Chair Clymer went through the standards.
179 T. Hand asked about the steepness of the access to the new parking area, and also noted that some
180 of the parking spaces don’t appear to be able to function properly given the layout. A. Guazzoni
181 stated that the slope is about 10%, and that it will all be gravel. The Board inquired about
182 stormwater impacts. A. Guazzoni responded that the addition should not impact stormwater.
183 Linda Giudice asked about tree removal and setbacks. A. Guazzoni stated that all proposed
184 development will comply with the required setback minimums. David Kelly made the motion to
185 continue the hearing to the October 3rd, 2023 DRB meeting date, and that the applicant provide
186 stormwater impact analysis, a revised parking layout, light fixture cut sheets, lamp post heights,

187 clearing limits, and impervious surface calculations. The motion was seconded by Mary Black and
188 unanimously approved.

189

190 **Project #: 7184**

191 **Owner: Maple Corner Investments LLC**

192 **Tax Parcel #: 7A-135.020**

193 **Location: 59 Mountain Rd #B**

194 **Project: Demolish Blacksmith Shop Building and Rebuild In-kind with the Additions**

195 **Approved Under Projects 7147 &7062.**

196 **Zoning: VC-30/SHOD**

197

198 Chair Clymer opened the hearing and swore in participants; Andrew Volansky and Kelley Osgood.

199

200 Andrew Volansky presented the application, which includes the demolition of the historic
201 blacksmith shop and in-kind replacement, complete with the previously approved building
202 additions. The Applicant noted that it was financially beneficial to demolish and rebuild the
203 structure, as opposed to rehabilitation. This project received a favorable recommendation from the
204 Stowe Historic Preservation Committee. Tom Hand made the motion to direct the Zoning
205 Administrator to draft Findings of Fact and Conclusions of Law in support of the Applicant's request
206 to demolish the historic blacksmith shop building and rebuild it 'in-kind' with the previously
207 approved additions. The motion was seconded by David Kelly and approved 6-0 (Peter Roberts
208 abstained).

209

210 **Project #: 7193**

211 **Owner: WH Stowe LLC**

212 **Tax Parcel #: 07-021.000**

213 **Location: 876 Mountain Rd**

214 **Project: Improvements to Lodging Facility Including Conversion of Existing Restaurant and**

215 **Banquet Space in the Main Building to Storage Space, Additional 14 Lodging Units and 13**

216 **Cabin Units, Alteration of the Existing Tennis Building to 11 Units and the Pool Building to 7**

217 **Units, and Associated Site Improvements.**

218 **Zoning: HT/FHD**

219

220 Chair Clymer opened the hearing and swore in participants; Tyler Mumley, Matt Berry, Kelley
221 DesRoches, Peggy Blackall, John Sexton, and Connor Jones.

222

223 Tyler Mumley presented the application which includes the conversion of the existing restaurant
224 and banquet space in the Main Building to storage space, an additional 14 lodging units and 13
225 cabin units, the alteration of the existing Tennis Building to 11 units and the Pool Building to 7
226 units, and additional site improvements. The cabins will be pre-fabricated and brought onto the
227 site. Pedestrian access, as well as emergency services access will be provided to the cabins. All
228 other buildings will retain existing accesses. The secondary curb cut/access onto Mountain Road
229 was closed to general use with a gate but will remain accessible for emergency vehicles. Parking
230 areas will be either paved or gravel, as depicted on the plans. Chair Clymer went through the
231 standards. Cabin #13 was noted as being over the side yard setback line. T. Mumley stated that
232 they will move it on the plans to demonstrate compliance. In total, there will be 76 lodging units,
233 and 100 parking spaces. T. Mumley also added that they agree with, and will meet, the Fire
234 Department's requirements/conditions. He also added that he will reach out to EMS regarding
235 their comments. T. Hand suggested that a landscape island be installed to break up the long row of

236 parking in front of the Tennis Building. Chair Clymer swore in Nick Donahue. N. Donahue asked
237 where snow will be stored and noted that the hot tub is within the front yard setback. T. Mumley
238 noted that given the site layout, snow will not be pushed onto Mr. Donahue's property. The hot tub
239 will be relocated to a location that complies with setback requirements.
240

241 Tom Hand made the motion to continue the hearing to the September 19th, 2023 DRB meeting date,
242 and for the applicant to provide revised plans that incorporate a landscape island in the long
243 parking row, that relocates the hot tub, that cabin 13 be shifted on the plans to meet the setbacks,
244 and for the submittal of all light fixture cut sheets. The motion was seconded by Patricia Gabel and
245 unanimously approved.
246

247 **Other Business:**

248
249 None.

250
251 **Approval of Minutes:**

252
253 A motion to approve meeting minutes from August 1, 2023 was made by Drew Clymer and
254 seconded by Mary Black. The motion passed unanimously.
255

256 A motion to approve meeting minutes from August 15, 2023 was made by Patricia Gabel and
257 seconded by Drew Clymer. The motion passed unanimously.
258

259 At 10:06pm the meeting was adjourned.
260

261 Respectfully Submitted,
262 Ryan Morrison
263 Deputy Zoning Administrator