



**Town of Stowe
Development Review Board
Meeting Minutes – September 3, 2024**

A regular meeting of the Development Review Board was held on Tuesday, September 3, 2024, 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, Peter Roberts, Tom Hand, Patricia Gabel, Andrew Volansky, David Kelly, Lynn Altadonna, and Will Ardolino.

Staff Present: Sarah McShane- Planning and Zoning Director, Ryan Morrison - Deputy Zoning Administrator, Kayla Hedberg- Planning & Zoning Assistant

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

Meeting Chair Clymer called the meeting to order at approximately 5:05pm.

The Board approved the agenda for the meeting.

Development Review Public Hearings

Project #: 7355 (cont. from 5/21, & 8/6)

Owner: Jameson Partners LLC 926 & 928 Pitt St LLC’s & Donahue N & K

Tax Parcel #:07-034.000

Location: 782 Mountain Rd

Project: Construct a 48-unit, predominantly retirement rental housing, building and associated site improvements.

Zoning: HT/FHD

Participating DRB Members: Drew Clymer, David Kelly, Patricia Gabel, Mary Black, Andrew Volansky, William Ardolino (arrived late), and Lynn Altadonna. Tom Hand recused himself given his professional involvement with the project.

Present Aaron Stewart, Nick Donahue (present on zoom) and Tom Hand- all representing the Applicant.

D. Clymer reviewed the standards and requested testimony. Mr. Stewart responded to D. Clymer’s questions, noting that since the last DRB hearing, the board had been provided with a newspaper article addressing the shortage of senior housing in the area and revised plans.

L. Altadonna expressed concerns regarding potential flooding from the Little River. In response, A. Stewart stated that the property is situated uphill from the bike path and should not be at risk of flooding.

D. Clymer requested clarification on how the applicant plans to maintain senior occupancy. A.

45 Stewart explained that at least one resident of each unit would be required to be 55 years of age or
46 older. The building will initially be advertised as a 55+ community. If units remain unrented after a
47 month, they will be offered to the general public. However, the applicant must ensure that at least
48 51 percent of the residents are over 55. Should this percentage not be maintained, additional units
49 cannot be rented to the public. The applicant will maintain demographic records to ensure
50 compliance, which will be available upon request.

51
52 P. Gabel inquired about the project's strategy for attracting the 55+ community. A. Stewart
53 explained that while the apartments will be designed to be accessible for older residents, not all
54 units will be ADA compliant. The design was based on models from other local retirement
55 communities, aiming to support aging in place without offering specific aging services.

56
57 D. Clymer swore in J. Grenier and A. Stewart at 5:15 p.m.
58
59 D. Clymer confirmed with S. McShane that no additional guidance from Harry Shepard – Director of
60 the Department of Public Works (DPW) regarding the town's service capabilities had been received.

61
62 J. Grenier and A. Stewart confirmed that they had not received any additional information from
63 DPW.

64
65 D. Clymer confirmed with A. Stewart that the recommendations from both the Fire Department and
66 the Police Department had been addressed. A. Stewart verified that the Fire Department's
67 recommendations had been fully integrated and indicated that they were evaluating the optimal
68 approach to incorporate the generator suggested by the Police Department.

69
70 D. Clymer inquired about access management and parking. A. Stewart confirmed that the uphill
71 curb cut/driveway entrance will remain unchanged, while adjustments will be made to the
72 downhill curb cut to improve accessibility. The parking plan includes both underground and
73 ground-level facilities, with a total of 116 spaces requested to meet the needs of residents, despite
74 the regulatory requirement of 111 spaces.

75
76 L. Altadonna revisited his previous inquiry regarding the feasibility of installing a bus stop. A.
77 Stewart reaffirmed their willingness to consider providing a bus stop/shelter.

78
79 W. Ardolino inquired about the availability of parking and whether parking lots were assigned to
80 specific buildings. A. Stewart confirmed that parking lots are not designated for individual
81 buildings. However, there are 54 parking spaces next to senior housing, and the underground
82 parking is restricted to residents.

83 A. Stewart clarified that a traffic study had been conducted, which concluded that the
84 project would not significantly impact traffic flow. He also addressed pedestrian circulation
85 and access, noting the presence of existing sidewalks and the addition of connecting
86 sidewalks between buildings. Furthermore, plans include widening the walking path to the
87 bike path to enhance accessibility.

88 D. Clymer sought further clarification on parking, specifically regarding efforts to reduce
89 parking congestion along Mountain Road. T. Hand responded that they plan to straighten
90 the current access point and add a combination of evergreen and deciduous trees for

91 screening. He indicated that he believes side-profile parking would be a more effective
92 solution.

93 D. Clymer inquired about the landscaping and outdoor lighting plans. A. Stewart explained
94 that the objective is to minimize land clearing while planting additional greenery, as
95 necessary. The lighting will adhere to the photometric study previously approved for a past
96 project.

97 W. Ardolino requested clarification on the rec path, expressing concerns based on previous
98 indications that it was inaccessible due to flooding. A. Stewart responded that access to the
99 rec path has always been a fundamental aspect of the project. He acknowledged the
100 potential for flooding in the depression as discussed in the analysis. J. Grenier further
101 explained that there is no stormwater retention on the site currently and full retention is
102 proposed. A stormwater discharge permit from the State of Vermont will be obtained.

103 P. Gabel raised the issue of two parking spots situated within the setback and inquired
104 whether they could be relocated outside of this area. T. Hand confirmed their willingness to
105 adjust the placement of these two parking spots.

106 J. Kytly, who identified as not an interested person, sought clarification on the affordability
107 of the apartments and the Department of Public Works' (DPW) capacity to serve the
108 project. D. Clymer clarified that market pricing is outside the board's purview and not open
109 for discussion at this meeting. He also confirmed that the project's progression is
110 contingent upon the DPW's capacity to serve municipal water and sewer service.

111 D. Clymer then asked if there were any additional comments and whether the board had
112 sufficient information to proceed with a decision. He reiterated that the project still
113 requires obtaining a state stormwater permit, a 1111 permit from the Agency of
114 Transportation, confirmation of DPW's capacity to serve, and a completed photometric
115 analysis.

116 D. Clymer stated he would entertain a motion.

117 Following the submission of testimony and evidence, A. Volansky moved to close the
118 hearing and instructed the Zoning Administrator to draft findings of fact in support of the
119 application.

120 M. Black seconded the motion, which passed unanimously.

121 The hearing was adjourned at 5:55 p.m. The DRB will render a written decision within
122 forty-five days.

123 The DRB took a five-minute break.

124

125

126 **Project #: 7325 (Cont. from 6/4)**
127 **Owner: Stowe Country Club LLC c/o Stowe Mountain Lodge**
128 **Tax Parcel #: 06-081.000**
129 **Location: 744 Cape Cod Rd**
130 **Project: Preliminary Subdivision/PUD Review including Club House, Recreational Amenities,**
131 **and Residential Uses.**
132 **Zoning: RR2/RR3**

133
134 Participating DRB Members Drew Clymer, Peter Roberts, Patricia Gabel, Tom Hand, Mary Black,
135 David Kelly, and Andrew Volansky.

136
137 D. Clymer began the meeting by reviewing the standards and requesting testimony. He inquired
138 about individuals in the audience who wished to claim "interested person" status, prompting
139 several attendees to raise their hands. D. Clymer administered oaths to these individuals at 6:06
140 p.m.

141
142 D. Clymer outlined the structure of the meeting.

143
144 K. Lilly expressed concerns regarding the notification process, stating that both she and her
145 neighbor, B. Collins, had not received proper notice of the DRB hearings.

146
147 B. Aube, representing Five Roads Stowe LLC, argued that they should be granted interested person
148 status due to potential adverse impacts on Five Roads LLC.

149
150 Attorney J. Dumont representing Debra Reiser reiterated concerns about improper notification to
151 property owners, suggesting that each condominium owner should have been notified individually.
152 He contended that notification solely to the condominium association was inadequate and
153 proposed that the applicant be required to issue correct notice and restart the process.

154
155 Attorney C. Roy representing the Applicant pointed out that notification methods included both
156 mail and posting and affirmed that the process had been ongoing for an extended period. He
157 asserted that the requirements for the preliminary proceeding had been met.

158
159 M. Black moved to enter deliberative session at 6:15 p.m., A. Volansky seconded the motion. The
160 motion passed unanimously.

161
162 D. Kelly moved to exit the deliberative session; M. Black seconded the motion. The motion passed
163 unanimously. The board exited deliberative session at 6:27 p.m.

164
165 D. Clymer addressed J. Dumont's notification concerns and inquired whether C. Roy felt comfortable
166 proceeding. C. Roy confirmed they were.

167
168 D. Clymer proceeded to take testimony and evidence on dimensional waivers.

169
170 D. Marshall reviewed the areas requiring dimensional waivers to align with architectural plans. He
171 noted that elements highlighted in green required setback waivers, while those in black were
172 within the necessary setbacks.

173

174 T. Hand sought clarification on whether this was a specific type of PUD or general PUD, with S.
175 McShane confirming the project is proposed to be a general PUD.
176
177 D. Clymer invited further comments.
178
179 R. Lee and K. Lilly questioned the design choices that required multiple modifications and setback
180 waivers.
181
182 T. Hand asked for clarification on the DRB's authority in these proceedings. S. McShane confirmed
183 that under Section 13.2, the DRB could grant dimensional modifications for PUDs.
184
185 T. Hand inquired whether the applicant could specify modifications to dimensional requirements
186 for individual buildings versus the overall lot. S. McShane replied that it is at the applicant's
187 discretion.
188
189 Stu Baraw expressed concerns about the proximity of new buildings to existing homes and the
190 impact on privacy.
191
192 K. Lilly reiterated her previous question about why the PUD design required multiple waivers.
193
194 D. Marshall explained that the design aimed to create a consolidated community.
195
196 A. Volansky suggested considering a single standard setback rather than multiple variations.
197
198 D. Marshall indicated they would ultimately have to follow the DRB's guidance.
199
200 T. Hand emphasized that consistency would make things easier.
201
202 D. Clymer continued onto the double setback waiver standards.
203
204 D. Marshall elaborated on the requested waivers of double setbacks and discussed proposed
205 landscaping measures to mitigate view impacts from existing homes.
206
207 S. McShane read the relevant zoning regulation- Section 13.3(3).
208
209 D. Marshall detailed the topography and proposed berm and landscaping to enhance privacy.
210
211 S. Gaines affirmed that conceptual landscaping aimed to protect privacy, noting the current lack of
212 privacy between homes and the practice facility.
213
214 D. Wheeler sought clarification on how privacy would be affected.
215
216 D. Kelly inquired about the depth of fill for the berm. D. Marshall indicated that the berm would be
217 constructed based on existing conditions.
218
219 T. Hand requested D. Marshall to complete the discussion on double setbacks before hearing
220 testimony from A. Stout.

221 D. Marshall continued to explain the double setbacks and landscaping plans.
222
223 J. Thomas raised concerns about the existing easement and a right-of-way for Timber Homes in the
224 north/northwest portion of undeveloped land.
225
226 C. Pineles-Mark inquired about mitigating factors, with D. Clymer clarifying that the board was not
227 obligated to provide answers. C. Pineles-Mark asked D. Marshall if the 384-foot distance to the
228 Baraw Enterprise house could be considered a mitigating factor. D. Marshall confirmed it could.
229
230 R. Levy sought clarification on setbacks from Sinclair Road.
231
232 L. Detora was sworn in at 7:53 p.m. and questioned setbacks and the three-point test in the zoning
233 regulations.
234
235 D. Clymer reiterated the board's understanding of the three criteria.
236
237 Representing Debra Reiser, A. Stout provided testimony regarding potential visual detriment to
238 current residents and criticized the original renderings for lacking perspective, presenting a visual
239 aid to the board.
240
241 C. Pineles-Mark questioned development within the guidelines, citing Section 13.3 for non-
242 residential uses, and noted that surrounding properties adhered to the 100-foot setback. He argued
243 that altering setbacks would impact the Stoweflake PUD and expressed concerns about the
244 adequacy of space and the hardships attributed to the applicant's development decisions rather
245 than zoning regulations.
246
247 Attorney C. Roy explained his take on the application of Section 13.3(F.) The pre-existing uses are
248 allowed. Both of which are allowed subject to conditional use review within the district they are
249 located. He reiterated his position that any common sense reading of Section 13.3 (1) would not
250 prevent this particular community under the circumstances.
251
252 D. Kelly motioned to continue the hearing to September 17,2024. A. Volansky seconded the motion;
253 the motion passed unanimously.
254
255 **Other Business:**
256
257 None.
258
259 **Approval of Minutes:**
260
261 A. Volansky motioned to approve the meeting minutes from August 20, 2024. D. Kelly seconded the
262 motion. The motion passed unanimously.
263
264 P. Roberts motioned to adjourn. M. Black seconded the motion. The motion passed unanimously.
265
266 The meeting adjourned at 8:21pm.
267
268

269 Respectfully Submitted,
270 Kayla Hedberg
271 Planning and Zoning Assistant