



**Town of Stowe
Development Review Board
Meeting Minutes – September 17, 2024**

A regular meeting of the Development Review Board was held on Tuesday, September 17, 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.

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 5:00pm.
The Board approved the agenda for the meeting.

Development Review Public Hearings

Project # 7380 (Cont. from 6/18; 7/16 & 8/20)
Owner: Shaw Hill Farm LLC
Tax Parcel #:06-176.020
Location: 934 Shaw Hill Rd
Project: New Single-Family Dwelling in RHOD
Zoning: RR5/RHOD

D. Clymer opened the meeting by reviewing the relevant standards and requesting testimony. T. Looney was the sole member present and was sworn in by D. Clymer at approximately 5:00 PM.

T. Looney provided testimony regarding the recommended revisions discussed during the June 18th hearing and indicated that he would submit supporting documentation to the staff.

D. Clymer inquired whether T. Looney could provide this documentation by the next available hearing.

D. Kelly made a motion to continue hearing #7380 to October 1, 2024, which was seconded by M. Black. The motion was approved with a vote of 6-0-1, with D. Clymer, M. Black, P. Roberts, T. Hand, P. Gabel, and D. Kelly voting in favor, and A. Volansky abstaining.

Project # 7334 (Cont. from 5/21 & 7/16)
Owner: Ampersand Properties LLC
Tax Parcel # 06-088.200
Location: Mountain Road /06-088.200
Project: Final Review for PRD Consisting of Seven Buildings and 22 Dwelling Units
Zoning: MRV

46
47 D. Clymer re-opened the hearing for Project 7334. Planning and Zoning Director S. McShane
48 clarified that the applicant submitted a written request for a continuance. S. McShane suggested the
49 DRB continue the hearing to the time and date certain of November 5th.

50
51 D. Kelly made a motion to continue Project #7334 to November 5, 2024, which was seconded by M.
52 Black. The motion passed unanimously.

53
54 **Project #: 7325 (Cont. from 4/2; 6/4; 7/16; 8/6; 9/3)**
55 **Owner: Stowe Country Club LLC c/o Stowe Mountain Lodge**
56 **Tax Parcel #: 06-081.000**
57 **Location: 744 Cape Cod Rd**
58 **Project: Preliminary Subdivision/PUD Review including Club House, Recreational Amenities,**
59 **and Residential Uses.**
60 **Zoning: RR2/RR3**

61
62 D. Clymer opened the continued hearing for Project 7325; however, the Applicant S. Gaines and his
63 representatives were not present.

64
65 M. Black moved to enter deliberative session at 5:07 PM, the motion was seconded by A. Volansky.
66 The motion passed unanimously. The DRB entered deliberative session.

67
68 M. Black moved to exit deliberative session, with A. Volansky seconding the motion. The motion
69 passed unanimously. The board exited deliberative session at 5:21 PM.

70
71 While waiting for the Applicant, the DRB reviewed the prior meeting minutes. A. Volansky moved
72 to approve the meeting minutes from September 3, 2024, which was seconded by D. Kelly. The
73 motion passed unanimously.

74
75 While waiting for S. Gaines and his representatives to arrive, D. Clymer inquired with Attorney J.
76 Dumont, representing D. Reiser, regarding the memo he submitted. D. Clymer requested
77 clarification about the screenshot exhibit he provided. J. Dumont explained that it was a notification
78 indicating that Lily James received late notification.

79
80 R. Apple arrived to represent the applicant and informed the board that S. Gaines and Attorney C.
81 Roy would join shortly.

82
83 D. Clymer swore in R. Apple at 5:32 PM.

84
85 R. Apple described the clustering of residential units in the proposed development, emphasizing the
86 goal of maintaining as much open space as possible. He highlighted plans to expand recreational
87 opportunities and create multiple employment opportunities, which S. Gaines would elaborate on
88 upon arrival.

89
90 R. Apple reiterated that the project is in its preliminary stages, with no permits being sought at this
91 time, and that all aspects are open for discussion.

92
93 D. Clymer inquired if the project would take more than five years. R. Apple confirmed that it would.

94
95 S. Gaines joined via Zoom at 5:39 PM and was sworn in by D. Clymer.
96
97 He clarified that the project would span 5-7 years and be divided into multiple phases.
98
99 R. Apple stated that the current focus is on identifying and addressing issues with the board. The
100 applicant has also committed to initiating landscaping prior to construction.
101
102 D. Clymer asked if there were any additional questions regarding setbacks.
103
104 T. Hand and D. Kelly sought clarification about waivers for Sinclair Drive. R. Apple and S. Gaines
105 explained that the northern portion abuts their own property.
106
107 A. Gellis (Stowe Club Highlands) asked for clarification about the 10-foot setbacks and landscaping;
108 specifically, if the proposed houses would be 10 feet from the road. S. Gaines clarified that property
109 lines would meet the 10-foot setback. However, the houses would be setback further with
110 landscaping serving as a screening buffer.
111
112 D. Kelly referred to setback exhibit 3, noting discrepancies and requesting clarification. S. Gaines
113 stated they would need to confer and provide clarification later.
114
115 R. Apple reiterated the commitment to maintaining open space, proposing walking trails in the
116 undisturbed wooded area leading to streams. He noted that the golf course does not meet the
117 definition of open space due to its commercial designation.
118
119 T. Hand referred to document L 0.0 and inquired about the accuracy of the open space
120 representation.
121
122 R. Apple confirmed the accuracy of the representation.
123
124 S. Gaines added that the open space land would also be accessible to the public.
125
126 D. Clymer requested S. Gaines to elaborate on the employment opportunities mentioned earlier by
127 R. Apple.
128
129 S. Gaines highlighted that Mt. Mansfield currently employs over 450 individuals. He emphasized
130 that the project would generate multiple full-time positions, including new construction,
131 development, and sales jobs.
132
133 D. Clymer asked if anyone would like to provide testimony on the PUD criteria.
134
135 A. Stout - witness for D. Reiser provided testimony. He questioned whether the density
136 calculations used were applied appropriately. He inquired whether the project would be more
137 appropriately classified as a Resort PUD than a general PUD given the appeared transient nature of
138 the project. He noted that a Resort PUD requires a 200-foot setback around the outside perimeter,
139 as well as other standards. He testified that given the smaller dwelling size (1500 sf), the project is
140 likely to be rental housing and for short-term transient use. He encouraged the DRB to consider
141 the PUD purpose which requires the best possible for residential development.

142 T. Hand clarified that it was A. Stout's opinion that the highest density housing should be located in
143 the middle of the property instead of around the perimeter. A. Stout agreed.

144

145 Attorney Chris Roy representing the Applicant cross examined A. Stout. He questioned Mr. Stout's
146 testimony regarding his conceptual PUD design consisting of lower density along the edges and his
147 comments regarding transient populations and dwellings of approximately 1500 sf.

148

149 A. Stout also stated that if the golf course density is used in this calculation, then it cannot be used
150 again for other projects. He also pointed out that the board should determine if the project is really
151 a general PUD. He stated PUDs are guided by state law and the town's bylaws.

152

153 D. Clymer asked if anyone else had additional testimony; hearing none he moved on to the Source
154 Protection Section. D. Clymer transitioned the discussion to source protection.

155

156 R. Apple confirmed that there are no proposed prohibited uses that would pose a risk to the source
157 protection area.

158

159 D. Clymer requested Harry Shepard, the Director of Public Works and Town Engineer, to testify and
160 present his recommendations.

161

162 H. Shepard testified that the Stowe Club pressure zone has limited capacity, with current water
163 allocations nearly maxing out the available daily demand. The overall municipal water system is
164 operating close to its functional capacity, with significant future demand expected. The Village
165 Green water supply has detectable PFAS levels, necessitating costly treatment and re-thinking
166 capacity expansion efforts of these wells. Alternative water sources are being explored due to
167 contamination risks. He explained that the proposed project is within a critical water supply
168 protection zone, posing contamination risks. He suggested that a comprehensive hydrogeologic
169 investigation be completed to ensure no adverse impact on groundwater resources. A nearby
170 development includes a private sewer pump station, but coordination with other projects is needed
171 for efficient utility planning.

172

173 D. Clymer asked for clarification about the term "upgradient." H. Shepard explained that the radius
174 drawn was approximately 1500 feet.

175

176 A. Volansky inquired about common sources of PFAS. H. Shepard explained that PFAS are "forever
177 chemicals" found in Teflon, Gore-Tex, and firefighting foams. The town water tested positive for
178 PFOS, commonly used in ski wax, but no definitive source has been identified, and studies are
179 ongoing.

180

181 Cheryl Vince sought confirmation that the issue is not just capacity but also water quality and
182 contamination. She asked if the contamination could have originated from the Country Club.

183

184 H. Shepard replied that the water quality levels continue to meet federal requirements, remaining
185 between 2 and 4 parts per trillion since 2019. He also noted that the Country Club has been
186 sensitive to the source protection area in the past.

187

188 D. Clymer invited testimony and comments under Section 3.7(4)(A).

189 S. Gaines explained that he desired for the project to connect to the Town's water system however

190 are exploring ideas of alternate water sources

191

192 D. Kelly asked if the source protection overlay would be affected by the applicant seeking
193 alternative water sources and if it would impact the town supply. H. Shepard confirmed that it
194 could affect the supply and would need to be studied further.

195

196 D. Clymer inquired about wastewater management.

197

198 S. Gaines and H. Shepard acknowledged the challenges but mentioned possible solutions.

199

200 D. Clymer asked about the feasibility of a private pump station. H. Shepard stated that the
201 development would require a private sewer pump station, but coordination with other projects is
202 essential for efficient utility planning.

203

204 R. Apple mentioned that they had spoken to the Superintendent, who informed them that school
205 enrollment had declined and that the potential for year-round residents would be welcomed. He
206 reiterated that adjustments had already been made to address emergency services' concerns.

207

208 Testimony under Section 4.23 was not taken. S. McShane explained that since the Applicant had
209 modified their plans, they are no longer seeking any of the benefits afforded under Section 4.23;
210 therefore, the section was no longer applicable. The Applicant concurred.

211

212 M. Black motioned to continue the hearing on Project# 7325 to October 1, 2024, A. Volansky
213 seconded. The motion passed unanimously. S. McShane will present an amended procedural order
214 at the next DRB meeting rescheduling the planned hearing on November 5th – election day.

215

216 **Other Business:**

217

218 None.

219

220 **Approval of Minutes:**

221

222 D. Kelly motioned to adjourn. M. Black seconded the motion. The motion passed unanimously.

223

224 The meeting adjourned at 7:35pm.

225

226

227 Respectfully Submitted,

228 Kayla Hedberg

229 Planning and Zoning Assistant