



**Town of Stowe
Development Review Board
Meeting Minutes – October 1, 2024**

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4 A regular meeting of the Development Review Board was held on Tuesday, October 1,
5 2024, starting at approximately 5:00 pm. The meeting was held at the Stowe Town Office
6 with remote participation using the “Zoom” application.

7
8 **Members Present:** Drew Clymer, Mary Black, Peter Roberts, Tom Hand, Patricia Gabel, Andrew
9 Volansky, David Kelly.

10
11 **Staff Present:** Sarah McShane- Planning and Zoning Director, Ryan Morrison - Deputy Zoning
12 Administrator, Kayla Hedberg- Planning & Zoning Assistant

13
14 **Others Present in Person:** [See sign-in attendance sheet]

15
16 Meeting Chair Clymer called the meeting to order at approximately 5:00pm.
17 The Board approved the amended meeting agenda.

18
19 M. Black motioned to re-open the hearing on Project # 7355- 782 Mountain Road for the purpose of
20 taking further evidence and testimony on Section 3.16(C)(3) – Circulation and Parking; the hearing
21 shall be warned and re-opened on December 3, 2024. The motion was seconded by P. Gabel. The
22 motion passed unanimously.

23 **Development Review Public Hearings**

24
25 **Project # 7380 (Cont. from 6/18; 7/16, 8/20 & 9/17)**

26 **Owner: Shaw Hill Farm LLC**

27 **Tax Parcel #:06-176.020**

28 **Location: 934 Shaw Hill Rd**

29 **Project: New Single-Family Dwelling in RHOD**

30 **Zoning: RR5/RHOD**

31
32 D. Clymer re-opened the hearing by reviewing the relevant standards and requesting testimony. T.
33 Looney and W. Looney were present and were sworn in by D. Clymer at approximately 5:03 PM.

34
35 T. Looney provided testimony regarding the recommended revisions and referred to the supporting
36 evidence provided in the email.

37
38 D. Clymer invited questions from the attendees.

39
40 Following the submission of testimony and evidence, M. Black moved to close the hearing and
41 instructed the Zoning Administrator to draft findings of fact in support of the application.
42 David Kelly seconded the motion. The motion passed with a vote of 6-0-1, with D. Clymer, M. Black,
43 P. Roberts, T. Hand, P. Gabel, and D. Kelly voting in favor, and A. Volansky abstaining.

44
45 The hearing was adjourned at 5:06 PM. The Development Review Board (DRB) will render a
46 written decision within forty-five days.

47

48 **Project #:7431**
49 **Owner: Extra Mile LLC**
50 **Tax Parcel #: 06-024.000**
51 **Location: 14 Barrows Rd**
52 **Project: Convert Two Cottage Buildings to Single Family Dwellings**
53 **Zoning: RR2/5**
54

55 Due to a defect in notice, Project# 7431 will be re-warned for future hearing.
56

57 **Project #: 7452**
58 **Owner: Dana T Jr & Peter E Percy**
59 **Tax Parcel # :07-017.000**
60 **Location: 281 Cape Cod Rd**
61 **Project: Final Review of 12 Lot PUD/Subdivision & Related Site Improvements**
62 **Zoning: RR2**
63

64
65 Applicant Matt Percy, along with Grenier Engineering Associates Chris Austin and Sarah Heneghan,
66 were sworn in at 5:07 PM.
67

68 C. Austin presented a revised site plan to the board, highlighting an additional note from the staff
69 review regarding the closure of an existing curb cut at the apartment building.
70

71 C. Austin explained that this hearing was for the final review of a 13-lot residential development,
72 which had already received preliminary subdivision approval.
73

74 D. Clymer inquired about the number of proposed lots. C. Austin clarified that there are 12 lots with
75 buildings and one lot containing the existing four-unit apartment building.
76

77 C. Austin confirmed that the plans remained unchanged since the preliminary hearing and that all
78 requested documentation, including HOA documentation and permits for water supply,
79 wastewater, and stormwater from the State of Vermont, had been submitted. The Act 250 permit is
80 still pending.
81

82 The landscaping plan and sidewalk access, which connects to the recreational path, were described
83 by C. Austin.
84

85 T. Hand requested clarification about the recreational path access. C. Austin described it as a gravel
86 trail off the sidewalk.
87

88 D. Clymer asked about setbacks. C. Austin reiterated that there were no changes from the
89 preliminary plans.
90

91 T. Hand expressed concerns about the building size in relation to the setbacks. C. Austin explained
92 that the building size was conceptual and demonstrated compliance with setback requirements. A
93 separate zoning permit will be required to develop each lot.
94

95 D. Clymer inquired about building coverage, use, density, protection of natural resources, and
96 landscaping.
97

98 C. Austin confirmed sufficient density and compliance with setback requirements. The landscaping
99 plan includes seven additional street trees, including Maple, Elm, and Oak, as depicted on the
100 landscaping map.

101
102 T. Hand inquired about the municipal impact of the proposed development in the area. M. Percy
103 responded, confirming that they have collaborated with Harry Shepard from DPW and secured all
104 necessary permits and allocations to support the project.

105
106 D. Clymer sought clarification regarding property conveyance and the turnover of the Homeowners
107 Association (HOA). C. Austin referenced Article 9 of the HOA documents, indicating that the HOA
108 will transfer control to the property owners upon reaching 66.67% ownership.

109
110 D. Clymer requested additional information about open space allocation. C. Austin clarified that the
111 development plan includes 2.6 acres of developed land, and 9.2 acres designated as open space.

112
113 D. Clymer asked for clarification regarding curb cuts. C. Austin explained that the subdivision
114 regulations limit the number of curb cuts allowed within a specified distance, prompting the
115 applicant to remove and close the smaller existing curb cut.

116
117 D. Clymer transitioned the discussion to stormwater management. S. Heneghan detailed that the
118 site naturally drains south of the river, and measures such as swales, catch basins, and a main
119 infiltration basin have been incorporated into the plans.

120
121 T. Hand raised a question about the integration of the stormwater system with the landscape plan,
122 specifically regarding the existing tree line, grading, and necessary cuts for development and
123 stormwater management.

124
125 D. Clymer inquired about the utilization of renewable energy sources. C. Austin explained that the
126 homes will be designed to be solar-ready, in accordance with HOA documentation and Act 250
127 regulations.

128
129 C. Austin presented the construction schedule. P. Roberts inquired about the timing and phasing of
130 the building schedule, including the process for selling and constructing the lots. M. Percy indicated
131 that there is already a developer interested in purchasing and commencing construction as early as
132 2025.

133
134 D. Clymer opened the floor for public comments.

135
136 Following the submission of testimony and evidence, A. Volansky moved to close the hearing and
137 directed the Zoning Administrator to draft findings of fact in support of the application. As a
138 condition, the Applicant will need to provide additional information to clarify the limits of tree
139 clearing. M. Black seconded the motion. The motion passed unanimously.

140
141 The hearing was adjourned at 5:38 p.m. The DRB will issue a written decision within forty-five
142 days.

143
144 **Project #: 7325 (Cont. from 4/2; 6/4; 7/16; 8/6; 9/3)**
145 **Owner: Stowe Country Club LLC c/o Stowe Mountain Lodge**
146 **Tax Parcel #: 06-081.000**
147 **Location: 744 Cape Cod Rd**

148 **Project: Preliminary Subdivision/PUD Review including Club House, Recreational Amenities,**
149 **and Residential Uses.**

150 **Zoning: RR2/RR3**

151

152 D. Clymer opened the continued hearing for Project 7325. The applicant, Sam Gaines, was present
153 along with Rob Apple, Dave Marshall, Attorney C. Roy, and Erica Wygonik from Wall Consultant
154 Group (WCG).

155

156 Before testimony began, S. Edwards, representing the Stoweflake Town Houses, inquired if they
157 would forfeit their right to a rebuttal if it was not submitted in time. S. McShane clarified that he
158 could submit additional information into the hearing record if desired.

159

160 D. Clymer then swore in all parties present, both in person and via Zoom, including Andrea Gellis
161 and James Dumont.

162

163 Testimony commenced with E. Wygonik providing a synopsis of the traffic study conducted. The
164 study observed traffic during two peak times: PM peak and Saturday midday. The study considered
165 both the planned recreational and restaurant use. D. Clymer inquired if residential use was also
166 considered. E. Wygonik confirmed and testified factoring in all elements, it was determined that
167 there would be 106 new trips during the average PM peak and 130 new trips during peak travel on
168 Saturdays.

169

170 E. Wygonik noted that seasonality was not considered, as the counts were conducted in May and
171 adjusted accordingly. The traffic study involved counting, adjusting those counts to reflect busy
172 conditions, and incorporating any additional factors not initially reflected. The project is then added
173 to assess the impact with and without it. E. Wygonik emphasized their conservative approach to
174 estimating anticipated traffic to be generated by the project.

175

176 T. Hand questioned why the traffic counts were taken in May. E. Wygonik explained that counts
177 were done at the beginning of a project. S. Gaines added that it was not needed for the preliminary
178 application.

179

180 D. Clymer requested clarification regarding the intersection study. E. Wygonik stated that the Cape
181 Cod /Mountain Road intersection poses a potential issue, with all PM conditions rated as service
182 level F, indicating poor functionality. Although a left turn lane is warranted based on the analysis, E.
183 Wygonik explained that she does not recommend it due to the recreational path crossing on
184 Mountain Road and Cape Cod. E. Wygonik clarified that this is an existing problem, not one created
185 by the proposed development.

186

187 P. Roberts asked if a traffic study had been conducted on Weeks Hill Road and Cape Cod. E. Wygonik
188 indicated that the study did not consider or evaluate that intersection. It was noted that this area
189 serves as a detour for locals and anyone using GPS to avoid excess traffic.

190

191 E. Wygonik stated that one of their primary concerns, regardless of the project size, is safety. They
192 consistently evaluate factors such as site distances and crash data. They measured the site distances
193 at all potential driveways for the project, ensuring they meet the required standards. This
194 guarantees that vehicles can safely enter and exit the project, and that other drivers can see these
195 movements and stop in time. They also reviewed crash data near these driveways and found no

196 patterns of accidents.
197
198 E. Wygonik noted that they observed delays of around 100 seconds when turning onto Mountain
199 Road from Cape Cod Road under current conditions. Beyond 100 seconds, the data becomes
200 unreliable.
201
202 D. Clymer then opened the floor for comments.
203
204 B. Aube from Stackpole and French inquired if special events were considered in the traffic study. D.
205 Reiser asked if the study accounted for the increased size and additional facilities. E. Wygonik
206 confirmed that these variables were not included.
207
208 A. Gellis asked about vehicular access to the facilities. S. Gaines responded that Cape Cod would not
209 be utilized from Sinclair Road. A. Gellis also questioned if the traffic impact study considered traffic
210 from the 70 existing homes along Sinclair Road and whether golf carts parking and crossing Sinclair
211 Road would cause disruptions. D. Marshall stated that the proposed crossing would remain on
212 Sinclair.
213
214 S. Smith asked why the morning rush to school was not considered in the traffic study, noting that
215 this is when more people cut through the private drive in Stoweflake.
216
217 D. Marshall provided a general synopsis of the Town Plan extension and its purpose. He reiterated
218 previous testimony, covering RR1-RR5 and the general natural scenic qualities. He also mentioned
219 that clustering the development into two pods would preserve the area's natural beauty.
220
221 S. Edwards argued that the project would be larger than any surrounding neighborhoods and that
222 this should be considered. He pointed out that the original application described the project as two
223 high-density clusters, whereas RR2 is designed for moderate density.
224
225 D. Marshall then discussed the ordinances in effect, acknowledging that the applicant is aware of
226 and will comply with all ordinances.
227
228 D. Reiser asked about plans for short-term rental units. D. Clymer stated that this is not within the
229 board's review scope.
230
231 Attorney C. Roy cited a Vermont Supreme Court case, In re Toor, which addressed concerns about
232 residential districts and short-term rentals. He explained that the court ruled that zoning should
233 focus on single-family dwellings and residential use, without micromanaging the type of family unit
234 or residential activity. The key question is whether the use is residential, regardless of the duration
235 of occupancy.
236
237 A. Gellis returned to the topic of traffic impact on Sinclair Road.
238
239 B. Aube emphasized that while the residential aspect is significant, their clients are more concerned
240 about the commercial elements, such as the golf course and restaurant.
241
242 D. Clymer then moved on to discuss renewable resources. D. Marshall stated that there would be no
243 impact on these resources.

244 D. Clymer transitioned the discussion to visual impact. S. McShane noted the standard is similar to
245 the criteria for requesting a double setback testimony.

246

247 T. Hand and D. Clymer concurred that the board had reached an appropriate stopping point for the
248 evening.

249

250 D.Clymer explained that the procedural order will be amended for the next meeting.

251

252 M. Black motioned to continue the hearing to a date and time certain of October 15, 2024, seconded
253 by A. Volansky. The motion passed unanimously.

254

255 **Other Business:**

256

257 None.

258

259 **Approval of Minutes:**

260

261 M. Black motioned to approve the minutes, seconded by A. Volansky. The motion passed
262 unanimously.

263

264 M. Black motioned to adjourn, seconded by A. Volansky. The motion passed unanimously.

265

266 The hearing adjourned at 7:27 p.m.

267

268 Respectfully Submitted,

269 Kayla Hedberg

270 Planning and Zoning Assistant