



**Town of Stowe  
Development Review Board  
Meeting Minutes – October 15, 2024**

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3  
4 A regular meeting of the Development Review Board was held on Tuesday, October 15,  
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 5:03pm.  
17 The meeting agenda was approved without amendments.

18  
19 **Project #: 7450**

20 **Owner: Shaun Haviland**

21 **Tax Parcel #: 06-015.000**

22 **Location: 878 Luce Hill Rd**

23 **Project: Construction of a Garage/ADU Adjacent to Existing Dwelling & Site Improvements**

24 **Zoning: RR5/RHOD**

25  
26 D. Clymer opened the hearing for Project 7450. The applicant, S. Haviland and Engineer G. McCain  
27 were present and were sworn in by D. Clymer at approximately 5:04 pm. Architect Steve Barry  
28 was present via zoom.

29  
30 G. McCain provided testimony regarding the proposed new construction on an existing parcel with  
31 a portion of the land in RHOD. The proposed project will require clearing and grading within the  
32 RHOD. The property contains an existing three-bedroom dwelling, which will require the  
33 reallocation of bedrooms from that home to the new structure. The existing structure is proposed  
34 to be reclassified as the accessory dwelling unit, and the new structure will be the primary dwelling  
35 and tied into the existing wastewater system.

36  
37 Proposed clearing limits are approximately fifty feet around the existing dwelling. G. McCain  
38 explained that the existing vegetation will provide more than adequate for screening. The proposed  
39 project will require grading to reduce the driveway grade. A small level spreader is proposed to  
40 handle stormwater.

41  
42 D. Clymer asked for clarification on the proposed setbacks. G. McCain explained the parcel is a two-  
43 acre lot within the RR5, so they applied the setback standards for the RR2 as allowed under the  
44 regulations. R. Morrison explained that a revised site plan was submitted depicting the setbacks  
45 appeared to be accurate.

46  
47 D. Clymer asked about height requirements, G. McCain indicated that the building elevation was  
48 16ft. 4in.

49

50 T. Hand pointed out that the architectural plans and site plan each showed a different building  
51 footprint. The architectural plans show an exterior deck. G. McCain agreed the proposed deck was  
52 not shown on the site plan, but he will stake out the appropriate setbacks prior to construction.  
53

54 A. Volansky asked for confirmation of the slab elevation of the building. The plans indicate 976ft,  
55 but the site section indicates 978ft. G. McCain explained the difference and confirmed the final  
56 garage elevation is 980ft.  
57

58 D. Clymer inquired about the designated vantage points. G. McCain described the three vantage  
59 points and explained that the entire hillside is wooded and described how the proposed dwelling  
60 will not be visible from the identified public vantage points.  
61

62 G. McCain described the proposed erosion control and stormwater management measures. . He  
63 explained that while a portion of the property is a high priority habitat, the proposed clearing is  
64 below that area and no clearing will take place in that area.  
65

66 T. Hand asked about the proposed color pallet for the new building. G. McCain indicated that they  
67 had not submitted a color pallet. T. Hand requested the color pallet be submitted. D. Clymer also  
68 requested that the specifications for the non-reflective roof be submitted.

69 G. McCain indicated that landscaping plans were not included in the application because they felt  
70 there was adequate screening provided by the existing vegetation.  
71

72 G. McCain stated that they designed the driveway not to exceed 14.5% and that he would have to  
73 calculate the average grade. D. Clymer requested as a condition that the applicant be able confirm  
74 that the average grade is 12%G. McCain agreed to submit a driveway profile.  
75

76 A. Volansky asked for clarification regarding the square footage of the ADU. G. McCain referred to  
77 drawing A1 indicating the square footage was 898 square feet. T. Hand noted that the existing  
78 residence is proposed to be converted to the ADU and that the proposed structure would be the  
79 primary residence. He questioned if the existing residence would meet the regulation requirements  
80 for an ADU. R. Morrison provided the definition of livable space. G. McCain agreed that during the  
81 transition of the primary residence to an ADU they would make the necessary adjustments to meet  
82 the regulations.  
83

84 Following the submission of testimony and evidence, A. Volansky motioned to instruct the Zoning  
85 Administrator to draft findings in support of this project provided that the applicant provides a  
86 color pallet, including a non-reflective roof, a driveway profile indicating an average grade of 12  
87 percent, provide accurate square footage for the conversion of the primary residence to an ADU. T.  
88 Hand seconded the motion. The motion passed unanimously.  
89

90 The hearing was adjourned at 5:32pm. The DRB will render a written decision within forty-five  
91 days.  
92

93 **Project #: 7436**

94 **Owner: Janet B Admas Revocable Trust trustee: Janet B Adams**

95 **Tax Parcel #: 07-048.000**

96 **Location:893 Pucker St**

97 **Project: Final Review For 4 Lot Subdivision**

98 **Zoning: RR2**  
99

100 D. Clymer opened the hearing for Project 7436. T. Mumley and E. Adams were present and sworn  
101 in at approximately 5:35 pm.

102  
103 T. Mumley described the proposed 4-lot subdivision, the location, and the area of the existing  
104 property – just over 100 acres. He explained that there was no proposed development at this time  
105 and that the subdivision was being done for estate planning purposes. He described the proposed  
106 50 foot right of way across Lot 2 Boff West Hill Road and noted that a driveway permit had been  
107 obtained for that access.

108  
109 T. Hand inquired why there were no setbacks labeled on the drawings. T. Mumley responded  
110 because there is no development proposed.

111  
112 D. Clymer asked for clarification about the existing development. T. Mumley confirmed that there  
113 are two existing residential dwellings and three accessory agricultural buildings, which E. Adams  
114 confirmed are agricultural, mainly for chickens.

115  
116 Following the submission of testimony and evidence, M. Black motioned to close the hearing and P.  
117 Gabel seconded the motion. The motion passed unanimously. The hearing was adjourned at  
118 5:44pm. The DRB will render a written decision within forty-five days.

119  
120 **Project #: 7325 (Cont. from 4/2; 6/4; 7/16; 8/6; 9/3; 10/1)**  
121 **Owner: Stowe Country Club LLC c/o Stowe Mountain Lodge**  
122 **Tax Parcel #: 06-081.000**  
123 **Location: 744 Cape Cod Rd**  
124 **Project: Preliminary Subdivision/PUD Review including Club House, Recreational Amenities,**  
125 **and Residential Uses.**  
126 **Zoning: RR2/RR3**

127  
128 D. Clymer opened the continued hearing for Project 7325. The applicant, Sam Gaines, was present  
129 along with representatives Rob Apple, Dave Marshall, and Attorney Chris Roy.

130  
131 D. Clymer then swore in all parties present, both in person and via Zoom, including James Dumont,  
132 John Lapham (Chair of Village Green HOA), Eric Smith (Stoweflake), and Brad Bilfelt (Stoweflake).

133  
134 D. Marshall indicated that he would be relying upon pre-filed testimony for many of the items to be  
135 addressed tonight.

136  
137 Starting with §3.7 (4)(F), will not have undue adverse effects on the scenic and natural beauty of  
138 the area, historic sites, rare and irreplaceable natural resources. D. Marshall stated they began  
139 testimony at the last hearing and do not have additional testimony to add. D. Clymer asked the  
140 interested parties if they had any questions for the applicant or wanted to present evidence. No  
141 additional testimony or evidence under this criterion was received.

142  
143 D. Marshall proceeded to 3.7(4)(G). He indicated that the project was not anticipated to be air  
144 pollution components or noise pollution they do not expect there to be any significant differences  
145 than the existing uses.

146  
147 D. Marshall explained the measures to treat and store stormwater runoff and is needs to acquire a  
148 state stormwater permit.

149

150 T. Hand asked for clarification regarding the strategies to protect the isolation zone. D. Marshall  
151 responded that the Public Works Director has recommended that a hydrogeologic study be  
152 conducted. He explained they are committed and willing to provide supplemental information as  
153 part of the final application.

154

155 T. Hand inquired about protocols in place during construction. D. Marshall reiterated that as part of  
156 the State permitting process, they will be required to demonstrate that the disturbed soils will be  
157 managed in such a way that it minimizes potential for sediment being transferred and fencing  
158 would be placed along the perimeter.

159

160 J. Dumont asked when the applicant would be submitting the hydrogeology' report. D. Marshall  
161 indicated that would be as part of the final application. J. Dumont asked for clarification. D. Clymer  
162 responded that the report would be part of the final plat application. J. Dumont objected and stated  
163 he will provide a brief explaining his position.

164

165 A. Gellis inquired about noise pollution, and how noise from future events would be mitigated. She  
166 testified she can currently hear the music from the club house on Tuesday evenings. S. Gaines stated  
167 that they are not sure what events will take place. T. Hand asked if events would be housed in a  
168 building or outside. S. Gaines stated that it would be no different than what we might do now.

169

170 B. Aube asked if there would be any mitigation plan for contamination of the water after the  
171 development is completed. D. Marshall explained that the applicant is proposing to construct two  
172 grass wetlands, to manage stormwater. D. Marshall explained that they are also managing peak  
173 flow for the 100-year design storm event.

174 D. Marshall circled back to noise mitigation and added that the proposed buildings will absorb the  
175 noise coming from the commercial component.

176

177 B. Aube asked for clarification about what events currently take place at the golf course as this  
178 proposed project is an extension of what exists. D. Marshall indicated that the golf course practice  
179 facilities would be reduced significantly with other facilities being reoriented and that acreage be  
180 converted to both residential and be used as the buffering components.

181

182 C. Pineles-Mark inquired how the accumulated water would be handled with additional  
183 development. D. Marshall explained the proposal for a new system to collect runoff to hold and  
184 release stormwater in a controlled way.

185

186 C. Pineles-Mark asked if the proposed berm would be included in the hydrogeological study and  
187 what assurances there will be that the stormwater will not run off onto other properties. D.  
188 Marshall agreed that was a good point and that additional stormwater collection systems may be  
189 needed.

190

191 D. Reiser inquired why a hydrogeological study had yet to be done. D. Clymer reiterated that the  
192 applicant stated at the beginning of their testimony they were going to rely on prior testimony for  
193 many of the standards and the application is for preliminary review. D. Reiser stated that she  
194 believes the hydrogeological study should be done sooner.

195

196 A. Gellis asked what restrictions can be imposed on construction hours to mitigate the noise

197 disturbance in surrounding neighborhoods. D. Marshall indicated that the construction hours  
198 would be Monday through Friday 7:00am to 6:00pm. Saturday 7:00 am through 4:00pm and no  
199 work on Federal Holidays or on Sunday, except for work inside of the building.  
200

201 D. Marshall stated they have no new testimony under Section 5,1. J. Dumont stated that he does not  
202 want to be seen as waving his objection that a preliminary subdivision application must include  
203 missing information and that he will submit a brief on that.  
204

205 T. Hand asked D. Marshall to repeat his testimony regarding undue or adverse impacts on the  
206 environment. D. Marshall explained that the applicant has proposed buffering and landscaping to  
207 lessen the impacts of condensed residential use and that the proposed project is more than three  
208 hundred feet from Cape Cod Road.  
209

210 D. Marshall indicated that a portion of the existing clubhouse, the brick portion, is identified as  
211 historic and no changes are proposed. The area is located over three hundred feet from Cape Cod  
212 Road along with proposed landscaping as a means of creating separation from Cape Cod Road.  
213

214 D. Reiser questioned the use of the term "rural" and what else is consistent with the proposed  
215 development.  
216

217 C. Pineles-Mark wanted to reiterate that they have already submitted that they believe there is  
218 undue adverse effects.  
219

220 S. Gaines stated that there are many examples of townhomes, triplexes, and complexes.  
221

222 B. Aube stated that she believes there are site limitations that prevent a normal type of subdivision  
223 because of the wetlands.  
224

225 D. Marshall provided no new testimony under 5.1(6) Screening. T. Hand asked for clarification  
226 regarding the proposed mitigation plan for the western side if the development project. D. Marshall  
227 explained that they were not proposing to remove the existing trees other than dead and diseased  
228 trees, which would be replaced. T. Hand clarified that the primary strategy on the western side is  
229 retention. D. Marshall responded that was correct.  
230

231 S. Smith indicated that her family owns the property that abuts the western portion of the property.  
232 She stated that the current tree line is growing itself to death and she can see everything from her  
233 house. She was concerned what it would look like with no added trees. She also raised concern  
234 regarding the double setback waiver. C. Pineles-Mark pointed out that there is already little  
235 screening on the south side, however the golf course is only used for six months out of the during  
236 daylight hours which is quite different from the proposed development, which would be occupied  
237 all year.  
238

239 Under 5.1(7) D. Marshall explained they discussed a pedestrian extension with DPW along the  
240 south side of Cape Cod Road coming from the Mountain Road.  
241

242 A. Gellis asked for clarification about a pedestrian walkway along Sinclair Road. D. Marshall  
243 indicated there would not be a dedicated sidewalk. They propose a shared use road.  
244

245 D. Reiser inquired whether a pedestrian or biker study would be done in conjunction with the  
246 traffic study. D. Marshall referred to previous testimony regarding the traffic study which noted  
247 conflicts of existing multiple pedestrian crossings at the intersection of Cape Cod Road and  
248 Mountain Road.

249  
250 D. Reiser provided a rebuttal to the traffic study. D. Marshall explained they would need time to  
251 review the rebuttal before proceeding. D. Reiser provided the board with an addendum to her  
252 previously submitted traffic report and provided a synopsis. Pointing out volume to capacity issues  
253 and inconsistencies with peak hours studied.

254  
255 D. Marshall reiterated that testimony had already been given from public works regarding water  
256 issues in town. The applicant is interested in assisting to provide the necessary improvements. He  
257 also indicated that they will consider developing their own private water supply system. He  
258 explained the applicant is willing to support shared contributions to improvements at Cape Cod  
259 Road and Mountain Road.

260  
261 T. Hand asked if the intent were to pursue their own private water system if they cannot come to an  
262 agreement on water and if it would be located somewhere on the 107-acre parcel. D. Marshall  
263 indicated that the only way the proposed project goes forward is if they have water.

264  
265 D. Clymer section 5.1(13) Disclosures. D. Marshall, the applicant is proposing activities on the entire  
266 property except the wetland and open space components.

267  
268 C. Pineles-Mark asked about future changes to law or zoning, questioning whether an increased  
269 density would be applicable for additional development. S. McShane, indicated that the DRB and the  
270 Zoning Administrator review applications under the regulations in effect, at the time of application  
271 and future changes might require review under the Stowe Club analysis

272  
273 D. Clymer inquired about private enforcement mechanisms. D. Marshall confirmed the applicant  
274 will prepare Homeowner Association (HOA) documents which would be submitted before any  
275 zoning permits are issued. D. Clymer clarified that HOA documents should include the transference  
276 from the developer to the HOA by including the ratio of buildings sold before it transfers to HOA.

277  
278 D. Marshall stated they have pre-filed testimony regarding open space and will not offer any  
279 additional testimony. T. Hand asked for a general restatement of his testimony. D. Marshall pointed  
280 out on plan C 2.0 the practice facility for the golf course-above that area are undeveloped forested  
281 areas, wetlands, streams, and steep slopes which are proposed open space to be conserved. T. Hand  
282 asked if they would be allowing public access from the development or the public to the open space.  
283 S. Gaines stated they want to work with Stowe Trails Partnership to try and offer access from the  
284 public road.

285  
286 A. Gellis asked where the access road would be. D. Marshall indicated that they may use an existing  
287 easement off Cottage Club Road or build a boardwalk across the wetland.

288  
289 D. Marshall provided testimony relative to power and lighting and explained previous testimony  
290 had been submitted.

291  
292 C. Pineles-Mark expressed concern about outdoor light pollution at night. D. Marshall stated they

293 would choose lighting intensity carefully and bring lighting levels down. D. Clymer explained that  
294 the town has specific requirements about outdoor lighting and require a photometric survey of the  
295 entire site.

296  
297 D. Marshall explained that the Town had found the Official Map and the applicant is currently  
298 working with the planning Commission on reviewing the official map, and what improvements, not  
299 only in this location, but others can be made to bring the map up-to-date. He explained ultimately it  
300 is the responsibility of the applicant to demonstrate that it is complying with the official map, and at  
301 this point in time we would like a condition that ultimately says that as part of a final plan  
302 application the applicant needs to demonstrate that it is compliant with the official map. D. Reiser  
303 asked if the applicant intended to comply with the official map. D. Clymer reiterated that the  
304 applicant asked that compliance with the official map be a condition at the time of their final  
305 application.

306  
307 C. Pineles Mark wanted on the record in regard to screening, that golfers on the driving range are  
308 over one hundred feet away from their property.

309  
310 Regarding sections 5.1 (2) Natural Features, 5.1 (3) Protection of Wildlife Habitat and Natural  
311 Communities, 5.1(5) Reserved Strips, 5.1(10), Lot Configuration, 5.1(11) Building Zones, 5.1(12)  
312 Building Zones, and 5.4 Road Standards and Coordination with Public Highways, D. Marshall  
313 provided no new testimony and referred to the pre-filed written testimony previously provided.

314  
315 M. Black motioned to continue the hearing to a date and time certain of November 19, 2024,  
316 seconded by P. Gabel. The motion passed unanimously.

317  
318 **Other Business:**

319 None.

320  
321 **Approval of Minutes:**

322 M. Hand motioned to approve the October 1<sup>st</sup> meeting minutes with corrections. A. Volansky  
323 seconded the motion. The motion passed unanimously.

324  
325 M. Black motioned to adjourn, seconded by A. Volansky. The motion passed unanimously.

326  
327 The hearing adjourned at 7:32 p.m.

328  
329 Respectfully Submitted,  
330 Kayla Hedberg  
331 Planning and Zoning Assistant