

Agenda Summary
May 8, 2024

Agenda Item No. C-1
Other Business – Manager’s Report

Water Source Protection Plans Update: Public Works/Water has received VTDEC approval for the required 2024 update of our Water Source Protection Plans. This is a compliance requirement for Water System Operating Permits every 4 years. Enclosed please find the maps depicting both our Village Green and Edson Hill Source Protection Areas. Also enclosed is required Notices to both affected property owners and Water Commissioners associated with this update. It is noted that the Snowflake oil tank leak, which recently detected hydrocarbons in one their on-site monitoring wells, initiating a new round of sampling and testing of our sentinel wells on our Village Green site, is within the Village Green Source Protection Area. This remains a sensitive risk and concern for our Village Green supply that was a topic of discussion during our renewal application. It is also noted that the proposed development at the Stowe Country Club is within the wellhead protection area. Public Works provided comments regarding these particulars, amongst others, to the DRB with the preliminary subdivision application for this project. This also requires diligence regarding potential undue adverse impacts going forward.

Downtown Designation Renewal: Last Week, Sarah McShane – Stowe Director of Planning and Zoning, Abby Bourgeois – Stowe Vibrancy Executive Director, and Elise McKenna – Stowe Vibrancy Board President, presented to the Vermont Downtown Development Board in Montpelier. The Stowe team reported that the Downtown Development Board was pleased with everything we’re doing here in Stowe to support our historic villages and downtown. Enclosed are renewal award letters for the Designated Downtown and the Village Center.

Lintilhac Park/Rec Path Lot Closure: Sewer construction at Lintilhac Park is progressing well and the Rec Path parking lot behind Akeley is on-schedule to re-open by May 10.

Act 250 Notices: The following Act 250 notices were issued:

An initial application filing for 4000 Mountain Road (Topnotch Resort) to construct a 3-story, 31-unit residential condominium building with a banquet room in addition to related parking and site improvements.

An issued permit that authorizes a boundary line adjustment between the Acabay, Inc. parcel and the Holler & Kenney parcel, 652 Weeks Hill Road, to accommodate an encroachment.

A request for party status from the Covered Bridge Highlands Condominium Association for the proposed subdivision of 0 Poppins Ln off Luce Hill Road.

An issued permit at 4415 Sterling Valley Road that authorizes a wastewater pump station serving Lot 7 and incorporates Wastewater System.

An issued stormwater discharge permit for 511 Mountain Road (Golden Eagle) and supplemental comments from ANR regarding an analysis of the riparian zone.

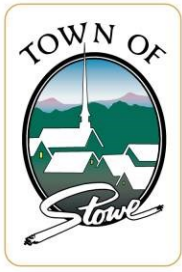
Minutes: Enclosed are the following minutes:

- Electric Commission – April 24
- Recreation Commission – April 17
- Board of Listers – April 25
- Energy Committee – April 25

Recommendation: No action is necessary. This time is set aside to ask questions of a general nature and for the public to be heard on any issue not on the regular agenda that does not require Selectboard action and is of a non-personnel nature.

FIGURE 1





*Department of Public Works
Stowe Water Department
PO Box 730
67 Main Street
Stowe, VT 05672
802-253-6512*

April 2024

Dear Property Owner:

Your property in Stowe, Vermont is located within our State designated “Source Protection Area” (SPA). The SPA is defined by topographic and geological characteristics that may potentially connect your property to our public water source groundwater well aquifer. We are required by the State of Vermont and the EPA to periodically update our “Source Protection Plan”(SPP) in order to identify all potential sources of contamination and have a plan in place if we experienced some sort of contamination in one of our water sources. Notification to you the property owner is part of the process. If you have recently purchased your property, you are no doubt unaware of this. The intention of the requirement for a SPP is for us as public water suppliers to have a thorough understanding of the land uses in this area. This could help us if we detected some sort of groundwater contamination during our routine chemical monitoring process. Your awareness of this SPA helps us all to protect our water resource. Minimal use of pesticides and fertilizers coupled with proper private wastewater system care and maintenance all contribute to keeping the aquifer safe for us all.

We encourage landowners to work with the County Forester on forest stewardship initiatives and practices. The County Forester is Emily Potter, 802-622-4230 or emily.potter@vermont.gov. We also encourage the use of best management practices and follow the Acceptable Management Practices (AMPs) for Maintaining Water Quality on Logging Jobs in Vermont. *(The AMP were developed and adopted as rules for Vermont's water quality statutes and became effective in 1987 and were subsequently revised effective August 11, 2018. AMPs are intended and designed to prevent sediment, petroleum products, and woody debris (logging slash) from entering Vermont's waters.)*

If you have any questions, please let me know.

Regards,

Joe Donati
Town of Stowe
Water Superintendent
jdonati@stowevt.gov
office 802-253-6512
mobile 802-793-4103

How to Inspect a Soil-Based Wastewater System?

Do determine how quickly sludge and scum accumulate in the tank with semi-regular inspections. The tank should be full of wastewater.

Do have the sludge and scum pumped out of the septic tank when needed.

Don't turn off pumps or other electrical components, they are important and necessary components of the system and should be tested to determine if functioning correctly.

Do hire a licensed designer or engineer to inspect the system. They will research the size and location of the system components, expected flows, and the vitality of the leach field by inspecting it for a proper aerobic environment.

Don't purposefully stress a system to see if it is failed.

Do clean the effluent filter annually.

Don't dye test the system, the water flows from a dye test can overstress a system that was functioning and potentially cause it to fail.

Do install risers over the tank to provide easier access for the measuring and pumping of solids and the cleaning of the effluent filter.

Who We Are

About Us

We are the Drinking Water & Groundwater Protection Division for the State of Vermont's Agency of Natural Resources, Department of Environmental Conservation. We work with landowners, designers, and engineers permitting potable water and wastewater systems, protecting Vermont's land and water for all. Please contact your local Regional Office for assistance and a list of area designers and engineers.

**DRINKING WATER &
GROUNDWATER
PROTECTION
DIVISION**



Regional Office Contacts

Montpelier: 802-828-5034

Springfield: 802-289-0603

Rutland: 802-786-5900

St Johnsbury: 802-751-0130

Essex: 802-879-5656

Web: www.septic.vt.gov



Respect. Protect. Enjoy.



Homeowners Guide to Onsite Wastewater Systems





So, you want to know more about your soil-based wastewater system?

Wastewater systems (often referred to as septic systems) provide treatment for wastewater from a home or business, eventually returning clean water to the local water table. A healthy wastewater system contains solids, scum, and grease in a septic tank and transports water to an area (leachfield) where it can be exposed to an aerobic microbe environment, which over time will clean the water. Final cleansing of the water, returning it to a potable state, requires it to percolate through soils, filtering it as it travels. The Vermont State Drinking Water and Groundwater Protection Division works with designers and engineers to determine the most suitable location and design for soil-based wastewater systems throughout the State, protecting the vitality of Vermont's groundwater.

Daily Wastewater System Management

- ✓ Conserve Water – Utilize low-flow plumbing fixtures and be water aware, systems do not have unlimited capacity.
- ✓ Repair or Replace leaking plumbing fixtures – water conservation extends the life of your system!
- ✓ Maintain proper landscape on and around your system – leachfields should be covered with grass and devoid of trees. Surface water, such as water from downspouts and driveways should be diverted away.
- ✓ Pump your tank regularly – Pumping out solids from a septic tank prevents clogs to the leachfield from forming. Additives have not been shown to be an effective.
- ✓ Limit what goes into the System – don't use it as a trash can, grease trap, or dispose of harmful chemicals.
- ✓ Do not drive or build on any part of your Wastewater System!
- ✓ Inspect the Wastewater system routinely – check for signs of problems in the system before failure occurs. An ounce of prevention is worth a pound of cure!

Preventive Maintenance Record

Date: _____

Work Done: _____

By: _____

Date: _____

Work Done: _____

By: _____

Date: _____

Work Done: _____

By: _____

Date: _____

Work Done: _____

By: _____

Your Wastewater System Installer

Name: _____

Phone: _____

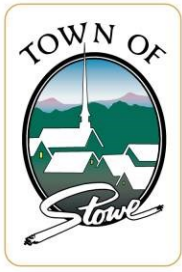
Date System installed: _____

Your Septic Pumper

Name: _____

Phone: _____





*Department of Public Works
Stowe Water Department
PO Box 730
67 Main Street
Stowe, VT 05672
802-253-6512*

April 2024

To: Water Commissioners Town of Stowe Vermont

Re: Stowe Water Department Source Protection Update

As required by the Vermont DEC, Drinking Water and Groundwater Protection Division, Stowe Water Department has completed a full update of our Source Protection Plan. This update is a modification of the 2020 version. In this update is newly defined Source Protection Areas (SPA's) as shown on the ANR mapping, updates of the potential sources of contamination (PSOC's), and an updated property owners list in the SPA's. I have received an updated chemical application list from the Stowe Country Club, based on their Department of Agriculture permit, and have included this in the plan.

As part of this update, I am including notification to you, the water commissioners, so that you are aware of these protection areas, and what we look out for regarding changes to the land use. During my update process, it is noted that other than several new residences, land use is as it has been since the last major update of this plan. Future changes in land use in our Source Protection Areas should be carefully monitored and attention paid to these area(s). I have sent out a notification letter to the landowners in both SPA's letting them know that they are in the SPA, and actions they can take to help protect it. I am including a copy of this letter in the attached Source Protection Plan update for your information.

If you have any questions regarding this Source Protection Plan, or our Source Protection Area, please contact me.

Regards,

Joseph Donati
Town of Stowe
Water Superintendent
jdonati@stowevt.gov
office 802-253-6512
mobile 802-793-4103

State of Vermont
Department of Housing and Community Development
Deane C. Davis Building – 6th Floor [phone] 802-828-3211
One National Life Drive
Montpelier, VT 05620-0501

*Agency of Commerce and
Community Development*

April 22, 2024

[Billy Adams](#), Selectboard Chair
Town of Stowe
67 Main Street
Stowe, VT 05672

RE: **Downtown Designation Renewal for Town of Stowe**

Dear Mr. Adams:

Congratulations! I am pleased to inform you that, at its meeting on April 22, 2024, the Downtown Development Board found the Town of Stowe's renewal application for the downtown designation met the statutory requirements ([24 VSA Chapter 76A](#)). The designated downtown will be eligible for [benefits](#) for the next eight years, until April 2032. At that time, the Town of Stowe will need to renew its designation. An interim review of the designation is required every four years (April 2028). The Department of Housing and Community Development will send out a reminder six months prior to the interim review and renewal date. Our team will check in with the municipality regularly to offer support, share updated information, tools, and resources related to the designation, and ensure our local contact information is up-to-date.

Please find below a few useful links to support your downtown revitalization efforts:

- [Downtown and Village Center Funding Directory](#) – A comprehensive list of state, federal and nonprofit funding sources.
- [Strong Communities Newsletter](#) – A quarterly newsletter from the Department of Housing and Community Development with news on new programs and grant opportunities. [Subscribe here.](#)
- [Vermont Planning Atlas](#) – An easy-to-use tool that provides access to commonly requested data, the status of local planning and regulations, designation boundaries, and more.
- [Vermont Planning Manual](#) – The Planning Manual offers up-to-date guidance on preparing municipal plans, as well as an overview of the state designation programs, and their benefits.
- [Neighborhood Development Area Designation](#) – An add-on housing designation program that helps reduce the time and cost of state permitting in areas within a 1/2 mile walking distance of a designated downtown.

Please do not hesitate to call or email me if you have questions or need assistance.

Sincerely,

Alexander R. Farrell

Alex Farrell, Vermont Downtown Development Board Chair
Commissioner of the Department of Housing and Community Development

cc: [Charles Safford](#), Town Manager
[Sarah McShane](#), Planning & Zoning Director
[Abby Bourgeois](#), Executive Director, Stowe Vibrancy
[Elise McKenna](#), Stowe Vibrancy Board

Enclosures: Summary of the benefits for designated downtowns
Board-approved designated downtown boundary map



State of Vermont
Department of Housing and Community Development
Deane C. Davis Building – 6th Floor
One National Life Drive
Montpelier, VT 05620-0501

*Agency of Commerce and
Community Development*

[phone] 802-828-3211

March 26, 2024

[Charles Safford](#), Town Manager
Town of Stowe
67 Main Street
P.O. Box 730
Stowe, VT 05672

RE: Designation Renewal for Stowe Village Center

Dear Mr. Safford:

Congratulations! I am pleased to inform you that at its meeting on March 25, 2024, the Downtown Development Board found Stowe's renewal application for the village center designation met the statutory requirements ([24 VSA Chapter 76A](#)). The designated village center will be eligible for [benefits](#) for the next eight years, until April 2032. At that time, the Town of Stowe will need to renew its designation. The Department of Housing and Community Development will send out a renewal reminder six months prior to the renewal date. Please note that a Neighborhood Development Area added prior to that date will be up for renewal at the same time as the underlying designation.

Our team will check in with the municipality annually to offer support, share updated information, tools, and resources related to the designation, and to ensure our local contact information is up-to-date.

Please find below a few useful links to support your village revitalization efforts:

[Downtown and Village Center Funding Directory](#) – A comprehensive list of state, federal and nonprofit funding sources.

- [Strong Communities Newsletter](#) – A monthly newsletter from the Department of Housing and Community Development with news on new programs and grant opportunities. [Subscribe here.](#)
- [Vermont Planning Atlas](#) – An easy-to-use tool that provides access to commonly requested data - the status of local planning and regulations, designation boundaries, and more.
- [Vermont Planning Manual](#) – The Planning Manual offers up-to-date guidance on preparing municipal plans, as well as an overview of the state designation programs, and their benefits.
- [Neighborhood Development Area Designation](#) – An add-on housing designation program that helps reduce the time and cost of state permitting in areas within a ¼ mile walking distance of a designated village center.

Please do not hesitate to call or email me if you have questions or need assistance.

Sincerely,

Alexander R. Farrell



[Alex Farrell](#), Vermont Downtown Development Board Chair
Commissioner of the Department of Housing and Community Development

cc: [Sarah McShane](#), Planning and Zoning Director
[Lamoille County Planning Commission](#)

Enclosures:
Summary of the benefits for designated villages



NOTICE

INITIAL ACT 250 APPLICATION FILING

Schedule G

State of Vermont
Natural Resources Board
District 5 Environmental Commission
10 Baldwin Street
Montpelier, VT 05633-3201
[phone] 802-476-0185
<https://nrb.vermont.gov/>

Today's Date: May 2, 2024

Date Application Submitted: May 1, 2024

Date Application Received: May 1, 2024

Application Number: 5L0660-7

AWH Stowe Resort Hotel, LLC
c/o AWH Partners, LLC
1040 Avenue of the Americas, 9th Floor
New York, NY 10018

The above Applicant(s) filed an application pursuant to 10 V.S.A. § 6001 et seq. ("Act 250") for the following project:

The project consists of a 3-story, 31-unit residential condominium building with banquet room in addition to related parking and site improvements.

The project is located at 4000 Mountain Road in the town of Stowe.

In compliance with 10 V.S.A. § 6084 (<https://legislature.vermont.gov/statutes/section/10/151/06084>), this Schedule G has been sent to the municipality, the municipal and regional planning commissions in which the land is located, the Vermont Agency of Natural Resources Office of Planning, and any adjacent Vermont municipality, municipal or regional planning commission if the land is located on a municipal boundary. **This notice should be posted with other legal notices in the town office.**

This application (5L0660-7) can be viewed on the public Act 250 Database online (<https://anrweb.vt.gov/ANR/Act250/Details.aspx?Num=5L0660-7>).

In the event you wish to receive further notice concerning this application, please contact:

Act 250 District 5 Office
10 Baldwin Street
Montpelier, VT 05633-3201
Tel: 802-476-0185
NRB.Act250Barre@vermont.gov





LAND USE PERMIT ADMINISTRATIVE AMENDMENT 5L0642-9

State of Vermont
Natural Resources Board
District 5 Environmental Commission
10 Baldwin Street
Montpelier, VT 05633-3201
[phone] 802-476-0185
<https://nrb.vermont.gov/>

Nathan Holler & Julia Kenney
652 Weeks Hill Road
Stowe, VT 05672

PERMIT NUMBER:
5L0642-9

Acabay, Inc.
Attn: Chris Motter
463 Mountain View Drive Suite 222
Colchester, VT 05446

LAW/REGULATIONS INVOLVED:
10 V.S.A. §§ 6001 – 6111 (Act 250)
Act 250 Rule 34(D)

The District 5 Environmental Commission (“Commission”) hereby issues Land Use Permit Administrative Amendment 5L0642-9 pursuant to the authority vested in it by 10 V.S.A. §§ 6001-6111. This permit amendment applies to the lands identified in Book 1046, Page 122, and Book 1222, Page 84, of the land records of the Town of Stowe, Vermont.

This permit amendment specifically authorizes a boundary line adjustment between the Acabay, Inc. parcel and the Holler & Kenney parcel to accommodate an encroachment. The boundary line adjustment conveys 0.02 acres from the tract of land permitted in Land Use Permit 5L0642 and subsequent amendments to the Holler & Kenney parcel.

1. The project shall be completed, operated, and maintained in accordance with: (a) the conditions of this permit and (b) the permit application, plans, and exhibits on file with the Commission and other material representations. In the event of any conflict, the terms and conditions of this permit shall supersede the approved plans and exhibits.

The approved plan is:

- Sheet 1 of 1 – “Boundary Line Adjustment Between Holler & Kenney and Acabay, Inc.,” dated 2024 (Exhibit 004).
2. Except as amended herein, all terms and conditions of Land Use Permit 5L0642 and subsequent amendments remain in full force and effect.

[Signature page follows]

Dated this May 2nd, 2024.

By: /s/ Kevin Anderson

Kevin Anderson

District Coordinator

10 Baldwin Street

Montpelier, VT 05633-3201

802-522-6074

Kevin.Anderson@vermont.gov

This permit is issued pursuant to Act 250 Rule 34(D), Administrative Amendments, which authorizes a district coordinator, on behalf of the District Commission, to "amend a permit without notice or hearing when an amendment is necessary for record-keeping purposes or to provide authorization for minor revisions to permitted projects raising no likelihood of impacts under the criteria of the Act." The rule also provides that all parties of record and current adjoining landowners shall receive a copy of any administrative amendment.

Prior to any appeal of this Administrative Amendment to the Superior Court, Environmental Division, the applicant, or a party must file a motion to alter with the District Commission within 15 days from the date of this Administrative Amendment, pursuant to Act 250 Rule 34(D)(2).

CERTIFICATE OF SERVICE

I hereby certify that I, Lori Grenier, Natural Resources Board Technician, District 5 Environmental Commission, sent a copy of the foregoing **ACT 250 LAND USE PERMIT AMENDMENT 5L0642-9** by U.S. Mail, postage prepaid, on this May 2, 2024 to the following individuals without email addresses and by electronic mail, to the following individuals with email addresses:

Note: Any recipient may change its preferred method of receiving notices and other documents by contacting the District Office staff at the mailing address or email below. If you have elected to receive notices and other documents by email, it is your responsibility to notify our office of any email address changes.

Nathan Holler
652 Weeks Hill Road
Stowe, VT 05672
nholler06@gmail.com

Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 05620-3901
anr.act250@vermont.gov

Willard Hunnewell Revok.
Trust
4800 Golf Terrace
Edina, MN 55424

Acabay, Inc.
Attn: Chris Motter
463 Mountain View Drive Suite
222
Colchester, VT 05446
c.motter@acabayinc.com

FOR INFORMATION ONLY

Stowe Town Clerk
Penny A. Davis
PO Box 730
Stowe, VT 05672
townclerk@stowevt.gov

Cary & Jennifer Robbins
627 Weeks Hill Road
Stowe, VT 05672

McCain Consulting, Inc.
Attn: George McCain, Jr., P.E.
93 South Main Street Suite 1
Waterbury, VT 05676
george@mccainconsulting.com

ADJOINING LANDOWNERS

Acabay, Inc.
463 Mountain View Dr, Suite
222
Colchester, VT 05446

/s/ Lori Grenier
Natural Resources Board
Technician
802-476-0185
NRB.Act250Barre@vermont.gov

Stowe Selectboard
PO Box 730
Stowe, VT 05672
wfricke@stowevt.gov

Lisa Muller
1070 Lovers Lane
Waterbury, VT 05676

Stowe Planning Commission
PO Box 730
Stowe, VT 05672
smcshane@stowevt.gov

Deborah & Ronald Feinstein
2 Willow Road
Weston, MA 02193

Lamoille County Planning
Commission
PO Box 1637
Morrisville, VT 05661
Seth@lpcvt.org
georgeana@lpcvt.org

Emory & Stella Richards
134 Weeks Hill Meadows
Stowe, VT 05672

Bill Clark
PO Box 561
Stowe, VT 05672

Natural Resources Board

Party Status Petition (and hearing request if Minor application)

To: Vermont Natural Resources Board
District 5 Environmental Commission

Date: 4/25/2024

From: Covered Bridge Highlands Condominium Association, Inc. (Phase I)

This is a petition for party status on Application number *[insert application number from the Hearing Notice]* 5L0755-9 & 5L0775-11 for the proposed project: *(insert project description)* subdivision of a previously approved 33 +/- acre lot formerly known as Lot 4 into two lots: Lot 4, of 27+/- acres, and Lot 4A, of 5.2+/- acres. Project proposes a new building zone for Lot 4.

in the Town of *[insert Town]* Stowe, on Criteria *[list each Act 250 criterion or subcriterion under which you may be affected]* 1-air, 5-traffic, 8-aesthetics, 10 town plan

This is also a request for a hearing on a minor application. *(Check box if applicable.)*

I live at *[fill in your home address and any related information, such as the address of your business if this is where your interests could be affected]*:

19 unit owners whose homes are located at 910, 982, 1020, 1171, 1209, 1237 Brook Road.

My home/business is *[describe your proximity to the project – e.g. “My property abuts or is 500’ from the proposed project site.”]*:

Our property abuts the project site of the new housing development, which is proposed to be accessed by easement over our private road, which overburdens the existing easement/row.

A map indicating these locations is attached *[attach a map, if available]*.

[If the party status petitioner is an organization, describe the organization, its purposes, and how its membership could be affected by the proposed project.]

Covered Bridge Highlands Condominium Association, Inc. is authorized to represent and protect the rights of the organization and its homeowners.

The proposed project could impact me as follows: *[explain how you in particular could be impacted under each criterion for which you are applying for party status and requesting a hearing, e.g., “I will have views of the project, and believe I may be adversely affected under Criterion 8, Aesthetics and Scenic Beauty.”]*. (For a list of Act 250 Criteria and additional information on each, see: <https://nrb.vermont.gov/act250-permit/criteria>).

We will have views of and will hear noise from the project. We had a reasonable expectation that no additional units would be build beyond what was permitted. Any additional impacts to Brook Road are unacceptable and will overburden our dirt road that cost \$100k last year alone to maintain as the road was not built for heavy construction vehicles. We will be adversely affected and request party status on Criterion 1 - air pollution (particulates & noise), Criterion 5 - traffic, Criterion 8 - aesthetics/scenic natural beauty, Criterion 10 - town plan.

State the reason a hearing on these criteria is required, and the nature of any evidence you intend to present at the hearing:

We request the Commission to require applicant to make a threshold showing under Rule 34 (b) that it is entitled to seek an amended permit. If successful, then a hearing is necessary to present facts in the form of testimony and exhibits, regarding whether an additional housing project and its increased burden on our road creates an undue adverse impact to the owner association neighbors under Criteria 1-air pollution, 5-traffic, 8-aesthetics, and 10-town plan.

State your position if known on the project, and explain. *[e.g. I oppose the project; I support the project; I support the project with the following conditions; I have concerns about the project.]* (The law requires that you indicate whether you oppose or support the proposed project, if known. You may state that you do not yet have a position on the project.)

We oppose the project and request that the Commission require the applicant to demonstrate that they are entitled to an amended permit under Act 250 Rule 34(b), known as the Stowe Club Highlands analysis. Just like in Stowe Club, we relied on the plans that the developer presented and Act 250 approved. This is a material change that overburdens our road access way, affects traffic, and alters the character and aesthetics of the neighborhood.

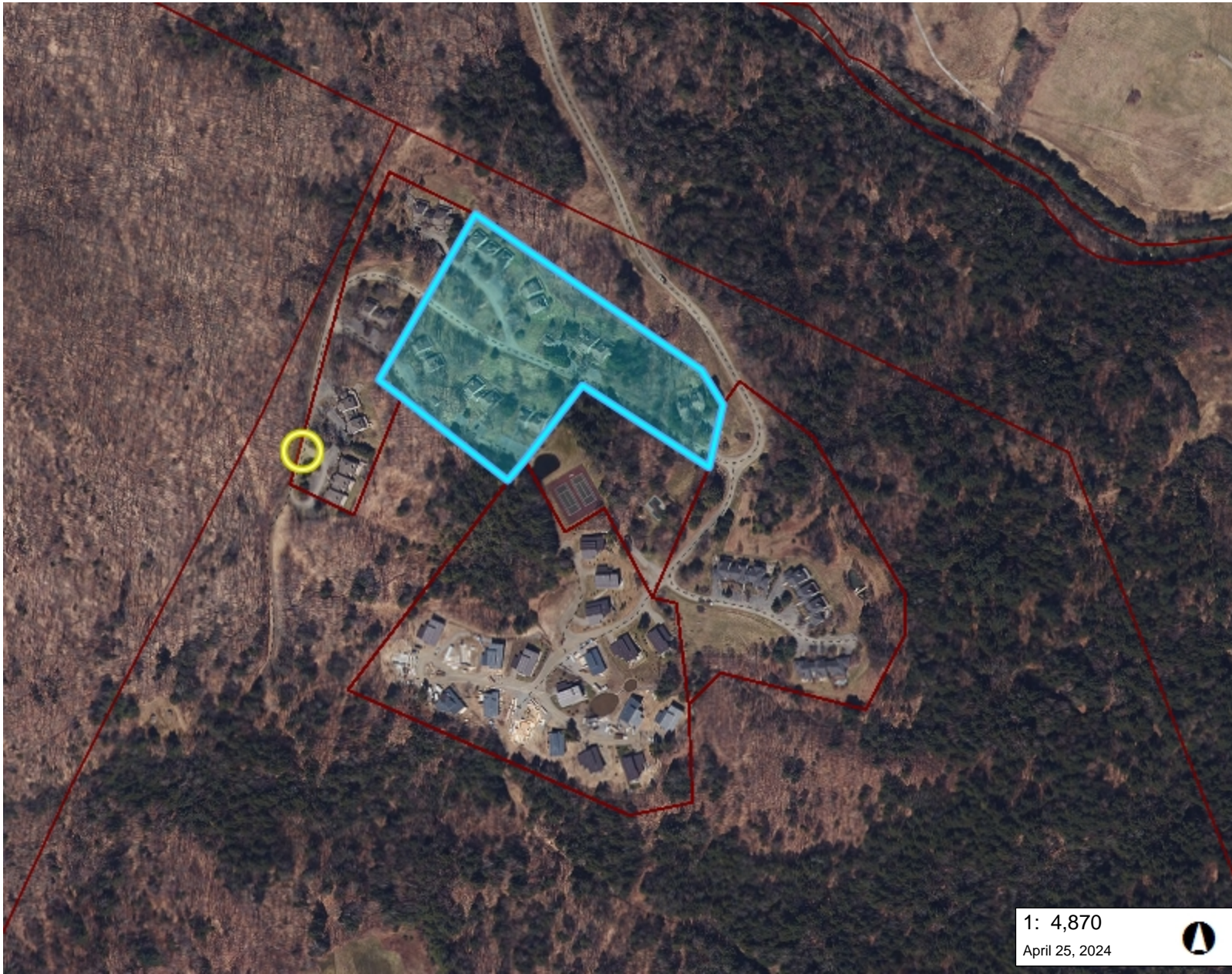
I certify that I am authorized to submit this party status request form for the above project. By checking this certification box, I am signing this party status request form electronically, and I further agree that my use of a keypad, mouse, or other device to check the certification box constitutes my signature, acceptance, and agreement, as if actually signed by me in writing. I also agree that no certification authority or third-party verification is necessary to validate my signature and that the lack of such certification or third-party verification will not in any way affect enforceability.

/s/ L. Brooke Dingedine, Esq., Petitioner's Attorney

[Type your name.]

For additional information on minor application hearing requests and related issues, see: <https://nrb.vermont.gov/documents/rule-51-procedure-effective-october-18-2016>

For additional information on what information must be included in a petition for party status, see: <https://nrb.vermont.gov/documents/manual/party-status>



LEGEND

- Parcels (standardized)
- Roads**
 - Interstate
 - US Highway; 1
 - State Highway
 - Town Highway (Class 1)
 - Town Highway (Class 2,3)
 - Town Highway (Class 4)
 - State Forest Trail
 - National Forest Trail
 - Legal Trail
 - Private Road/Driveway
 - Proposed Roads
- Town Boundary

1: 4,870

April 25, 2024



NOTES

Map created using ANR's Natural Resources Atlas

247.0 0 124.00 247.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 406 Ft. 1cm = 49 Meters
 © Vermont Agency of Natural Resources THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

Natural Resources Board

Party Status Petition (and hearing request if Minor application)

To: Vermont Natural Resources Board
District 5 Environmental Commission

Date: 4/25/2024

From: Covered Bridge Phase II Homeowners Association

This is a petition for party status on Application number *[insert application number from the Hearing Notice]* 5L0755-9 & 5L0775-11 for the proposed project: *(insert project description)*

subdivision of a previously approved 33 +/- acre lot formerly known as Lot 4 into two lots: Lot 4, of 27+/- acres, and Lot 4A, of 5.2+/- acres. Project proposes a new building zone for Lot 4.

in the Town of *[insert Town]* Stowe, on Criteria *[list each Act 250 criterion or subcriterion under which you may be affected]* 1-air, 5-traffic, 8-aesthetics, 10 town plan

This is also a request for a hearing on a minor application. *(Check box if applicable.)*

I live at *[fill in your home address and any related information, such as the address of your business if this is where your interests could be affected]*:

9 unit owners whose homes are located at 1024 & 1145 Brook Road and at 39 & 61 Brook Road Extension.

My home/business is *[describe your proximity to the project – e.g. “My property abuts or is 500’ from the proposed project site.”]*:

Our property abuts the project site of the new housing development, which is proposed to be accessed by easement over our private road, which overburdens the existing easement/row.

A map indicating these locations is attached *[attach a map, if available]*.

[If the party status petitioner is an organization, describe the organization, its purposes, and how its membership could be affected by the proposed project.]

Covered Bridge Resort Condominium Phase II Homeowners Association, Inc. is authorized to represent and protect the rights of the organization and its homeowners.

The proposed project could impact me as follows: *[explain how you in particular could be impacted under each criterion for which you are applying for party status and requesting a hearing, e.g., “I will have views of the project, and believe I may be adversely affected under Criterion 8, Aesthetics and Scenic Beauty.”]*. (For a list of Act 250 Criteria and additional information on each, see: <https://nrb.vermont.gov/act250-permit/criteria>).

We will have views of and will hear noise from the project. We had a reasonable expectation that no additional units would be build beyond what was permitted. Any additional impacts to Brook Road are unacceptable and will overburden our dirt road that cost \$100k last year alone to maintain as the road was not built for heavy construction vehicles. We will be adversely affected and request party status on Criterion 1 - air pollution (particulates & noise), Criterion 5 - traffic, Criterion 8 - aesthetics/scenic natural beauty, Criterion 10 - town plan.

State the reason a hearing on these criteria is required, and the nature of any evidence you intend to present at the hearing:

We request the Commission to require applicant to make a threshold showing under Rule 34 (b) that it is entitled to seek an amended permit. If successful, then a hearing is necessary to present facts in the form of testimony and exhibits, regarding whether an additional housing project and its increased burden on our road creates an undue adverse impact to the owner association neighbors under Criteria 1-air pollution, 5-traffic, 8-aesthetics, and 10-town plan.

State your position if known on the project, and explain. *[e.g. I oppose the project; I support the project; I support the project with the following conditions; I have concerns about the project.]* (The law requires that you indicate whether you oppose or support the proposed project, if known. You may state that you do not yet have a position on the project.)

We oppose the project and request that the Commission require the applicant to demonstrate that they are entitled to an amended permit under Act 250 Rule 34(b), known as the Stowe Club Highlands analysis. Just like in Stowe Club, we relied on the plans that the developer presented and Act 250 approved. This is a material change that overburdens our road access way, affects traffic, and alters the character and aesthetics of the neighborhood.

I certify that I am authorized to submit this party status request form for the above project. By checking this certification box, I am signing this party status request form electronically, and I further agree that my use of a keypad, mouse, or other device to check the certification box constitutes my signature, acceptance, and agreement, as if actually signed by me in writing. I also agree that no certification authority or third-party verification is necessary to validate my signature and that the lack of such certification or third-party verification will not in any way affect enforceability.

/s/ L. Brooke Dingedine, Esq., Petitioner's Attorney

[Type your name.]

For additional information on minor application hearing requests and related issues, see: <https://nrb.vermont.gov/documents/rule-51-procedure-effective-october-18-2016>

For additional information on what information must be included in a petition for party status, see: <https://nrb.vermont.gov/documents/manual/party-status>



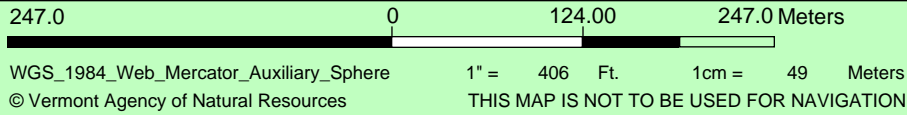
LEGEND

- Parcels (standardized)
- Roads**
- █ Interstate
- █ US Highway; 1
- █ State Highway
- Town Highway (Class 1)
- Town Highway (Class 2,3)
- Town Highway (Class 4)
- State Forest Trail
- National Forest Trail
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- Proposed Roads
- Town Boundary

1: 4,870
April 25, 2024

NOTES

Map created using ANR's Natural Resources Atlas



DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

Natural Resources Board

Party Status Petition (and hearing request if Minor application)

To: Vermont Natural Resources Board
District 5 Environmental Commission
Date: 4/25/2024
From: Covered Bridge Phase III Homeowners Association

This is a petition for party status on Application number *[insert application number from the Hearing Notice]* 5L0755-9 & 5L0775-11 for the proposed project: *(insert project description)* subdivision of a previously approved 33 +/- acre lot formerly known as Lot 4 into two lots: Lot 4, of 27+/- acres, and Lot 4A, of 5.2+/- acres. Project proposes a new building zone for Lot 4.

in the Town of *[insert Town]* Stowe, on Criteria *[list each Act 250 criterion or subcriterion under which you may be affected]* 1-air, 5-traffic, 8-aesthetics, 10 town plan

This is also a request for a hearing on a minor application. *(Check box if applicable.)*

I live at *[fill in your home address and any related information, such as the address of your business if this is where your interests could be affected]*:

9 unit owners whose homes are located at 25-33 McLane Road.

My home/business is *[describe your proximity to the project – e.g. “My property abuts or is 500’ from the proposed project site.”]*:

Our property abuts the project site of the new housing development, which is proposed to be accessed by easement over our private road, which overburdens the existing easement/row.

A map indicating these locations is attached *[attach a map, if available]*.

[If the party status petitioner is an organization, describe the organization, its purposes, and how its membership could be affected by the proposed project.]

The Covered Bridge Phase III Homeowners' Association is authorized to represent and protect the rights of the organization and its homeowners.

The proposed project could impact me as follows: *[explain how you in particular could be impacted under each criterion for which you are applying for party status and requesting a hearing, e.g., “I will have views of the project, and believe I may be adversely affected under Criterion 8, Aesthetics and Scenic Beauty.”]*. (For a list of Act 250 Criteria and additional information on each, see: <https://nrb.vermont.gov/act250-permit/criteria>).

We will have views of and will hear noise from the project. We had a reasonable expectation that no additional units would be build beyond what was permitted. Any additional impacts to Brook Road are unacceptable and will overburden our dirt road that cost \$100k last year alone to maintain as the road was not built for heavy construction vehicles. We will be adversely affected and request party status on Criterion 1 - air pollution (particulates & noise), Criterion 5 - traffic, Criterion 8 - aesthetics/scenic natural beauty, Criterion 10 - town plan.

State the reason a hearing on these criteria is required, and the nature of any evidence you intend to present at the hearing:

We request the Commission to require applicant to make a threshold showing under Rule 34 (b) that it is entitled to seek an amended permit. If successful, then a hearing is necessary to present facts in the form of testimony and exhibits, regarding whether an additional housing project and its increased burden on our road creates an undue adverse impact to the owner association neighbors under Criteria 1-air pollution, 5-traffic, 8-aesthetics, and 10-town plan.

State your position if known on the project, and explain. *[e.g. I oppose the project; I support the project; I support the project with the following conditions; I have concerns about the project.]* (The law requires that you indicate whether you oppose or support the proposed project, if known. You may state that you do not yet have a position on the project.)

We oppose the project and request that the Commission require the applicant to demonstrate that they are entitled to an amended permit under Act 250 Rule 34(b), known as the Stowe Club Highlands analysis. Just like in Stowe Club, we relied on the plans that the developer presented and Act 250 approved. This is a material change that overburdens our road access way, affects traffic, and alters the character and aesthetics of the neighborhood.

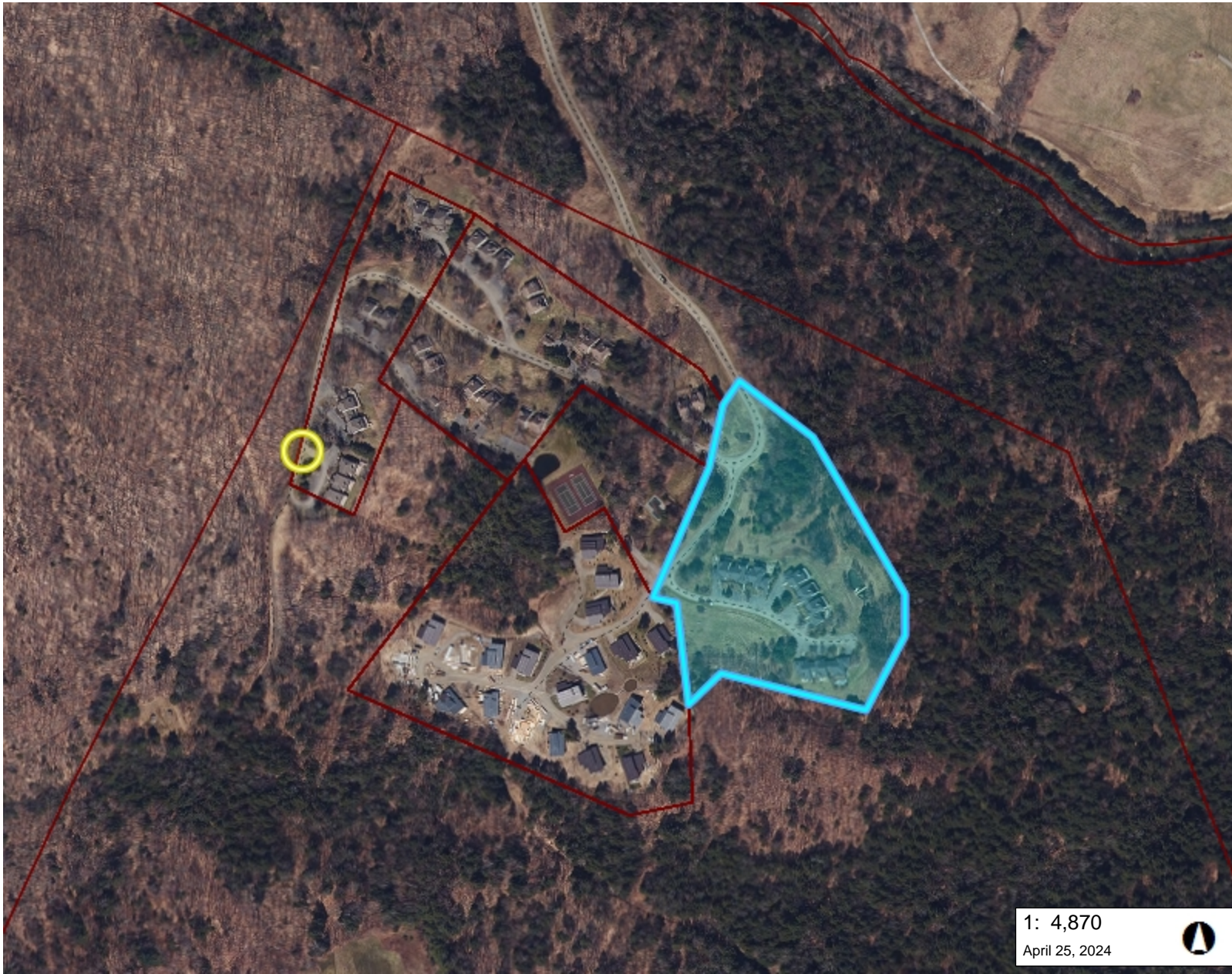
I certify that I am authorized to submit this party status request form for the above project. By checking this certification box, I am signing this party status request form electronically, and I further agree that my use of a keypad, mouse, or other device to check the certification box constitutes my signature, acceptance, and agreement, as if actually signed by me in writing. I also agree that no certification authority or third-party verification is necessary to validate my signature and that the lack of such certification or third-party verification will not in any way affect enforceability.

/s/ L. Brooke Dingedine, Esq., Petitioner's Attorney

[Type your name.]

For additional information on minor application hearing requests and related issues, see: <https://nrb.vermont.gov/documents/rule-51-procedure-effective-october-18-2016>

For additional information on what information must be included in a petition for party status, see: <https://nrb.vermont.gov/documents/manual/party-status>



LEGEND

- Parcels (standardized)
- Roads**
- █ Interstate
- █ US Highway; 1
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- Town Highway (Class 2,3)
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- Town Boundary

1: 4,870
April 25, 2024

NOTES

Map created using ANR's Natural Resources Atlas

247.0 0 124.00 247.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 406 Ft. 1cm = 49 Meters

© Vermont Agency of Natural Resources THIS MAP IS NOT TO BE USED FOR NAVIGATION

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Natural Resources Board

Party Status Petition (and hearing request if Minor application)

To: Vermont Natural Resources Board
District 5 Environmental Commission

Date: 4/25/2024

From: Wildewood Homeowners Association, Inc. (Phase IV)

This is a petition for party status on Application number *[insert application number from the Hearing Notice]* 5L0755-9 & 5L0775-11 for the proposed project: *(insert project description)* subdivision of a previously approved 33 +/- acre lot formerly known as Lot 4 into two lots: Lot 4, of 27+/- acres, and Lot 4A, of 5.2+/- acres. Project proposes a new building zone for Lot 4.

in the Town of *[insert Town]* Stowe, on Criteria *[list each Act 250 criterion or subcriterion under which you may be affected]* 1-air, 5-traffic, 8-aesthetics, 10 town plan

This is also a request for a hearing on a minor application. *(Check box if applicable.)*

I live at *[fill in your home address and any related information, such as the address of your business if this is where your interests could be affected]*:

20 unit owners whose homes are located on Wildewood Lane and Nature's Way.

My home/business is *[describe your proximity to the project – e.g. "My property abuts or is 500' from the proposed project site."]*:

Our property abuts the project site of the new housing development, which is proposed to be accessed by easement over our private road, which overburdens the existing easement/row.

A map indicating these locations is attached *[attach a map, if available]*.

[If the party status petitioner is an organization, describe the organization, its purposes, and how its membership could be affected by the proposed project.]

Wildewood Homeowners' Association, Inc. is authorized to represent and protect the rights of the organization and its homeowners.

The proposed project could impact me as follows: *[explain how you in particular could be impacted under each criterion for which you are applying for party status and requesting a hearing, e.g., "I will have views of the project, and believe I may be adversely affected under Criterion 8, Aesthetics and Scenic Beauty."]* (For a list of Act 250 Criteria and additional information on each, see: <https://nrb.vermont.gov/act250-permit/criteria>).

We will have views of and will hear noise from the project. We had a reasonable expectation that no additional units would be build beyond what was permitted. Any additional impacts to Brook Road are unacceptable and will overburden our dirt road that cost \$100k last year alone to maintain as the road was not built for heavy construction vehicles. We will be adversely affected and request party status on Criterion 1 - air pollution (particulates & noise), Criterion 5 - traffic, Criterion 8 - aesthetics/scenic natural beauty, Criterion 10 - town plan.

State the reason a hearing on these criteria is required, and the nature of any evidence you intend to present at the hearing:

We request the Commission to require applicant to make a threshold showing under Rule 34 (b) that it is entitled to seek an amended permit. If successful, then a hearing is necessary to present facts in the form of testimony and exhibits, regarding whether an additional housing project and its increased burden on our road creates an undue adverse impact to the owner association neighbors under Criteria 1-air pollution, 5-traffic, 8-aesthetics, and 10-town plan.

State your position if known on the project, and explain. *[e.g. I oppose the project; I support the project; I support the project with the following conditions; I have concerns about the project.]* (The law requires that you indicate whether you oppose or support the proposed project, if known. You may state that you do not yet have a position on the project.)

We oppose the project and request that the Commission require the applicant to demonstrate that they are entitled to an amended permit under Act 250 Rule 34(b), known as the Stowe Club Highlands analysis. Just like in Stowe Club, we relied on the plans that the developer presented and Act 250 approved. This is a material change that overburdens our road access way, affects traffic, and alters the character and aesthetics of the neighborhood.

I certify that I am authorized to submit this party status request form for the above project. By checking this certification box, I am signing this party status request form electronically, and I further agree that my use of a keypad, mouse, or other device to check the certification box constitutes my signature, acceptance, and agreement, as if actually signed by me in writing. I also agree that no certification authority or third-party verification is necessary to validate my signature and that the lack of such certification or third-party verification will not in any way affect enforceability.

/s/ L. Brooke Dingedine, Esq., Petitioner's Attorney

[Type your name.]

For additional information on minor application hearing requests and related issues, see: <https://nrb.vermont.gov/documents/rule-51-procedure-effective-october-18-2016>

For additional information on what information must be included in a petition for party status, see: <https://nrb.vermont.gov/documents/manual/party-status>



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April 25, 2024



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LAND USE PERMIT ADMINISTRATIVE AMENDMENT

State of Vermont
Natural Resources Board
District 5 Environmental Commission
10 Baldwin Street
Montpelier, VT 05633-3201
<https://nrb.vermont.gov/>

[phone] 802-476-0185

John & Diane Kemp
7 Overlook Road
Plymouth, MA 02360

PERMIT NUMBER:

5L0922-5

LAW/REGULATIONS INVOLVED:

10 V.S.A. §§ 6001 – 6111 (Act 250)
Act 250 Rule 34(D)

The District 5 Environmental Commission (the “Commission”) hereby issues Land Use Permit Amendment 5L0922-5 pursuant to the authority vested in it by 10 V.S.A. §§ 6001-6111. This permit amendment applies to the lands identified in Book 323, Page 70, and Book 377, Page 157, of the land records of the Town of Stowe, Vermont.

This permit amendment specifically authorizes a wastewater pump station serving Lot 7 and incorporates Wastewater System and Potable Water Supply Permit WW-5-9486 into the 5L0922 permit series. The project is located at 4415 Sterling Valley Road in Stowe, Vermont.

1. The project shall be completed, operated, and maintained in accordance with: (a) the conditions of this permit and (b) the permit application, plans, and exhibits on file with the Commission and other material representations. In the event of any conflict, the terms and conditions of this permit shall supersede the approved plans and exhibits.

The approved plan is Sheet No. C-2, “Site Plan - Lot 7/8,” dated April 11, 2024 (Exhibit 004).

2. This permit hereby incorporates all of the conditions of Wastewater System and Potable Water Supply Permit WW-5-9486, issued April 12, 2024 by the Drinking Water and Groundwater Protection Division, Department of Environmental Conservation, Agency of Natural Resources. Any nonmaterial changes to the above-referenced permit shall be incorporated herein automatically.
3. All site work and construction shall be completed in accordance with the approved plans by October 15, 2027, unless an extension of this date is approved in writing by the Commission. Such requests to extend must be filed prior to the deadline and approval may be granted without a public hearing.
4. Except as amended herein, all terms and conditions of Land Use Permit 5L0922 and subsequent amendments remain in full force and effect.

Dated this April 23, 2024.

By: /s/ Kevin Anderson

Kevin Anderson

District Coordinator

10 Baldwin Street

Montpelier, VT 05633-3201

802-522-6074

Kevin.Anderson@vermont.gov

This permit is issued pursuant to Act 250 Rule 34(D), Administrative Amendments, which authorizes a district coordinator, on behalf of the District Commission, to "amend a permit without notice or hearing when an amendment is necessary for record-keeping purposes or to provide authorization for minor revisions to permitted projects raising no likelihood of impacts under the criteria of the Act." The rule also provides that all parties of record and current adjoining landowners shall receive a copy of any administrative amendment.

Prior to any appeal of this Administrative Amendment to the Superior Court, Environmental Division, the applicant, or a party must file a motion to alter with the District Commission within 15 days from the date of this Administrative Amendment, pursuant to Act 250 Rule 34(D)(2).

CERTIFICATE OF SERVICE

I hereby certify that I, Lori Grenier, Natural Resources Board Technician, District 5 Environmental Commission, sent a copy of the foregoing **ACT 250 LAND USE PERMIT AMENDMENT 5L0922-5** by U.S. Mail, postage prepaid, on this April 23, 2024 to the following individuals without email addresses and by electronic mail, to the following individuals with email addresses:

Note: Any recipient may change its preferred method of receiving notices and other documents by contacting the District Office staff at the mailing address or email below. If you have elected to receive notices and other documents by email, it is your responsibility to notify our office of any email address changes.

John & Diane Kemp
7 Overlook Rd
Plymouth, MA 02360
jkemp@whoi.edu

Grenier Engineering, PC
Attn: Chris Austin
PO Box 445
Waterbury, VT 05676
chris@grenierengineering.com

Stowe Selectboard
PO Box 730
Stowe, VT 05672
wfricke@stowevt.gov

Stowe Planning Commission
PO Box 730
Stowe, VT 05672
smcshane@stowevt.gov

Lamoille County Planning
Commission
PO Box 1637
Morrisville, VT 05661
Seth@lpcvt.org
georgeana@lpcvt.org

Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 05620-3901
anr.act250@vermont.gov

FOR INFORMATION ONLY

Stowe Town Clerk
Penny A. Davis
PO Box 730
Stowe, VT 05672
townclerk@stowevt.gov

ADJOINING LANDOWNERS

Metzi & Robyn Anderson-
Trustees
250 Sterling Gorge Rd
Stowe, VT 05672

Barbara Shonio
4319 Sterling Valley RD
Stowe, VT 05672

Edmund Izzo Revocable Trust -
Trustee Jill Boardman
PO Box 1224
Stowe, VT 05672

Holbrook Family Trust- Trustee
Donna Holbrook
4321 Sterling Valley Rd
Stowe, VT 05672

Sterling Falls Gorge Natural
Area Trust Inc
91 Sterling Gorge RD
Stowe, VT 05672

Hendler Stiles Living Trust
91 Sterling Falls Gorge Rd
Stowe, VT 05672

/s/ Lori Grenier
Natural Resources Board
Technician
802-476-0185
NRB.Act250Barre@vermont.gov

VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AUTHORIZATION TO DISCHARGE UNDER
GENERAL PERMIT 3-9050

A determination has been made that the applicant(s):

LC1 Owner Stowe VT, LLC
89 Front Street
Suite 305
Marblehead, MA 01945

Impervious Area: 0.33 acres

meets the criteria necessary for inclusion under General Permit 3-9050. Hereinafter, the named applicant shall be referred to as the permittee. Subject to the conditions of General Permit No. 3-9050, the permittee is authorized to discharge stormwater as described herein:

Project Name: LC1 Owner Stowe VT, LLC

Project Location: 511 Mountain Rd in Stowe, Vermont

Receiving Waters: Unnamed wetland in the West Branch River Watershed

Manner of Discharge: S/N 001: Runoff from the new parking lot and existing gravel pad, and existing pool patio will sheet flow to a forebay which then will go into a gravel wetland for treatment. The gravel wetland then discharges to an unnamed wetland in the West Branch River Watershed.

S/N 002: Runoff from the parking spaces will sheet flow to a stone diaphragm that leads to a disconnection for treatment which then discharges to an unnamed wetland in the West Branch Little River tributary Watershed.

Design: This project shall be constructed and operated in accordance with the site plans and details designed by Grenier Engineering:

Sheet SW-1, " Existing Conditions Plan", dated 12/29/2023;
Sheet SW-2, "Proposed Stormwater Plan", dated 12/29/2023, last revised 03/18/2024;
Sheet SW-3, "Post Construction Soil Depth & Quality Plan", dated 12/29/2023, last revised 03/18/2024;
Sheet SW-4, "Annotated Maintenance Plan", dated 12/29/2023, last revised 03/18/2024;
Sheet SW-5, "Details", dated 12/29/2023; and all supporting information.

By reference, the above noted plans are made part of this authorization.

Compliance with General Permit 3-9050 and this Authorization

The permittee shall comply with this authorization and all the terms and conditions of General Permit 3-9050, including the payment of annual operating fees to the Department. A billing statement for such fees will be sent to the permittee each year. An invoice for the first year's operating fee will be sent separately. Any permit non-compliance, including a failure to pay the annual operating fee, constitutes a violation of 10 V.S.A. Chapter 47 and may be grounds for an enforcement action or revocation of this authorization to discharge.

Construction of the Stormwater Management System:

The stormwater management system as described in the approved design above shall be installed prior to the discharge of stormwater from any new or redeveloped impervious surface covered by this authorization. Where stormwater from existing impervious surface is being treated pursuant to "Site Balancing", per the approved design, the stormwater system treating such areas shall be installed prior to the discharge of stormwater from new or redeveloped impervious surface.

For any existing impervious surface covered by this authorization, except for existing impervious surfaces used for Site Balancing, as noted above, the stormwater management system as described in the approved design above shall be installed no later than 5/2/2029.

Annual Inspection and Report

The stormwater management system shall be properly operated. The permittee shall submit an annual inspection report on the operation, maintenance and condition of the stormwater management system. The inspection report shall be submitted regardless of whether the project has been constructed. The inspection shall be conducted between the conclusion of spring snow melt and June 15th of each year and the inspection report shall be submitted to the Secretary by July 15th of each year, or by July 30th if performed by a utility or municipality pursuant to a duly adopted stormwater management ordinance. The inspection report shall note all problem areas and all measures taken to correct any problems and to prevent future problems. The online submittal system, ANR Online, can be accessed at <https://anronline.vermont.gov>.

Initial Statement of Compliance

An initial statement of compliance, signed by a designer, must be submitted to the Stormwater Management Program no later than 30 days following completion of construction of the stormwater management system. Forms for completing this requirement are available on the Stormwater Management Program's website. The online submittal system, ANR Online, can be accessed at <https://anronline.vermont.gov>.

Transferability

This authorization to discharge is not transferable to any person except in compliance with Part 8.4 of General Permit 3-9050. A copy of General Permit 3-9050 is available from the Department via the internet at https://dec.vermont.gov/sites/dec/files/wsm/stormwater/docs/2020_09_01%20Final%20GP%203-9050.pdf

Changes to Permitted Development

In accordance with Part 8.6. of General Permit 3-9050, the permittee shall notify the Department of any planned development or facility expansions or changes that may result in new or increased stormwater discharges. The Department shall determine the appropriateness of continued inclusion under General Permit 3-9050 by the modified development or facility.

Recording in Land Records

The permittee shall record in the local land records, within 30 days of issuance of this authorization, a one-page notice of permit coverage. A one-page notice form may be obtained from the Secretary. A copy of the recording shall be provided to the Secretary within 14 days of the permittee's receipt of a copy of the recording from the local land records. Permits for public linear transportation projects shall be exempt from this requirement provided the permit is retained by the permittee in the official project file.

Right to Appeal

(A) Pursuant to 10 V.S.A. Chapter 220, any appeal of this permit, except for appeal of a renewable energy plant as described in (B), must be filed with the clerk of the Environmental Division of the Superior Court within 30 days of the date of the decision. The notice of appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Division; and must be signed by the appellant or the appellant's attorney. In addition, the appeal must give the address or location and description of the property, project, or facility with which the appeal is concerned and the name of the applicant or any permit involved in the appeal. The appellant must also serve a copy of the notice of appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. For further information, see the Vermont Rules for Environmental Court Proceedings.


(B) If this permit relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. § 248, any appeal of this decision must be filed with the Vermont Public Utility Commission pursuant to 10 V.S.A. § 8506. This section does not apply to a facility that is subject to 10 V.S.A. § 1004 (dams before the Federal Energy Regulatory Commission), 10 V.S.A. § 1006 (certification of hydroelectric projects), or 10 V.S.A. Chapter 43 (dams). Any appeal under this section must be filed with the clerk of the Public Utility Commission within 30 days of the date of this decision; the appellant must file with the clerk an original and six copies of its appeal. The appellant shall provide notice of the filing of an appeal in accordance with 10 V.S.A. § 8504(c)(2) and shall also serve a copy of the notice of appeal on the Vermont Public Service Department. For further information, see the Rules and General Orders of the Public Utility Commission.

Effective Date and Expiration Date of this Authorization

This authorization to discharge shall become effective on May 3, 2024 and shall expire on May 2, 2029. The permittee shall reapply for coverage prior to the expiration of this authorization.

Dated May 3, 2024.

Julia S. Moore, Secretary
Agency of Natural Resources

By: 
Kevin Burke, Program Manager
Stormwater Management Program



VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WATERSHED MANAGEMENT DIVISION
STORMWATER PROGRAM

Town Recording of Permit Issued

FOR STORMWATER DISCHARGE PERMIT BY THE VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Notice is hereby given that the Vermont Department of Environmental Conservation gives authorization to discharge pursuant to a general stormwater discharge permit that has been issued to Permittee(s) named herein for the discharge of stormwater runoff for the property identified below from impervious surfaces (e.g. roadways, rooftops, parking lots, walkways) pursuant to 10 V.S.A. 1264. The authorization requires treatment and control of stormwater runoff, long-term maintenance of the treatment and control structures and payment of yearly operational fees.

Permittee(s): **LC1 Owner Stowe VT, LLC**

Permit/Authorization Number: **9719-9050**

911 Address of Property: **511 Mountain Rd, Stowe**

Name of association (if applicable): _____
(condominium, subdivision or planned community)

Printed Name of Permittee or Authorized Representative: _____

Signature of Permittee or Authorized Representative: _____ Date: _____

FOR TOWN CLERK USE ONLY:

Recorded under Book: _____ Page: _____

Date Recorded with Town: _____ Signature / Stamp: _____

Recording information for Municipal Clerks - please index this document listing the State of Vermont, Department of Environmental Conservation as "Grantee," and listing the above-named Permittee(s) as "Grantor(s)." Additionally, if this notice lists the name of a condominium, subdivision or planned community association, please list the named association as an additional "Grantor."

Can be Completed by Clerk or Permittee:

Please upload this completed form to ANR Online by visiting the following link
https://anronline.vermont.gov/?formtag=WS_Storm_TownRecording

**STATE OF VERMONT
AGENCY OF NATURAL RESOURCES
OFFICE OF PLANNING**

RE: LC1 Owner Stowe VT, LLC)
) DISTRICT ENVIRONMENTAL
) COMMISSION # 5
)
) APPLICATION # 5L0371-13
)
) April 17, 2024

SUPPLEMENTAL COMMENTS

Criterion 1E: Streams

Initially, James Brady, Habitat Protection Scientist with the Department of Fish and Wildlife, noted ponds on the project site. Based on the wetland application information (Wetland project 2021-0952), the ponds appeared to be stream and groundwater fed. Fisheries expressed the desire to know more about the streams associated with the pond and if they were at least intermittent in nature, and if there were opportunities to eliminate or reduce impacts to the riparian zone of the stream and ponds. Initial comments were submitted by the Agency to the Commission 4/10/2024. The applicant and Mr. Brady scheduled a meeting on Friday, 4/12/2024 to discuss Mr. Brady's requests; and the commission granted an extension until 4/19/2024.

After the meeting, Mr. Brady further reviewed the applicant's Planting Plan and suggested adjustments based on the riparian zone plantings list. The Applicant made adjustments to the plan as requested by Mr. Brady. The revised planting plan is attached.

Under Criterion 1(E), the Agency reviews projects for conformance with the Agency's [Guidance for Agency Act 250 and Section 248 Comments Regarding Riparian Buffers](#)¹ (Guidance). For this project, as the stream is contiguous with the Class II wetlands on site, the extent of the riparian zone is that of the Class II wetlands and 50' buffer. The Commission's draft permit includes condition 23 for protections of the wetlands and buffers. The Agency respectfully requests the minor modification below to include reference to the stream's riparian zone in condition 23:

*Except for activities authorized in the Individual Wetland Permit for the project and for allowed uses under the Vermont Wetland Rules, the Permittee shall not conduct any activity in Class II wetlands or their associated buffer zones (**the riparian zone of the unnamed tributary to the West Branch of the Little River**). Permanent markers shall be installed along Class II wetland buffer zone boundaries as prescribed in the Individual Wetland Permit.*

¹ Guidance for Agency Act 250 and Section 248 Comments Regarding Riparian Buffers, <http://anr.vermont.gov/sites/anr/files/co/planning/documents/guidance/Guidance%20for%20Agency%20Act%20250%20and%20Section%20248%20Comments%20Regarding%20Riparian%20Buffers.pdf>

The Agency is grateful for the extension.

Respectfully submitted,
State of Vermont
Agency of Natural Resources

By:

/s/ Sarah Amatruto
Sarah Amatruto
Regulatory Policy Analyst
ANR Office of Planning
802-261-1400

E-Notification CERTIFICATE OF SERVICE FILE # 5L0371-13

I hereby certify that I, Sarah Amatruto, Regulatory Policy Analyst, for the Agency of Natural Resources Office of Planning, sent a copy of the foregoing **Agency Supplemental Comments** dated April 17, 2024, regarding File # 5L0371-13 by U.S. mail, postage prepaid, to the individuals without email addresses and by electronic mail to those with email addresses as indicated:

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/s/ Sarah Amatruto

Sarah Amatruto, Regulatory Policy Analyst
Office of Planning

DRAFT Minutes: Stowe Electric Board of Commissioners' Special Meeting

April 24, 2024, at 5:00 pm via Zoom.

Present:

BOARD MEMBERS: Larry Lackey, Chair; Sara Teachout, Vice-Chair and Mark Gilkey, Commissioner

STAFF: Jackie Pratt, General Manager

Call to Order: L. Lackey called the meeting to order at 5:02 pm.

Executive Session:

At 5:04 pm, L. Lackey moved to enter Executive Session to discuss a litigation matter. S. Teachout seconded the motion, and all were in favor. J. Pratt was invited to join Executive Session.

At 5:13 pm, S. Teachout moved to exit Executive Session. The motion was seconded by M. Gilkey, and all were in favor.

Open Session:

At 5:14 pm, L. Lackey moved that the Town of Stowe Board of Electric Commissioners hereby ratifies and approves the Settlement Agreement reached in the matter of Winer v. Town of Stowe d/b/a Stowe Electric Department dated April 5, 2024 and authorizes the General Manager to take all actions necessary for the Town of Stowe Electric Department to implement the terms of the agreement. The motion was seconded by M. Gilkey, and unanimously approved.

M. Gilkey moved to adjourn the meeting at 5:15 pm. S. Teachout seconded the motion, and all were in favor.

Respectfully Submitted,

Amber Ives, Clerk of the Board

Draft

Board of Listers Minutes

Town of Stowe April 25, 2024

The Board of Listers met on Thursday, April 25, 2024 at 10:30 AM in the Listers office.

Present: Listers Paul Percy, Adam Davis, Jeff Jackson, Town Appraiser Tim Morrissey, and Appraiser Tom Vickery.

The Board reviewed the Listers Minutes from the March 21, 2024 meeting. Adam made a motion to approve the minutes, seconded by Jeff with all in favor.

Tim presented the Board with a new ratio study of all the R1 and R2 properties in Stowe. He indicated that Sales activity has slowed down over the past few months, which is typical for this time of year. No trends are currently evident showing a change in market sales prices. The Board went over the study and asked questions.

Tom presented the Board with a ratio study for several condominium projects and all the commercial properties completed to date. Tom indicated that the average ratios on condominium and commercial properties is similar to the residential properties. The Board went over the study and asked questions.

Tim thought it would be a good idea to meet next month and the Listers agreed to meet on May 23 at 10:00 am to review more reappraisal data.

Adam made a motion to adjourn, seconded by Jeff with all in favor.

The meeting adjourned at 11:45 AM

Respectfully submitted,

Tim Morrissey

Recreation Commission Regular Meeting

April 17, 2024

DRAFT

2 The regular Recreation Commission meeting was held April 17 at the Stowe Community Room starting at 5:00 P.M.

3 Members present: Forrest Shinnars, Julian Roscioli-Barren, Brett Loomis, Jared Anello, Lyn Goldsmith, Matt Frazee. Absent: Ryan Thibault, Audience: Joe and Patti Cignoli

4 **5:00pm called to order. Agenda Approved**

5 **BL motioned to approve the minutes JA second**

6 **Tennis/Pickleball Courts**

7 After the last meeting and recommendation by the Recreation Commission to pursue the Sport Court surfacing, an email was sent by Stowe Pickleball members opposing the decision. Matt shared their concerns with Sport Court reps and Brett shared responses with SPC. Everyone is now in agreement that the Sport Court surfacing is the best approach for the short to mid-term solution for improving the existing court surface until relocation and replacement of the courts can occur which the current expectation is 5-7 years at best. Matt said he will try to get Sport Court scheduled for a site visit and get proposal to Selectboard for May 8th.

8 **Dog waste signs for QP**

9 Lyn said people not picking up after their dogs on the quiet path is an increasing problem. She talked to Charles about putting up signs. Signage for rec path/quiet path have to be approved by Selectboard. Lyn is going work with Matt to get some templates drafted up and will bring to SB for approval. All in favor pending final design and location of signs

10

11 **Other business**

6:33 p Meeting adjourned.

Respectfully Submitted

Matt Frazee



**Stowe Energy Committee
April 25, 2024**

Present:

In Person: Catherine Crawley, Marina Meerburg, Cap Chenoweth, Andrew Rianhard
Via zoom: Elizabeth Soper, Robi Artman-Hodge
Absent: Julia Biedermann

Attendees

Assistant Town Manager Will Fricke, Assistant Public Works Director Chris Jolly, Parks and Recreation Director Matt Frazee, Stowe Electric Regulatory Compliance Manager Michael Lazorchak

Call to Order

Energy Committee Chair Catherine Crawley called the meeting to order at 5:30pm.

Review & Approve Minutes

Cap Chenoweth requested that the type of camera that detects heat be corrected from Lidar to FLIR. Marina Meerburg moved to approve the March minutes with that change. Robi Artman-Hodge seconded. All were in favor.

Energy Projects

Chris Jolly gave an overview of the energy audits done on the Ski Museum and the Akeley Buildings. He said that the initial observations from ski museum blower door test is that envelope is in good shape. At the Akeley Building, the walls are fine solely because of thickness. The attic and windows are problematic with respect to leakage. It will be 2-3 months before official results are available and he will provide copies of the report to the Energy Committee. For the HVAC project, there is not much space outside for siting the propane tank. The location of the current oil tank is underground in front of Akeley, which is likely the only feasible space available. The inspector said that the stone construction of the building reduces the risk of the propane tank location, and that they will grant a waiver. The Town will move forward with design of propane system.

Catherine Crawley asked Chris Jolly if the \$4,000 mini grant from the MERP program could be applied to converting the theater lighting to LED. Jolly said it is not supposed to go towards “construction,” but rather information gathering/sharing. He added that the lights are owned by the theater guild and the Town would need to show a return on investment with regards to reducing utility cost in order to pay to replace the lighting. Additionally each light costs about \$1200-\$1500 each, and there are 60-70 lights in the theater. Crawley said next year they may be able to help the Theater Guild apply for a cultural facilities grant for this purpose. She also asked Jolly if the Town will get the implementation grant that the energy assessment qualifies the Town for, and what the Town would do with it if it got it. Jolly said they will take input from the Energy Committee on what to use it for, and options may include installing geothermal at the Ski Museum or improvements to the Akeley envelope.

Elizabeth Soper asked about the Theater Guild agreement with the Town for the use of the Town Hall Theater. Jolly explained that the Theater Guild has a lease where they pay the Town one dollar per year, which covers the use of the space and the utilities. The Theater Guild installed the air conditioning system that is failing currently – at some point, likely in the early 90s, the Town took it over. Robi Artman-Hodge asked about the length of the lease, and suggested that the Town could attempt to negotiate it in a manner as to encourage them to apply for grants to pay to replace the lighting. Jolly said they are renewed for 3-5 years, but are not long term. He added that the Theater Guild is limited in resources.

Electric Mowers

Matt Frazee said they got confirmation of another 72-inch e-mower coming out, but it does not meet their specifications as it is rear discharge only. They are back to their initial inclination to recommend the equipment fund be amended to purchase a gas 72-inch mower and an electric 60-inch mower, rather than an electric 72-inch mower and a gas 54-inch mower. Cap Chenoweth asked if not having bagging is a deal breaker. Frazee said they do not utilize them on a day-to-day basis, but rather for specific purposes. They are used in early spring and in the fall for cleanup, and when grass is growing at a peak rate to keep up with the mowing, particularly on athletic fields. Once they get caught up in the spring they are not used, and they can double cut grass and fan out the fields. They only utilize bagging with the 72 inch mowers, which makes 60-inch e-mowers more viable at this time.

Chenoweth said that the e-mowers have higher power and higher tip speed, and asked why they cannot be used in a heavy-duty environment. Frazee said that they are on board with what they are trying to do, but the biggest problem with the with the e-mowers besides the bagging is that there's just not a ton of data yet because they're still fairly new. Based on what's available for the current technology, they feel the most important thing is to get one of these machines in the fleet and to start really putting it to use on a daily basis. He added that the Parks Department doesn't have an enormous staff, so efficiency, performance and production is important to take into the equation. They want to make sure they give their staff the right tools to get the job done and put them in a position to be successful.

Robi Artman-Hodge asked how many mowers the Parks Department current has with bagging capability, and if it was possible to have one last an extra couple years and delay the replacement until there is more data on e-mowers. Frazee said they gave consideration to that, but they had four 72 inch mowers that were originally scheduled to be replaced in FY24, so they are already getting to the edge of their usable life cycle. Their plan was to push three of them to FY26 and replace one with an e-mower in FY25 to make sure it would meet their needs. By getting the 60 inch e-mower in FY25 instead, they will still get the data they need to make that decision. He added that they have six 72-inch mowers; so one was due to be replaced this year and three next year. In addition they have multiple 60, 54, and 48 inch

zero turns that need to be replaced eventually as well. Artman-Hodge asked if the 60 inch e-mower they want will have bagging capability. Frazee said it will not; it is not used in a way where they would need it, and by getting it without the bagger it keeps the total budgeted amount the same between the two new zero turns. He added that they will be doing more demonstrations to see which version and brand they would go with. He also said that another benefit of getting the electric 60 inch instead of the 72 inch is that the 60 inch would be used along the rec path, where a quieter mower would be more beneficial.

Andrew Rianhard noted that the demo event is on May 21, and he is hoping that Stihl/Greenworks brings their 60-inch e-mower. He said he will ask lots of questions and take photos/videos. He also said he would give feedback about the necessity of a bagger.

Frazee said the Parks Department demo'd the Greenworks 72-inch last year, which they did not like because of the suspension, and had a Toro 60-inch scheduled for demo but it caught on fire before it could be delivered. He said they demo'd a Gravely model that performed the best overall. David Danforth, Parks Superintendent, did an in-depth analysis and testing and demoing of each of these, and he has more specific information as to how each performed and what the pros and cons were. The most notable issue was the battery life only lasting for 8 hours under very mild conditions, and for most models you would need two batteries for a full day of mowing.

Cap Chenoweth asked if they actually mowed for 8 hours while testing. Frazee said they did; they had each mower for about a week at a time and used them for regular mowing. They are looking to get new models in within the next month to put them to the test again.

Andrew Rianhard asked if they could be charged during lunch. Frazee said that the Superintendent and the parks crew decide on when to take lunches early in the season, and they usually decide to each lunch in the trucks between jobs. They are not taking extended lunch breaks where they would be able to bring the mowers back to the shop to charge. Rianhard asked how long they are typically on the trailer in a day, and if they could be charged while on the trailer. Frazee said that the crew leaves the shop at 6am and when they get to their work site the mowers are typically not back on the trailer until they are heading back to the shop at the end of the day due to the workload. Riverbank Cemetery is 72 man-hours of mowing per week, the Polo Fields are 16, etc. The crews are typically at a site for a full day rather than jumping from site to site within the day.

Chair Crawley thanked Frazee and said it's really important that we moving this in the right direction, so whatever we can do to assist with that, we'll do that. Frazee asked if the committee was alright with their plan to flip the e-mower from the 72 to the 60, and added that the important thing from their perspective was to get one in their fleet to have a history of use and learn how they perform over time and in various conditions, before they approach purchasing three in FY26.

Stowe Electric Update

Michael Lazorchak requested the Energy Committee Chair and Town Manager sign a letter of support for SED's application for grant funding from Northern Border Regional Commission Catalyst Program. Cap Chenoweth moved that the Chair sign the letter of support as written. Marina Meerburg second. All were in favor.

Chair Crawley said that the EV working group facilitated by Vermont Clean Cities and the Stowe Electric Department meets online on the fourth Friday of the month at 1pm. Andrew Rianhard and herself have been participating. The idea is to inform the work that Stowe Electric is doing on electric

vehicle charging, then to inform the Town Plan revision and create a roadmap for ownership and charging for electric vehicles. Vermont Clean Cities is looking to get further funding for that portion, and bring in additional stakeholders such as Drive Electric, the Lamoille County Planning Commission, etc.

The Energy Committee discussed EV charging station usage patterns in Stowe, noting that it is largely visitors using the charging stations. Lazorchak noted that the delta between adoption rates and charging data drives that conclusion.

Town Plan Discussion

Chair Crawley suggested to table the Town Plan discussion until the next meeting so they could have more time to discuss it. Will Fricke added that the Planning Director should be ready to come to their next meeting to discuss the Town Plan. The Committee agreed to table the discussion until May 23.

The Committee discussed tools that UVM researchers are developing that could help inform their Town Plan contribution.

Other Business

Chair Crawley said the Committee will need a new student representative as Julia's last month will be in May. She said one student has reached out with interest.

Robi Artman-Hodge asked for clarification on their new terms. Will Fricke said that rather than being 1-year terms, they now have 3-year terms, but they are staggered, so some end next year, and others end in 2026 and 2027. They can all be reappointed for 3 years after that.

Adjournment

There being no other business, Chair Crawley adjourned the meeting at 6:16pm.