

Agenda Summary
September 11, 2024

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

Transfer Station Project: Heather Thomas, LRSWMD Facilities Manager, provided information on a renovation project at the transfer station on Dump Road. They will be installing a new compactor and will change where they accept bagged trash, in order to improve traffic flow for staff and customers. The project will necessitate limited and temporary service interruptions in mid-to-late September. They will be closed on Wednesday 9/26 (in addition to their regular Tuesday closures), and will not accept tires or items with refrigerant between 9/9 and 9/27. She notes that project dates could change due to weather or unforeseen circumstances.

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

A permit issued for Stowe Mountain Resort for the expansion of the existing parking spaces at the "A Lots" (Lots A1, A2 and A3) adjacent to the Midway Base Lodge and Gondola at Stowe Mountain Resort. The expansion would increase available parking spaces from 337 spaces to 414 spaces (an additional 77 spaces). The project also involves the construction of two covered walkways connecting the parking lots and the construction of 3 new stormwater treatment features (gravel wetlands).

[https://anrweb.vt.gov/ANR/Act250/Details.aspx?Num=5L1338\(Altered\)-41](https://anrweb.vt.gov/ANR/Act250/Details.aspx?Num=5L1338(Altered)-41)

VTrans assessed an impact fee for a project at the Sun & Ski Inn and Suites, which includes replacement of the existing one-story east and west buildings with two-story buildings, an addition to the main building, and related site improvements. The modifications add 29 lodging units to the resort, for a total of 68.

<https://anrweb.vt.gov/ANR/Act250/Details.aspx?Num=100024-6>

An application was submitted for a project at 281 Cape Cod Road, which proposes a 12-lot subdivision with additional remaining lands. On proposed lot 1 (0.74 +/- acres) there is an existing 4-unit apartment building, on proposed lots 2-12 there will be one single family home per lot. Each new single family home lot will be between 0.12 +/- acres and 0.24 +/- acres. There is a 664 +/- foot private road proposed for access to residences off of Cape Cod Rd. Municipal sewer and water will be utilized.

<https://anrweb.vt.gov/ANR/Act250/Details.aspx?Num=5W1623>

Documents received related to a stormwater improvement project at Stowe High School to meet Vermont's 3-Acre Rule, which includes the installation of two gravel wetlands, a 3,600 square foot bioretention area, and new catch basins, yard drains, and manholes for stormwater management.

<https://anrweb.vt.gov/ANR/Act250/Details.aspx?Num=100016-3>

Minutes: Enclosed are the following minutes:

- Development Review Board – August 20, September 3
- Conservation Commission – August 27
- Historic Preservation Commission – September 4
- Housing Task Force – August 21
- Electric Commission – August 30

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.



LAND USE PERMIT AMENDMENT

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

VR US Holdings II, LLC
Attn: Shannon Buhler
5781 Mountain Road
Stowe, VT 05672
and
VT Department of Forests, Parks, and
Recreation
Attn: Danielle Fitzko
1 National Life Drive, Davis 2
Montpelier, VT 05620-3801

PERMIT NUMBER: 5L1338(Altered)-41

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

The District 5 Environmental Commission hereby issues Land Use Permit Amendment 5L1338(Altered)-41, pursuant to the authority vested in it by 10 V.S.A. §§ 6001-6111. This permit amendment applies to the lands identified in Book 978, Page 1 and Book 28, Pages 467-468 of the land records of Stowe, Vermont as the subject of a deed to VR US Holdings II, LLC and the State of Vermont, respectively.

This permit specifically authorizes the expansion of the existing parking spaces at the "A Lots" (Lots A1, A2 and A3) adjacent to the Midway Base Lodge and Gondola at Stowe Mountain Resort. The expansion would increase available parking spaces from 337 spaces to 414 spaces (an additional 77 spaces). The project also involves the construction of two covered walkways connecting the parking lots and the construction of 3 new stormwater treatment features (gravel wetlands) The project is located at 198 Mansfield Base in Stowe, Vermont.

Jurisdiction attaches because the project constitutes a material change pursuant to Act 250 Rule 2(C)(6) and thus requires a permit amendment pursuant to Act 250 Rule 34.

1. The Permittees and their assigns and successors in interest are obligated by this permit to complete, operate, and maintain the project as approved by the District Commission (the "Commission") in accordance with the following conditions.
2. The project shall be completed, operated, and maintained in accordance with the conditions of this permit, and the permit application, plans, and exhibits on file with the Commission. In the event of any conflict, the terms, and conditions of this permit [and the conclusions in the findings] shall supersede the approved plans and exhibits. The approved plans are:

Sheet C0.00 – "Cover Sheet", dated 7/5/23 (Exhibit 3)

Sheet C1.00- "Legend and General Notes", dated 7/5/23 (Exhibit 4)

Sheet EX1.00 - "Existing Conditions Plan", dated 7/25/23 (Exhibit 5)

Sheet C2.00 - "Overall Site Plan", dated 7/25/23, last revised 11/27/23 (Exhibit 6)

Sheet C2.01 and C2.02 "Grading and Drainage Plan", dated 7/25/23, last revised 11/27/23 (Exhibits 7 and 8)

Sheet C4.00 – "EPSC Notes and Narrative", dated 7/25/23 (Exhibit 9)

Sheet C4.01 – "EPSC Plan", dated 7/25/23 (Exhibit 10)

Sheet C6.00 – "EPSC Details", dated 7/25/23 (Exhibit 11)

Sheet C6.01 – "Stormwater Details", dated 7/5/23, last revised 11/27/23 (Exhibit 12)

Sheet C6.02 – "Site Details", dated 7/25/23, last revised 11/27/23 (Exhibit 13)

Sheet LA1.00 – "Planting Plan", dated 7/25/23, last revised 11/27/23 (Exhibit 14)

Sheet LA5.01 – "Planting Details", dated 7/25/23, last revised 11/27/23 (Exhibit 15)

"Parking Lot Stairs Cover Sheet", dated 4/12/23 (Exhibit 16)

Sheet A-100 – "Parking Lot Stairs Plans and Elevations", dated 12/17/22, last revised 11/30/23 (Exhibit 17)

Sheet A-500 – "Details", dated 12/17/22, last revised 12/18/23 (Exhibit 18)

Sheet S1.0 – "General Notes and Details", dated 4/12/23 (Exhibit 19)

Sheet S1.1 – "Stair Bridge Foundation and Framing Plans", dated 4/12/23 (Exhibit 20)

"Natural Resources Map", dated 5/23/23 (Exhibit 24)

"NRCS Prime Agricultural Soils", dated 12/21/23 (Exhibit 25)

3. All conditions of Land Use Permit 5L1338(Altered) and amendments are in full force and effect except as further amended herein.
4. The Permittees shall comply with the conditions of the Authorization of Stormwater Discharge Notice of Intent under General Permit 3929-9050.6 issued on January 5, 2024 by the ANR Watershed Management Division.
5. The Permittees shall comply with the conditions of the Authorization to Discharge Stormwater Permit 3929-INDC.4 (NPDES Number VTS007370), issued on September 22, 2023 by the ANR Watershed Management Division.
6. Representatives of the State of Vermont shall have access to the property covered by this permit, at reasonable times, for the purpose of ascertaining compliance with Vermont environmental and health statutes and regulations and with this permit.
7. A copy of this permit and plans shall be on the site at all times throughout the construction process.
8. No change shall be made to the design, operation, or use of this project without a permit amendment issued by the Commission or a jurisdictional opinion from the District Coordinator that a permit amendment is not required.

9. No further subdivision, alteration, or development on the tract of land approved herein shall be permitted without a permit amendment issued by the Commission or a jurisdictional opinion from the District Coordinator that a permit is not required.
10. Pursuant to 10 V.S.A. § 8005(c), the Commission or the Natural Resources Board may at any time require that the permit holder file an affidavit certifying that the project is in compliance with the terms of this permit.
11. The conditions of this permit and the land uses permitted herein shall run with the land and are binding upon and enforceable against the Permittees and their successors and assigns.
12. Construction hours shall be limited to Monday through Friday from 7:00 AM to 6:00 PM, and Saturday from 8:00 AM to 5:00 PM. There shall be no construction on Sunday or State and Federal holidays.
13. To control dust, the Permittees shall apply and maintain water and/or other agents approved by the Watershed Management Division in the project's Erosion Prevention and Control Plan on all roadways or disturbed areas during construction and until pavement and/or vegetation is fully established.
14. The Permittees shall comply with Exhibits 7-13 for erosion prevention and sediment control. The Permittees shall prevent the transport of any sediment beyond that area necessary for construction approved herein. All erosion prevention and sediment control devices shall be periodically cleaned, replaced, and maintained until vegetation is permanently established on all slopes and disturbed areas.
15. All mulch, siltation dams, water bars and other temporary devices shall be installed immediately upon grading and shall be maintained until all roads are permanently surfaced and all permanent vegetation is established on all slopes and disturbed areas. Topsoil stockpiles shall have the exposed earth completely mulched and have siltation checks around the base.
16. All areas of disturbance must have temporary or permanent stabilization within 14 days of the initial disturbance. After this time, any disturbance in the area must be stabilized at the end of each workday. The following exceptions apply: i) Stabilization is not required if work is to continue in the area within the next 24 hours and there is no precipitation forecast for the next 24 hours.
17. All disturbed areas of the site shall be stabilized, seeded, and mulched immediately upon completion of final grading.
18. A copy of the approved erosion prevention and sediment control plan shall be on the site at all times during construction.
19. In addition to conformance with all erosion prevention and sediment control conditions, the Permittees shall not cause, permit, or allow the discharge of waste material into any surface waters. Compliance with the requirements of this condition does not absolve the Permittees from compliance with 10 V.S.A. (§§ 1250-1284) Chapter 47, Vermont's Water Pollution Control Law.
20. The Permittees shall maintain an undisturbed, naturally vegetated riparian zone on the project tract along the West Branch of the Little River which shall begin at the water's edge at base flow conditions, and shall further extend 50 feet measured inland from, perpendicular to, and horizontally from the Top of Bank as depicted on Exhibits 5 and 6. The term "undisturbed" means that there shall be no activities that may cause or contribute to ground or vegetation disturbance or soil compaction, including but not limited to construction, earth-moving activities, storage of materials, tree trimming or canopy removal, tree, shrub, or groundcover removal; plowing or disposal of snow, grazing, or mowing.

21. The Permittees shall maintain an undisturbed, naturally vegetated Class II wetland and 50-foot wetland buffer zone on the project tract as depicted on Exhibit 24. The term "undisturbed" means that there shall be no activities that may cause or contribute to ground or vegetation disturbance or soil compaction, including but not limited to construction, earth-moving activities, storage of materials, tree trimming or canopy removal, tree, shrub, or groundcover removal; plowing or disposal of snow, grazing, or mowing.
22. The Permittees and all assigns and successors in interest shall continually maintain the landscaping as approved in Exhibits 14 and 15 by replacing any dead or diseased plantings as soon as seasonably possible.
23. The relocation of exterior light fixtures is limited to those approved in Exhibits 6, 17, and 18. All exterior lighting shall be installed or shielded in such a manner as to conceal light sources and reflector surfaces from view beyond the perimeter of the area to be illuminated.
24. After the A Lots expansion is constructed, a post-monitoring study of the VT-108/Mansfield Exit/Spruce Peak Road intersection shall be conducted. As part of this traffic monitoring, the vehicles approaching the intersection of VT-108/Mansfield Lots/Spruce Peak Road from the Mansfield Lot shall be captured during the morning peak hour. This data shall be compared to historical data captured in the Resort's historical traffic monitoring efforts to determine if there is an impact related to the A Lots expansion project. Weather, accidents, and other conditions shall be noted on the report for reference.
25. The Resort shall host an annual meeting with the Vermont Agency of Transportation (VTTrans), the Town of Stowe, the public transit provider, and the Regional Planning Commission to review and coordinate traffic mitigation efforts within the Route 108 corridor, ongoing projects, and master planning. This meeting shall include a review of the post-monitoring study in the previous condition and be held annually for a period of five years after completion of the project. The study's findings including traffic, transit, and parking progress, and any additional mitigations shall be reported to the District Commission.
26. The Permittees shall provide each prospective purchaser of any interest in this project a copy of the Land Use Permit Amendment before entering into any written contract of sale.
27. Pursuant to 10 V.S.A. § 6090(b)(1), this permit amendment is hereby issued for an indefinite term, as long as there is compliance with the conditions herein. Notwithstanding any other provision herein, this permit shall expire three years from the date of issuance if the Permittees has not commenced construction and made substantial progress toward completion within the three-year period in accordance with 10 V.S.A. § 6091(b).
28. 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.
29. The Permittees shall file a Certificate of Actual Construction Costs, on forms available from the Natural Resources Board, pursuant to 10 V.S.A. § 6083a(g) within one month after construction has been substantially completed. If actual construction costs exceed the original estimate, a supplemental fee based on actual construction costs must be paid at the time of certification in accordance with the fee schedule in effect at the time of application. Upon request, the Permittees shall provide all documents or other information necessary to substantiate the certification. Pursuant to existing law, failure to file the certification or pay any supplemental fee due constitutes grounds for permit revocation. The certificate of actual construction costs and any supplemental fee (by check payable to the "State of Vermont") shall be

mailed to: Natural Resources Board, 10 Baldwin Street, Montpelier, VT 05633-3201; Attention: Certification.

30. Failure to comply with any condition herein may be grounds for permit revocation pursuant to 10 V.S.A. sec. 6027(g).

Dated this 3rd day of September 2024.

By /s/ Donald Marsh
Donald Marsh, Chair
District 5 Environmental Commission

Commissioners participating in this decision:
Gary Nolan
Francine Perkins

Any party, or person denied party status, may file within 15 days from the date of a decision of the District Commission one and only one motion to alter with respect to the decision, pursuant to Act 250 Rule 31(A). Under Rule 31(A), no party, or person denied party status, may file a motion to alter a District Commission decision concerning or resulting from a motion to alter. Per Rule 31(A)(3), the running of the time for filing a notice of appeal is terminated as to all parties by a timely motion to alter.

Any person aggrieved by an act or decision of a District Commission or District Coordinator, or any party by right, may appeal to the Environmental Division of Vermont Superior Court within 30 days of the act or decision pursuant to 10 V.S.A. § 8504. Such appeals are governed by Rule 5 of the Vermont Rules for Environmental Court Proceedings. The appellant must file a notice of appeal with the clerk of the court and pay any fee required under 32 V.S.A. § 1431.

The appellant must also serve a copy of the Notice of Appeal on the Natural Resources Board and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. The Natural Resources Board's copy may be sent to NRB.Legal@vermont.gov and/or 10 Baldwin Street, Montpelier, VT 05633-3201.

Note, there are certain limitations on the right to appeal, including interlocutory appeals. See, e.g., 10 V.S.A. § 8504(k), 3 V.S.A. § 815, and Vermont Rule of Appellate Procedure 5. There shall be no appeal from a District Commission decision when the Commission has issued a permit and no hearing was requested or held, or no motion to alter was filed following the issuance of an administrative amendment. 10 V.S.A. § 8504(k)(1). If a District Commission issues a partial decision under 10 V.S.A. § 6086(b), any appeal of that decision must be taken with 30 days of the date of that decision. 10 V.S.A. § 8504(k)(3). For additional information on filing appeals, see the Court's website at: <http://www.vermontjudiciary.org/GTC/environmental/default.aspx> or call (802) 951-1740. The Court's mailing address is Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401.

The foregoing statements regarding motions to alter and appeals are intended for informational purposes only. They neither supplant nor augment any rights or obligations provided for by law nor do they constitute a complete statement of the rights or obligations of any person or party.

CERTIFICATE OF SERVICE

I hereby certify that I, Lori Grenier, Natural Resources Board Technician, District 5 Environmental Commission, sent a copy of the foregoing **LAND USE PERMIT 5L1338(Altered)-41** by U.S. Mail, postage prepaid, on this September 3, 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.

VR US Holdings II, LLC
Attn: Shannon Buhler
5781 Mountain Road
Stowe, VT 05672
sbuhler@vailresorts.com

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

Vt Department of Forests,
Parks, and Recreation, Attn:
Danielle Fitzko
1 National Life Drive, Davis 2
Montpelier, VT 05620-3801
danielle.fitzko@vermont.gov

Vermont Agency of
Transportation
Christopher.clow@vermont.gov

VHB, Attn: Dan Heil
40 IDX Drive Bldg 100, Suite
200
South Burlington, VT 05403
dheil@vhb.com

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

VHB, Attn: Victor Amesoeder
vamesoeder@vhb.com

FOR INFORMATION ONLY

Attn: Donald Marsh, Gary
Nolan, Francine Perkins
District 5 Environmental
Commission
10 Baldwin Street
Montpelier, VT 05633-3201
NRB.Act250Barre@vermont.gov
nrb.act250agenda@vermont.gov
Stowe Town Clerk
Penny A. Davis
PO Box 730
Stowe, VT 05672
townclerk@stowevt.gov

Stowe Mountain Resort
Attn: Matthew Lillis
mlillis@vailresorts.com

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

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

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

STATE OF VERMONT
DISTRICT ENVIRONMENTAL COMMISSION #5

RE: Dutch Realty Holdings, LLP
100024-6

**ENTRY OF APPEARANCE
STATUTORY PARTY**

Please enter the appearance of the State of Vermont, Agency of Transportation ("VTrans") in the above-entitled matter as a statutory party pursuant to 10 V.S.A. §6085(c)(1)(D). VTrans hereby requests that the following representatives of the Agency be added to the Certificate of Service and that all correspondence and documents filed in this matter be served upon those representatives:

Christopher G. Clow, P.E.
Transportation Engineer
Vermont Agency of Transportation
Development Review & Permitting Service Section
Barre City Place, 219 N. Main St.
Barre, VT 05641
(802) 522-4901
AOT.Act250@vermont.gov

Additionally, VTrans has the following initial comments in conjunction with this matter:

CRITERIA 5: TRAFFIC

According to the Wall Consultant Group (WCG) memo (Exhibit 008), the net trip generation for the proposed development addition is 13 AM peak hour trips and 17 PM peak hour trips respectively. VTrans concurs with the WCG net trip generation calculation and has no congestion or safety concerns.

VTrans composed the Act 145 fee response email that is displayed as Exhibit 007. Based on the vehicles coming into contact with the two Act 145 transportation impact fee projects at Luce Hill Road (project STP 0235(24)) and West Hill Road (STPG SGNL(52)) respectively, the total Act 145 fee for this project will be **\$2,250**. Payment to VTrans would be due after the Land Use Permit is issued and prior to construction. The check should be sent to my attention at the address listed at the bottom of this page.

Dated at Montpelier, Vermont this 6th day of September 2024.

Respectively submitted,

By: Christopher Clow
Transportation Engineer
Agency of Transportation
219 N. Main Street
Barre, VT 05641

CERTIFICATE OF SERVICE #100024-6

I, Christopher Clow, of the Agency of Transportation hereby certify that on September 6, 2024, I sent a comment letter to the District #5 Environmental Commission concerning the applicant, Dutch Realty Holdings, LLP, 100024-6, by U.S. Mail, postage prepaid or by email to the following:

Dutch Realty Holdings, LLP
PO Box 1266
Stowe, VT 05672
mark@sunandskiinn.com

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

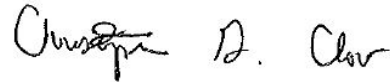
Stowe Selectboard
PO Box 730
Stowe, VT 05672
wfricke@stowevt.gov

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
One National Life Drive, Davis 2
Montpelier, VT 05602-3901
ANR.Act250@vermont.gov

Dated at Montpelier, Vermont this 6th day of
September 2024.



Christopher G. Clow, PE
Vermont Agency of Transportation



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: August 30, 2024

Date Application Submitted: August 30, 2024

Date Application Received: August 30, 2024

Application Number: 5W1623

Dale E. Percy Inc.
Attn: Dana Percy
269 Weeks Hill Rd
Stowe, VT 05672

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

This project is proposing a 12-lot subdivision with additional remaining lands. On proposed lot 1 (0.74 +/- acres) there is an existing 4-unit apartment building, on proposed lots 2-12 there will be one single family home per lot. Each new single family home lot will be between 0.12 +/- acres and 0.24 +/- acres. There is a 664 +/- foot private road proposed for access to residences off of Cape Cod Rd. Municipal sewer and water will be utilized.

The project is located at 281 Cape Cod Rd 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.

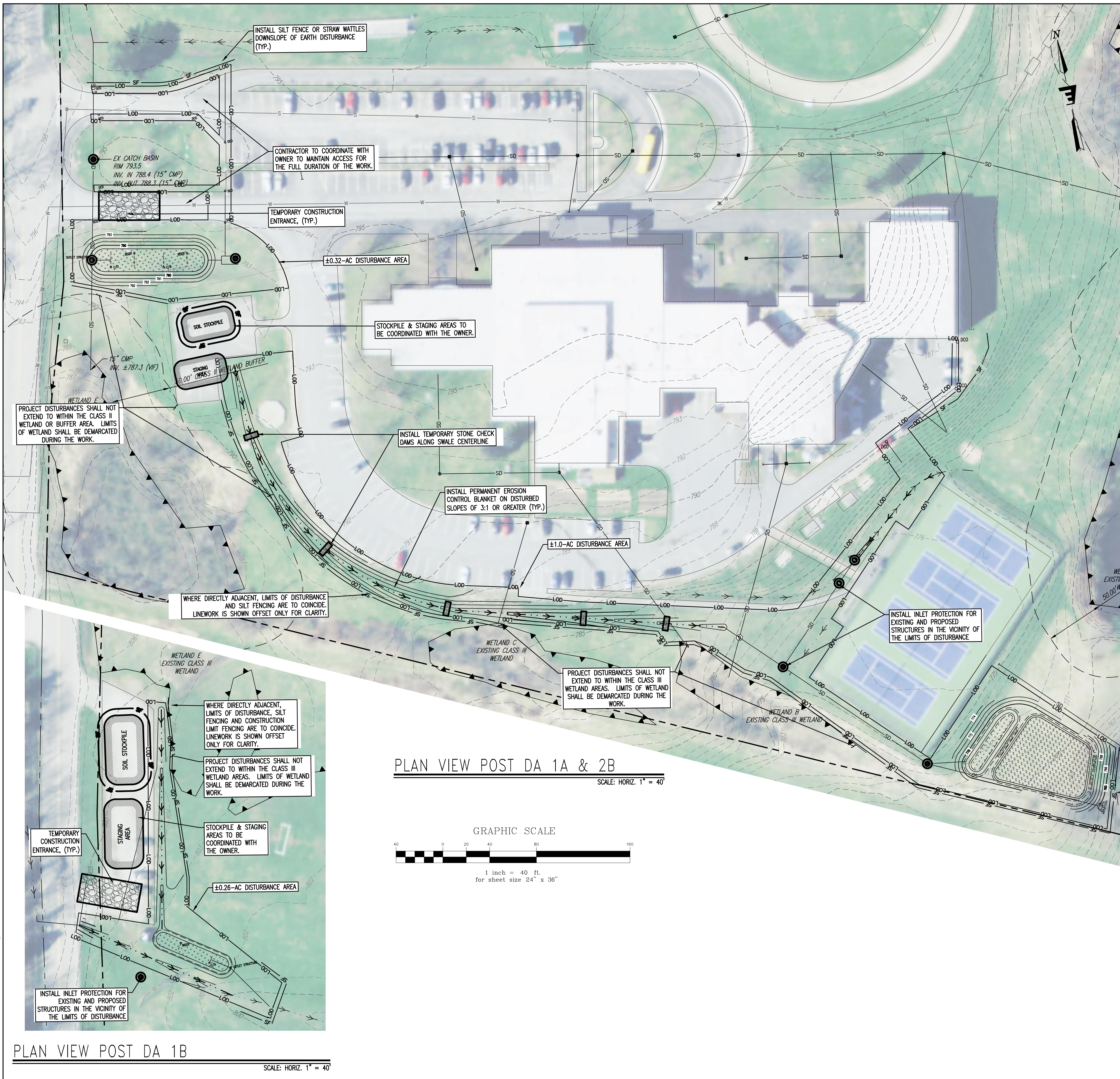
This notice should be posted with other legal notices in the town office.

This application (5W1623) can be viewed on the public Act 250 Database online (<https://anrweb.vt.gov/ANR/Act250/Details.aspx?Num=5W1623>).

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





EROSION PREVENTION & SEDIMENT CONTROL LEGEND

- EROSION PREVENTION AND SEDIMENT CONTROL STRATEGY**
THE FOLLOWING TECHNIQUES WILL BE UTILIZED AS PART OF A SEDIMENT AND EROSION CONTROL PROGRAM. THE SEDIMENT AND EROSION CONTROL PROGRAM WILL BE IMPLEMENTED IN STAGES. CERTAIN ITEMS FROM ONE STAGE WILL LIKELY OVERLAP OR TAKE PLACE CONCURRENTLY WITH ITEMS FROM OTHER STAGES.
- TEMPORARY INLET PROTECTION** - INSTALL AS INDICATED ON PLANS. STONE TO BE REMOVED AND REPLACED WITH CLEAN STONE WHEN SEDIMENT IS $\leq 1/2$ DEPTH OF STONE. REMOVE ALL SEDIMENT IF COLLECTED IN STRUCTURE AS SOON AS POSSIBLE.
 - STONE CHECK DAM** THIS STRUCTURAL MEASURE IS ALONG DITCHES/ SWALES AND IN OTHER LOCATIONS INDICATED ON THIS PLAN TO SLOW STORMWATER RUNOFF AND TRAP SEDIMENT PARTICLES. THESE WILL REMAIN IN PLACE AND BE MAINTAINED UNTIL THE PROJECT SITE HAS BEEN PERMANENTLY STABILIZED.
 - PERMANENT EROSION CONTROL NETTING** THIS STRUCTURAL MEASURE IS INSTALLED IN AREAS THAT HAVE SLOPES 3:1 AND GREATER AND IN OTHER LOCATIONS INDICATED ON THIS PLAN TO STABILIZE THE SLOPE AND REDUCE THE EROSION POTENTIAL. THE NETTING IS TYPICALLY IMPREGNATED WITH GRASS SEED AND SOMETIMES STAPLED TO THE EXPOSED SOIL. THESE WILL REMAIN IN PLACE AND BE MAINTAINED UNTIL THE PROJECT SITE HAS BEEN PERMANENTLY STABILIZED.
 - TEMPORARY STABILIZED CONSTRUCTION ENTRANCE** THIS STRUCTURAL MEASURE IS A STABILIZED PAD OF AGGREGATE UNDERLAIN WITH FILTER FABRIC LOCATED AT ANY POINT WHERE TRAFFIC WILL BE ENTERING OR LEAVING A CONSTRUCTION SITE TO OR FROM A PUBLIC RIGHT-OF-WAY, STREET, ALLEY, SIDEWALK, OR PARKING AREA. THE PURPOSE OF A STABILIZED CONSTRUCTION ENTRANCE IS TO REDUCE OR ELIMINATE THE TRACKING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY OR STREETS. THIS WILL REMAIN IN PLACE AND BE MAINTAINED UNTIL THE PROJECT SITE HAS BEEN PERMANENTLY STABILIZED. ONCE REMOVED, THE IMPACTED AREA SHALL BE SEED AND MULCHED.
 - TEMPORARY STAGING AND WASTE AREAS (APPROXIMATE)** THESE ARE APPROVED LOCATIONS WHERE NON-SOIL, NON-ERODIBLE MATERIALS MAY BE STORED. SOILS SHALL NOT BE STORED IN THESE AREAS.
 - TEMPORARY SOIL STOCKPILE AREAS (APPROXIMATE)** THESE ARE APPROVED LOCATIONS WHERE TOPSOIL AND OTHER SOIL MATERIALS MAY BE STORED. THESE STOCKPILES WILL BE PROTECTED FROM EROSION BY A NUMBER OF METHODS, INCLUDING INSTALLING SILT FENCING AROUND THE DOWN GRADIENT PERIMETER OF THE STOCKPILE AND SEEDING AND MULCHING THE STOCKPILE WHEN NOT IN USE FOR MORE THAN FIVE DAYS.
 - TEMPORARY SILT FENCING** THIS STRUCTURAL MEASURE IS A TEMPORARY BARRIER OF GEOTEXTILE FABRIC USED TO INTERCEPT SEDIMENT LADEN RUNOFF FROM SMALL DRAINAGE AREAS OF DISTURBED SOIL. IT IS INSTALLED ALONG THE PERIMETER OF IMPACTED AREAS AND ALONG THE BASE OF THE FILL SLOPES. ADDITIONALLY, WHEN DESIGNATED ALONG THE LIMITS OF DISTURBANCE, INSTALL CONSTRUCTION FENCE BEHIND THE SILT FENCE. SILT FENCING IS EFFECTIVE IN REDUCING STORMWATER RUNOFF VELOCITIES, ASSIST IN THE DEPOSITION OF TRANSPORTED SEDIMENT LOAD AND PREVENT EROSION OF SOILS ONTO ADJACENT AREAS. THESE WILL REMAIN IN PLACE AND BE MAINTAINED UNTIL THE PROJECT SITE HAS BEEN PERMANENTLY STABILIZED.
 - LIMITS OF DISTURBANCE** THE CONTRACTOR SHALL CONTAIN ANY EARTH MOVING ACTIVITIES WITHIN THE DESIGNATED LIMITS SHOWN ON THIS PLAN. THE ENGINEER SHALL REVIEW THE SITE TO MAKE ANY ADJUSTMENTS TO ACCOUNT FOR ENVIRONMENTALLY SENSITIVE AREAS, SPECIMEN TREES AND SPECIAL AREAS OF CONCERN.
 - CONSTRUCTION OR CHAIN LINK FENCING** THIS STRUCTURAL MEASURE IS INSTALLED ALONG THE PERIMETER OF THE PROJECT AREA. IN MANY CASES THE LIMIT OF CONSTRUCTION WILL COINCIDE WITH THE FENCING OR INDICATE BUFFER AREAS TO BE PROTECTED. THE FENCING IS EFFECTIVE WHEN USED TO SEPARATE THE PROJECT AREA FROM ADJACENT AREAS USED BY THE PUBLIC. THESE WILL REMAIN IN PLACE AND BE MAINTAINED UNTIL THE PROJECT SITE HAS BEEN PERMANENTLY STABILIZED. CONFIRM LOCATION, EXTENTS AND GATES WITH OWNER. FENCE LOCATION AND GATES TO BE RE-ADJUSTED AS NECESSARY BASED ON OWNER REQUIREMENTS AND COORDINATION.

No.	Description	Date	Stamp

ENGINEERING VENTURES PC
 208 Fynn Avenue, Suite 2A, Burlington, VT 05401 s. 802-863-6225
 88 Mechanic Street, Suite E2-3, Lebanon, NH 03766 s. 603-442-9333
 414 Union Street, Schenectady, NY 12305 s. 518-630-9614
 www.engineeringventures.com

Lamoille South
 Unified Union School District
 46 Copley Avenue
 Morrisville, VT 05661

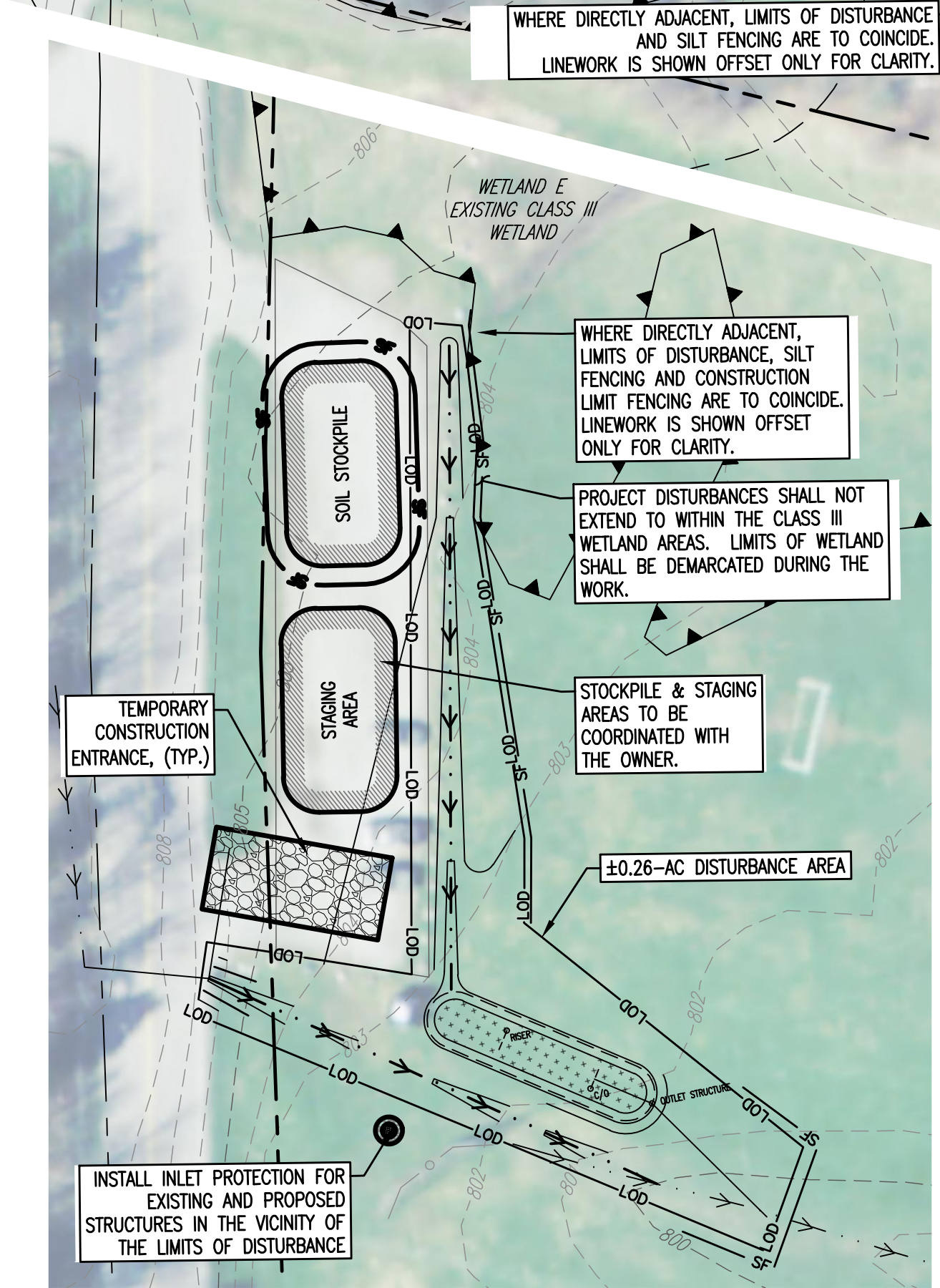
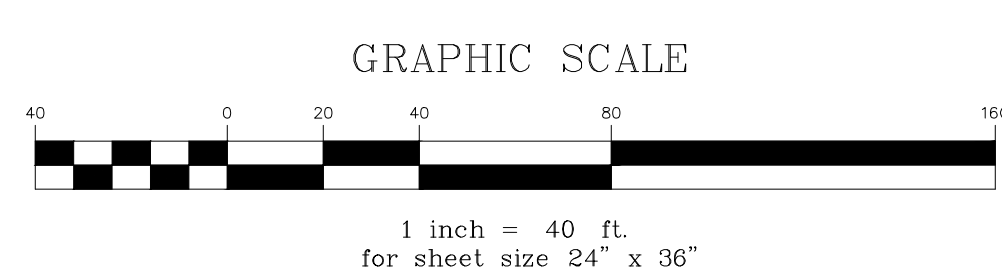
EROSION PREVENTION & SEDIMENT CONTROL PLAN
 Stowe Middle School/High School
Lamoille South Unified Union School District
3-acre Site Stormwater Permitting Project
 Barrows Road, Stowe, Lamoille County, Vermont

EV Project #	22685.10
Drawn By:	HKW
Checked By:	KW
Scale:	AS NOTED
Date:	05/14/2024

DR-8

PLAN VIEW POST DA 1B
 SCALE: HORIZ. 1" = 40'

PLAN VIEW POST DA 1A & 2B
 SCALE: HORIZ. 1" = 40'



WHERE DIRECTLY ADJACENT, LIMITS OF DISTURBANCE AND SILT FENCING ARE TO COINCIDE. LINWORK IS SHOWN OFFSET ONLY FOR CLARITY.

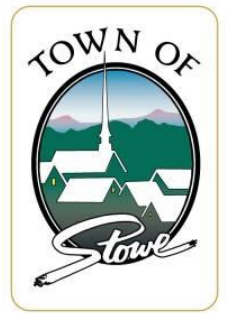
PROJECT DISTURBANCES SHALL NOT EXTEND TO WITHIN THE CLASS III WETLAND AREAS. LIMITS OF WETLAND SHALL BE DEMARCATED DURING THE WORK.

WHERE DIRECTLY ADJACENT, LIMITS OF DISTURBANCE, SILT FENCING AND CONSTRUCTION LIMIT FENCING ARE TO COINCIDE. LIMIT FENCING ARE TO COINCIDE. LINWORK IS SHOWN OFFSET ONLY FOR CLARITY.

PROJECT DISTURBANCES SHALL NOT EXTEND TO WITHIN THE CLASS III WETLAND AREAS. LIMITS OF WETLAND SHALL BE DEMARCATED DURING THE WORK.

STOCKPILE & STAGING AREAS TO BE COORDINATED WITH THE OWNER.

INSTALL INLET PROTECTION FOR EXISTING AND PROPOSED STRUCTURES IN THE VICINITY OF THE LIMITS OF DISTURBANCE



**Town of Stowe
Development Review Board
Meeting Minutes – August 20, 2024**

A regular meeting of the Development Review Board was held on Tuesday, August 20, 2024, starting at approximately 5:00 pm. The meeting was held at the Stowe Town Office with remote participation using the “Zoom” application.

Members Present: Drew Clymer, Mary Black, Peter Roberts, Tom Hand, Patricia Gabel, Andrew Volansky (arrived late), Lynn Altadonna (alternate).

Staff Present: Ryan Morrison - Deputy Zoning Administrator, Kayla Hedberg- Planning & Zoning Assistant

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

Meeting Chair Clymer called the meeting to order at approximately 5:01pm.

The Board approved the agenda for the meeting.

Development Review Public Hearings

Project #:7380 (cont. 6/18/24)

Owner: Shaw Hill Farm LLC

Tax Parcel #:06-176.020

Location: 934 Shaw Hill Rd

Project: New single-family dwelling in RHOD

Zoning: RR5/RHOD

The Applicant, Mr. Looney, was present via zoom. Mr. Looney requested a continuance prior to the meeting. Chair Clymer asked the applicant if he would be ready for the next meeting if a continuance was granted. Mr. Looney said he should be, he was just waiting for his updated designs.

M. Black motioned to continue the hearing to September 17th. T. Hand seconded the motion; the motion passed unanimously.

Project #: 7423

Owner: Lamb Loaf Trust- 2023c/o Bridget L Mullaney Trustee

Tax Parcel #: 15-042.880

Location: 920 Wade Pasture Rd

Project: Additions to single family dwelling in RHOD

Zoning: RR5

Chair Clymer swore in Architect Peter Heintzelman, representing the owner.

44 P. Heintzelman explained that the current dwelling was approved by the DRB three years ago. The
45 proposed addition to the home and the garage addition would not change the building height. There
46 would be no significant tree removal and no changes to the tree canopy. The existing architecture
47 and light fixtures will remain.

48
49 Chair Clymer asked if anyone had any questions.

50
51 T. Hand commented that the plans appeared straightforward. T. Hand clarified there would not be
52 any change to the visibility due to the addition, or the garage.

53
54 P. Gabel asked if the storm water discharge would be affected. P. Heintzelman said it should not.
55 However, there was no civil report, but all water should drain in its current drainage pattern.

56
57 T. Hand motioned to close the hearing. M. Black seconded; the motion passed unanimously.

58
59 The hearing was closed at 5:13pm. The DRB will render a written decision within 45 days.

60
61 **Project #: 7370 (cont. 7/16/24)**

62 **Owner: Juniper Creek LLC**

63 **Tax Parcel #: 10-226.000**

64 **Location: 1801 Pucker St**

65 **Project: New coffee roastery building with associated parking and onsite services**

66 **Zoning: RR2**

67
68 Chair Clymer swore in in participants Tyler Mumley, and Amy Saunders.

69
70 T. Mumley began by explaining that the current Snack Shack is proposed to be torn down, and
71 construction of the proposed coffee roastery in its place. T. Mumley explained that he believes that
72 the lot's history of non-conformity should be extended to this project even though the previous
73 non-conforming use had been discontinued for more than a year. T. Mumley explained that the new
74 building would be built within the current setbacks.

75
76 A. Saunders explained that the proposed building would be for the new roastery, and that the new
77 roaster will have a suppression system on it to reduce the odor when roasting.

78
79 T. Hand asked for clarification about the right of way and its correct placement on the drawings. T.
80 Mumley explained the VTrans drawings were incorrect and that his placements were correct.

81
82 Staff explained that the driveway setback would need to be waived.

83
84 T. Mumley explained that the coffee roastery is the best use of the land as it cannot be used as a
85 residential building, due to the septic allowance. He asked that the DRB appreciate that they are
86 trying to make the best use of land that has no other options.

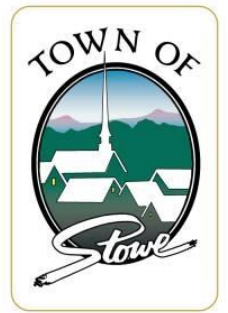
87
88 T. Mumley acknowledged that they would need permission from neighbors for the parking lot.

89
90 T. Hand asked if there was enough room to turn around out back and reiterated that parking cannot

91 function without neighbor permission.
92
93 At 5:33 abutting neighbors participating via zoom asked to provide testimony.
94
95 Chair Clymer swore in Julie and Justin Brink.
96
97 J. Brink stated they were in support of the project, however, they wanted to clarify that the setbacks
98 on the drawings were correct. They believed that the measurements were off and too close to their
99 septic.
100
101 T. Mumley said that they had a survey completed of the property, but he was not aware of their
102 septic along the tree line. T. Mumley said that he would be willing to review their survey and
103 compare it to what they have.
104
105 D. Clymer explained that in the RR2 district light industry is not permitted.
106
107 T. Hand questioned why the board allowed the Roaster to be built in the former Stowe Cider
108 building. Chair Clymer explained the non-conforming use did not lapse.
109
110 A. Saunders said utilizing that space is better than letting it rot. A. Saunders also stated that the
111 former Stowe Cider building was non-operational for more than a year and the DRB allowed it.
112
113 Chair Clymer asked to circle back on 'use'.
114
115 T. Hand asked if there had been a change in the light industry definition since the Roastery was
116 approved by the DRB. Staff said they would have to look back to prior regulations.
117
118 P. Gabel motioned to enter deliberative session. M. Black seconded; the motion passed
119 unanimously.
120
121 The Board entered deliberative session at 6:01pm.
122
123 M. Black motioned to end the deliberative session. A. Volansky seconded; the motion passed
124 unanimously.
125
126 The Board exited deliberative session at 6:12pm.
127
128 T. Mumley reiterated that the new building would be within the current setbacks, removing the
129 non-conformity for the structure but keeping the non-conforming use.
130
131 T. Hand and T. Mumley questioned whether the patios should be considered for use.
132
133 T. Hand asked for clarification for use whether it would be public or private. A. Saunders said it
134 would be just the employees.
135
136 T. Hand brought up the possible wetland on the back of the property. T. Mumley said nothing was
137 noted in the immediate area. A. Saunders confirmed that at the rear of the property down the hill

138 there is a wetland area, but it would not be affected.
139
140 Chair Clymer indicated that a VTrans 1111 permit would need to be obtained.
141
142 Chair Clymer also questioned where the dumpsters would be located. A. Saunders said they would
143 be with the coffee shop.
144
145 Chair Clymer noticed on the drawings there was not a lot of venting. A. Saunders stated that the
146 roaster would need a vent, even with the suppression system. In total there should be three vents.
147
148 T. Hand stated that the venting would need to be on the rear side of the building.
149
150 Chair Clymer asked if DPW should look into the effects the new structure would have on storm
151 water.
152
153 T. Hand pointed out the lighting details were missing from the new drawings but remained on the
154 previously submitted set.
155
156 J. Brink joined the conversation again and asked what resolution to their measurement verification
157 would be.
158
159 Chair Clymer responded that it was up to the two parties to verify that information.
160
161 Chair Clymer asked if the board had enough information to make a decision.
162
163 Following submission of evidence and testimony, M. Black motioned to close the hearing. P. Roberts
164 seconded the motion; the motion passed unanimously. The DRB will render a written decision
165 within 45 days.
166
167 **Other Business:**
168
169 None.
170
171 **Approval of Minutes:**
172
173 M. Black motioned to approve the meeting minutes from July 16, 2024. A. Volansky seconded the
174 motion; the motion passed 5-0-2 (Drew Clymer, Peter Roberts, Mary Black, Patricia Gabel and Lynn
175 Altadonna in favor.) (abstaining Tom Hand and Andrew Volansky)
176
177 A. Volansky motioned to approve the meeting minutes from August 6, 2024. M. Black seconded the
178 motion; the motion passed 5-0-2 (Mary Black, Patricia Gabel. Tom Hand, Andrew Volansky, Lynn
179 Altadonna in favor.) (abstaining Drew Clymer, and Peter Roberts)
180
181 M. Black motioned to adjourn the meeting. A. Volansky seconded the motion; the motion passed
182 unanimously.
183
184 The meeting adjourned at 6:52pm.
185

186 Respectfully Submitted,
187 Kayla Hedberg
188 Planning and Zoning Assistant



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

A regular meeting of the Development Review Board was held on Tuesday, September 3, 2024, starting at approximately 5:00 pm. The meeting was held at the Stowe Town Office with remote participation using the “Zoom” application.

Members Present: Drew Clymer, Mary Black, Peter Roberts, Tom Hand, Patricia Gabel, Andrew Volansky, David Kelly, Lynn Altadonna, and Will Ardolino.

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

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

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

The Board approved the agenda for the meeting.

Development Review Public Hearings

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

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

Tax Parcel #:07-034.000

Location: 782 Mountain Rd

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

Zoning: HT/FHD

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

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

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

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

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

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

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

56

57 D. Clymer swore in J. Grenier and A. Stewart at 5:15 p.m.

58

59 D. Clymer confirmed with S. McShane that no additional guidance from Harry Shepard – Director of
60 the Department of Public Works (DPW) regarding the town's service capabilities had been received.

61

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

64

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

69

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

75

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

78

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

83

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

88

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

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

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

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

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

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

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

116 D. Clymer stated he would entertain a motion.

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

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

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

123 The DRB took a five-minute break.

124

125

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

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

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

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

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

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

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

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

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

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

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

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

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

173

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

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

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



Town of Stowe
Conservation Commission
Monday August 27, 2024
MEETING MINUTES

A regular meeting of the Conservation Commission was held on Monday August 27, 2024, at 5:30 pm in the Memorial Room of the Stowe Town Office. Members in Attendance: Jacquie Mauer, Phillip Branton, Colleen McGovern, Kay Barrett, Evan Freund, and Seb Sweatman. Staff in Attendance: Sarah McShane. Others in Attendance: None.

Call to Order- J.Mauer called the meeting to order shortly after 5:30 PM.

Public Comments & Adjustments to the Agenda – No public comments. No adjustments to the agenda.

Review Meeting Minutes [08/12/2024] J.Mauer requested that the prior meeting minutes be amended to include “continue to explore how we share information with the public” when discussing permeable pavement and bear proof dumpsters. S.McShane made the suggested modification. On a motion by K.Barrett, seconded by C.McGovern, the amended minutes of the prior meeting passed unanimously.

Brainstorm Session- Develop Monthly Calendar for Educational Activities & Topics. Members discussed opportunities to inform the public on a variety of educational topics throughout the year. Ideas mentioned included water quality, no mow mow, leave the leaves and others. Members also discussed developing an annual/routine maintenance/stewardship plan for the municipally owned conserved properties. Informational materials and routine maintenance/stewardship activities will be developed and compiled overtime. A standing agenda item will be placed on the first meeting agenda of each month for members to discuss and review educational materials/posts. Members discussed possibly hosting a speaker and topics that may be of interest to the community. K.Barrett agreed to reach out to the new Executive Director of the Stowe Land Trust. E. Freund agreed to contact a colleague that works for the State of Vermont in forest management to see if he may be interested in presenting.

Sterling Forest Management Plan – Review Recommended Amendments. S.McShane provided an overview of the proposed amendments that have been incorporated into the plan. Members discussed Section 4.4. regarding maintenance of the historic sites and the condition of the informational signs. Staff will modify Section 4.4 to include a recommendation that the existing condition of the historic sites and signs be monitored annually by the Conservation Commission and repair/maintained/replaced as needed. Members discussed Section 1.3 regarding parking area signage and winter parking issues along Sterling Gorge Road. Members agreed to work with Catamount Trail Association to encourage carpooling and effective parking, as well as monitor the situation by communicating with impacting property owners. Language reflecting these actions will be added to the plan. Staff will also incorporate figure # and descriptions. Members discussed the differences between a land management plan and a forest management plan. The Sterling Forest Management Plan currently under review is a land management plan, should a fourth phase timber project be developed, it would be done so in consultation with a licensed forester and include a detailed Forest Management Plan.

Discuss- Solicit Student Representative for Upcoming School Year. Members discussed opportunities to work with the school and find another student representative for the upcoming school year.

General Reports & Updates

Stowe Land Trust Annual meeting will be held on September 8th. S.McShane and J.Mauer will be attending. The VT Conservation Commissions Summit is September 5th.

Other Business

None

Next Meeting Date- 9/9/2024. The meeting adjourned at approximately 7:15 pm.

Respectfully submitted,
Sarah McShane- Planning & Zoning Director



Town of Stowe- Historic Preservation Commission

Meeting Minutes – September 4, 2024

A meeting of the Stowe Historic Preservation Commission (SHPC) was held on Wednesday September 4, 2024, at approximately 5:15 pm.

Participation was online via Zoom.

Members Present: McKee MacDonald, Sam Scofield, Shap Smith, Barbara Baraw, George Bambara, Jennifer Guazzoni, Tyson Bry, and Chris Carey (alternate).

Staff Present: Ryan Morrison

The meeting was called to order by McKee MacDonald (chair) at 5:15pm.

Project #: 7466

Owner: Steven McNulty Katherine Berseth

Tax Parcel #: 03-059.000

Location: 147 Adams Mill Rd

Project: Barn restoration

Zoning: RR2

Steven McNulty presented the project. The project involves improving the existing barn with new windows, doors, siding, and roofing. The existing windows are vinyl and replacement windows will be cedar windows. The metal roofing will be replaced with metal roofing. Replacement siding will be either 1"x8" or 1"x10" pine or similar rough-cut wood. Window sashes will be wood. Mr. McNulty confirmed that the project involves no installation of exterior light fixtures or new mechanical units. The gable ends will be extended approximately 7" beyond existing. The applicant notes that since access into the barn via the sliding doors are above grade, ramps will be used to bring in mowers and other equipment. S. Scofield motioned to approve the project as presented, and T. Bry seconded. The motion carried. The project was approved as a minor.

Project #: 7463

Owner: Hiram H Brownell & Lise C Johnson

Tax Parcel #: 03-064.030

Location: 271 Adams Mill Rd

Project: Amend Project 7026 to reduce porch size

Zoning: MC

Sam Scofield recused himself from this review and presented the application as applicant. The project reduces the overall size of the porch approved under Project #7026. The porch will be widened slightly, just over 2 additional feet. It will continue to be roofed, as originally approved under Project #7026. B. Baraw motioned to approve the project as presented, and G. Bambara seconded. The motion carried. The project was approved as a minor.

Project #: 7441

Owner: Chalet Life Investments LLC

Tax Parcel #: 7A-026.000

Location: 51 South Main St

Project: 498 Sq ft pre-fabricated structure for office space

Zoning: VC10/SHOD

Graham Kramer presented the project. This project was first heard at the August 7th HPC meeting, where the HPC was not satisfied with the overall appearance of the proposed structure. The Applicant returned with revised plans for a detached office structure that will locate in the rear yard of the property. Mr. Kramer stated that the revised building will have pine siding, a black metal roof with eaves, and an incinerating toilet. Heating for the structure will be with a heat pump and the exterior mechanical unit will locate at the rear of the building, not visible from Main Street. S. Scofield asked why not just build an addition to the existing building instead of a detached structure. Mr. Kramer replied that given the age of the building, and that it isn't square, constructing an addition would prove to be difficult. It will be a clearer, easier job to build the detached structure. Mr. Kramer continued that there will be 2 parking spaces between the buildings, and that he is working to procure an easement to gain that access. Given a proposed incinerating toilet, the septic as shown on the site plan won't be needed, and parking will locate there. T. Bry asked why not tie into the septic line that is approximately 18 inches from the structure. Mr. Kramer responded that he would like to, and he will talk with the Public Works Department. A question of how grey water will be taken care of was raised. Mr. Kramer responded that someone will come to the property to drain the grey water holding tank every few days. J. Guazzoni noted that traffic along Main Street is already busy and additional traffic for a water truck add to traffic impacts. M. McKee asked why a full bathroom for just office space? Will it be used as an Airbnb use in the future. Mr. Kramer responded that perhaps one day he would like to utilize the structure as that, but for now it is proposed as office space. The HPC noted that if it were to be used for a dwelling or Airbnb, negative impacts could include noise, brightness from large windows and likely fire pit outside. The HPC recommended that the applicant withdraw the application and consider changes to the project, or submit revised plans that include a site plan that shows landscaping, parking, mechanical units, etc. The Applicant may return in the future.

Project #: 7458

Owner: Union Bank

Tax Parcel #: 7A-151.000

Location: 47 Park St

Project: Demolition of buildings and proposed mixed use development to include commercial and residential space

Zoning:VC10/SHOD

C. Carey recused himself. Tyler Mumley, Chris Carey and Graham Mink were in attendance to present the application. The proposal is to demolish two buildings and construct a mixed-use building that will house Union Bank, commercial space and residential space. The building will consist of three floors, with a proposed height of 35 ft. The application will include a waiver request to the required height and setback requirements. The rooftops are designed to act as screens for rooftop mechanical units. If there's an elevator shaft on the roof, it should be able to be hidden by a rooftop parapet. Staff noted that the building height will be measured from the average elevation of the proposed finished grade, and the plans indicate that the building will have a height of 36 ft, 1 foot above the limitation. The plans take the height calculation from the finished first floor of the building, which staff stated is the incorrect way to draw the height measurement from. The Applicant indicated that the project will be done in two phases, first with the demolition and reconstruction of 73 Pond Street where Union Bank will relocate. Once the bank has located within the new structure, the second phase will commence which will see the rest of the development built. The bank will have bump-out vestibule as opposed to an internal vestibule. This will house an atm machine. A second atm machine will be located in the drive-thru/site exit. The Applicant will return with revised plans and additional information that includes: full landscaping, more

details for the pedestrian ramp, all mechanical unit information, light fixtures shown on the elevation plans, and more. The Applicant intends to return soon.

Project #: 7471

Owner: Evergreen Stowe LLC

Tax Parcel #: 7A-184.000

Location: 122 Sunset St

Project: Build retaining wall to prevent water intrusion and mitigate ongoing land erosion (front yard)

Zoning: VR20/VR40/SHOD

Garry Menk presented the application. The project involves constructing a retaining wall along the west property line in the front yard. The wall will generally consist of 4' long, 2' tall and 2' wide granite slabs. The wall will be 100 ft long, with a height variation of a few inches above the grade near the street up to 7 ft tall at the rear end. The purpose is to import fill for the front yard which will also aid with stormwater control and erosion of the current dirt in the area. The Applicant stated that the plans were not prepared by an engineer, however he has done his research and came up with it. Staff noted that the application will be forwarded to Public Works for their review before being issued. T. Bryson motioned to approve the project as presented, and S. Scofield seconded. The motion carried. The project was approved as a minor.

Project #: 7472

Owner: Evergreen Stowe LLC

Tax Parcel #: 7A-184.000

Location: 122 Sunset St

Project: Build retaining wall to prevent water intrusion and mitigate ongoing land erosion (rear yard)

Zoning: VR20/VR40/SHOD

Garry Menk presented the application. The project involves constructing a retaining wall in the back yard of the property to aid in stormwater control and preventing the basement from flooding. The material will be the same as material noted in Project #7471 above. The wall will be 90 ft long with a height of 4-5 ft. Perforated piping will be installed as well to aid in water diversion from the house. A small wall will be constructed above and will provide a sitting area, accessed by a set of steps. G. Bambara asked if this project, in addition to Project #7471, will impact neighboring properties. Mr. Genk responded that the project will not create any additional stormwater impacts in comparison to what exists today. Likely, the project will improve overall impacts. J. Guazzoni motioned to approve the project as presented, and T. Bry seconded. The motion carried. The project was approved as a minor.

Other Business: None

Review Meeting Minutes:

No changes or edits were made to the prior meeting minutes.

The meeting adjourned.

Respectfully submitted,
Ryan Morrison, Deputy Zoning Administrator

Stowe Housing Task Force

Wednesday, August 21, 2024

Akeley Memorial Building
67 Main Street
Stowe, Vermont



Housing Task Force Members: MacKee Macdonald, Ken Braverman, Stefan Grundmann, Josi Kytile, Scott Coggins, Town Manager Charles Safford (Ex-officio)

Absent: Walter Frame, Sarah Henshaw

Attendees: Assistant Town Manager Will Fricke, Seth Jensen, Jo Sabel Courtney, Mila Lonetto, Heather Snyder, Jeff Jackson, Nancy [unk.], Kai [unk.]

Call to Order

Chair Macdonald called the meeting to order at 9:00am.

Approve Agenda

Josi Kytile moved to approve the agenda. Scott Coggins seconded. Motion carried (5-0).

Approve Minutes

Josi Kytile moved to approve the minutes. Scott Coggins seconded. Motion carried (5-0).

Guest Speaker – LCPC

Seth Jensen, Deputy Director of the Lamoille County Planning Commission, presented the Lamoille County/ Hardwick Regional Housing Assessment and highlighted the portions that were most relevant to the Stowe Housing Task Force. McKee Macdonald asked for the specific number of Affordable units in the study area and Stowe. Seth Jensen said the study showed 191 units in Morrystown and 111 units in Stowe, with 2 vacancies at the time of the study. It was noted that it was unclear if these numbers referred to 60% or 80% AMI units. Josi Kytile asked if there is data on the change in the number of Affordable units over time. Seth Jensen said there was not in the study but he would see if there was data available. Ken Braverman said that Affordable units built anywhere benefit the whole region. The HTF agreed that a map of zoning permits in Stowe would be useful information.

Seth Jensen also discussed Act 250 changes. The HTF discussed downtown and village designations, and noted that a village designation for the Mountain Road Village could be beneficial. McKee Macdonald said that they may want to recommend to the Selectboard to start beating the drum on a designation. Josi Kyle said they should identify neighborhoods that could benefit from a designation. It was noted that Moscow Village has been considered.

Review Draft Housing Needs Assessment RFP

The Housing Task Force reviewed the draft Housing Needs Assessment RFP. The task force primarily recommended modifying the deliverables to ensure the consultant(s) were made aware of pre-existing data from local and state sources, and to emphasize the desire for recommendations.

Public to be Heard Non-Binding

No public comment.

Upcoming Meeting Agendas

Charles Safford said they have invited Downstreet Housing and Lamoille Housing Partnership to the next meeting on September 4. It was noted that the organizations have voted to merge. The Town Planning & Zoning Director and Vermont Housing Finance Agency are also slated for future meetings.

Adjournment

Chair Macdonald adjourned the meeting at 10:30am.

Notes

Minutes submitted by Will Fricke.

The Stowe Housing Task Force meets on the first and third Wednesday of each month at 9:00am.

A recording of this public meeting is available at: <https://www.townofstowevt.org/housing-task-force>

DRAFT Minutes: Stowe Electric Board of Commissioners' Meeting

August 30, 2024, at 8:30 am at Town of Stowe Electric Department Conference Room with remote participation available via Zoom.

Present:

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

STAFF: Jackie Pratt, General Manager, Sarah Juzek, Director of Finance; Michael Lazorchak, Manager of Regulatory Compliance; Amber Ives, Clerk of the Board

GUESTS: K. Stevens, IT Manager

Call to Order: L. Lackey called the meeting to order at 8:36 am.

Agenda Approval:

L. Lackey moved to modify the agenda to remove the meet and greet with the Clean Energy Innovator Fellow, as C. Ansley was unable to attend the Board of Commissioner's Meeting. All were in favor and the modified agenda was approved.

Approval of July 24, 2024, Meeting Minutes:

S. Teachout moved to adopt the July 24, 2024, minutes. All were in favor and the minutes were approved.

Project Updates:

The Board of Commissioners and staff discussed the passing of the August 2024 Bond request, the progress of the Cady Hill storage facility, the Federal Emergency Management Agency (FEMA) review of the Emergency Operations Center funding, the Wilkins Substation upgrade, the Operations Analytics Platform, and the Smith's Falls hydroelectric project.

At 8:55 am, K. Stevens joined the Board of Commissioner's meeting.

General Manager Highlights:

The Board of Commissioners and staff discussed the use of drones and their potential to assist the Line Crew during a storm by providing critical information, the goat grazing project along a portion of Circuit 6, available grant opportunities for Electric Vehicle (EV) chargers, the relocation of Stowe Electric Department's Level 3 DC Fast Charger, and the implementation of the clean heat standard and how it relates to Vermont Renewable Energy Standard requirements.

J. Pratt updated the Board of Commissioners on human resource developments:

- Promotion of C. Dupuis from Apprentice to Third Class Lineworker
- Promotion of P. Sikora from Second Class to First Class Lineworker
- Hiring of C. Klosowski as the Business & Communications Manager

Executive Session:

At 9:32, L. Lackey offered to entertain a motion to enter Executive Session to discuss personnel policies and a contract negotiation matter. S. Teachout moved the motion and M. Gilkey seconded. All are in favor.

J. Pratt and M. Lazorchak were invited to stay for Executive Session.

At 10:02 am, M. Lazorchak exited Executive Session.

At 10:40 am, L. Lackey moved to exit Executive Session and adjourn. S. Teachout seconded, and all were in favor.

Respectfully Submitted,

Amber Ives

Clerk of the Board