



Notice of DRB Decision
Town of Stowe Planning and Zoning Department
PO Box 730
Stowe VT 05672

You recently received approval for the project listed below from the Development Review Board. Attached is a copy of the DRB decision for your records. Please note that there are conditions of approval required to be met before your Zoning Permit can be issued. Once you fulfill these conditions your zoning permit will be sent to you

Please contact the Planning and Zoning Department at 253-6141 if you have any questions.

APPLICATION INFORMATION

Project Number	7775		
Application Date	2/10/2026		
Physical Location	127 MOUNTAIN RD		
Map ID	7A-132.010	Tax ID	02132-100
Project Description	CONSTRUCT A DUPLEX (RE-APPLICATION OF PREVIOUSLY APPROVED PROJECT)		
Owner	STEVENS HB & CD TRUSTEES 2010 FAM TRUST 127 MOUNTAIN RD		
Applicant	HAROLD STEVENS, ESQUIRE		
Applicant Address	PO BOX 1200 STOWE VT 05672		

APPROVALS ON RECORD

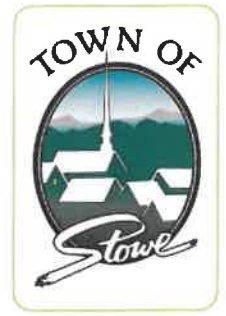
Action Taken	Date	End of Appeal Period	Expiration Date
INCOMPLETE APP	3/2/2026		SEE EMAIL / NEED FEES PAID
OTHER	5/18/2026		FEES PAID, OTHER DOCS SUBMITTED, READY FOR HPC
DRB DECISION	7/30/2026	8/29/2026	8/29/2028 SEE CONDITIONS

Sarah McShane

Zoning Office

TOWN OF STOWE
DEVELOPMENT REVIEW BOARD

Findings of Fact & Conclusions of Law



PROJECT# 7775

SUBJECT PROPERTY 127 Mountain Road; #7A-132.010

PROPERTY OWNER & APPLICANT

Harold B. Stevens & Carol D. Stevens 2010 Family Trust
PO Box 1200
Stowe, VT 05672

APPLICATION

The Applicant Harold B. Stevens, on behalf of the property owner Harold B. Stevens & Carol D. Stevens 2010 Family Trust (herein referred to as the "Applicant"), requests design review and amended conditional use and site plan review to construct a two-story duplex/two-family dwelling and related improvements. The Applicant received approval for the same project in 2023 (Project #7183) but did not satisfy the applicable conditions of approval necessary to release the zoning permit within the required two-year period. The current application seeks re-approval of the previously approved project. The only proposed modification is the addition of landscaping; no other changes to the previously approved plans are proposed.

The subject parcel, consisting of ±0.69 acres and located at 127 Mountain Road (#7A-132.010), is in the Village Commercial 10 (VC-10) Zoning District and the Stowe Historic Overlay District. The property is served by Mountain Road, portions of which are a Class 1 Town Highway. The parcel is also subject to a development agreement involving the Town of Stowe, Jed Lipsky and Annika Lipsky, and Harold B. Stevens and Carol Stevens as recorded in Book 672 Pages 167-172 in the Town of Stowe Land Records. The application has been reviewed by the Development Review Board (DRB) under applicable standards of the Town of Stowe Zoning Regulations (effective January 31, 2024) for the purpose of design review and amended conditional use and site plan approval. The DRB's findings and conclusions are as follows.

REVIEW PROCESS

(Application materials, hearing notices, and meeting minutes are on file at the Stowe Town Office.)

A development application was filed by Applicant Harold B. Stevens on February 10, 2026. Initially the application was deemed incomplete pending additional materials from the Applicant. Upon submission of those materials, the application was referred to the Historic Preservation Commission (HPC) who provided a positive recommendation on June 3, 2026. The application was then referred to the DRB for a public hearing. A public hearing of the DRB was scheduled for July 21, 2026 and warned by the Zoning Administrator in accordance with §2.14 of the Regulations and 24 V.S.A. §4464. The hearing notice was published in the Stowe Reporter on July 2, 2026 and publicly posted at the Town Office, Police Station, and Library. The Applicant notified adjoining landowners and submitted the Certificate of Service on June 30, 2026.

The public hearing to consider the application convened on July 21, 2026 at the Akeley Memorial Building/Stowe Town Office at 67 Main Street with remote participation available through 'Zoom'. A quorum of the DRB present. No conflicts of interests or *ex parte* communications were reported. Members participating in the review included: Drew Clymer, David Kelly, Mary Black, Andrew Volansky, Chip Dillion, and Scot Baraw. The DRB adjourned the hearing that evening, following the submission of testimony and evidence, marking the start of the 45-day period for the issuance of written findings and a decision.

INTERESTED PERSONS

In accordance with 24 VSA §4471, an interested person who has participated in a DRB proceeding may appeal a DRB decision rendered in that proceeding to the Vermont Superior Court Environmental Division. The following persons attended and participated in the hearing process:

- Harold B. Stevens, 127 Mountain Road/PO Box 1200, Stowe, VT 05672
- Sam Scofield, Architect, PO Box 773, Stowe, VT 05672
- Catherine Scalz, on behalf of property owner Anton Garcia-Abril Ruiz, 37 Franklin Street, Brookline, MA 02445

THE RECORD

The following materials were submitted in support of the application and entered into the hearing record:

1. Development Application, dated 2/6/2026;
2. Settlement Agreement, including exhibits A-C, dated 2/22/2021;
3. Amended Development agreement, effective 12/19/2006;
4. Lot Coverage, prepared by Grenier Engineering, dated 10/19/2021;
5. Parking Requirements for the Stevens/Stowe Inn Property, dated 10/4/2023;
6. Request for utility easement extinguishment or modification, the Public Works Department, dated 3/10/2022;
7. RE: 127 Mountain Rd Easement, prepared by Stevens law office, dated 12/13/2023;
8. RE: 127 Mountain Rd Easement, prepared by Stevens law office, dated 3/18/2024;
9. Quitclaim of easement deed, no date, not signed;
10. Capacity to serve, provided by the Public Works Department, dated 12/17/2024;
11. Marvin Cut sheet, dated 04/27/2020;
12. Champlain Door Systems, quote, dated 03/15/2021;
13. Simpson Door Company Cut sheet, dated 10/19/2011;
14. Lighting Cut Sheets, dated 3/19/2021;
15. Email from John Pitrowski /Cottage Lighting Lumen Per SF Calculation, dated 9/21/2023;
16. Planting Plan, L100, prepared by WHLA, dated 5/6/2026;
17. Floor Plans, Unit 1, A-1, prepared by Sam Scofield Architect, dated 3/5/2026;
18. Elevations, A-2, prepared by Sam Scofield Architect, dated 3/5/2026;
19. Digital Architectural Renderings, no date;
20. Site Plan & Details, C-1, prepared by Mumley Engineering, dated 3/30/2026;
21. Architectural Site Plan prepared by Sam Scofield, Sheet L-1, dated 6/30/2020;
22. Site Plan prepared by Sam Scofield, Sheet SP-1, dated 3/6/2026;
23. Stormwater/Utility Narrative, provided by TCE, dated 10/21/2021;
24. RE: Stormwater Analysis, prepared by TCE, dated 10/24/2022;
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26. TCE Stormwater Calculations, dated 10/26/2022;
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31. Proposed Stormwater Conditions prepared by TCE, Sheet C4-02, dated 02/21/2023;
32. Existing Conditions & Demolition Plan prepared by TCE, Sheet C1-01, dated 02/24/2023;
33. Parking and Stormwater plan, C2-01, prepared by TCE, dated 2/21/2023;
34. Proposed Landscape/parking plan, approved 1/7/1997;
35. DPW comments- Harry Shepard, dated 9/13/2023;
36. Stowe Fire Department comments, dated 6/27/2026;
37. Stowe Electric Department comments, dated 6/25/2026; and

FINDINGS OF FACT & CONCLUSIONS OF LAW

During its review of the application, the DRB made the following Findings of Fact and Conclusions of Law:

The Applicant's request for design review and amended site plan and conditional use was reviewed by the DRB for conformance with applicable requirements of the Town of Stowe Zoning Regulations (effective January 31, 2024) including the following:

- Section 2- Administration and Enforcement
- Section 3- General Regulations
- Section 4- Specific Use Standards
- Section 5- Zoning Districts
- Section 6- Uses, Dimensional Requirements and Density
- Section 10- Stowe Historic Overlay District

Zoning District

1. The subject parcel is in the Village Commercial 10 (VC10) Zoning District and the Stowe Historic Overlay District (SHOD), as shown on the Official Town of Stowe Zoning Map (effective January 31, 2024).

Lot Area, Lot Width

2. The existing lot area is ±0.69 acres. No change to lot area or lot width are proposed under this application.

Setbacks

3. The required minimum district setbacks in the VC-10 District are front (10'), side (10') and rear (10').
4. Setbacks are measured as *"The distance from the street line to the closest portion of any structure, including rooflines, porches and sills, except steps."* (§3.4)
5. The subject property is subject to the terms and conditions of a Development Agreement between the Town of Stowe and the adjacent Lipsky property. Per the Development Agreement (page 2), the involved parcels "development parcel" shall constitute a single parcel of land for the purposes of compliance with the Town of Stowe Regulations.
6. Per the terms of the Development Agreement, the Town will determine compliance with requirements regarding the distance structures must be set back from property lines on the basis of the perimeter boundaries of the entire property subject to the agreement as set forth on the agreed upon plan.
7. The proposed building is located outside of the required perimeter setbacks.

Maximum Building Coverage.

8. §16.22 defines Building Coverage to mean *"That portion of a site, expressed as a percentage, occupied by all buildings or structures, (not including public utility structures), that are roofed or otherwise covered and that extend more than three (3') feet above the surface ground level. The building roof overhang up to 6 feet in length is not included as part of the building coverage area."*

9. The Applicant provided the existing and proposed building coverage calculations, however in the VC-10 District, there is no maximum building coverage (Table 6.2). The DRB therefore finds this standard is not applicable.
10. The property is subject to the terms of a Development Agreement between the Town of Stowe and the adjacent Lipsky property. Per the Development Agreement (page 2), the involved parcels, i.e., the “development parcel”, shall constitute a single parcel of land for the purposes of compliance with the Town of Stowe Regulations.

Use

11. The subject parcel contains an existing mixed-use building containing a law office with one (1) residential dwelling unit. One (1) additional dwelling unit is located above the existing attached garage. The property currently contains two (2) dwelling units.
12. The Applicant is not proposing any changes to the existing uses on the property. Rather, the Applicant proposes an additional use, a two-family dwelling, which is a permitted use in the VC-10 District.
13. Per §4.21(1), for mixed-use properties that include one or more conditional uses, conditional use review shall be required under §3.7; otherwise, site plan review under §3.16 shall be required.

Density

14. In addition to the existing residential and commercial use (office) located on the property, the Applicant proposes a two-family dwelling.
15. The subject parcel contains approximately ±0.69 acres or ±30,056 sf.
16. The VC-10 District allows one (1) multi-family/duplex unit per every 2,500 sf of land area. Two-family dwellings are allowed at a rate of one (1) per 8,500 sf of land area. Per §4.23, in areas served by municipal water and sewer infrastructure residential density shall not exceed the maximum density of five (5) dwelling units per acre unless the underlying zoning district allows for additional residential density.
17. Under the current Zoning Regulations, the two (2) existing dwelling units require 5,000 sf of land area. The proposed two-family dwelling requires 8,500 sf of land area. The existing and proposed uses require 13,500 sf of land area. The existing parcel contains ±30,056 sf.
18. The existing lot area can support the proposed density/ number of dwelling units.

Building Height

19. §16.23 defines ‘building height’ to mean “*Vertical distance measured from the average elevation of the proposed finished grade at the front or rear of the building to the highest point of the roof for flat and mansard roofs, and to the average height between the highest ridge and its contiguous eave for other types of roofs. On sloping sites, the height will be measured on the uphill side.*”
20. The maximum building height in the VC-10 District is twenty- eight feet (28’).
21. The Applicant proposes a two-story, two-family dwelling with a building height of 19’ 11.25”. The project conforms to the applicable height requirement.

Conclusion: Based on the above findings, the DRB concludes the proposal meets all applicable dimensional, density, and use requirements.

Section 3.7(2)(A) – Standards of Review (Conditional Use & Design Review)

22. Given the proposed two-family dwelling (duplex) is considered a permitted use under the Regulations, the DRB limited its review to whether the proposed modifications result in any material impact on the approved conditional use (mixed-use office) and/or whether further changes to the approved plan are appropriate. The DRB therefore only evaluated whether the proposed permitted use will have an indirect impact on the criteria for the approved conditional use (mixed-use office), and on the approved site plan however did not directly apply the conditional use criteria to the proposed permitted use (two-family dwelling).
23. The approved conditional use on the property includes a mixed-use building containing two (2) dwelling units and a commercial law office.
24. The addition of two (2) dwelling units is not expected to generate a significant increase in the number of vehicle trips. The DRB therefore finds that the proposal will not adversely impact traffic on roads and highways in the vicinity [§3.7(4)(B)].
25. The proposed two-family dwelling is located within a commercial zoning district which allows both residential and commercial uses. The proposed building has been designed in accordance with the architectural standards in §10. The DRB therefore finds the proposal will not adversely impact the character of the area affected, as defined under the Regulations [§3.7(4)(C)].
26. The proposal is subject to review under the Development Agreement and current Town of Stowe Zoning Regulations. The DRB finds the proposal conforms with identified regulations and ordinances in effect [§3.7(4)(D)].
27. The Applicant proposes a two-family dwelling with a height of 19' 11.25". The DRB finds the proposal will not adversely impact the utilization of renewable energy sources [§3.7(4)(E)].
28. The Applicant proposes a two-family dwelling on a previously developed site. The DRB finds that the proposal will not result in undue water, noise, or air pollution [§3.7(4)(G)].
29. The proposed two-family dwelling will utilize the existing access. No modifications to the existing access connecting to Mountain Road are proposed. The DRB therefore finds this standard not applicable [§3.16(1)].
30. Pedestrians will access the entrance of the two-family dwelling via the existing and improved parking area. No additional pedestrian improvements are proposed. The DRB finds this provision to be satisfied [§3.16(4)].
31. The proposed two-family dwelling will be connected to municipal water and sewer services. The project will require additional water and sewer allocation and utility approvals by Stowe Electric Department and Department of Public Works. [§3.7(4)(A)].
32. The Stowe Fire Department provided written comments and recommendations as follows:
 - a. *The building has a sprinkler system*
 - b. *The fire department connection shall be installed on the north side of the building in an area agreed upon by the developer and the fire department*
 - c. *No parking signs are placed at the entrances of the drive to ensure patrons of the adjacent business/inn do not block the road.*
 - d. *E911 address signage is installed and visible at the entrance to the drive.*The DRB finds these improvements are necessary in order for the Stowe Fire Department to provide service to the property in the event of a fire emergency.

33. Stowe Electric Department provided written comments indicating a new easement from the Stowe Inn will be necessary to service the proposed project. The Applicant testified that this can be achieved.
34. The additional two (2) dwelling units will not have an adverse impact on existing or planned community facilities and services [§3.7(4)(A)]. The DRB therefore finds the proposal will not result in an undue adverse effect on the Town's existing or planned facilities or services [§3.7(4)(A)].
35. The subject parcel is within the VC-10 District perched above the historic Stowe village.
36. The existing property is located on the western side of Mountain Road and overlooks open floodplain areas with picturesque views of Stowe historic village and forested hillsides in the background.
37. The existing mixed-use building was constructed circa 1994. The proposed two-family dwelling is situated lower on the lot between the existing building and Mountain Road.
38. There are no identified historic sites, or rare and irreplaceable natural areas that will be impacted by the project [§3.7(4)(F)].
39. The proposed architectural building design was reviewed by the HPC who found that the project complied with the applicable design standards set forth in §10.
40. The project location sits among a compact cluster of historic buildings, each highly visible from the Mountain Road public right-of-way. The architectural building design incorporates similar architectural elements such as gable roof forms, divided light windows, and compatible materials.
41. The proposed building design, scale, and materials are compatible with surrounding buildings and incorporate aesthetic considerations.
42. The DRB therefore finds the project will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, or rare and irreplaceable natural areas [§3.7(4)(F)].
43. The property is served by an existing private shared roadway serving the Stowe Motel, a commercial law office [7A-132.020] (Russell Barr), the subject parcel, and an undeveloped parcel [7A-132.015] (Ruiz). The easement serving the subject parcel is twenty-five (25) feet in width which serves three (3) parcels, Russell Barr property, subject property, and an undeveloped parcel [7A-132.015] (Ruiz).
44. The subject property does not contain frontage on a public roadway, however does exceed the minimum lot width for the VC-10 District of forty (40) feet [§3.1(1)].
45. The parcel is accessed via fifty (50) foot easement over the Stowe Village parcel which reduces to twenty-five (25) feet in width to serve a total of three (3) lots- Russell Barr property, the subject property, and an undeveloped parcel [7A-132.015] (Ruiz).
46. No changes are proposed to the existing shared access or easement serving the property.
47. Other than internal changes to parking on the site, no changes to the shared access are proposed under this application.
48. The Applicant requests approval for the construction of a two-family dwelling. The existing building contains two (2) dwelling units and office use. The existing building includes an attached garage which accommodates two (2) vehicles.

49. The Applicant provided a detailed parking analysis of the Stowe Inn property, the subject property, and others involved in the development agreement.
50. The Development Agreement requires the Town require a common plan for parking and pedestrian access. The Town will determine compliance with the minimum parking requirements based on the total parking available on the 'Development Parcel'.
51. According to the Applicant's parking tabulation, the Stowe Inn property currently contains ninety-six (96) available parking spaces. As calculated by the Applicant, the required parking for restaurant seats, lodging units, and dwelling units on the Stowe Inn property totals eight-five (85) spaces.
52. The subject parcel contains two (2) dwelling units and ±1774 sf of office space, which requires a total of five (5) spaces in the VC-10 District. Under existing conditions, the parcel contains a two-car garage and six (6) surface parking spaces.
53. Under the Regulations the proposed two-family dwelling requires two (2) additional parking spaces, however in the VC-10 District this can be reduced to one (1) parking space [§15.3(3)].
54. As proposed, the two-family dwelling will include a one-car-attached garage and two (2) tandem parking spaces, which satisfies the parking requirements.
55. Adequate parking exists to support the existing and proposed uses.
56. The DRB finds the existing and proposed circulation and parking improvements represent adequate access and circulation for the intended use, in accordance with §15.
57. The lot is previously developed and contains mature landscaping, flowers, and mature trees.
58. As noted under §2.5(K), landscaping associated with single and two-family dwellings is exempt and does not require a zoning permit. However, mixed-use parcels are subject to site plan and conditional use review. The Applicant is proposing additional landscaping in front of the proposed duplex/two-family dwelling. The landscaping will provide filtered vegetative screening of the proposed building.
59. Per §3.12(2), construction-related activities associated with any new construction including one and two family dwellings shall adhere to the standards set forth in §3.12(2)(A)-(F).
60. According to the development application less than ½ acre of disturbance or additional impervious surfaces are proposed.
61. The site is known to have existing stormwater run-off issues. During larger storms, runoff is able to bypass the existing stormwater conveyance system and travel over the existing gravel parking and driveway. This causes erosion and allows for runoff to channelize, which allows for gravel to be displaced and travel toward the Town conveyance system. This can cause excessive amounts of gravel and sediment to build in the Town's catch basins, which can in turn cause clogging of the system.
62. Under existing conditions, the eight (8) inch pipe at the top of the project site is undersized for the amount of runoff that it receives. Runoff often ponds in this location and travels over the gravel drive, which leads to large amounts of erosion, as well as gravel being deposited onto Mountain Road.
63. Under existing conditions, stormwater runoff from the woods to the north of the project site flow southeasterly toward Mountain Rd. The existing site has steep slopes, some of which are greater than 25%. Runoff travels from the woods and onto the project site, where stormwater follows a swale into an inlet structure with a grate on top, as well as an orifice on the side. Runoff exists this structure through an 8" PVC pipe and travels

southward to the pipe's outlet. Water exits the 8" pipe in a ditch and then enters a 24" HDPE pipe that carries the runoff under the existing gravel drive. Water outlets from the 24" pipe and then overland flows into another drainage structure, which has a 12" outlet pipe that discharges into the closed stormwater system on Mountain Road. This closed stormwater system then travels through several catch basins, which then discharge into the Little River.

64. The Applicant provided an engineer stormwater analysis for the subject parcel. The analysis was completed by professional engineer John Pitrowski of Trudell Engineering. The analysis considered existing conditions as well as the proposed site conditions including the construction of a proposed 1,560 sf dwelling and paved driveway.
65. The existing drainage areas were delineated and were found to be approximately ±9.19 acres total with approximately ±0.163 acres of impervious surfaces, including rooftops and gravel drives.
66. The engineering analysis indicated that in order to solve the existing stormwater issues that occur onsite, the proposed stormwater system onsite will need to be able to detain the stormwater that comes onsite from the woods to the north. The eight (8) inch pipe will also need to be removed and replaced with a larger pipe. A detention area has been proposed to detain excess water in larger storm events. The existing eight (8) inch pipe is proposed to be replaced with an eighteen (18) inch pipe which will travel to a proposed manhole, which will then convey water via a proposed eighteen (18) inch pipe to a second stormwater detention area. The discharge from the upper storm detention area is controlled by a storm manhole that controls runoff for a twelve (12) inch outlet with a grate overflow to allow for larger storm events. This second area will collect runoff from the proposed Stevens site and will discharge into the existing twelve (12) inch pipe that is connected to the Town of Stowe stormwater system along Mountain Road.
67. The analysis recommended that stormwater be detained prior to passing under the gravel drive, as well as to increase the size of this initial pipe. Two (2) stormwater detention areas are proposed to decrease the adverse impacts of the runoff travelling onto the site as well as to prevent future development from negatively impacting the Town of Stowe stormwater collection system.
68. The DRB finds unless the recommended stormwater improvements identified in the Trudell analysis are installed, the proposed project will exacerbate the existing adverse stormwater impacts to the Town Highway and therefore will be undue. In order to mitigate this impact, the DRB will require that the Applicant first construct the recommend stormwater improvements before commencing construction of the proposed two-family dwelling.
69. The Applicant provided specifications on proposed outdoor light fixtures which include building mounted, recessed, and bollards. The architectural plans identify the location of each of the outdoor light fixtures.
70. The Applicant provided written confirmation from that the total output from all light fixtures on the site equal 0.63 lumens per developed square foot, conforming to §4.8(8).
71. Pursuant to §10, the HPC reviewed the application during their June 3, 2026 meeting and voted to recommend approval as submitted.

Chris Carey motioned, seconded by G.Bambara, to recommend approval of the project as presented. The motion passed unanimously.

72. §10.12 provides general guidelines for alterations, additions and new construction. The HPC reviewed the proposed architectural building design and materials. Following review, the HPC recommended that the project conformed with the applicable design standards for new construction.

Conclusion: Based on the above findings, the DRB concludes that the project conforms with applicable conditional use, site plan, and design review standards as set forth in the Town of Stowe Zoning Regulations.

DECISION

Based upon the foregoing findings of fact and conclusions of law, the DRB hereby approves the Applicant's request for design review and amended site plan and conditional use approval as outlined in the application received February 6, 2026 and supplemental materials, subject to the following conditions of approval:

1. The project shall be completed, operated, and maintained in accordance with (a) the conditions of this approval and (b) the permit application, plans, and exhibits on file in the Town of Stowe Planning & Zoning Office and other material representations. Any change to the plans or the proposed use of the property shall be brought to the Zoning Administrator's attention, prior to its enactment, for a determination if an amendment is required. The Zoning Administrator is granted the authority to review and administratively approve non-material modifications to the approved plans upon finding that the proposed change or alteration would not have affected the decision made or any conditions if had been included in the plans as approved.

The approved plans, amended herein, include:

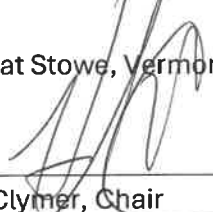
1. Architectural Site Plan prepared by Sam Scofield, Sheet L-1, dated 6/30/2020;
 2. Site Plan prepared by Sam Scofield, Sheet SP-1, dated 3/6/2026;
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 20. Existing Conditions & Demolition Plan prepared by TCE, Sheet C1-01, dated 02/24/2023;
 21. Parking and Stormwater plan, C2-01, prepared by TCE, dated 2/21/2023;
2. All conditions of prior approvals, except as amended herein, remain in full force and effect.
 3. Prior to issuance of a zoning permit, the Applicant shall complete the following:
 - a. Submit to the Planning & Zoning Office a copy of the VT DEC WW permit and Town of Stowe Water/Sewer Connection permits. Copies of said permits shall be kept on file in the zoning records for this project.
 4. Prior to commencement of construction of the approved two-family dwelling, the Applicant must install the stormwater infrastructure identified by P.E. John Pitrowski in his stormwater analysis dated February 21, 2023. The Applicant must provide written confirmation from a registered engineer licensed in the State of Vermont to the Zoning Administrator that said infrastructure has been installed and is functioning as designed prior to commencing construction of the two-family dwelling.

5. The DRB accepts the recommendations of the HPC. The proposed building must be constructed in accordance with the approved plans.
6. The Applicant shall obtain all necessary municipal water and sewer allocation and connection permits. Final Plans, Details, Technical Specification and for proposed Water and Sewer Connections shall be approved by the Department of Public Works.
7. All mechanical systems shall be located or screened in a manner that they are not visible from the public right-of-way.
8. No parking space shall be used for any purpose that interferes with its availability for required parking, including the location of trash or recycling dumpsters.
9. Required parking spaces shall be maintained (plowed) for winter use.
10. All parking surfaces shall be constructed so as to eliminate standing water and the discharge of storm water onto adjacent property.
11. Construction hours shall be limited to Monday-Friday from 7:00 am-5:00 pm and Saturday from 9:00 AM- 1:00 PM. No construction is allowed on Sunday or State or Federal holidays.
12. The installation of outdoor light fixtures is limited to those described and depicted within the application. Fixtures shall employ warm-toned (3000K and lower).
13. All outdoor light fixtures shall be installed, shielded, and aimed so that illumination is directed only to the designated area and does not cast direct illumination or cause glare beyond the boundary lines of a property. Outdoor light fixtures shall be on photocells or timers.
14. The Applicant must incorporate the following elements as recommended by the Stowe Fire Department:
 - a. The building must include a sprinkler system;
 - b. The fire department connection shall be installed on the north side of the building in an area agreed upon by the Applicant and the fire department;
 - c. No parking signs are placed at the entrances of the drive to ensure patrons of the adjacent business/inn do not block the road;
 - d. E911 address signage is installed and visible at the entrance to the drive.
15. Landscaping shall be properly maintained in accordance with the amended approved plans. Any dead and dying plants and trees shall be replaced within one (1) year of death.
16. Site construction shall adhere to the standards outlined in §3.12(2)(A-E) including:
 - a. The amount of soil exposed at any one time must be kept to a minimum.
 - b. Areas of exposed soil that are not being actively worked, including soil that has been stockpiled, must be stabilized.
 - c. Stormwater shall be controlled during construction to minimize soil erosion and transport of sediment to surface waters.
 - d. Soil disturbance shall not be allowed between the period of October 15 to April 15 unless adequate erosion control measures are provided as outlined in Section 3.12(2)(A-C) taking into consideration winter and spring conditions.
17. A Certificate of Occupancy must be obtained from the Zoning Administrator prior to occupancy and use to ensure that the project has been completed as approved by the DRB, as required under §2.10 of the Regulations. Prior to the issuance of a Certificate of Occupancy, the Applicant must provide the following:
 - a. A licensed architect must provide written confirmation that the building has been constructed per the approved plans.
 - b. Documentation that all necessary easements have been secured with Stowe Electric Department.
 - c. Written confirmation from the Stowe Fire Department that all elements of condition #14(a)-(d) have been completed.
16. These conditions of approval shall run with the land and are binding upon and enforceable against the Applicant and its heirs, successors and assigns. By acceptance of this approval, the Applicant and his successors agree to allow authorized representatives of the Town of Stowe to access the property subject to this approval, at reasonable times, for purposes of ascertaining compliance with the conditions of approval.

Voting in favor: Drew Clymer, David Kelly, Mary Black, Andrew Volansky, Chip Dillion, and Scot Baraw

Voting to deny: None

Dated at Stowe, Vermont this 30th day of July 2026

By: 
Drew Clymer, Chair

NOTICES:

1. In accordance with 24 V.S.A. § 4449(e), applicants are hereby notified that state permits also may be required prior to land subdivision or construction. The applicant should contact the DEC Permit Specialist for District #5 (802-505-5367) to determine whether state permits are required.
2. The applicant or another interested person may request reconsideration of this decision by the Development Review Board, including associated findings and conditions, within 30 days of the date of this decision by filing a request for reconsideration that specifies the basis for the request with the Secretary of the Development Review Board. Pursuant to 24 V.S.A. § 4470, the board may reject the request within 10 days of the date of filing if it determines that the issues raised have already been decided or involve substantially or materially the same facts by or on behalf of the appellant.
3. This decision may also be appealed to the Environmental Division of the Vermont Superior Court by the applicant or another interested person who participated in the proceeding before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Division Court Proceedings.
4. In accordance with 24 V.S.A. § 4455, on petition by the municipality and after notice and opportunity for hearing, the Environmental Division may revoke a permit based on a determination that the permittee violated the terms of the permit or obtained the permit based on misrepresentation of material fact.

