



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

APPLICATION INFORMATION

Project Number 7782
Application Date 3/5/2026
Physical Location 782 MOUNTAIN RD
Map ID 07-034.000 **Tax ID** 25006
Project Description REQUEST FOR EXTENSION TO ZONING PERMIT #6773
Owner 782 MOUNTAIN RD REALTY LLC
Applicant STEWART CONSTRUCTION INC
Applicant Address 1191 SOUTH BROWNELL RD
WILLISTON VT 05495

APPROVALS ON RECORD

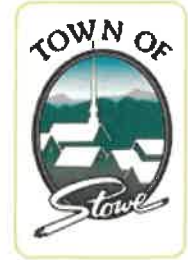
Action Taken	Date	Effective Date	Expiration Date	
OTHER				(\$20 OVERAGE TO APPLY TO FUTURE CO)
DRB DECISION	5/19/2026	6/18/2026	6/18/2028	

Sarah McShane

Dept. of Planning and Zoning

**TOWN OF STOWE
DEVELOPMENT REVIEW BOARD**

Findings of Fact & Conclusions of Law



PROJECT: 7782

SUBJECT PROPERTY: 782 Mountain Road; Tax Map # 07-034.000

PROPERTY OWNER:

782 Mountain Road Realty, LLC.
PO Box 1126
Aspen, CO 81612

APPLICANT:

Stewart Construction, Inc.
1191 South Brownell Road, Ste 30
Williston, VT 05495

APPLICATION

The Applicant, Stewart Construction, Inc. on behalf of property owners 782 Mountain Road Realty, LLC (herein referred to as "the Applicant" requests a one (1) year extension to the approved zoning permit for Project #6773, which authorizes the construction of two multi-family dwellings and related site improvements on the property located at 782 Mountain Road. The zoning permit will expire on July 21, 2027, unless otherwise approved by the Development Review Board (DRB). Section 2.9(3)(B) grants the DRB the authority to extend an approved construction schedule. The application was reviewed by the DRB under Town of Stowe Zoning Regulations (effective January 31, 2024). The DRB's procedural history and relevant findings are attached.

REVIEW PROCESS

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

A Town of Stowe development application was filed by the Applicant on March 5, 2026. The application was accepted as administratively complete by Zoning Administrator Sarah McShane and referred to the DRB for a public hearing. A public hearing was scheduled for April 7, 2026 and warned in accordance with §2.14 of the Regulations and 24 V.S.A. §4464. The hearing notice was published in the Stowe Reporter on March 19, 2026. The Applicant submitted the Certificate of Service on March 18, 2026.

The public hearing to consider the application convened on April 7, 2026 at the Akeley Memorial Building, 67 Main Street, with remote participation available through Zoom. A quorum of the DRB was present. No *ex parte* communications or conflicts of interest were reported. Members who participated in the review included: Drew Clymer (chair), David Kelly, Andrew Volansky, Mary Black, Patricia Gabel, Alternate Scot Baraw, and Alternate Michael Diender. 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/PARTICIPANTS

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, and may be afforded status as interested persons with rights to appeal:

1. Aaron Stewart, Stewart Construction, 1191 South Brownell Road, Ste 30, Williston, VT 05495

THE HEARING RECORD

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

1. Town of Stowe Development Application, dated 3/5/2026; and
2. DRB Decision for Project 6773, dated 7/06/2022.

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 a one (1) year construction schedule extension was reviewed by the DRB for conformance with applicable requirements of the Zoning Regulations (effective January 31, 2024), including the following:

- Section 2- Administration and Enforcement

Section 2.9 – Effective Dates

1. §2.9(3)(B) Permit Expiration states as follows: *“Uses Requiring DRB Approval. Once the zoning permit is issued, all activities authorized by its issuance shall be substantially completed within five (5) years of its effective date, or, if applicable, within the construction schedule granted under the applicant’s DRB approval.”*
2. The DRB granted conditional use and design review approval, with conditions, in a written decision dated April 15, 2022. The Applicant fulfilled the applicable conditions of approval on July 6, 2022, and the Zoning Administrator subsequently issued the zoning permit.
3. The Applicant requests to extend their approved construction schedule by one (1) year. The previously approved zoning permit for Project # 6773 involved the standard five (5) year construction period to substantially complete the approved project. The project generally consists of the construction of two (2) multi-family dwellings, totaling twenty-four (24) dwelling units and related site improvements at 782 Mountain Road.
4. Due to changes in State of Vermont Wetlands Maps, the Applicant has been delayed in obtaining all necessary state permits to begin construction. There is a study underway on whether the portion of the property closer to the Little River may be considered a wetland, or if it was mapped in error.
5. The Applicant intends to begin the project soon, however, recognizes that due to the delay, the project is not likely to be substantially complete prior to the expiration of the zoning permit on July 21, 2027.
6. The Applicant seeks to extend the effective date of the zoning permit for Project# 6773 by one (1) year to July 21, 2028. This request would allow for a one-year extension to their approved construction schedule.

Conclusion: Based upon the above findings, the DRB concludes the proposal is reasonable and the DRB has the authority to approve and extend construction schedules pursuant to §2.9(3)(B).

DECISION

Based upon the foregoing findings of fact and conclusions of law, the DRB hereby approves the Applicant's request for a one (1) year construction schedule extension, as outlined in the application dated March 5, 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.

2. All conditions of prior approvals, except as amended herein, remain in full force and effect.
3. 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, agrees 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, Andrew Volansky, Mary Black, Patricia Gabel, Scot Baraw, and Michael Diender

Voting to deny: None

The motion PASSED 7-0.

Dated at Stowe, Vermont this the 19th day of May 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.

