



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

You recently received approval for the subdivision listed below from the Development Review Board. Attached is a copy of the DRB decision for your records. All final subdivisions must be signed by the DRB Chair and recorded within 180 days from approval. Please note any conditions of approval that must be met before the plan can be recorded. You are also required to obtain separate zoning approvals and/or permits for any new construction on the newly created lots. A fee of \$25/page is required for recording.

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

APPLICATION INFORMATION

Project Number	7832		
Application Date	5/7/2026		
Physical Location	754 RIVER RD		
Map ID	07-299.000	Tax ID	08033
Project Description	3 LOT SUBDIVISION		
Owner	NR HOLDINGS LLC		
Applicant	NELSON RILEY NR HOLDINGS LLC		
Applicant Address	866 RIVER ROAD		
	STOWE VT 05672		

APPROVALS ON RECORD

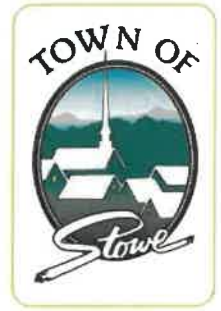
Action Taken	Date	End of Appeal Period	Expiration Date	
DRB DECISION	7/7/2026	8/6/2026	1/3/2027	SEE DRB CONDITIONS

Sarah McShane

Dept. of Planning and Zoning

**TOWN OF STOWE
DEVELOPMENT REVIEW BOARD**

Findings of Fact & Conclusions of Law



PROJECT # 7832

SUBJECT PROPERTY 754 River Road (Tax Map# 07-299.000)

PROPERTY OWNER/APPLICANT

NR Holdings LLC - Nelson Riley
866 River Road
Stowe, VT 05672

APPLICATION

The Property Owner/Applicant, NR Holdings LLC (herein referred to as the “Applicant”), requests combined preliminary and final subdivision review for a proposed 3-Lot subdivision of the ±13.02 property identified on Tax Map 07-299.000. The proposed lots will gain access by an existing privately owned and maintained road connecting to River Road, a Class 3 town highway. As proposed, Lot A consists of ±4.01 acres and contains two (2) existing single-family dwellings and accessory dwelling units (ADUs). Lot B consists of approximately ±4.26 acres and includes two (2) designated building zones intended to accommodate future residential development. Lot C consists of approximately ±5.00 acres and includes one (1) designated building zone for future residential development. The subject property involves Lot A1 of the Stewart P. & Reba R. Bouchard 2-Lot Subdivision, recorded on March 16, 2011, and is subject to the terms and conditions of Development Review Board (DRB) approval of Project # 4369. The application was reviewed by the DRB under the Town of Stowe Subdivision Regulations (the “Subdivision Regulations”) (effective through July 16, 2012) and the Town of Stowe Zoning Regulations (the “Zoning Regulations”) (effective January 31, 2024) for the purpose of combined preliminary and final subdivision review. The DRB’s findings and conclusions are as follows.

REVIEW PROCESS

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

A development application was filed by Applicant NR Holdings LLC on May 7, 2026. The application was accepted as administratively complete by Town of Stowe Zoning Administrator Sarah McShane and referred to the DRB for a public hearing. A public hearing of the DRB was scheduled for June 2, 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 May 14, 2026. The Applicant notified adjoining landowners and submitted the Certificate of Service on May 18, 2026.

The public hearing to consider the application convened on June 2, 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 interests were reported. Members who participated in the review included: Mary Black, David Kelly, Patricia Gabel, Chip Dillion, Scott Rank, 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/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. Nelson Riley, 866 River Road, Stowe, VT 05672

THE HEARING RECORD

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

1. Development Application, dated 4/27/26;
2. Project Narrative, not dated;
3. Exhibit A, BK:1234, PG:75-76, Easement Deed, dated 9/4/24;
4. Exhibit B, BK:1234, PG:79-80, Easement Deed, dated 9/4/24;
5. Exhibit C, Survey Plat, dated 10/23/24;
6. Exhibit D, Shared Driveway Maintenance Agreement, BK1234, PG: 83-89, dated 9/4/24;
7. Exhibit H, View Analysis, 4pgs, not dated;
8. Road Profile, Existing and Proposed;
9. Existing Site Plan, C1-01, prepared by Immersive Design Build Collective, dated 5/16/26;
10. Site Plan Proposed, C1-02, prepared by Immersive Design Build Collective, dated 5/16/26;
11. Natural Resources Atlas, 3pgs, dated 5/22/26;
12. E911 Map Viewer, dated 5/25/26; and
13. Email correspondence between the Applicant & Fire Department, last dated 5/19/26.

FINDINGS OF FACT & CONCLUSIONS OF LAW

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

The Applicant's request for subdivision approval was reviewed by the DRB for conformance with applicable requirements including the following:

Town of Stowe Zoning Regulations (effective January 31, 2024)

- 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 13- Planned Developments

Town of Stowe Subdivision Regulations (effective July 16, 2012)

- Section 2 – General Provisions
- Section 3- Administration and Enforcement
- Section 4- Submission Requirements
- Section 5- Planning and Design Standards

DIMENSIONAL REQUIREMENTS

Zoning District.

1. The subject property is located entirely within the Rural Residential 2 (RR2) zoning district. There are no zoning overlay districts on this property.

Lot Area, Lot Width.

2. The Applicant proposes a 3-lot subdivision. The minimum required lot area in the RR2 District is two (2) acres; the minimum required lot width is 200 feet.

3. The existing lot contains approximately ±13.02 acres (measured to edge of highway right-of-way) and approximately 494.0 feet of lot width/frontage along River Road. The existing lot area including land within the town highway right-of-way equals ±13.27 acres.
4. §16.103 of the Zoning Regulations define the term Lot Area or Size to mean: *The area or size of a lot, not including the land lying on the street side of the street line.*
5. As proposed, Lot A will consist of ±4.01 acres and an approximate lot width of 494 feet.
6. As proposed, Lot B will consist of ±4.26 acres and an approximate lot width of 472 feet.
7. As proposed, Lot C will consist of ±5.00 acres and an approximate lot width of 508 feet.

Setbacks.

8. Required minimum setbacks within the RR2 District are as follows: front sixty (60) feet; side fifty (50) feet; rear fifty (50) feet.
9. The required setbacks are identified on the subdivision plan. The proposed building zones are designed to meet or exceed the minimum setback requirements of the zoning district.
10. There are no protected watercourses located on the property that require review under §3.10.
11. The minimum setback for driveways and parking areas is ten (10) feet in the RR2 District. The driveway setback on Lot C is not labeled on the subdivision plan, however the Applicant confirmed through testimony that the proposed driveway and parking area is designed to meet this setback requirement.

Use.

12. Proposed Lot A will contain two (2) existing single-family dwelling with attached accessory-dwelling units (ADUs).
13. Proposed Lots B & C are both designed to support future residential development. One (1) family and two (2) family dwellings, and ADUs, are all permitted uses in the RR2 District.

Density.

14. In the RR2 District, density is allowed at a rate of one (1) single-family or two-family dwelling per two (2) acres.
15. Proposed Lot A will contain two (2) existing single-family dwellings with attached ADUs which requires a minimum of four (4) acres. Lot A, being ±4.01 acres, is sized to satisfy the minimum lot area requirement necessary to support the density associated with the existing dwellings.
16. Proposed Lot B consists of ±4.26 acres, which exceeds the minimum density to support a future one (1) family or two (2) family dwelling.
17. Proposed Lot C consists of ±5.00 acres, which exceeds the minimum density to support a future one (1) family or two (2)-family dwelling.

Conclusion: Based upon the above findings, the DRB concludes the proposed 3-lot subdivision conforms to the RR2 District dimensional and use requirements.

SUBDIVISION REGULATIONS -SECTION 5.1 – GENERAL PLANNING STANDARDS:

Section 5.1(1) – Character of Land for Subdivision

18. The Applicant proposes a 3-lot subdivision intended to support future residential development. Proposed Lot A is already developed and contains two (2) existing single-family dwellings with attached ADUs. These existing buildings are served by on-site septic and potable water, private driveways and related site improvements.
19. The Applicant proposes to create two (2) additional lots intended for future residential development. The proposed lots will be served by the existing private road and proposed individual driveways and parking areas.
20. The proposed lots and future dwellings will be served by on-site wastewater disposal systems and potable water. The leach field to support proposed Lot B is located on Lot A which will be achieved through a septic easement. The leach field to support proposed Lot C is located on Lot C.
21. The proposed lots will be served by the existing private roadway, Willow Tree Lane. Proposed driveways will extend off from this existing roadway. This existing roadway also provides shared access to the adjacent property which was recently subdivided into two (2) residential lots.
22. Nothing with the hearing record indicates the project will have undue adverse impact on public health or safety, or the environment or, neighboring properties or the rural and historic character of the community.

Conclusion: Based on the above findings, the DRB concludes the proposal conforms to §5.1(1), Character of Land for Subdivision.

Section 5.1(2) – Natural and Scenic Features

23. The Regulations require that subdivisions be designed to avoid undue adverse impacts to brooks, streams, water bodies, groundwater resources, wetlands, prime agricultural soils, farmland resources, scenic meadowlands, important forest resources, aesthetic resources, and scenic vistas, including views onto and from the subject property.
24. There are no identified brooks, streams, water bodies, groundwater resources, farmland resources, scenic meadowlands, or important forest resources located on the property that will be adversely impacted by the proposed subdivision. Accordingly, the DRB limited its review under this section to potential impacts on wetlands, prime agricultural soils, aesthetic resources, and scenic vistas.
25. An existing pond/wetland area is located on proposed Lot A. The site plan identifies the pond as a wetland area to be protected by a fifty-foot (50') wetland buffer. No development or land disturbance is proposed within the designated wetland buffer area. There are no other delineated wetlands on the property.
26. Mapped prime agricultural soils are located in the lower portions of the property; however, these areas are already developed or situated within an existing utility right-of-way and are not currently used for agricultural purposes. Other portions of the site consist of steeper, forested slopes that are not well suited for agricultural use. As a result, the proposed subdivision will not result in an undue adverse impact to mapped prime agricultural soils.
27. The Applicant submitted a view analysis and clearing plan illustrating the anticipated aesthetic and scenic impacts of the proposed subdivision. The proposed building zone on Lot C is located higher on the hillside but is not expected to be highly visible from Route 100 due to the retention of existing vegetation and designated

open space. The surrounding hillside contains several existing dwellings on nearby parcels at similar elevations that are not prominently visible from public vantage points.

28. Existing forest cover proposed to remain will provide filtered screening that reduces aesthetic impacts from Route 100 and from views onto and across the property. During spring, summer, and fall, leaf cover will generally screen the building zone on Lot C; however, the record does not contain evidence regarding potential visual impacts during winter months when vegetation is not in leaf.
29. Lot C contains designated open space intended to provide filtered vegetative screening for the proposed building zone. Additional designated open space is also provided on Lot B.
30. The proposed clearing associated with the building zones has been planned and limited in scope to minimize potential adverse impacts to the forested hillside and to reduce visibility from public vantage points.

Conclusion: Based on the above findings, the DRB concludes the proposal conforms to §5.1(2), Natural and Scenic Features.

Section 5.1(3) – Protection of Significant Wildlife Habitat and Natural Communities

31. Significant Wildlife Habitat are defined as areas that have been identified and mapped as significant wildlife habitat and natural communities by the Vermont Fish and Wildlife Department including rare, threatened and endangered species & significant communities and deer wintering areas.
32. According to the ANR Natural Resources Atlas, the property does not contain any significant natural communities or natural communities or rare, threatened and endangered species. Accordingly, the DRB limited its review under this section to potential impacts on deer wintering areas.
33. The lands located west of the VELCO Utility Easement are identified as mapped deer wintering area habitat. The mapped habitat area generally follows the larger hillside west of the easement. The surrounding parcels to the south contain existing residential development that extends into portions of the mapped deer wintering area.
34. The proposed building zone and associated access improvements on Lot C are located partially within the mapped deer wintering area. However, the proposed development area, associated clearing, and designated open space have been limited in scale and designed to mitigate potential adverse impacts to the habitat area.
35. The existing single-family dwellings located on proposed Lot A, situated in the lower portion of the property, are located outside the mapped deer wintering area.
36. The proposed open space is designed to remain contiguous across the property, allowing for continued deer movement and wildlife travel. Clearing has been minimized to reduce impacts and help protect existing habitat.

Conclusion: Based on the above findings, the DRB concludes the proposed subdivision will not result in an undue adverse impact to significant wildlife habitat areas.

Section 5.1(4) – Historic Sites and Community Character

37. The subject parcel is within a rural area, as defined under the Subdivision Regulations. Rural landscapes are characterized by open fields, forested mountains and hillsides. The Regulations require building zones be delineated so as to mitigate the visual impact of new development on views from existing roadways, adjacent properties, and offsite vantage points.

38. The property proposed to be subdivided does not contain any identified historic sites. There is no evidence in the hearing record indicating that the proposed project will adversely impact any nearby historic resource(s).
39. The clearing associated with the proposed building zones on Lots B and C has been planned and limited in scope. Portions of Lot B located below the VELCO utility easement, which generally runs in a north-south direction through the lot, are already largely cleared of trees and vegetation.
40. The proposed clearing limits and building zone on Lot C have been designed to minimize and reduce potential adverse impacts to the forested hillside and to public vantage points. Limiting the extent of clearing and the number of trees to be removed helps reduce and mitigate impacts on community character.
41. The proposed building zone on Lot C has been designed to minimize grading and disturbance.
42. There is no evidence in the hearing record to indicate that the proposed subdivision will adversely impact historic sites or the character of the town.

Conclusion: Based on the above findings, the DRB concludes the proposal is in conformance with §5.1(4), Historic Resources and Community Character.

Section 5.1(5) – Reserved Strips

43. No reserved strips are proposed.
44. The property gains access from an existing private roadway, Willow Tree Lane, via a fifty (50) foot right-of-way, connecting to River Road – a Class 3 town highway.

Conclusion: Based on the above findings, the DRB concludes the proposed subdivision conforms with §5.1(5).

Section 5.1(6) – Screening and Landscaping

45. The existing conditions of the property consist of a partially forested, moderately sloping hillside. The VELCO utility right-of-way bisects the parcel, running generally east-west through the central portion of the property. The area within the utility right-of-way is maintained in a cleared condition and is generally free of large trees and vegetation.
46. The clearing associated with the proposed building zone on Lot C has been carefully planned and limited in scope to prevent and reduce potential adverse impacts to the forested hillside and to public vantage points.
47. The DRB incorporates by reference into this section’s findings its findings under § 5.3 – open space, below, as if more fully stated herein.

Conclusion: Based on the above findings, the DRB concludes the proposal conforms to applicable requirements of §5.1(6), Screening and Landscaping.

Section 5.1(7) – Pedestrian Access

48. The Applicant is not proposing any pedestrian access improvements. The project is located within a rural area of Town where formal pedestrian infrastructure, including sidewalks and shared-use recreation paths, are generally absent. There are no public sidewalks along River Road.
49. Given the low-density nature of the proposed development and the absence of existing pedestrian facilities or trail networks to connect with, the Board finds that the provision of pedestrian access improvements is not warranted for the proposed rural low density subdivision.

Conclusion: Based on the above findings, the DRB concludes no pedestrian improvements are proposed or required to serve the proposed subdivision.

Section 5.1(8) – Traffic

50. The Applicant seeks subdivision approval and is not seeking approval for any specific land uses, however each lot is designed to support future residential uses.
51. A maximum future building out of the proposed lots would consist of the construction of six (6) single-family dwellings.
52. The Applicant provided the estimated number of vehicle trips to be created by the project. Using a single-family dwelling land use classification, the project is anticipated to generate 4.44 AM peak hour trips and 5.94 PM peak hour trips.
53. The proposed increase of fifty-six (56) total daily trips will be absorbed into the existing roadway network.

Conclusion: Based on the above findings, the DRB concludes the proposed subdivision will not create unreasonable traffic congestion or cause unsafe conditions regarding use of existing roadways.

Section 5.1(9) – Municipal Facilities

54. Planning & Zoning staff requested comments from the respective Town departments including the Department of Public Works, Fire Department, Stowe Electric, Police Department, EMS, and Parks and Recreation.
55. Comments were received from the Stowe Fire Department, otherwise no Municipal Department review forms were returned, indicating that the proposed development will not have any adverse impact on existing or planned community facilities and services.
56. The future residential uses will be served by on-site septic and potable water sources. The future dwellings will not be connected to the municipal water or sewer systems.
57. The Fire Department provided general comments regarding roadways, driveways, etc. Comments were entered into the hearing record.
58. The Fire Department recommended the DRB consider requiring future buildings on Lots B & C contain fire suppression (sprinklers) systems, given the 18% grade (portions) of the road. This recommendation only pertains to new construction and not the existing buildings on site. The Applicant's testified that there are no roadway grade issues with Lot B, only Lot C, and therefore the DRB should consider only requiring building suppression systems for future buildings on Lot C, not Lot B.
59. The Fire Department recommended the width of the last turn in the road on the uppermost section will be widened to 25 ft or straightened with the final plan to be reviewed by the fire department. The department also recommended that the turnaround (hammer head) in the main parking lot will be extended from 50 feet to 75 feet; the pull-off at the bottom of the hill will be signed with "fire lane, no parking"; all efforts will be made to keep the width of the road to 20 feet during the winter months with respect to snow removal; and the tree canopy along the roadway will be cleared to a minimum of fifteen (15') feet to accommodate aerial apparatus.
60. Nothing within the hearing record indicates that the proposed subdivision will not create an undue burden on municipal facilities or create an unreasonable demand for municipal services.

61. The DRB incorporates by reference into this section's findings its findings under § 5.1(12) – Fire Protection Facilities, below, as if more fully stated herein.

Conclusion: Based on the above findings, the DRB concludes the proposed subdivision will not create an undue burden on municipal facilities or create an unreasonable demand for municipal services. The DRB will require, as a condition of subdivision approval, that the Applicant incorporates the Fire Department's recommendations into the final road, driveway, and building designs to ensure the proposed lots do not adversely affect emergency access or fire protection services.

Section 5.1(10) – Lot Configuration

62. The Applicant proposes the creation of three (3) lots intended for residential development. The proposed lots are all of regular shape and dimensions.

Conclusion: Based on the above finding, the DRB concludes the proposed subdivision conforms to §5.1(10).

Section 5.1(11) – Building Zone

63. The Applicant proposes one (1) building zone on Lot C and two (2) building zones on Lot B. Lot B is encumbered by a one hundred foot (100') wide VELCO utility right-of-way.

64. The proposed building zones are designed to comply with minimum setback requirements and provide adequate areas for future residential development and related site improvements.

Conclusion: Based on the above findings, the DRB concludes the proposed subdivision provides adequate building sites for each lot.

Section 5.1(12) – Fire Protection Facilities

65. The proposed lots and future dwellings will be served by private drilled wells and will not be connected to the municipal water system; accordingly, no fire hydrants are proposed.

66. The Fire Department provided general comments regarding roadway, driveway, and building design, which were entered into the record.

67. The proposed subdivision will be served by the existing private roadway known as Willow Tree Lane. The record indicates that emergency pull-off areas are present along this roadway.

68. The proposed lots will be served by separate private driveways, spurring off from Willow Tree Lane – a privately owned and maintained road. The existing road has a maximum grade of 18% in sections and an average grade of 9%

69. Proposed Lot B will be served by two (2) individual driveways located within the VELCO utility easement. The driveways are eighteen (18) feet in width, as proposed. This area of Lot B is generally flat.

70. Proposed Lot C will be served by an existing driveway that will be improved and widened to twenty (20) feet in width. The Applicant also proposes to construct a parking and a turnaround area. This lot includes an emergency vehicle turnaround designed to provide emergency access to the building zone.

71. The proposed driveways on Lot B & C will be constructed using 4" of crushed stone, 12" of dense graded crushed stone or gravel, and 6" of thick sand filter. These construction details are illustrated in the Applicant's project narrative.

72. The DRB incorporates by reference into this section's findings its findings under § 5.1(9) Municipal Facilities, above, as if more fully stated herein.

Conclusion: Based on the above findings, the DRB concludes the proposed subdivision conforms to §5.1(12).

Section 5.1(13) – Disclosure of Subsequent Development Plans

73. Existing single-family dwellings with attached ADUs are located on proposed Lot A in the lower portion of the property. The upper and middle portions of the property comprise proposed Lot B and C, which are designed to accommodate future residential development.

74. The Applicant is not proposing development on only a portion of the parcel, this provision does not apply.

Conclusion: Based on the above findings, the DRB concludes this provision is not applicable.

Section 5.1(14) – Private Enforcement Mechanisms

75. The property gains access off Willow Tree Lane, a private road within the fifty (50) foot right-of-way. This right-of-way also provides shared access to two (2) existing adjacent parcels containing 348 and 271 Willow Tree Lane.

76. The hearing record contains a copy of the existing shared road maintenance agreement between neighboring properties 348 and 271 Willow Tree Lane and the subject property. The agreement outlines shared responsibilities and costs.

77. Shared expenses will primarily consist of snow removal, plowing, and road maintenance, all of which will be shared equally among the property owners.

Conclusion: Based on the above findings, the DRB concludes the project conforms with §5.1(14).

Section 5.2 – Prominent Hillside and Ridgelines: Does not apply.

Section 5.3 – Open Space and Cluster Development

78. The subject property involves lands originally subdivided as part of the Stewart and Reba Bouchard subdivision, which created a ±10.1-acre lot (Lot B) and an ±18.5-acre lot (Lot A). This subdivision was approved by the Planning Commission on July 23, 2002 under S-02-14.

79. Both Lot A & B approved under the Stewart and Reba Bouchard subdivision were further subdivided.

80. Original Lot A was re-subdivided under the Stewart P. & Reba R. Bouchard 2-Lot subdivision, recorded on March 16, 2011, and approved by the DRB under approval of Project# 4369. Under this approval, Lot A2 consisting of ±5.7 acres and Lot A1 consisting of ±13.4 acres were created.

81. Original Lot B was re-subdivided under the Melanie Young Bouchard subdivision, approved by the DRB under Project #7396 in August 2024. Under this approval, Lot B2 consisting of ±5.07 acres and Lot B1 consisting of ±5.03 acres were created.

82. Since 2002, the lands involved have been subdivided into a total of four (4) lots.

83. The Applicant now seeks to re-subdivide Lot A1 (under Project# 4369) into three (3) additional residential lots. In total, the land involved contains four (4) previously approved subdivided lots and two (2) additional proposed lots.
84. Section 5.3 grants the DRB the authority to require designated open space, when a subdivision consists of the creation of additional lots from a previously approved subdivision where the total new and previously approved lots is greater than four (4) lots. The original property consists of four (4) previously subdivided lots and is proposed to consist of six (6) lots.
85. The Applicant proposes an estimated ±5.48 acres of designated open space on proposed Lot C and Lot B. The designated open space on proposed Lot C will provide filtered screening of the building zone.
86. The Applicant proposes that the lands designated as open space remain substantially in its natural, scenic, and undeveloped state. The Applicant offers that the development of additional principal structures, subdivision of open space areas, or expansion of designated building zones will require further approval from the DRB. Customary residential accessory uses, including trails, are anticipated and the Applicant seeks that they be permitted and allowed.
87. Most of the forested area of the property has been designed and incorporated into the designated open space. This wooded open space area will provide habitat and conserve natural green areas.

Conclusion: Based on the above findings, the DRB concludes the proposed designated open space is required and the Applicant has appropriately designed the open space to meet the objectives in §5.3(3).

Section 5.4 – Road Standards and Coordination with Public Highways

88. The Applicant proposes to utilize the existing private roadway, Willow Tree Lane. This existing private roadway connects to River Road, a Class 3 Town Highway, and is within a fifty (50) right-of-way.
89. This existing private roadway also serves two (2) additional residential lots, 348 and 271 Willow Tree Lane. These lots were approved by the DRB in August 2024 under Project #7396.
90. A secondary private driveway and associated parking area are planned to serve the building zone on Lot C. Lot B will be served by two (2) individual driveways, each providing access to the building zones.
91. No improvements are proposed to the existing intersection between Willow Tree Lane and River Road. The Department of Public Works and the Fire Department did not identify any necessary intersection improvements.
92. The project does not propose any new or modified driveway entrances to the Town Highway.
93. The Applicant provided a brief construction schedule narrative. Final engineering, exact driveway alignment, grading, utility installation, and construction timing may be refined through subsequent zoning, wastewater, and driveway permit applications, subject to applicable local and State review and approval.
94. The DRB incorporates by reference into this section's findings its findings under § 5.1(12) – Fire Protection Facilities, above, as if more fully stated herein.

Conclusion: Based on the above findings, the DRB concludes the proposed subdivision conforms to §5.4.

Section 5.5 – Utilities and Stormwater Management

95. Existing electric utility lines serving 348 and 271 Willow Tree Lane, which are also proposed to serve the new lots, are installed underground. The application further proposes that all new utility infrastructure associated with the subdivision be installed below ground.
96. No street lighting is proposed as part of the subdivision
97. Section 3.12 of the Regulations requires the provision of a stormwater management drainage system when development results in the creation of more than 0.5 acres of impervious surface.
98. The existing private roadway, Willow Tree Lane, is already developed and will not create additional impervious surface area. The proposed development will generate impervious surfaces associated with the proposed driveways and fire truck turnaround area totaling approximately 0.25 acres. Because the proposed development will create less than one-half acre of additional impervious surface, the requirements set forth in §3.12(F) do not apply. The proposed impervious surfaces do not trigger the regulatory need for stormwater management.
99. The Applicant estimates approximately ±0.31 acres of land disturbance associated with development on Lots B and C. Because the proposed disturbance area is less than one-half acre, the requirements set forth in §3.12(C) do not apply.

Conclusion: Based on the above findings, the DRB concludes the proposed subdivision conforms to the applicable provisions of §5.5.

DECISION

The DRB hereby approves the Applicant's request for combined preliminary and final subdivision approval (Project 7832) as described in the application dated April 27, 2026 and associated supporting materials subject 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 Department 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:

- a. Development Application, dated 4/27/26
- b. Project Narrative, not dated
- c. Exhibit A, BK:1234, PG:75-76, Easement Deed, dated 9/4/2024
- d. Exhibit B, BK:1234, PG:79-80, Easement Deed, dated 9/4/2024
- e. Exhibit C, Survey Plat, dated 10/23/24
- f. Exhibit D, Shared Driveway Maintenance Agreement, BK1234, PG: 83-89, dated 9/4/24
- g. Exhibit H, View Analysis, 4pgs, not dated
- h. Road Profile, Existing and Proposed
- i. Existing Site Plan, C1-01, prepared by Immersive Design Build Collective, dated 5/16/26
- j. Site Plan Proposed, C1-02, prepared by Immersive Design Build Collective, dated 5/16/26
- k. Email correspondence between the Applicant & Fire Department, last dated 5/19/26.

2. All conditions of prior approvals, except as amended herein, remain in full force and effect.
3. No subdivision of land shall be made, and no land in any subdivision shall be sold or offered for sale, and no street or utility construction shall be started until a subdivision plat, prepared in accordance with the requirements of the Regulations, has been approved as per the Regulations, and has been recorded in the office of the Stowe Town Clerk.
4. Pursuant to 24 VSA Chapter 117, the approved subdivision survey plat shall be submitted for recording in the land records of the Town of Stowe within 180 days of the date of this approval, or the approval shall expire. The final survey plat as recorded shall be prepared in accordance with §4.3 of the Subdivision Regulations and shall include the following notation:
 - a. *This plat is subject to the terms and conditions of subdivision approval by the Stowe DRB per the Subdivision Regulations of the Town of Stowe. The terms and conditions of the approval and related information are on file in the Stowe Zoning Office.*
 - b. *The lands designated as open space on this plat shall remain in open space. The open space shall run with the land and shall apply to future conveyances of all or parts of the herein open space, unless otherwise specifically approved by the DRB.*
5. The Applicant shall file the final survey plat, amended herein, signed by the Chair or other authorized representative of the DRB, with the Stowe Town Clerk in accordance with the requirements of 27 V.S.A. Chapter 17 and §4.3 of the Subdivision Regulations. No land development associated with this subdivision shall be commenced until such time as the survey plat has been duly signed and filed in the Land Records. Two paper copies of said plat shall be filed with the Zoning Administrator.
6. The recorded subdivision survey plat shall clearly identify the building zone and clearing limits on Lots B & C.
7. Prior to the issuance of any zoning permit(s) for development on proposed Lots B or C, the Applicant shall submit to the Zoning Administrator an executed Shared Maintenance Agreement for the shared portion of the existing roadway. A copy of the recorded agreement shall be provided to the Zoning Administrator and kept on file in the Planning and Zoning Office.
8. The driveways and parking areas on Lots B & C shall be constructed per the approved plans. Prior to the construction, the Applicant shall obtain a zoning permit.
9. Future buildings on Lots B & C shall contain fire suppression (sprinklers) systems. Such systems must be properly installed and maintained in working condition. Should the Fire Department determine such system is not necessary for building(s) on Lot B, the Applicant may return to the DRB and request a subdivision amendment to modify the requirements of this condition.
10. The width of the last turn in the road on the uppermost section serving Lot C shall be widened to twenty-five (25) feet per the Fire Departments recommendations.
11. The turnaround (hammer head) in the parking lot on Lot C shall be extended from fifty (50) feet to seventy-five (75) feet.
12. The tree canopy along the roadway shall be cleared to a minimum of fifteen (15') feet and routinely maintained to accommodate fire department aerial apparatus.
13. The emergency vehicle pull-off at the bottom of the hill on Lot C shall be signed with "fire lane/no parking" signs.
14. The Applicant must take reasonable measures to maintain the width of the road to twenty (20) feet during the winter months with respect to snow removal.
15. Future development on Lot B shall incorporate an emergency vehicle turnaround at the building site in accordance with the Stowe Fire Department Standards.
16. Prior to the issuance of a Certificate of Occupancy (CO) for building(s) on Lots B or C, the Applicant must obtain written comments from the Fire Department that conditions #7-14 of this approval have been completed in accordance with fire department recommendations.
17. Clearing and removal of trees shall be restricted to the areas shown on the approved plan(s). Lands outside of the approved clearing limits shall be left undisturbed except as necessary to remove dead or diseased trees,

recreational trail(s), and to promote the health of the forest. These clearing limits shall be shown on the final subdivision plat.

18. The areas designated as open space on the approved plans shall be maintained in a natural, scenic, and undeveloped condition. Except for unpaved recreation trails, no buildings, structures, land development, grading, clearing, or other site alterations shall occur within the Open Space areas unless specifically authorized by a subdivision amendment approved by the DRB. Customary residential accessory uses may be permitted within the open space areas only upon prior DRB approval.
19. Monuments shall be placed on all subdivided parcels in conformance with the Rules of the Board of Land Surveyors.
20. The electrical and other utilities to serve Lots B & C shall be installed below ground, unless otherwise approved by the DRB.
21. Site construction and development of Lots B & C shall adhere to the standards outlined in §3.12(2)(A-F) 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.
 - e. An adequate stormwater drainage system must be continuously maintained to ensure that existing drainage patterns are not altered in a manner to cause an undue adverse impact on neighboring properties, town highways or surface waters.
22. Prior to Certificate of Occupancy (CO) on Lot B or C, the Applicant must complete and submit the following:
 - a. A registered engineer shall certify that the driveways and parking areas were constructed in accordance with the approved plans.
23. These conditions of approval shall run with the land and are binding upon and enforceable against the Applicant and his successors. By acceptance of this approval, the Applicant and his or her 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: Mary Black, David Kelly, Patricia Gabel, Chip Dillion, Scott Rank, and Scot Baraw

Voting to deny: None

Dated at Stowe, Vermont this the ____ day of July 2026



David Kelly, Acting 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.