



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	7564		
Application Date	3/6/2025		
Physical Location	354 SOUTH MAIN ST		
Map ID	7A-002.010	Tax ID	01002
Project Description	REDEVELOPMENT OF 42 UNIT RESIDENTIAL BUILDING. WILL REPLACE LUMBER RETAIL SHOP		
Owner	354 SOUTH MAIN ST LLC		
Applicant	354 SOUTH MAIN ST LLC NICK DONZA		
Applicant Address	PO BOX 882		
	STOWE VT 05672		

APPROVALS ON RECORD

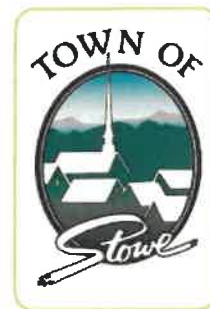
Action Taken	Date	End of Appeal Period	Expiration Date	
DRB DECISION	8/19/2025	9/18/2025	9/18/2027	APPROVED WITH CONDITIONS

Sarah McShane

Zoning Office

TOWN OF STOWE DEVELOPMENT REVIEW BOARD

Findings of Fact & Conclusions of Law



PROJECT: 7564

SUBJECT PROPERTY: 354 Main Street, Stowe, Vermont; Tax Map# 7A-002.010

PROPERTY OWNER/APPLICANT:

354 S. Main Street LLC
PO Box 882
Stowe, VT 05672

APPLICATION

The Property Owner/Applicant, 354 S. Main Street LLC (herein referred to as the "Applicant"), requests combined conditional use, site plan, and design review approval to demolish the existing fire damaged building at 354 South Main Street and construct a new three-story multi-family dwelling consisting of forty-two (42) dwelling units, covered parking, and related site improvements. The subject property, consisting of ±2.7 acres and located on Tax Map #7A-002.010, is in the Village Commercial 10 (VC10) Zoning District and the Stowe Historic Overlay District (SHOD). Portions of the property are also within the Flood Hazard Overlay District (FHOD). The property is bounded on the east by Palisades Street and the Stowe Public Safety Building (350 South Main Street), to the west and south by the Little River, and to the north by a commercial property owned by DD Outback LLC (356 South Main Street). The existing lot was created and approved by the Development Review Board (DRB) in 2019 under Project 5940 and as shown on the recorded subdivision plat in Map Book 23, Page 34 of the Town of Stowe Land Records. The application has been reviewed by the DRB under applicable standards of the Town of Stowe Zoning Regulations (as effective January 31, 2024) for the purposes of combined conditional use, site plan, and design review. 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 6, 2025. The application was first reviewed by the Stowe Historic Preservation Commission (SHPC) on March 19, 2025, and again on April 2, 2025, and April 16th, during which the SHPC offered a positive recommendation. Following the SHPC's review, the application and recommendation were then referred to the DRB for a public hearing. A public hearing was scheduled for August 5, 2025 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 17, 2025. The Applicant provided a certificate of service in accordance with the Regulations.

The public hearing to consider the application convened August 5, 2025 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 August 5th hearing included: Drew Clymer, Mary Black, Patricia Gabel, Peter Roberts, Andrew Volansky, Tom Hand, 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. Tyler Mumley, Mumley Engineering, Inc., PO Box 68, Morrisville, VT 05661
2. Tiffany & Nick Donza, PO Box 882, Stowe, VT 05672

3. Kelley DesRoches (Architect), 38 Eastwood Dr., Suite 301, South Burlington, VT 05403
4. Amanda Marquis, TJ Boyle Associates, 301 College Street, Burlington, VT 05401
5. Tim & Erika Bryan, 352 South Main St, Stowe, VT 05672
6. AJ Shinnars, 52 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. Town of Stowe Development Application, dated 5/1/25
2. Project Narrative, prepared by Mumley Engineering, Inc., dated 5/1/25
3. Floor Plans, prepared by WLA, dated 4/16/25
4. Floor Plans (2nd & 3rd) prepared by WLA, dated 4/16/25
5. SD Elevations, prepared by WLA, dated 4/16/25
6. Enlarged East Elevation, prepared by WLA, dated 4/16/25
7. Enlarged East Elevation (CLR), prepared by WLA, dated 4/16/25
8. Axon views, prepared by WLA, dated 4/16/25
9. Renderings, prepared by WLA, dated 4/16/25
10. Landscape Plan, L1.0, prepared by T.J. Boyle Associates, dated 4/9/25
11. Partial site plan C-4, 4/30/25
12. Erosion Prevention & Sediment Control Plan, prepared by Tyler Mumley Engineering Inc., C-5, dated 4/30/25
13. Site Details C-6 prepared by Tyler Mumley dated 4/30/25
14. Site Lighting, prepared by S. Kimball, dated 2/24/25
15. Allegra Specification sheet, no date
16. Lumencore Recessed specification sheet, no date
17. Lumenblade Specification sheet, no date
18. Site plan, C-2, prepared by Mumley Engineering, revised 5/14/25
19. Non-Conforming Structure sketch, dated 5/14/25
20. Non-Conforming Structure sketch, revised 5/20/25
21. HPC Letter of Project Recommendation, dated 5/7/25
22. Non-conforming analysis, no date
23. Narrative, prepared by Mumley Engineering, Inc., dated 7/28/25
24. LOMA, dated 4/18/2025
25. Overall Schematic Site Plan, prepared by Mumley Engineering Inc., dated 7/23/25
26. SD Elevations, Mill Village Apartments, prepared by WLA, dated 4/16/25
27. Email comments from Harry Shepard DPW, dated 7/17/2025;
28. Town of Stowe Fire Department comments, dated 7/11/2025.

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 combined conditional use, site plan, and design review was reviewed by the DRB for conformance with applicable requirements 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 7 – Flood Hazard District

- Section 10- Stowe Historic Overlay District
- Section 15- Parking Regulations

DIMENSIONAL REQUIREMENTS:

1. **Zoning District.** The subject property is located 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. Portions of the property are also within the Flood Hazard Overlay District (FHOD).
2. **Lot Area, Lot Width.** The existing lot area contains ±2.7 acres. This acreage is based on a recorded boundary survey. No changes to lot area or lot width are proposed under this application.
3. **Setbacks.** The minimum setbacks required in the VC10 District are: front ten (10') feet, side ten (10') feet, and rear ten (10') feet. Under §3.10, a fifty (50) undisturbed riparian setback must also be maintained, as measured from the top of the riverbank.
4. The requirements listed in §3.10 were incorporated into the Zoning Regulations on February 9, 1998. At the time of adoption, the building in its current configuration existed – including the three (3) building additions permitted under BA- 7A-002-1 and approved by the Board of Adjustment on May 3, 1988 (prior to the adoption of the watercourse setback). As such, the existing building is considered a lawful pre-existing nonconforming structure, as defined under the Regulations. The building became nonconforming at the time of adoption of the watercourse setback – February 9, 1998.
5. Section 16.115 defines the term '*non-conforming structure*.'¹
6. The proposed building meets all setback requirements for the underlying VC-10 District but does not meet the fifty (50) undisturbed riparian setback, as required under §3.10.
7. The Applicant provided an analysis (Exhibit #22) which illustrates the existing non-conforming building footprint, overlaid with the proposed building footprint in relation to the fifty (50) riparian setback. Section 3.9 guides '*alterations, enlargements, relocations and/or replacement*' of nonconforming structures. This section allows nonconforming structures to be '*altered, enlarged, relocated and/or replaced*' with a new structure (or structures) in a manner which does not achieve full compliance with the setback requirements provided the degree of non-compliance is not increased except as provided for under §3.9. The Regulations state that in no case shall the length of cumulative total of all proposed and future expansions or alterations exceed 50% of the length of the existing nonconforming portion of the structure at the time the structure became nonconforming. In this case, the existing structure became nonconforming on February 9, 1998.
8. The existing building contains approximately ±4,965 sf within the riparian setback. The proposed building contains ±5,180 sf within the riparian setback, an increase of approximately 4.3%. The existing length of the nonconforming building is 187 linear feet. The proposed building length is 209 linear feet, an 11.7% increase. The project complies with the requirements for expansions of nonconforming structures.
9. On average and under the worst-case scenario, the proposed building is being relocated further away from the river. In addition to the nonconforming building, under existing conditions there is a significant amount of impervious surfaces consisting of gravel. Proposed conditions will include re-vegetated surfaces.

¹ §16.115 defines the term Nonconforming Structure as follows: *A structure or part of a structure that does not conform to the present regulations but was in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present regulations, including a structure improperly authorized as a result of error by the administrative officer.*

10. **Maximum Building Coverage.** The VC10 District has no maximum building coverage requirement. This provision is not applicable.
11. **Use.** The subject property contains an existing lumber/retail shop which was recently damaged by fire. The building is presently vacant. The Applicant proposes to demolish the existing building and construct a new multi-family dwelling.
12. Multi-family dwellings are defined as: *A residential building containing three (3) or more dwelling units in the same building, each of which is totally separated from the other by an un-pierced wall extending from ground to roof or an un-pierced ceiling and floor extending from exterior wall, except for a common stairwell exterior to both dwelling units.* (§16.199).
13. Multi-family dwellings are a conditional use in the VC-10 District as set forth in Table 6.1 of the Regulations.
14. **Density.** In the VC10 District, allowed density for multi-family dwellings is one (1) unit per two thousand five hundred (2,500) square feet of lot area.
15. A ±2.7-acre lot (117,612 sq. ft.) can support up to forty-seven (47) dwelling units. The application proposes forty-two (42) dwelling units. The application conforms to the density requirements in the VC-10 District.
16. **Height.** The maximum building height in the VC-10 District is twenty-eight (28) feet or thirty-five (35) feet when certain criteria are satisfied.
17. Footnote #4 on Table 6.2, as applicable to the VC-10 District, allows for the maximum building height not to exceed thirty-five (35) feet above the ground elevation of the Main Street side of the Akeley Memorial Building/Stowe Town Offices when fifty (50%) percent or more of the required parking is located under the building.²
18. Thirty-three (33) parking spaces are proposed in the garage. The Regulations require a total of forty-two (42) parking spaces. As proposed, more than fifty (50%) percent of the required parking spaces are located below the building within the parking garage.
19. The existing grade at the Main Street side of the Akeley Building is approximately elevation 722' which allows a maximum allowed building height to be 722' plus thirty-five (35') vertical feet, resulting in a maximum elevation of 757 feet.
20. The average finished grade at the building site is near elevation 698.75', approximately twenty-three (23) feet lower than existing grade at the Main Street side of the Akeley Building.
21. The roofline of the proposed building varies. Proposed elevations were provided in the hearing record and are below the maximum allowed. The top of stair tower elevation is 736.75', thirty-eight (38) feet above average grade to the west; the top of lobby elevation is 732.75', thirty-four (34) feet above average grade to the west; and the top of roof elevation 728.75', thirty (30) feet above average grade to the west.
22. The proposed building is approximately thirty (30) feet in height, however the top of the elevator shaft is higher but still less than the allowed elevation.
23. The proposed building is designed in accordance with the allowed maximum building height.

² Footnote #4 reads: *Where the elevation and topography of the building site allows, the maximum building height may exceed 35 ft however the maximum building height not to exceed 35 ft above the ground elevation of the Main Street side of the Akeley Memorial Building/Stowe Town Offices when 50% or more of the required parking is located under the building.*

Conclusion: Based on the above findings, the DRB concludes that the proposed project complies with all applicable dimensional and use requirements of the VC10 District—specifically lot area, lot width, use, density, setbacks, and building height. The existing building is nonconforming and the proposed building will not increase the degree of nonconformity, except as allowed under the Regulations.

Section 3.7 – Standards of review (Conditional Use Applications):

Section 3.7(4)(A)- Capacity of existing or planned community facilities and services.

24. Planning & Zoning staff requested comments on the proposal from the respective Town departments including the Department of Public Works, Fire Department, Stowe Electric, Police Department, EMS, and Parks and Recreation.
25. The project is designed to connect to municipal water and sewer systems. Municipal water and sewer allocations will be required from the Town Water & Sewer Commissioners to serve the project. The Applicant received preliminary allocations for fifty-four (54) bedrooms.
26. The Director of Public Works provided written comments to the Applicant as follows:

We are NG with the conceptual re-route of the existing water services between the building and river as suggested. It does not appear that adequate width exists to incorporate relocated services to the buildings on 352 and maintain required separating distances to our municipal intercepting sewer, particularly on the south side. We also never want to have to deal with private water services within the tight spot between a multistory building and the river, if we ever had to go for repair or replacement of our abutting intercepting sewer. We think the water service relocation options as conceptual outlined in my 7/9 email below, but on the east side of the proposed building and not the west side between the building and river and within the excavation zone for access to our municipal sewer, is required for this application.

Ryan/Sarah please allow this email exchange to be submitted to the DRB for their record and considerations for the upcoming hearing. Also, I recommend some correspondence or on the record verbal confirmation from the owners of 352 that they are willing to relinquish their existing water service easement and allow the relocation of their water services as required for this development.

27. Stowe Fire Department provided comments, dated 7/11/2025, with standard requirements to service the project. These included: the installation of a Fire Dept. Knox box, master door lock system, fire alarm system programming, a Fire Department Pre-Plan survey be held with the Fire Department, and improvements related to standpipes, FDC signage, ventilation, and other miscellaneous improvements. With these added requirements, the Fire Department can service the project.
28. The project will connect to an existing 8-inch water main located at the southeastern corner of the building, which extends from Main Street. This main previously crossed the river but currently terminates as a dead-end.
29. Sheet C3 shows the main sewer line extending from Mountain Road, crossing the river, and continuing to the sewer treatment plant. An existing stub is available to connect the proposed new sewer line.
30. The property owner is required to continue providing water service to the neighboring property at 352 South Main. The deed does not specify a fixed location for the waterline, allowing the owner to relocate it, provided that water pressure is maintained and the connection to the neighboring property remains at the same point.
31. No other municipal department comments were received. No Municipal Department review forms returned indicated that the proposed development would have any undue adverse impact on existing or planned community facilities and services.

Conclusion: Based on the foregoing findings, the DRB concludes that the proposal will not have an undue adverse impact on the Town's existing or planned facilities and services. As a condition of approval, the Applicant must finalize water and sewer utility plans to obtain any necessary connection permits from the Department of Public Works.

Section 3.7(4)(B) – Traffic on roads and highways in the vicinity.

32. The Applicant requests approval to redevelop the property and construct a multi-family dwelling containing forty-two (42) multi-family dwelling units, and related site improvements.
33. The project has been intentionally designed to minimize reliance on automobiles by encouraging pedestrian activity and walkability. By locating residential uses within the downtown village core, the project is expected to promote walking to nearby restaurants, jobs, and local services, thereby reducing the number of vehicle trips.
34. The Applicant estimates the project will result in a reduction of peak hour vehicle trips, as compared to the historic retail lumber yard. The Applicant estimates the prior use created thirty-three (33) peak hour trips and the proposed use will result in twenty-six (26) peak hour trips.
35. The Applicant proposes utilizing the existing two-way access entrance off South Main Street as the primary entrance/exit.
36. VT Agency of Transportation guidelines specify that a traffic study should be considered if the proposed development will generate seventy-five (75) or more peak hour trips.
37. Main Street through the Stowe village experiences high daily traffic volumes. The project is expected to slightly reduce the overall number of vehicle trips, compared to the prior existing use.

Conclusion: Based on the above findings, the DRB concludes the project will not result in an undue adverse impact on traffic on roads and highways in the vicinity.

Section 3.7(4)(C) – The character of the area affected.

38. The proposed project is located within the VC10 District. As set forth in the Regulations, the general purpose of this district is *“to promote the sound economic development of Stowe, to carry out the objectives of the Municipal Plan, to maintain Stowe Village as the center of community activity and to encourage the best use of land in central sections for general business.”* The specific purpose of the VC10 District is *“to maintain a denser pattern of development in the immediate center of the Village.”*
39. The subject property contains an existing fire damaged building which is presently vacant.
40. The subject property is surrounded by a mix of residential, commercial, and municipal uses.
41. The Applicant provided architectural renderings illustrating how the proposed buildings will appear in relation to surrounding buildings and the public right-of-way.
42. The existing property is developed, sits back from South Main Street, it is next to the Public Safety Building and across the river from the wastewater treatment center.
43. The building is designed with traditional mill-influenced architectural elements and is sited to minimize visibility from the primary traveled way.

Conclusion: Based on the above findings, the DRB concludes that the proposed project will not have an undue adverse impact on the character of the area as defined in the Regulations. The project aligns with the stated purpose of the VC10 District by supporting a denser village development pattern. Furthermore, the proposal is consistent with clearly written community standards in the Stowe Town Plan, which encourages high-density, mixed-use development within the village area.

Section 3.7(4)(D) – Regulations and ordinances in effect.

- 44. Applicable bylaws include the Zoning Regulations (effective January 31, 2024).
- 45. The proposed building will be connected to the municipal water and sewer systems. Connections to the municipal sewer system are regulated under the Town of Stowe Sewer Ordinance.
- 46. No other known or identified municipal bylaws or ordinances apply to this project.

Conclusion: Based on the above findings, the DRB concludes the proposal, except where otherwise noted, is in conformance with Regulations and ordinances in effect.

Section 3.7(4)(E) – Utilization of renewable energy sources.

- 47. The proposed project involves the construction of a multi-family dwelling containing forty-two (42) multi-family dwelling units and related site improvements.
- 48. No renewable energy generation or development is proposed with this project.
- 49. As required under state laws, the project will be required to be constructed in conformance with the State of VT Building Energy Standards.
- 50. While no solar panels are proposed as part of the current project, the building is designed to structurally accommodate future solar installations.
- 51. The proposed building will not impede adjacent properties from using renewable energy sources.

Conclusion: Based on the above findings, the DRB concludes the project will not interfere with the sustainable use of renewable energy resources, access to, direct use or future availability of such resources.

Section 3.7(4)(F) – 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.

- 52. The subject property contains an existing building which has no historical or architectural significance. Although located within the Stowe Historic Overlay District, the existing building is considered noncontributing- meaning it does not contribute to the overall significance of the larger historic district.
- 53. The existing noncontributing building is proposed to be demolished. It is not considered a historic site or a historic building. The DRB therefore finds the proposed project will not have an undue adverse effect on historic sites.
- 54. According to the ANR Natural Resources Atlas there are no rare or endangered species, deer wintering areas, habitat blocks, or inventoried wetlands on or near the parcel. The parcel does not contain any rare and irreplaceable natural areas. The DRB therefore finds the project will have no impact on any rare and irreplaceable natural areas.

55. The immediate surroundings include the Town of Stowe Public Safety Building and Fire Station to the east. Across the river is the Town Highway garage and sewer treatment facility. To the northeast is the dense residential neighborhood called Palisades.
56. The property is located within the Stowe Historic Overlay District, however there are no historic buildings in the immediate surrounding area. The property does not front on a historic streetscape and is located between the Stowe Village and lower village.
57. The larger surrounding area can generally be described as a densely settled village composed of diverse streetscapes with a variety of architectural styles, however these defining features are not present on the site or within the immediate surrounding area. The project site sits back off from South Main Street and is not plainly visible from this public right-of-way.
58. The proposed project involves redevelopment of the 2.7-acre site. The building design incorporate varied materials, architectural detailing, and articulation to visually soften the massing of the facades.

Conclusion: Based on the above findings, the DRB concludes the project will have no impact on historic sites or rare and irreplaceable natural features. Therefore, the DRB's review under this standard is limited to evaluating the project's potential impact on the scenic or natural beauty of the area and its overall aesthetics. In considering scenic and aesthetic impacts, the DRB evaluates the existing characteristics of the surrounding built environment. In this case, the project site is located off South Main Street, positioned between the Stowe Police Department/Public Safety Building and the wastewater treatment facility, and will not be directly visible from the public travel way. The building has been designed in a traditional mill style, appropriate to its location, orientation, and riverside placement. When reviewing aesthetic impacts, the DRB considers whether a project blends with, detracts from, or harmonizes with its visual surroundings. This review applies a two-part test as set forth in the Regulations. Applying this test, the DRB finds the project is compatible with its surroundings in design, materials, and placement, and will blend into the existing built environment without detracting from it. Accordingly, the DRB concludes the project will not have an adverse aesthetic impact and will not adversely affect the scenic or natural beauty of the area.

Section 3.7(4)(G) - Project will not result in undue water, noise or air pollution.

59. The Applicant requests approval to construct a multi-family dwelling consisting of forty-two (42) multi-family dwelling units and related site improvements.
60. Noise is to be expected from construction activity but otherwise anticipated noise levels and comparable to existing uses in the area.
61. Construction hours will be Monday-Friday 7AM-6PM and Saturday 8AM-5PM. Crews may show up earlier, but work would not start until 7AM on weekdays and 8AM on Saturdays. No work would occur on Sundays or Federal holidays.
62. Nothing within the hearing record indicates that the project will create undue noise, water, or air pollution.

Conclusion: Based on the above findings, the DRB concludes the project will not result in undue water, noise or air pollution.

Section 3.16(C)(1) –Access Management.

63. The property contains frontage on South Main Street (a town highway at this location) and is served by an existing access connecting to South Main Street. South Main Street turns into VT-100 outside of the village core.

64. The subject property is unencumbered by a twenty-five (25') right-of-way over the existing access which grants access to the Palisades Village Area Association and commercial property owned by DD OUTBACK LLC (356 South Main Street).
65. The existing access is clearly defined allowing two-way travel. No changes are proposed to this vehicular access. This vehicular access connects to a town-highway, therefore a §1111 permit from VT Agency of Transportation is not required.
66. The existing access is approximately twenty (20) feet roadway in width. The Applicant proposes to repave the existing access that is shared by the Town of Stowe and other neighboring properties.

Conclusion: Based on the above findings, the DRB concludes that the existing access is adequate for the intended use and complies with applicable provisions.

Section 3.16(C)(2) – Shared Access.

67. The existing access services multiple users and properties. The subject property is encumbered by a twenty-five (25') right-of-way which grants access to the Palisades Village Area Association and commercial property owned by DD OUTBACK LLC (356 South Main Street). The public safety building also utilizes this shared access.
68. The existing shared vehicular access is proposed to remain, largely in the existing configuration. Except for four (4) parallel parking spaces proposed along the southern portion of the existing access, no changes are proposed.
69. During the hearing, the Applicant agreed to remove four parking spaces that were likely to conflict with emergency vehicles and other users of the shared access. DRB members expressed concerns about the location of these spaces and the potential impact on circulation in the intersection area. In response, the Applicant agreed to remove the spaces to address these concerns.

Conclusion: Based on the above finding, the DRB concludes the project, as revised, complies with §3.16(C)(2).

Section 3.16(C)(3) – Circulation and Parking.

70. The project will be accessed by the existing vehicular entrance connecting to South Main Street.
71. The Applicant proposes to redevelop the existing parking and circulation to serve the project. All parking is provided on-site. The Applicant is not seeking to develop parking within public rights-of-way.
72. Proposed parking is primarily located below the building and along the eastern side of the building.
73. Landscaping is proposed throughout the site and will minimize the visibility of parking off-site.
74. The shared access continues onto the adjacent parcel providing access to 356 South Main Street.
75. Table 15.2 contains the following parking requirements: one (1) space per dwelling unit. Forty-two (42) parking spaces are required to support the project.
76. The Applicant is not requesting any parking modifications. The project proposes a total of fifty (50) parking spaces: thirty-three (33) spaces in the parking garage, thirteen (13) at grade surface parking spaces, and four (4) parallel parking spaces along the entrance. However, the Applicant agreed to remove these four (4) parking spaces during the hearing.

77. Two (2) ADA parking spaces are shown on the site plan: one (1) in the underground parking area and one (1) in the outdoor surface parking area. This conforms with §15.5(6).
78. The two-way travel aisle within the underground parking garage and surface parking area complies with the twenty-four (24') foot minimum width requirement.
79. According to the overall site plan (Sheet C-2), all proposed parking spaces meet the minimum dimensional requirements (9'x18'). The dimensions of the ADA spaces are not labeled on site plan but are labeled on the details sheet.
80. §15.4 does not apply since the surface parking area is less than twenty (20) spaces.
81. There is no setback requirement for parking areas and access drives in the VC-10 District.
82. Parking for electric vehicles is not included in the project plans. The Applicant testified that there will be no EV charging within the covered building parking.
83. Four (4) parking spaces were initially proposed along the roadway and connected to the proposed sidewalk. These spaces were not required to meet parking standards, and during the hearing, the Applicant agreed to remove them.
84. During the hearing, the neighboring property owner at 352 South Main expressed concerns regarding the thirty-two (32) foot right-of-way along the eastern side of the building, noting that some proposed parking spaces partially encroach within this area. The abutting property owner requested that the right-of-way remain clear of parking. The Applicant's engineer testified that a twenty-four (24) foot drive aisle would be maintained, providing adequate space for maneuvering in and out of the parking spaces. The DRB does not have authority to review or interpret private agreements or restrictions between property owners; such matters are civil issues beyond the Board's jurisdiction.

Conclusion: Based on the above findings, the DRB concludes that the proposed circulation and parking improvements represent safe and adequate access and circulation to support the existing and proposed uses.

Section 3.16(C)(4) – Pedestrian Circulation and Access.

85. The Regulations require pedestrian circulation within the site, and access through the site to adjacent properties along public roads, be provided.
86. The site plan includes walkways linking parking areas to building entrances. A proposed four-foot-wide sidewalk runs along the southern entrance drive and connects via a crosswalk to the primary building entrance, providing pedestrian access to the broader Stowe Village and Lower Village sidewalk network. Additionally, the sidewalk will connect to the Stowe Recreation Path.
87. An informal path is provided for along the river's edge.

Conclusion: Based on the above findings, the DRB concludes the proposed site layout, including pedestrian circulation and access, represents safe and adequate pedestrian access and circulation for the intended use.

Section 3.16(C)(5) – Landscaping and Screening.

88. Landscape plans prepared by TJ Boyle Associates were submitted and identify all proposed landscaping to be installed. The plans include a variety of trees, shrubs, perennials, and grasses.
89. Colored renderings illustrate the proposed landscaping throughout the site.

90. A wooden fence dumpster enclosure is proposed near the primary vehicular entrance to the below ground parking area.
91. Foundation plantings are proposed to soften the building's appearance, with the west façade designed to have a more naturalized landscaping. No plantings are provided within the sewer easement, which must remain open.
92. A transformer located south of the site will be screened with evergreen plantings. Each unit will have individual PTAC units, with no exterior condensers or rooftop mechanical equipment.

Conclusion: Based on the above findings, the DRB concludes the proposed landscaping and screening meets the standards outlined in §4.6.

Section 3.16(C)(6) – Stormwater Management.

93. Section 3.12(2) provides stormwater and erosion control standards for construction-related activities associated with any new construction.
94. Existing impervious surfaces on the property include the existing building and gravel and paved parking areas.
95. The project will not result in any increase in impervious areas and will connect new collection systems to the existing stormwater conveyance network on the property, which directly discharges to the Little River, via several existing culvert outfalls.
96. The project will not create an additional ½ acre of impervious surfaces. The existing impervious surfaces equal ±0.90 acres. The proposed impervious surfaces equal ±0.70 acres- an estimated 20% reduction.
97. The project proposes the installation of drainage structures and underground piping to convey surface runoff from the reconfigured driveway and the new parallel parking spaces to tie into an existing drainage line discharging to the Little River.
98. The proposed sidewalk along the riverbank will sheet flow to the vegetated areas below.
99. Roof drains will convey rooftop runoff to a second existing drainage line discharging to the river.
100. Re-use of existing drainage infrastructure will limit earth disturbances within the area of the existing riverbank.
101. The project will follow typical stormwater management guidelines and practices to avoid erosion and runoff during construction; the project is not expected to have any significant impacts on neighboring properties or town highways.
102. A proposed construction plan is provided that shows two (2) phases of the project for construction and includes various erosion prevention and sedimentation control (EPSC) measures.
103. The Applicant has provided an ECSP Plan (Sheet C-5) which includes erosion control measures.

Conclusion: Based on the above findings, the DRB concludes the proposal has been designed in accordance with § 3.12; existing drainage patterns will not be altered in a manner which causes an undue adverse impact on neighboring properties, town highways or surface waters.

Section 3.16(C)(7) – Outdoor Lighting.

104. The Regulations require that all outdoor lighting be installed in accordance with the standards in §4.8.
105. The hearing record contains manufacturer cutsheets for the proposed outdoor lighting. The building elevations show the location of these light fixtures. The photometric plan shows the location of site lighting.
106. Four (4) fixture types are proposed: a wall mounted fixture (Lumenpulse), a lamp post parking area fixture (Lumenpulse), and a recessed fixture (below the covered entrance). The proposed fixtures are dark sky compliant.
107. The photometric plan identifies the proposed footcandles. The project narrative notes a total lumens/SF of 1.10 in compliance with Section 4.8(8).
108. The proposed Kelvin temperature complies with §10.12(6)(B).
109. The exterior lights will be on timers, from dark to dawn based on the evening light.
110. The pole mounted fixtures are in height twelve (12) feet in height.

Conclusion: Based on the above findings, the DRB concludes the project conforms to the applicable requirements set forth in §4.8.

Section 3.16(D).

111. The project utilizes existing two-way vehicular access off South Main Street. A proposed sidewalk is located along this access. Curbing is included as part of the propose sidewalk. The existing driveway entrance is clearly defined.
112. No new parking or outdoor storage is identified within any front yard; these areas are reserved for vehicular access and sidewalks.
113. Proposed parking is located internally within the project area, not within/along public rights-of-way.
114. The primary exterior building entrance has a walkway providing direct access to the nearest public sidewalk.
115. There are existing sidewalks along all frontages.
116. The existing rights-of-way provide access to all properties sharing the access.
117. The application involves the redevelopment of the property with one (1) residential building. Multiple buildings are not proposed.

Conclusion: Based on the above findings, the DRB concludes the proposal has been designed in accordance with applicable provisions set forth in Section 3.16(D)(1) – Additional VC Standards.

Section 4: Specific Use Standards

Section 4.6 Landscaping Standards. The DRB incorporates by reference into this section's findings its findings under §3.16(C)(5), above, as if more fully stated herein.

Section 4.8 Outdoor Lighting. The DRB incorporates by reference into this section's findings its findings under §3.16(C)(7), above, as if more fully stated herein.

Flood Hazard Overlay District (FHOD)

118. The property contains lands within the flood hazard overlay district. Development within this district is regulated under Section 7. In conformance with §7.5, the application was forwarded to the State National Floodplain Insurance Program Coordinator at the Vermont Agency of Natural Resources, Department of Environmental Conservation, River Management Section in accordance with 24 V.S.A. §4424 on June 4, 2025. No comments were received.
119. The floodplain cross elevations label this section of the river as having base flood elevation (BFE) of around 687' per the ANR Atlas, the proposed building site is at or above 690'. The finished floor elevation of the garage is 689.0'. Two (2) feet above the base flood elevation.
120. The Applicant submitted a Letter of Map Revision to FEMA requesting the portions of the property be removed from the flood hazard area due to the existing elevations and base flood elevation.
121. The hearing record includes a Letter of Map Revision (LOMR) that removes the site from the designated flood hazard area, permitting fill placement that would otherwise be restricted. The area within the floodway remains unchanged.
122. The Applicant testified that flood impacts were considered in the building's design and placement. The site has not experienced any flooding during the past two years of recent flood events, and the building has been designed to meet all applicable flood-related requirements.
123. The garage floor is designed two feet above the base flood elevation, ensuring that all mechanical equipment is also located above this elevation.

Conclusion: Based on the above findings, the DRB concludes the proposal complies with application provisions of Section 7-Flood Hazard Overlay District (FHOD).

Section 10 – Stowe Historic Overlay District and Historic Buildings

Section 10.7 Demolition and Partial Demolition of Structures

124. The subject property is within the Stowe Historic Overlay District, which requires review under Section 10. The HPC reviewed the application during three (3) public meetings in March and April of 2025. At the April 16th meeting, the HPC unanimously recommended approval of the project as proposed.
125. The HPC found that the demolition was allowed per §10.7(2)(A): *The SHPC has determined that the structure does not have historical or architectural significance or does not make a positive contribution to the district's streetscape.* The SHPC voted unanimously to recommend demolition approval to the DRB.
126. The Applicant provided a letter from Kelley DesRoches, NCARB, AIA, LEED AP, NAWIC, Vice President dated April 2, 2025, requesting approval for the demolition of the existing, fire damaged commercial building (354 South Main Street) under Section 10.7(2)(a) of the Zoning Regulations. The letter explains that the existing building was built in 1986 and was used as a warehouse and lumberyard. The building sustained substantial and almost total destruction in a fire on May 8, 2024.
127. The letter from Ms. DesRoches refers to the property assessment letter provided by Maine Mutual Fire Insurance Co. (MMG) for further information regarding the state of the building.
128. The letter from Ms. DesRoches also explains that the current building is not a historic building and has no historical significance, value or integrity to the Stowe Historic District. The building is not listed on the

Vermont State or National Historic survey, nor does the building have architectural significance or make a positive contribution to the district's streetscape.

129. The Applicant provided a phasing and construction plan.

Conclusion: Based upon the above findings, the DRB concludes the project complies with applicable provisions set forth in §10.7.

Section 10.13 – Standards for New Construction

130. The DRB incorporates by reference into this section's findings its findings under Section 3.7(4)(F), above, as if more fully stated herein.

131. The building design reduces perceived scale and massing through varied colors, materials, and palettes, drawing inspiration from traditional mill architecture. While the design feels distinct from the historic district, it is appropriate for a gateway location.

132. The lobby and stair tower are articulated as bump-outs, incorporating a different window pattern as an architectural design feature.

133. The overall building massing is further broken down to create the appearance of incremental additions over time, enhancing visual interest and reducing perceived bulk.

134. The building is fully electric and does not utilize propane for any systems or operations.

135. Section 10.13(1)(B) does not apply to this project. The project is located within the historic district.

136. No accessory structures are proposed.

Conclusion: Based on the evidence presented during the DRB hearings and the above findings, the DRB accepts the HPC's recommendations and concludes that the project conforms with applicable provisions of §10.13.

Section 15: Parking Requirements

137. The DRB incorporates by reference into this section's findings its findings under Section 3.16(C)(3), above, as if more fully stated herein.

DECISION

Based upon the above findings and conclusions, the DRB hereby approves the Applicant's request for combined conditional use, site plan, and design review (Project #7564) as described in the application dated May 1, 2025 and associated supporting materials.

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:

- a. Town of Stowe Development Application, dated 5/1/25
- b. Project Narrative, prepared by Mumley Engineering, Inc., dated 5/1/25

- c. Floor Plans, prepared by WLA, dated 4/16/25
- d. Floor Plans (2nd & 3rd) prepared by WLA, dated 4/16/25
- e. SD Elevations, prepared by WLA, dated 4/16/25
- f. Enlarged East Elevation, prepared by WLA, dated 4/16/25
- g. Enlarged East Elevation (CLR), prepared by WLA, dated 4/16/25
- h. Axon views, prepared by WLA, dated 4/16/25
- i. Renderings, prepared by WLA, dated 4/16/25
- j. Landscape Plan, L1.0, prepared by T.J. Boyle Associates, dated 4/9/25
- k. Partial site plan C-4, 4/30/25
- l. Erosion Prevention & Sediment Control Plan, prepared by Tyler Mumley Engineering Inc., C-5, dated 4/30/25
- m. Site Details C-6 prepared by Tyler Mumley dated 4/30/25
- n. Site Lighting, prepared by S. Kimball, dated 2/24/25
- o. Allegra Specification sheet, no date
- p. Lumencore Recessed specification sheet, no date
- q. Lumenblade Specification sheet, no date
- r. Site plan, C-2, prepared by Mumley Engineering, revised 5/14/25
- s. Non-Conforming Structure sketch, dated 5/14/25
- t. Non-Conforming Structure sketch, revised 5/20/25
- u. HPC Letter of Project Recommendation, dated 5/7/25
- v. Non-conforming analysis, no date
- w. Narrative, prepared by Mumley Engineering, Inc., dated 7/28/25
- x. LOMA, dated 4/18/2025
- y. Overall Schematic Site Plan, prepared by Mumley Engineering Inc., dated 7/23/25
- z. SD Elevations, Mill Village Apartments, prepared by WLA, dated 4/16/25
- aa. Email comments from Harry Shepard DPW, dated 7/17/2025;
- bb. Town of Stowe Fire Department comments, dated 7/11/2025.

- 2. All conditions of prior approvals, except as amended herein, remain in full force and effect.
- 3. Prior to the issuance of the zoning permit, the Applicant must submit a revised site plan to the Zoning Administrator removing the four (4) parallel parking spaces proposed along the southern portion of the existing access.
- 4. 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.
- 5. All mechanical systems shall be located or screened in a manner that they are not visible from the public right-of-way.
- 6. Landscaping shall be properly maintained in accordance with the approved plans. Any dead and dying plants and trees shall be replaced within one (1) year of death.
- 7. The paved parking areas shall have painted lines designating parking spaces in accordance with the approved plans. Lines shall be applied within one (1) month of paving and shall be maintained so as to be visible.
- 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. The installation of any site or building signage shall require a separate development application and approved zoning permit prior to installation.
- 12. Construction hours shall be limited to Monday-Friday from 7:00 am-6:00 pm and Saturday morning from 8:00 am- 5:00 pm, with no construction on Sunday or State or Federal holidays.

13. The installation of outdoor light fixtures is limited to those described and depicted within the application. Fixtures shall employ warm-toned (3000K and lower).
14. 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.
15. Outdoor parking area lighting shall be on photocells or timers.
16. The Applicant must incorporate the following Fire Department conditions:
 - a. A Fire Department Knox Box shall be installed prior to building occupancy to provide key/code access. The box shall be located on the address side of the building near the main entrance and clearly visible to first responders.
 - b. A master lock system (key/code/fob) is required for all building access doors to ensure consistent emergency entry.
 - c. The fire alarm system shall be programmed to identify the specific level, room number or designation, and nature of the alarm. A sub-panel shall be installed at the building entryway on the parking lot side for first responder access.
 - d. Standpipes shall be installed in stairwells to support interior firefighting operations. Additional standpipes are required at entrance points to the underground parking areas.
 - e. The FDC shall be located on the side of the building facing the Public Safety Building and clearly marked with appropriate "FDC" signage.
 - f. A clearly marked shut-off control for the underground parking garage's ventilation system shall be installed in the sprinkler room.
 - g. Roof access shall be provided via an opening no smaller than 36" x 72".
 - h. No EV charging stations shall be installed within the parking garages.
 - i. Exterior fire sprinkler connections must be identified with "FDC" signage directly above the connection. Doors to utility rooms housing fire alarm panels or sprinkler controls must be labeled with approved Fire Department signage.
 - j. The 911 street address must be clearly displayed on the building front or at the street entrance using six-inch numbers or the reflective sign available from Stowe EMS.
 - k. Solar panels shall have emergency shut off that are installed on the exterior of the building and clearly visible.
 - l. Battery backup system shall have emergency shut off that are installed on the exterior of the building and clearly visible.
17. Site construction shall adhere to the standards outlined in Section 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.
18. 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. Prior to occupancy, the owner or representative of the property will meet with an officer of the fire department to complete a "fire department pre-plan" survey and submit all of the following:
 - a. Documentation that all necessary allocation and connection permits have been obtained from the Department of Public Works;
 - b. Documentation that all Stowe Fire Department requirements have been installed and are in working order;

- c. Written certification from a licensed engineer that all permitted access, parking, and stormwater improvements have been completed in conformance with the approved plans;
 - d. A licensed landscape architect shall provide written certification that the landscaping, screening, and outdoor site lighting has been installed in conformance with the approved plans;
 - e. A licensed architect shall provide written certification that the proposed building, including all building mounted outdoor lighting, and enclosed trash collection areas have been constructed in conformance with the approved plans; and
 - f. Confirmation of setbacks by a registered engineer or land surveyor.
19. These conditions of approval shall run with the land and are binding upon and enforceable against the permittee and his successors. 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 purpose of ascertaining compliance with the conditions of approval.

Voting to approve: Drew Clymer, Mary Black, Patricia Gabel, Peter Roberts, Andrew Volansky, Tom Hand, and Scot Baraw

Voting to deny: None

Dated at Stowe, Vermont this the 19th day of August 2025

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 notice of appeal that specifies the basis for the request with the Secretary of the Development 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 on appeal 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.

