



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	7582		
Application Date	4/3/2025		
Physical Location	46 MOULTON LN		
Map ID	10-043.010	Tax ID	23030-020
Project Description	2-LOT SUBDIVISION		
Owner	AMINA RANK SCOTT RANK		
Applicant	SCOTT RANK		
Applicant Address	46 MOULTON LN		
	STOWE VT 05672		

APPROVALS ON RECORD

Action Taken	Date	End of Appeal Period	Expiration Date
INCOMPLETE APP	4/23/2025		EMAILED APPLICANT ON 4/23/25
DRB DECISION	8/19/2025	9/18/2025	2/15/2026 APPROVED WITH CONDITIONS

Sarah McShane

Dept. of Planning and Zoning

**TOWN OF STOWE
DEVELOPMENT REVIEW BOARD**

Findings of Fact & Conclusions of Law



PROJECT # 7582

SUBJECT PROPERTY 46 Moulton Lane, Stowe, VT (Tax Map #10-043.010)

PROPERTY OWNER/APPLICANT

Amina Rank & Scott Rank
46 Moulton Lane
Stowe, VT 05672

APPLICATION

The Property Owner/Applicant, Amina and Scott Rank (herein referred to as the "Applicant"), requests a subdivision amendment and combined preliminary and final subdivision review to subdivide an existing parcel into two (2) residential lots. As proposed, the existing ± 10.1 -acre property will be subdivided into two (2) lots: Lot 1 being ± 5.00 acres and Lot 2 being ± 5.00 acres. The subject parcel is Lot 1 of the Hartley & Virginia Neel 3-Lot subdivision (S-88-3-1) approved by the Town of Stowe Planning Commission on November 6, 1989 and recorded in the Town Land Records on February 26, 1990 (Book 8, Page 54). The application involves amending this previously approved subdivision to remove the 'Building Zone Restriction Line' on Lot 1 to construct future dwellings on proposed Lots 1 and 2. Proposed Lot 1 contains an existing single-family dwelling which is intended to be converted to an accessory dwelling unit (ADU) when a future primary unit is permitted on the lot. The subject parcel is within the Rural Residential 5 (RR5) zoning district and has frontage along Stagecoach Road (a Class 2 Town Highway) and Moulton Lane (Class 3 Town Highway). Both lots are proposed to gain access off Moulton Road via a shared driveway. The application has been reviewed by the Development Review Board (DRB) under the applicable standards of the Town of Stowe Subdivision Regulations (effective July 16, 2012) and the Town of Stowe Zoning Regulations (effective January 31, 2024). The DRB's procedural history and relevant findings are attached.

REVIEW PROCESS

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

A Town of Stowe development application was received on April 3, 2025. The application was initially deemed incomplete but upon submission of additional information, the application then accepted as administratively complete by Zoning Administrator Sarah McShane and referred to the DRB for a public hearing. A public hearing of the DRB was scheduled for July 15, 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 June 26, 2025. The hearing was held at the Stowe Town Office, with remote participation available via Zoom. No *ex parte* communications or conflicts of interests were reported. Members participating in the July 15th review included: Drew Clymer, David Kelly, Tom Hand, Mary Black, Peter Roberts, Patricia Gabel, 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. Amina Rank & Scott Rank, 46 Moulton Lane, Stowe, VT 05672

THE RECORD

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

1. Town of Stowe Development Application, dated 04/03/2025;

2. Application Narrative, prepared by Scott & Amina Rank, dated 04/01/2025;
3. Application Narrative #2, prepared by Scott & Amina Rank, dated 04/28/2025;
4. Site Plan, prepared by Velveare, dated 04/01/2025;
5. Septic System Site Plan, Sheet C-2, prepared by Grenier Engineering, PC, revision date 07/15/2024;
6. Agreement, Book 1211, Page 202-203, recorded 11/03/2023;
7. Planning Commission Meeting Minutes – 10/23/1989;
8. Planning Commission Meeting Minutes – 11/06/1989; and
9. Plan of Land, Hartley & Virginia Neel Subdivision.

FINDINGS OF FACT & CONCLUSIONS OF LAW

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

The Applicant's request for a subdivision amendment and combined preliminary & final subdivision 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

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

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

Section 2.16 Flexibility and Finality in the Permitting Process (Stowe Club Test)

1. In order to determine if it is appropriate under the circumstances to allow an amendment of a permit or approval, the DRB shall evaluate any application that proposes an amendment of a final approval and assess the competing policies of flexibility and finality in the permitting process.
2. An amendment is considered a request to modify the project plans, exhibits, and /or representations by the applicant that lead to the decision and which have been incorporated into the approval through a specific or general condition. As stated in §2.16, conditions include all stated conditions in a decision and elements of a recorded plat or plan.
3. The subject property is Lot 1 of the Hartley & Virginia Neel 3-Lot subdivision approved by the Town of Stowe Planning Commission on November 6, 1989. The approved subdivision plat was recorded in the Stowe Town Land Records on February 26, 1990 (Book 8, Page 54).
4. When the Planning Commission approved the subdivision creating Lot 1, the recorded plat contained the following statement: "No building allowed between Stagecoach Road and Moulton Lane and Building Zone Restriction Line." This established Building Zone Restriction Line crosses proposed Lots 1 and 2, prohibiting any buildings between that line and Stagecoach Road and Moulton Lane. This Building Zone Restriction Line is depicted on the approved and recorded plat (MB 8/54) in the Stowe Land Records.
5. The reason for the notation on the recorded subdivision plat is unclear; however, the Planning Commission meeting minutes of November 6, 1989 indicate that there was some discussion about the building site on Lot 1 being forced into the meadow due to wetland setbacks. No other evidence in the subdivision file indicates

further reasoning for the building restriction. The Planning Commission's motion to approve the application during their November 6, 1989 meeting did not contain any explicitly stated condition restricting development in this portion of the lot, however it is explicitly stated on the approved plat. Other than the Planning Commission meeting minutes, there is no other written approval or decision.

6. The Applicant requests to amend the previously approved subdivision to remove the 'Building Zone Restriction Line' on previously approved Lot 1 to allow for the future construction of dwellings on proposed Lots 1 and 2, within the building restricted area. Proposed Lot 1 contains an existing single-family dwelling that is intended to be converted to an accessory dwelling unit (ADU) when a future primary dwelling is permitted on the lot. Proposed Lot 2 is undeveloped.
7. In 2017 the Town of Stowe Zoning Administrator provided written acknowledgment of an exempt agricultural structure to be constructed within the 'Building Zone Restriction Line' on existing Lot 1. As a result, a 24' x 34' storage shed/garage was constructed within this area and used for agricultural purposes.
8. On February 23, 2024, the Town of Stowe Zoning Administrator approved Project # 7319 to replace the exempt agricultural structure (storage shed/garage structure) with a new single-family dwelling of the same dimensions. The zoning permit was issued in error due to the 'Building Zone Restriction Line' created as part of the previously approved Hartley & Virginia Neel subdivision. The DRB now considers this structure to be nonconforming and a change in circumstances.
9. The hearing record contains a recorded 'Agreement' signed by the owners within the Hartley & Virginia Neel subdivision. The signed agreement is dated October 28, 2023. The recorded document acknowledges their agreement to remove the 'Building Zone Restriction Line' created by the original subdivision. The agreement is recorded in Book 1211, Page 202-203 in the Stowe Land Records. The agreement is signed by Jacqueline Mauer and Brian Leven and Albert William Rice IV and Violaine Antionette Rice.
10. The current property owner (and Applicant) purchased the property in October 2023. According to their testimony, prior to their purchase, the prior property owner entered into the agreement with the Rice's who are noted as the "*owners of the land and premises...benefited by the referenced no build restriction...*" Both parties agreed to remove the restriction, however the restriction has never been formally reviewed or approved as a subdivision amendment and remains in-effect.
11. The Applicant now proposes to remove this recorded plat notation on (existing) Lot 1 and has provided a written response addressing the criteria of the Stowe Club Test. Section 2.16(2) lists three (3) kinds of changes that justify altering a condition of a permit or approval.
12. Since the original Hartley & Virginia Neel subdivision approval in 1989, ownership of the affected lots has changed multiple times. These changes are factual circumstances that were beyond the control of current property owner(s). However, the DRB finds that the transfer of property ownership is a common activity and, by itself, does not justify the removal of the "building zone restriction line." The building zone restriction line was known to the prior and current property owners at the time of transfer.
13. Since the original 1989 Hartley & Virginia Neel subdivision approval, all parties subject to the Building Zone Restriction Line have entered into a recorded mutual agreement to remove the Building Zone Restriction Line, demonstrating clear consensus among those originally bound by the restriction.
14. The Applicant testified that there is no specific condition requiring amendment; rather, they assert that the building restriction line was not explicitly included as a condition in the original subdivision approval, and that its enforcement has become an operational barrier to otherwise compliant development.
15. Existing development on Lot 1 and within the Building Zone Restriction Line includes a garage/storage building once used for agricultural purposes. This building footprint has since been utilized for a new single-family

dwelling, which was permitted and approved in error by the Zoning Administrator, further indicating a shift in how this area is functionally treated and regulated and a change in circumstances.

16. Section 2.16(2)(C) allows an amendment when the Applicant can demonstrate 'Changes in technology'. There is no evidence in the hearing record to support a positive finding under this provision. The provision set forth in §2.16(2)(c) is not applicable.

Conclusion: Section 2.16 requires the DRB to evaluate any application proposing an amendment to a final approval by balancing the competing policies of flexibility and finality. The central question is whether the amendments sought by the Applicant necessitate a Stowe Club analysis (§2.16). To determine this, the DRB must first consider whether the amendment involves altering a final condition that was originally included to address a critical issue. If so, the DRB must apply the Stowe Club analysis when reviewing the proposed amendment. If not, the DRB may proceed with reviewing the application based solely on its merits. Upon review of the hearing record and the underlying subdivision approval, the DRB concludes that the Planning Commission's motion approving the subdivision does not explicitly impose a "no build zone" on Lots 1 and 2. Although the recorded plat shows a "no build zone" signed and approved by the Planning Commission—likely reflecting a permit condition—there is insufficient information to definitively classify it as a critical condition of approval.

However, even if the "no build zone" were deemed a critical condition, the DRB further concludes that the Applicants have demonstrated compliance with the Stowe Club Test under the criteria of "changes in factual circumstances not reasonably foreseeable at the time of the original application." Relevant changes include the removal of the restriction by Agreement and the Zoning Administrator's subsequent approval of a dwelling within the "no build zone" on Lot 1—an action likely in error but constituting a material change in circumstances. The Applicants have also identified additional factual changes in their submitted letter, which is part of the hearing record.

Based on these findings, the DRB concludes that, while there is insufficient information to determine whether the "no build zone" was a critical permit condition, sufficient changes in factual circumstances exist—specifically, the Zoning Administrator's approval in error of a dwelling within the restricted area—to satisfy the Stowe Club Test. Accordingly, removal of the "building zone restriction line" is warranted in this instance. The DRB now proceeds to review the application on its merits.

Dimensional Requirements

17. **Zoning District.** The subject parcel is located within the Rural Residential 5 (RR5) zoning district.
18. **Lot Area, Lot Width.** The minimum lot area in the RR5 District is five (5) acres; the minimum required lot width is three hundred (300) feet.
19. The Applicant proposes a 2-lot subdivision as follows: Lot 1 being ±5.00 acres and ±570 feet in width and Lot 2 being ±5.00 acres and ±590 feet in width.
20. **Setbacks.** Setbacks within the RR5 District are as follows: front seventy (70') feet; side seventy-five (75') feet; rear seventy-five (75') feet. Conforming setback lines for both lots are depicted on the plan.
21. **Use.** Lot 1 contains an existing single-family dwelling. Both lots are designed to support future residential development.
22. As identified on the site plan, a second proposed building zone on Lot 1 is proposed, with the intention to convert the existing single-family dwelling into an accessory dwelling unit (ADU).
23. A building zone is also shown on proposed Lot 2. Lot 2 is intended to support future residential use. One (1) family and two (2) family dwellings are permitted uses in the RR5 District.

24. **Density.** In the RR5 District, density is allowed at a rate of one (1) single-family or one (1) two-family dwelling per five (5) acres.

Conclusion: Based upon the above findings, the DRB concludes the project meets the applicable dimensional requirements.

Section 5.1 – General Planning Standards -Subdivision Regulations

Section 5.1(1) – Character of Land for Subdivision

25. Lot 1 contains an existing single-family dwelling and related site improvements.

26. Lot 1 is intended to be further residentially developed in the future by converting the existing single-family dwelling into an ADU and constructing a new primary single-family dwelling.

27. Lot 2 is intended and designed to support future residential use.

28. The proposed lots are designed to be served by on-site wastewater disposal systems and drilled wells.

29. The proposed lots sit amongst other similarly sized rural residential lots.

Conclusion: Based on the above findings, the DRB concludes the land can be used for the intended purposes without undue adverse impact on public health or safety, or the environment or, neighboring properties or the rural and historic character of the community.

Section 5.1(2) – Natural and Scenic Features

30. The subject property contains two (2) Class II wetland areas, a pond, and is partially within the Flood Hazard Overlay District associated with that the applicants can satisfy the Stowe Club Test such that the restriction can be removed the Sterling Brook.

31. The property also contains prime agricultural soils.

32. Future residential development is designed in a manner that avoids infringement into both the wetland areas and their associated fifty (50') foot buffers, and flood hazard areas.

33. There are no other water bodies, ground water resources, scenic meadowland, important forest resources, aesthetic resources or scenic vistas that will be impacted by this project.

34. Apart from along Stagecoach Road and the northwest corner, the property is open and already cleared of trees.

35. According to the ANR Natural Resources Atlas, the property is defined by slopes of less than five (5%) percent.

Conclusion: Based on the above findings, the DRB concludes the subdivision is designed to prevent undue adverse impact on: brooks, streams, water bodies, ground water resources and wetlands; prime agricultural soils, farmland resources and scenic meadowland; important forest resources; aesthetic resources and scenic vistas, including views onto and arising from subject property.

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

36. According to the ANR Natural Resources Atlas, the proposed subdivision does not contain any significant natural communities, natural communities, wetlands, or deer wintering areas.

37. A Level 3 (out of 10) priority habitat block exists in the northwest section of the property.

Conclusion: Based on the above findings, the DRB concludes the project will not have an adverse impact on mapped significant wildlife habitat areas.

Section 5.1(4) – Historic Resources and Community Character

38. The subject parcel is within a rural area, as defined under the Regulations.

39. The proposed subdivision will not adversely impact historic sites or the character of the Town.

Conclusion: Based on the above findings, the DRB concludes the proposed subdivision is designed to minimize undue adverse impact on historic sites and the character of the Town.

Section 5.1(5) – Reserved Strips

40. No reserved strips are proposed. Each lot will utilize direct shared access off Moulton Lane.

Conclusion: Based on the above findings, the DRB concludes the project does not contain any privately-owned reserved strips.

Section 5.1(6) – Screening and Landscaping

41. No new landscaping is proposed. The property is mostly open and cleared of trees.

42. Lot 1 currently contains a single-family dwelling, with the expectation that a second single-family dwelling will be constructed in the future, at which point the existing dwelling will be converted into an accessory dwelling unit (ADU). Lot 2 is also expected to be developed for residential use in the future.

43. The Septic System Site Plan identifies proposed building zones for Lots 1 and 2.

44. Existing vegetation is located along Stagecoach Road, Moulton Lane, and the western/northwestern portions of the property and is designed to remain as is.

Conclusion: Based on the above findings, the DRB concludes the project conforms with §5.1(6).

Section 5.1(7) – Pedestrian Access

45. The project is in a rural area of town where pedestrian improvements are limited. No pedestrian improvements are proposed under this application.

Conclusion: Based on the above findings, the DRB concludes the no pedestrian improvements are needed given the low density and rural nature of the project.

Section 5.1(8) – Traffic

46. The proposed lots are intended to support a future residential use, likely a single-family dwelling. The project is not expected to create unreasonable traffic congestion or unsafe conditions.

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

Section 5.1(9) – Municipal Facilities

47. Staff requested comments on the proposal from respective Town departments including the Department of Public Works, Fire Department, Stowe Electric, Police Department, EMS, and Parks and Recreation.
48. The Applicant's narrative states that each lot will have individual on-site water supply and wastewater disposal.
49. No Municipal Department review forms returned indicated that the proposed development would have any adverse impact on existing or planned community facilities and services.

Conclusion: Based on the above findings, the DRB concludes the proposal will not create an undue burden on municipal facilities or create an unreasonable demand for municipal services.

Section 5.1(10) – Lot Configuration

50. Lots 1 & 2 are proposed to be subdivided by a single shared property line in order to create two (2) separate residential lots. The single proposed boundary line generally runs north to south.
51. Each portion of the shared boundary line is straight however it does contain several angled transitions to meet the required dimensions and setback. The boundary line is also designed to respond to natural features, including wetland and floodplain areas.

Conclusion: Based on the above findings, the DRB concludes the proposal does not involve flag lots, elongated lots, and other odd shaped lots which include narrow strips of land.

Section 5.1(11) – Building Zone

52. The site plan identifies applicable setback lines per the RR5 District.
53. The Septic System Site Plan shows proposed building zones for each lot. The building zones have been designed to conform with the applicable setbacks and respect the wetland areas and the associated fifty (50') foot buffers.
54. No infringement into the flood hazard zone is proposed.

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

Section 5.1(12) – Fire Protection Facilities

55. The future dwelling sites (building zones) will be appropriately accessible from Moulton Lane.
56. The site plan identifies the driveway to be twelve (12') feet in width and approximately four hundred eighty (±480') feet in length.
57. The existing conditions of the property contain slopes of less than five (5%) percent; therefore, the proposed driveway grade will not exceed the fifteen (15%) percent maximum allowance.

58. Lot 1 contains a turnaround as shown on the site plan. Lot 2 is designed with sufficient space to allow an emergency turnaround at the future homesite.

Conclusion: Based on the above findings, the DRB concludes the proposal the proposal complies with §5.1(12) and the proposed driveway is in general compliance with the Stowe Fire Department Construction Standards.

Section 5.1(13) – Disclosure of Subsequent Development Plans

59. Lot 1 is developed with an existing single-family dwelling and related site improvements. The single-family dwelling is expected to be converted into an ADU when a new primary single-family dwelling is constructed in the future.

60. Lot 2 is anticipated to be residentially developed in the future.

Conclusion: Based on the above findings, the DRB concludes the proposal conforms with §5.1(13).

Section 5.1(14) – Private Enforcement Mechanisms

61. Each lot is designed to have individual on-site wastewater disposal systems and private wells.

62. Both lots will utilize a shared, twelve (12') foot wide driveway off from Moulton Lane.

63. The site plan does not identify the required twenty-five (25') foot wide right-of-way for the shared driveway but will be required to as a condition of approval.

64. A Shared Driveway Maintenance Agreement was not provided but will be required as a condition of approval.

Conclusion: Based on the above findings, the DRB concludes the proposal, as conditioned, conforms with §5.1(14). As a condition of subdivision approval, the DRB will require the recorded plat show a twenty-five (25) foot right-of-way and a shared driveway maintenance agreement be recorded before any zoning permits are issued.

Section 5.2 – Subdivision within the Ridgeline and Hillside Overlay District (RHOD): Does not apply.

Section 5.3 – Open Space and Cluster Development: Does not apply.

Section 5.4 – Road Standards and Coordination with Public Highways: Does not apply.

Section 5.5 – Utilities and Stormwater Management

65. Lot 1 is developed with an existing single-family dwelling which is expected to convert into an ADU with the future construction of a primary single-family dwelling.

66. Lot 2 is anticipated to be developed residentially in the future.

67. The application notes that there will be less than ½ an acre of new impervious surfaces created and less than ½ an acre of ground disturbance.

68. The Septic System Site Plan details where silt fencing will be installed to aid in preventing stormwater runoff from exiting future building areas and running into adjacent wetland areas and offsite.

69. The Applicant testified that the existing utilities are installed underground and, although the proposed utility design has not yet been finalized, the proposed utilities can also be located underground.

Conclusion: Based on the above findings, the DRB concludes the proposal conforms with §5.5.

DECISION

The DRB hereby approves the Applicant's request for combined preliminary and final subdivision approval (Project 7582) as described in the application dated April 3, 2025 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.

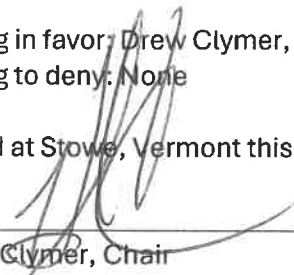
The approved plans, amended herein, include:

- a) Town of Stowe Development Application, dated 04/03/2025;
 - b) Application Narrative, prepared by Scott & Amina Rank, dated 04/01/2025;
 - c) Application Narrative #2, prepared by Scott & Amina Rank, dated 04/28/2025;
 - d) Site Plan, prepared by Velvaere, dated 04/01/2025;
 - e) Septic System Site Plan, Sheet C-2, prepared by Grenier Engineering, PC, revision date 07/15/2024;
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 Stowe 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.*
 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 plat shall identify the twenty-five (25) foot right-of-way over Lot 1, serving Lot 2, which encompasses the shared driveway.
 7. Prior to the issuance of any zoning permit(s) for development on proposed Lot 2, the Applicant shall submit to the Zoning Administrator an executed Shared Maintenance Agreement for the shared driveway serving Lots 1 & 2. A copy of the recorded agreement shall be provided to the Zoning Administrator and kept on file in the Planning and Zoning Office.
 8. Future development on Lots 1 & 2 shall incorporate an emergency vehicle at the building site in accordance with the Stowe Fire Department Standards.
 9. Monuments shall be placed on all subdivided parcels in conformance with the Rules of the Board of Land Surveyors.

10. The electrical and other utilities to serve Lots 1 & 2 shall be installed below ground, unless otherwise approved by the DRB.
11. Site construction and development of Lot 1 & 2 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.
12. 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: Drew Clymer, David Kelly, Tom Hand, Mary Black, Peter Roberts, Patricia Gabel, 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 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.