

**Notice of DRB Decision**  
**Town of Stowe Zoning Office**  
**PO Box 216**  
**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 Office at 253-6130 if you have any questions.

**APPLICATION INFORMATION**

Project Number	3556		
Application Date	08/23/07		
Physical Location	POINTS NORTH RD (LOT 8A)		
Map ID	03-096.040	Tax ID	03026-080
Project Description	CONSTRUCT SINGLE-FAMILY DWELLING IN RHOD		
Owner	ELIZABETH J STRAM FAMILY TRUST		
Applicant	MANSFIELD VENTURES		
Applicant Address	PO BOX 173 STOWE VT 05672		

**APPROVALS ON RECORD**

Action Taken	Date	Effective Date	Expiration Date
DRB DECISION	10/23/07	11/22/07	11/22/08

  
Zoning Office

10/23/07  
Date

**TOWN OF STOWE**  
**DEVELOPMENT REVIEW BOARD**

**Findings of Fact & Conclusions of Law**

**IN RE: Elizabeth Stram Family Trust**  
**C/O Richard and Elizabeth Stram**  
**300 Dartmouth Street**  
**Boston MA 02116**

**3556(RHOD)**

**Mansfield Ventures**  
**PO Box 173**  
**Stowe VT 05672**

**PROCEDURAL HISTORY:**

The Zoning Office received this application on August 23, 2007 at which time the application was referred to the Development Review Board as per Section 16.4(1) of the Zoning Regulations regarding development within the Ridgeline and Hillside Overlay District. The application was warned in the Stowe Reporter and posted on August 30, 2007. A public hearing was held on September 18, 2007 and then recessed to October 16, 2007 at which time the hearing was closed. The Board rendered this decision electronically on October 23, 2007. Darrow Mansfield and Milford Cushman presented the application to the Board.

**FINDINGS OF FACT & CONCLUSIONS OF LAW:** During its review of this application, the Board made the following Findings of Fact:

1. The Elizabeth Stram Family Trust owns a 5.1+-acre parcel on Points North Road (Lot 8A) within the Rural Residential (RR) 5 zoning district and within the Ridgeline and Hillside Overlay District (RHOD).
2. The applicant is requesting approval to construct a single-family dwelling on the parcel.
3. A site visit performed by the Zoning Administrator found limited visibility from any public vantage points given the existing tree coverage.
4. A site walk with members Jones, Izzo, and Pineles was conducted on October 10, 2007 at 5 pm.
5. A portion of the building zone was previously cleared.
6. The applicant testified that no lighting was proposed for the cupola and that all exterior lighting shall be downward lit.
7. The applicant submitted a visibility analysis and site plan prepared by Cushman Designs dated 10/16/07 and elevations prepared by Birds Eye Design dated 10/16/07.
8. Pursuant to Section 16.4(1)(B) of the Stowe Zoning Regulations, the Board must determine whether this application is "minor" or "significant".
9. During the hearing the Board determined that, when reviewed under Section 16.4(1)C.2., the application is "minor". In making its decision the Board relied on personal

observations of the Zoning Administrator, personal observations of Board members, documents submitted with the application, and testimony from the applicant.

### **DECISION**

Based upon the foregoing Findings of Fact, in **RE: 3556 (RHOD) (Stram)**, the Board took the following action:

A motion was made by Mrs. Brittin and seconded by Mr. Teffner to approve the application with the following conditions:

1. The application is deemed minor pursuant to the standards established by Section 16 of the Stowe Zoning Regulations.
2. This project shall be completed according to the plans hereby approved. 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.
3. The proposed 60/40 cut shall be uniformly applied.
4. No lighting in the cupola shall be permitted.
5. Cut sheets for all exterior lighting shall be submitted to the Zoning Administrator before a zoning permit is issued.

Voting in favor: Mrs. Brittin, Mr. Izzo, Mr. Jones, Mr. Pineles, Mr. Leven, and Mr. Teffner.

Voting to deny: None. Voting to abstain: None. Absent: Mr. Ramos.

The motion carries 6 – 0; the application is approved.

Dated at Stowe, Vermont this the 23<sup>rd</sup> day of October 2007.

By: 

Lawrence T. Jones, Chair  
Stowe Development Review Board

Any interested person may appeal this decision to the Vermont Environmental Court within thirty (30) days in accordance with 24 V.S.A. S 4471.

The foregoing represents the decision of the Development Review Board, and is NOT a permit. A zoning permit will not be issued by the Administrative Officer until:

1. All necessary approvals have been obtained.
2. All relevant conditions imposed as part of the approval have been met.

The commencement of the activities described within this decision without a valid permit constitutes a violation of the Stowe Zoning Regulations as provided in Section 23.4.

The use or occupancy of any building or activity approved in this decision requires the issuance of a Certificate of Occupancy. No Certificate of Occupancy will be issued until such time as all of the conditions of this decision have been fulfilled.

Richard Baker  
Zoning Director  
Health Officer  
P.O. Box 216  
67 Main Street  
Stowe, VT 05672

### **Opportunity to Use the Waiver Notice**

State law requires that interested parties participate in the local Development Review Board hearing in order to allow them to appeal any DRB decisions. No one participated in your hearing(s). Therefore, if you waive your appeal rights a zoning permit can be issued without waiting for the thirty-day appeal period to expire.

Please sign and return the enclosed waiver if you would like your zoning permit to be issued immediately. Otherwise, your zoning permit will be issued and become effective at the end of the thirty-day appeal period.

Please contact Richard Baker, Zoning Director, at 253-6141 if you have any questions about this matter.

**Town of Stowe  
Waiver of Right to Appeal  
DRB Approval**

Project 3556  
Physical Location POINTS NORTH RD (LOT 8A)  
Map ID 03-096.040  
Project Description CONSTRUCT SINGLE-FAMILY DWELLING IN RHOD  
Applicant MANSFIELD VENTURES  
Owner ELIZABETH J STRAM FAMILY TRUST  
DRB Decision Date 10/23/07

The Administrative Officer may issue a Zoning Permit pursuant to an approval of a Zoning Permit Application prior to expiration of the thirty-day appeal period set forth in 24 V.S.A. section 4471, or a final subdivision may be signed by the DRB Chair and recorded prior to expiration of the thirty-day appeal period set forth in 24 V.S.A. section 4471, only if there are no interested persons who participated in the Development Review Board hearing(s), as defined in the aforementioned section, other than the Town and the applicant/landowner, and only if the applicant/landowner waives his/her/its rights to appeal any relevant Development Review Board approvals. In order to ensure the finality and validity of any relevant Development Review Board approvals in those cases where there are no participating interested persons other than the applicant/landowner and the Town, the applicant/landowner must waive his/her/its rights to appeal in order to receive a Zoning Permit prior to the expiration of the appeal period.

The undersigned property owner(s) hereby waives any and all rights to appeal the approval of the Development Review Board decision listed above.

\_\_\_\_\_  
Property Owner Date

\_\_\_\_\_  
Property Owner Date

The undersigned applicant(s) hereby waives any and all rights to appeal the approval(s) of the Development Review Board decision listed above.

\_\_\_\_\_  
Applicant (if different than owner) Date

\_\_\_\_\_  
Applicant (if different than owner) Date