

**TOWN OF ELMORE, VERMONT
DEVELOPMENT REVIEW BOARD
DRAFT MEETING MINUTES**

Tuesday, August 4, 2026, 6:00 p.m.

Elmore Town Offices, 1175 VT-12, Elmore, VT 05657, and Zoom

Source materials reviewed: August 4, 2026 DRB agenda; meeting attendance record; Zoom transcript; Application Z-26-19; applicant correspondence, site plan, prior boathouse plan, and site photograph; ZA administrative determination; and July 7, 2026 draft minutes format.

Recording: https://us06web.zoom.us/rec/share/ZYZfk43Cm4NIXo2cbGbAHQ2Xb32OXXbQB2H_1KdsI_GGvP01cj-hKRvozITLJy4i.FuGJs5DWM4_pAivb?startTime=1785881010000

Passcode: 2?aWzWHw

1. Call to Order and Attendance

The meeting was called to order at approximately 6:04 p.m. The Chair welcomed attendees and noted that the meeting was being conducted at the Elmore Town Offices and by Zoom.

Role	Name / Status
DRB members present	Michael Furst, Chair; Paul Rousselle; Caroline DeVore
DRB members absent	Jason Cohen; Tom Waldman
Zoning Administrator	Charles Burnham
Applicants / presenters noted	Patrick J. Lowkes, applicant (in person); Katherine J. Lowkes, applicant (via Zoom; no testimony); Raymond Boutin, architect/designer
Recusals / conflicts	None.
Interested-person forms	No one registered as an interested person.

2. Agenda Management, Prior Minutes, Oaths, Conflicts, and Public Comment

- No additions or deletions to the agenda were made.
- The July 7, 2026 DRB meeting minutes were approved as written.
- The previously issued DiMotta and Fritz/Cohen decisions were noted. The Board took no action on either matter at this meeting.
- All attendees who testified were sworn. Katherine Lowkes joined after the swearing-in, was not sworn, and offered no testimony.
- No conflicts of interest were disclosed, no interested persons registered, and no general public comment was offered.

Motion / Action	Made by	Seconded by	Vote / Result
Approve the June 4 and July 7, 2026 DRB meeting minutes as written.	Paul Rousselle	Mike Furst	Approved as written.

3. Warned Hearing: Patrick J. and Katherine J. Lowkes - Conditional Use Review

Application	Details
Application No.	Z-26-19
Owner / Applicant	Patrick J. and Katherine J. Lowkes
Location	108 Camp Road; Tax Map ID 20/21/30.00; 0.30 acres
Zoning District	Developed Shoreland District / Lakeside Zone
Request	Conditional Use Review concerning a deck in the Lakeside Zone, described as a revision of approvals Z-25-06 and Z-23-17. The applicants characterized the request as relocation/reconfiguration of a pre-existing 12-foot-by-12-foot sitting area into deck area with no net increase in square footage.
Review Criteria	Table 2.6(C) Conditional Use; Section 3.8 Nonconforming Uses and Noncomplying Structures; Section 5.3 Conditional Use Review Procedure.

Presentation and Evidence

- ZA Burnham introduced the applicant and asked Patrick Lowkes to review the permit request.
- Per ZA Burnham, the application and the prior permit history were delivered to the Board in their preliminary packages and was supplied to meeting attendees. His June 23, 2026 administrative determination concluded that the requested deck expansion/enlargement required Conditional Use review by the DRB rather than administrative approval.
- Patrick Lowkes stated that he and Katherine purchased the property in 2019 with a deteriorated boathouse and had undertaken a multi-year replacement project. Raymond Boutin of Timeless Designs was identified as the architect/designer and as involved in construction of the boathouse project.
- Lowkes described a pre-existing 12-foot-by-12-foot wood-and-stone sitting area near the toe of the mound wastewater system. He stated that its retaining timbers and surface had deteriorated and that the area was associated with slope instability and mound system drainage concerns.
- The applicants requested approval for an 18-foot-by-9-foot deck configuration (162 square feet) adjacent to the boathouse. They proposed offsetting 18 square feet by narrowing a connected walkway, resulting in a claimed net 144-square-foot replacement corresponding to the former 12-foot-by-12-foot sitting area.
- Lowkes described the deck as pervious under State shoreland guidance because it would have approximately one-quarter-inch gaps between boards, no roof, and permeable stone and/or vegetation below and along the downhill drip edge.
- The submitted plan showed the camp, driveway, shed, mound system, boathouse, former sitting-area location, deck configuration, slope, and shoreline. Lowkes stated that the plan was based on his measurements and available mapping rather than a survey and might not be precisely to scale.
- The applicants also cited removal of approximately 90 square feet of older deck at the water's edge, removal of deteriorated concrete and debris, erosion-control measures, revegetation, and retention of an existing shoreline birch as evidence of overall site and water-quality improvements.
- Lowkes discussed a subsurface pipe near the mound and expressed concern that the prior sitting area and drainage conditions could direct nutrient-rich water toward the lake. ZA Burnham explained that the pipe was a State-approved curtain drain intended to intercept clear groundwater above the mound and route it around the wastewater system, rather than an effluent discharge pipe.

Board Discussion / Criteria Issues

Topic	Discussion Summary
Relocation / degree of noncompliance	The central issue was whether removing a nonconforming 12-foot-by-12-foot sitting area and placing deck area in a different footprint constitutes a relocation or expansion that increases the degree of noncompliance under Section 3.8. Members questioned whether pre-existing square footage is transferable to another location on the lot.
Square-footage accounting	The applicants calculated the 18-foot-by-9-foot deck at 162 square feet and proposed a corresponding 18-square-foot reduction in a connected walkway, yielding a claimed net 144 square feet. The Board clarified that the analysis involved area from more than one location and questioned whether net arithmetic alone resolves the nonconformity issue.
Footprint / lake setback	The parties agreed that the relevant work is within the 100-foot lake setback. The applicants asserted there would be no new lakeward encroachment or change to the toe of slope; members focused on whether construction outside the former sitting-area footprint nevertheless creates a new or increased nonconformity.
Pervious surface classification	The applicants relied on State standards for gapped, uncovered decking over permeable material. The Board discussed whether classification of the deck as pervious addresses impervious-coverage concerns but not necessarily the separate municipal question of relocation, footprint, or increased noncompliance.
Mound system / water quality	Lowkes linked removal of the former sitting area to protection of the mound and improved water quality. Members questioned whether removal of the former area and authorization of deck area elsewhere were functionally or legally connected. The ZA's explanation of the curtain drain clarified part of the drainage discussion.
Alternatives	The Board asked whether the 12-foot-by-12-foot area could be reconstructed as a deck in the same geometry, whether the area could be relinquished, and what other locations had been considered. Lowkes stated that rebuilding at the former location would conflict with his wastewater-system concerns and that the applicants were not willing to surrender the claimed 144 square feet.
Plan accuracy / prior work	Members discussed the approximate nature of the site plan, the relationship between the former sitting area and the mound, pre-existing stairs, the walkway reduction, and prior boathouse/deck work. No site visit or additional evidence schedule was established in open session.

Applicant Comments and Board Response

- Lowkes urged the Board to consider the overall water-quality outcome of the property improvements and argued that the requested configuration offered better environmental protection than reconstructing the sitting area in its former location.
- He also raised general concerns about erosion control, runoff, shoreland enforcement, and the Town's administration of shoreland requirements at other locations. No names or findings regarding other properties are included in these minutes.
- Board members explained that the DRB's role in this proceeding was to apply the Elmore Zoning Bylaws to Application Z-26-19. Members distinguished the water-quality benefits Lowkes associated with removing the former sitting area from the separate question of whether the requested deck configuration complies with the applicable nonconformity provisions. Broader enforcement and municipal policy issues were outside the application before the Board.
- No interested persons offered testimony or comments.

Status / Motions

Motion / Action	Made by	Seconded by	Vote / Result
End the Lowkes public hearing and proceed to deliberative session.	Michael Furst	Paul Rousselle	Hearing ended at 6:59 p.m. No final written decision was issued in open session.

4. Remaining Agenda Items

The continuing discussion of AI use for DRB workflow, Board member comments and requests to the ZA, and all other remaining agenda items were continued to the September 1, 2026 meeting. No other agenda items were discussed.

5. Deliberative Session and Meeting Conclusion

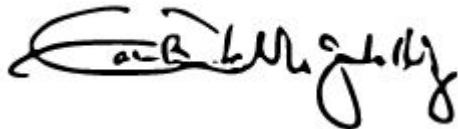
The Board entered deliberative session at 7:00 p.m. and exited deliberative session at 7:33 p.m. No minutes of the Board's substantive deliberations or votes are recorded. Following deliberation, the next procedural step was for ZA Burnham to prepare a draft findings document for Application Z-26-19 and circulate it to the three participating Board members for review. The meeting concluded at 7:33 p.m.

6. Follow-Up Items

Item	Responsible Party	Due / Notes
Prepare and circulate draft findings for Application Z-26-19.	ZA Burnham	Circulate to Michael Furst, Paul Rousselle, and Caroline DeVore for review.
Review draft findings for Application Z-26-19.	Participating DRB members	Review following circulation by the ZA; no final written decision was issued August 4.
Carry forward remaining agenda items.	Chair / ZA	Place the continued AI-workflow discussion and Board comments/requests on the September agenda.
Next regular meeting.	DRB / ZA	Tuesday, September 1, 2026 at 6:00 p.m.; agenda requests/applications due August 6, 2026, per the agenda.

Minutes Captured and Submitted by: Caroline DeVore, DRB Member / Clerk - Draft dated August 5, 2026

Draft prepared from the August 4, 2026 public meeting record and member-supplied procedural clarifications.



Town Of Elmore Meeting Attendance Record

ENTER MEETING DATE:	4 AUG 26
ENTER MEETING NAME:	DRB

[illegible]

LOWKES - Request for Administrative Determination / As-Built Approval – 108 Camp Road (Lakeside Zone)

From Charlie Burnham <cburnham@elmorevt.org>

Date Wed 7/29/2026 12:54 PM

To Michael Furst <furst.m@gmail.com>; Caroline DeVore <cdevore@elmorevt.org>; Jason Cohen <jcohen@elmorevt.org>; Paul Rousselle <paul.prrarchitects@gmail.com>; Thomas Waldman <tommy.waldman@gmail.com>

 1 attachment (1 MB)

Sitting Area Photo 2020.jpg;

Here's the attachment as a link for your review:

[As-Built.pdf](#)

Add your comments and collaborate with others in real time. You don't need to download Acrobat or sign up to access the file.

From: Patrick Lowkes <plowkes@gmail.com>

Sent: Wednesday, June 10, 2026 2:01 PM

To: Charlie Burnham <cburnham@elmorevt.org>; Katherine Lowkes <klowkes@svtaudiology.com>

Cc: Patrick Lowkes <plowkes@gmail.com>

Subject: Request for Administrative Determination / As-Built Approval – 108 Camp Road (Lakeside Zone)

Dear Mr. Burnham,

I am writing to formally request an administrative determination regarding a recent repair and replacement project on our property located at 108 Camp Road within the Lakeside Zone. We have recently replaced a structurally compromised 12' x 12' sitting area, existing at the time of our purchase in 2019. Based on the "like-for-like" scope of the work and the measurable environmental improvements it provides, we respectfully request that this project be reviewed and approved

administratively rather than requiring a formal Development Review Board (DRB) Conditional Use review.

The pre-existing, non-conforming structure consisted of a 12' x 12' impervious wood and stone sitting area that had become completely structurally compromised due to improper construction techniques at the time of installation (date unknown). The retaining timbers were actively falling over, causing the slope to destabilize and allowing fine sediments to wash down toward the lake. Replacing this failing structure was a matter of immediate safety and shoreline stabilization. To minimize heavy equipment impact on the landscape, the stabilization work was executed concurrently with our ongoing boathouse project. Our intent has always been to provide an as-built drawing upon completion, utilizing an updated project plan previously developed by Ray Boutin of Timeless Designs, LLC.

We designed and executed the replacement with strict adherence to the town's zoning intent and shoreland protection standards:

- **No Linear Increase in Shoreline Encroachment:** The new wooden deck extends to the exact same toe of slope as the former structure. There is no new encroachment or reduction in the setback toward the mean high-water mark.
- **No Net Increase in Impervious Surface Coverage:** The footprint replaces the original 144-square-foot footprint like-for-like in terms of overall impact. The new deck configuration is 18' x 9' (162 sq. ft.), which we have fully offset by a 18-square-foot reduction in the width of the connected wooden side walkway. Crucially, the majority of the 18 square feet of eliminated walkway were located *closer* to the lake than the new deck

configuration. Furthermore, we have significantly improved site hydrology: the old impermeable stone surface has been replaced with a gapped wooden deck over a permeable gravel bed, drastically reducing runoff velocity. Additionally, we will be able to plant native grasses extending under the deck given ample light and afternoon sun. (Note: it is also worth noting we did remove 90 square feet of old, rotted deck at the water's edge at the commencement of the boathouse replacement, drastically reducing our overall impervious impact. What's more, decades' worth of crumbling concrete and debris have been removed from the water during the rebuild of the boathouse).

- **Erosion and Sediment Control:** Strict erosion control measures, including silt fencing / straw wattles, were utilized throughout construction to ensure complete protection of the lake from runoff.
- **Shoreland Buffer Mitigation:** In the spirit of shoreland protection guidelines, we have actively restored the grassy slope directly below the deck by planting native species. This newly established natural vegetative buffer will maximize long-term filtration and shoreline stabilization.

Under standard Vermont zoning principles, property owners maintain a legal right to maintain, repair, and replace pre-existing, grandfathered structures—especially when the repair eliminates an active environmental hazard. Because this project represents a net-neutral square footage replacement (an overall impervious square footage reduction of 90 square feet when considering the lakeside deck) that actually decreases impervious impact closer to the lake, stabilizes an eroding slope, and improves shoreline filtration, we respectfully ask that this be approved via an administrative amendment or permit.

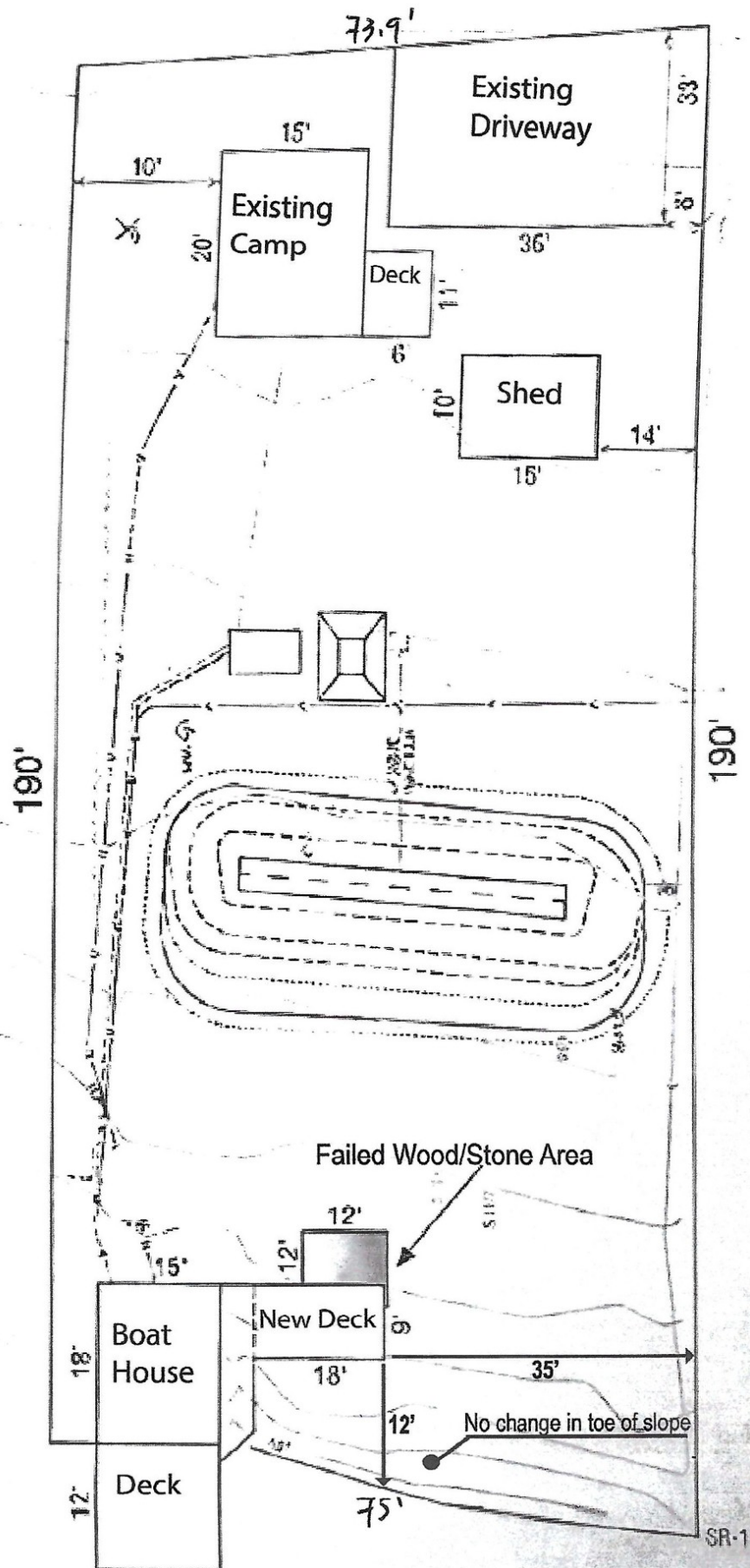
Thank you for your time, assistance, and continued consideration of this matter. Attached, please find a photo of the original wooden and stone structure for your reference, along with the as-built drawing from Timeless Designs, LLC.

Sincerely,

Patrick & Katherine Lowkes

108 Camp Road

Elmore or State Access Permit # (for new access) N/A Date _____



Z-23-17

PLAN: 17 AUG 2023

Red:
New steel frame under the entire boat house.
This would cantilever over the water. It can also
cantilever towards the portion that currently
doesn't have a foundation.

Blue:
Floor joist spanning from across the top
of the steel beams.

