

**Town of Warren
Development Review Board
Minutes of Meeting
Monday, January 30, 2023**

NOTE: This meeting was conducted both in-person and electronically via Google Meet.

Members Present: Chris Behn, Megan Moffroid, Peter Monte (Chair), Virginia Roth, Jeff Schoellkopf, Don Swain.

Staff Present: Ruth Robbins (ZA), MRVTV, Carol Chamberlin (Recording Secretary)

Others Present: Andrew, Kevin Babic (Sugarbush), Harvey Blake, Jeff Campbell (Warren Fire Chief), Bob Cummiskey, Susan Cummiskey, P D, Phillip Erikson, Naomi Fury, John Hammond (Sugarbush), Joe Hanley, Lisa Loomis (Valley Reporter), Peter MacLaren, Rebecca Marchand, Brenden McCarthy, Kevin McGoniagke, Jeff Polubinski, Gerald Principe, Roberta Principe, Steve Roy (Weimann Lamphere Architects), TomNjennifer, Margo Wade (Sugarbush), Jim Westhelle (Sugarbush)

The meeting was called to order at 7:00 pm.

Application #2023-02-CU submitted by Phillip Erikson & Amanda Davy requests a Conditional Use approval for a Setback Waiver for the addition of a pre-existing/non-conforming structure. Additionally, there will be a review of the proposed development in the Fluvial Erosion Hazard Area [FEH] The property is located at 894 Main Street, approx. .40 acres and parcel ID # 004005-6 on the Warren grand list.

Mr. Erikson provided an overview of the project, which will include removing the existing garage, connecting the house to Warren's wastewater system, constructing a new garage along with a connector to the house, and adding some deck area. He explained that the new garage will be slightly farther from the road, following the same line along the road as the house does, but that without a waiver in place there would not be enough room for a standard size 2-car garage.

It was noted that the waiver request is for less than the 30% maximum allowed. Mr. Behn indicated that the proposed project would not be out of character with the current village configuration, where buildings are already close to the road, and that it does not seem to create any negative impact for drivers or pedestrians.

Potential impacts on the Fluvial Erosion Hazard (FEH) Area were discussed. There will be a small portion of the deck to be constructed that will overhang the FEH; however, Mr. Erikson explained that there will be no foundational supports installed within the FEH. He provided a letter from Ned Swanberg, State Floodplain Manager, stating that the deck construction as proposed is allowable, with a requirement that Mr. Erikson provide post-construction documentation of the Base Flood Elevation (BFE) at the deck site to ensure that no fill has been removed. It was confirmed that nothing will be constructed within 50' of the river.

MOTION by Mr. Schoellkopf that the applicant be required to provide post-construction BFE certification as required by Mr. Swanberg. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to find that the proposed development will not increase the degree of non-conformity because no portion of the building will be located closer to the front setback than the existing structure, and volume calculation is not included under the Land Use Regulations being used for review. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Schoellkopf to condition approval upon no structure being located less than 50' from the river and that a 50' buffer strip be maintained along the river. **SECOND** by Mr. Monte. **VOTE:** All in favor, the motion carries.

Board members reviewed Conditional Use Standards.

MOTION by Mr. Monte to find that the Conditional Use Standards outlined in Section 5.3(A) 1-5 are satisfied by the application materials submitted. **SECOND** by Mr. Schoellkopf. **VOTE:** All in favor, the motion carries.

The specific Standards were also reviewed, and no Board member requested that any specifically be reviewed for this proposal. It was noted that no basement is included in the renovated areas, so no LOMA will be required.

MOTION by Mr. Behn to require that there be no change in grade or existing elevations and that areas disturbed during construction will be restored after construction is complete; this will be documented by submission of a stie plan showing 2' contours of any area on the site that will be disturbed during construction. **SECOND** by Mr. Schoellkopf. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to condition approval upon no supporting structures being placed outside the footprint of the plans submitted. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to find that the project as proposed will not increase the susceptibility of the property or other properties to fluvial erosion damage. **SECOND** by Mr. Schoellkopf. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to find that the project as proposed will not increase the potential for materials to be swept into the stream channel or onto other land and cause damage from fluvial erosion. **SECOND** by Mr. Schoellkopf. **VOTE:** All in favor, the motion carries.

MOTION by Mr. Monte to approve Application 2023-02-CU subject to the conditions imposed at this hearing and all customary conditions. **SECOND** by Mr. Swain. **VOTE:** All in favor, the motion carries.

Application #2023-01-CU submitted by Sugarbush Resort requesting a Conditional Use approval for the redevelopment of 3 pre-existing lots with [existing and former] residential buildings referred to as the "Sugar Cubes". The property is located at 2197 Sugarbush Access Road, parcel ID 005008-400 on the Warren grand list and is in the Vacation Residential District.

Ms. Wade presented plans for the redevelopment of three of the four pre-existing lots at the corner of the Sugarbush Access and Golf Course Roads, explaining that there is shared water supply and wastewater infrastructure for all four of these lots. The existing permits allow for four three-bedroom homes, the proposal is to divide those twelve bedrooms between a two-bedroom, a four-bedroom, and a six-bedroom home. Mr. Westhelle indicated that the design for separate houses rather than one large building will serve a needed housing type niche for Sugarbush employees. Ms. Wade provided plans depicting the footprint of both the existing and proposed buildings, parcel setback, lot coverage calculations, aerial views, elevations, and other information. She confirmed that the existing buildings will be demolished.

Ms. Moffroid joined the meeting at this point.

There was some discussion regarding parking configurations and access to the site. Ms. Wade explained that there are existing curb cuts on both the Access Road and Golf Course Road edges of the property, although the Golf Course Road access has been inactive for some time. It was suggested by Board members that no access be allowed from the busier Access Road. Further discussion followed regarding interior road configuration, parking configuration, and potential road/driveway impacts to the existing well head. Ms. Wade noted that the proposed interior road width is less than the 18 feet specified in the Regulations. She also explained that removing access from the Access Road perimeter will help to reduce the lot coverage, but will likely have increased impacts on the well location. Angled parking was discussed as a possibility to establish a required traffic flow.

Mr. and Mrs. Principe spoke of concerns they have with the proposed development, particularly regarding any damage to infrastructure caused by the construction and the potential lack now or in the future of an adequate water supply for all four properties. Mr. Monte encouraged Sugarbush to discuss with the Principes the matters over which the Board has no authority.

Ms. Wade confirmed that there is no intent to pave over the existing well, and that the well will be accommodated during any road work and drainage design. She also indicated that there are no plans to divert drainage water to the Principe property. Mr. Monte urged Sugarbush to take into accounts any standards that exist for maintaining a proper distance from the well head, explaining that if the plans are not found to be in conformance, it will need to be justified and efforts included in the proposal to prevent any damage to or contamination of the well.

There was discussion regarding the lot coverage, as the proposal outlines a greater percentage (57%) of lot coverage than the 50% maximum allowed for the district. It was suggested that applying under the PUD standards would provide more flexibility for the coverage allowance. Ms. Wade explained that there is no intent to combine the lots, and that Sugarbush will work to reduce the lot coverage. Guidance was provided regarding the new buildings' siting within the setbacks in relation to the currently existing footprints.

Board members requested that a depiction of drainage plans be provided, indicating that no runoff will be directed to neighboring properties.

Ms. Wade outlined that additional materials will be provided regarding well protection measures, a drainage plan, a reduction in coverage – or, alternately, a lot line adjustment with an adjacent Sugarbush property – and further details regarding access and parking based upon the discussion held.

MOTION by Mr. Monte to continue the hearing for Application 2023-01-CU until February 6, 2023 at 7 pm. **SECOND** by Mr. Swain. **VOTE:** All in favor, the motion carries.

Mr. Monte noted that the following items should be addressed before continuing the hearing: Well protection, drainage, coverage percentage, road width, road direction.

Application #2023-01-PUD-CU submitted by Sugarbush Resort for Sketch Plan Review for the redevelopment of the former Rosita's Restaurant site for the creation of a four story multi-unit

residential building for workforce housing. The property is located at 2500 Sugarbush Access Road and is comprised of 13.59 acres +/- and two zoning districts, Vacation Residential & Sugarbush Village Commercial.

Ms. Wade provided an overview of the plans for this project, which proposes to construct a building housing sixteen studio apartments and four wings of congregate living quarters, each providing 44 single-occupancy bedrooms. She confirmed that Sugarbush has been in conversation with the Colony residents whose property abuts this parcel. She also noted the following items:

- A parking waiver will be requested for this project, as a large percentage of the employees to be housed are international workers and there exists nearby offsite parking on other Sugarbush parcels.
- Water and wastewater capacity and logistics were outlined.
- Related to this project, Sugarbush will be applying for a change of use to a boarding house for the Sugartree building, which is adjacent.
- Sugarbush intends to apply for this project as a multifamily building, as that appears to be the best fit under the current regulations.
- The Resort employs 800-1000 people in the winter, and has approximately 150-250 employees in the summer. They currently house approximately 212 employees throughout 11 facilities, some of which Sugarbush owns and others are rented. The goal is to house 250 employees, using this site as well as five others.
- In the summer, this housing will be needed for 50-75 employees, providing opportunities for other uses of the building, some of which may require additional use approval by the Board.
- The building will have a commercial sprinkler system, as well as other fire protection measures included in the design.
- Comparisons of this building's proposed dimensions to other large structures at the Resort.
- That this site is the preferred one for development of those that Sugarbush owns, based upon water and wastewater infrastructure availability.
- The elevation of the proposed roof height, including the elevator shaft height, is lower than the Colony parcel sites, so will not be in the line of sight from those buildings.

Pedestrian access and safety were discussed. Ms. Wade explained the background and plans moving forward with creating a path along the Access Road. The intent for those residing at this site will be for access to the Resort area through the SHARC property. It was pointed out by the Board that there may need to be parking accommodations for residents using the site outside of the winter season.

Slope and drainage considerations were looked at, with it being noted that there is a steep hill on site and that assurance needs to be provided that all runoff is adequately addressed.

Board members reviewed the potential uses that might apply to this proposal, looking at definitions of multi-family dwellings, boarding houses, density allowances, and so forth. It appeared that applying as a PUD might be the preferable route, as that would allow for combining uses on the site.

Fire Department review and screening plans were requested to be included in the application materials when submitted.

The Conditional Use hearing for this project will likely be held in March 2023.

Other Business:

The minutes of the December 19, 2022 were signed, decisions were reviewed/signed.

The meeting adjourned at 10:20 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

Development Review Board

Peter Monte, Chair Date

Jeff Schoellkopf Date

Chris Behn Date

Megan Moffroid Date

Virginia Roth Date

Don Swain Date