

**TOWN OF WARREN  
DEVELOPMENT REVIEW BOARD  
MINUTES OF MEETING  
APRIL 19, 2000**

- MEMBERS PRESENT:** Chris Behn, Eric Brattstrom, David Markolf, Vice Chair; Lenord Robinson, Virginia Roth.
- OTHERS PRESENT:** Craig DiGiammarino, Sugarbush; Bill Westvang, Club Sugarbush; Anne Whiteside, Bill Maclay, and Todd Hill, Samara Farm Representatives; Margo Wade, DRB/PC Assistant.
- AGENDA:**
- 1) 7:30 p.m. Call to Order
  - 2) 7:45 p.m. Public Hearing: Sugarbush Inn Pavilion Building – Change of Use application/Conditional Use & Site Plan Review
  - 3) 8:45 p.m. Initial Meeting: Samara Farms 2-lot Subdivision
  - 4) Other Business:
    - a) Della Monica letter
    - b) signing of minutes and decision

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**I. CALL TO ORDER**

Mr. Markolf called the meeting to order at 7:30 p.m.

**II. PUBLIC HEARING CONTINUATION: Sugarbush Inn Pavilion – Change of Use**

Sugarbush Resort Holdings Inc. (SRHI) requests a change of use for the Sugarbush Inn Pavilion Building from Outdoor/Indoor Recreation Facility to Office and Warehouse Storage space. The project is located on 10.70 acres off TH#5 (Sugarbush Access Road) in the R-5 (Vacation Residential) District across from the Sugarbush Inn and will be reviewed under criteria found in Article V § 3 – *Conditional Use Review* and Article V § 4 – *Site Plan Approval* of the Warren Zoning Bylaws.

Mr. DiGiammarino came before the Board on behalf of SRHI and the Sugarbush Inn. Mr. Westvang came before the Board on behalf of Club Sugarbush (Sugarbush Inn abutters).

**STAFF REPORT**

Mr. Markolf reviewed the section of the February 23, 2000 meeting minutes specific to this application.

**APPLICANT COMMENTS**

Mr. DiGiammarino submitted an updated as-built site plan including existing lighting and landscaping, facilities site plan, site survey, and list of abutting property owners. Mr. DiGiammarino also submitted, in written form, the agreement between Sugarbush and users with deeded rights to the Pavilion facility; intentions for future maintenance of the Pavilion facility; and the timing of tennis court removal.

**PUBLIC INPUT**

Mr. Westvang raised concerns about the deteriorating condition of the grounds in and around the facility; long term storage of vehicles; the state of disrepair of the dumpster area; and the general presentation of the base operation yard. He also raised concerns regarding the condition of the road connecting the facility with the Club Sugarbush Condominiums. Tractor-trailer trucks frequently deliver to the shipping and receiving building blocking the road to Club Sugarbush and add to the significant wear and tear of the roadway. Mr. Westvang stated that trucks occasionally get stuck entering the driveway from the Access Road because the entrance is not adequate for large vehicles.

The maintenance agreement between SRHI and Club Sugarbush is unclear. It is SRHI's responsibility to maintain the roadway, but Mr. Westvang performs the winter maintenance. In the past SRHI has agreed to perform the continuous maintenance, but this maintenance is infrequent and unacceptable to Mr. Westvang. Mr. DiGiammarino stated that he would research the maintenance agreement, and would be willing to accept a condition pertaining to maintenance of the roadway.

DELIBERATION/DECISION

Mr. Markolf read the site plan criteria.

**MOTION by Mr. Behn, seconded by Mr. Robinson to deem Article V §4(A)( 1) - (5), *Site Plan Submittal Data*, complete. VOTE: unanimous; motion carried.**

No new construction will be associated with the change of use, except the de-construction of all tennis court fencing. The applicant proposes to remove all of the tennis courts posts and fencing by October 1, 2001. The front five clay courts will be seeded. The two pole lights on the front courts will be removed. The asphalt on the rear courts will not be removed during this phase.

**MOTION by Mr. Behn, seconded by Mr. Robinson to waive Criteria §4(A)(6), requiring a report prepared by a registered professional engineer. VOTE: unanimous; motion carried.**

Approximately eight to ten employees will use the building during daytime hours.

**MOTION by Mr. Behn, seconded by Mr. Robinson that Criteria §4 (B)(1), pertaining to safety of vehicular circulation between the site and street network, has been satisfied subject to conditions contained herein. VOTE: unanimous; motion carried.**

Mr. Markolf raised the concern of the lower parking lot becoming a long-term parking and storage area for vehicles and materials not associated with the new use of the structure. Mr. DiGiammarino replied that the upper lots would be used for occasional parking for the blue Sugarbush busses and Inn employees. There was discussion about the seasonal uses of the upper lot for bus parking; long term parking of vehicles and out-side storage of materials would take place at the 22-acre site; and moving the current location of the dumpster to the lower parking lot. Mr. DiGiammarino agreed.

Ms. Roth questioned the change of use application classification as office and storage where it may be more closely defined as light industry because of the construction and maintenance as preformed for base operation and special events. Mr. DiGiammarino stated that the building would be uses as office space for sales, and warehouse storage and general maintenance for base operation props and materials. All carpentry projects were small, mostly repair and/or signage and would be preformed in the building.

**MOTION by Mr. Behn, seconded by Mr. Robinson that Criteria §4(B)(2), pertaining to adequacy of circulation and parking, has been satisfied subject to conditions contained herein. VOTE: unanimous; motion carried.**

**MOTION by Mr. Behn, seconded by Mr. Robinson that Criteria §4(B)(3), pertaining to adequacy of landscaping and screening, has been satisfied. VOTE: unanimous; motion carried.**

**MOTION by Mr. Markolf, seconded by Mr. Robinson §4(B)(4), pertaining to specific Access Road considerations, has been satisfied subject to conditions contained herein. VOTE: unanimous; motion carried.**

**MOTION by Mr. Behn, seconded by Mr. Robinson that Criteria §4(B)(5), pertaining to traffic access and circulation, has been satisfied because the level of intensity is decreasing and will also be addressed by conditions contained herein. VOTE: unanimous; motion carried.**

**MOTION by Mr. Markolf, seconded by Mr. Behn to waive Criteria §4(C) pertaining to financial ability. VOTE: unanimous; motion carried.**

**MOTION by Mr. Behn, seconded by Mr. Robinson to grant Site Plan Approval for the change of use request for the Sugarbush Inn Pavilion Building from outdoor/indoor recreation facility to office and warehouse storage space with the following conditions:**

- 1) The access road will be sufficiently maintained to accommodate the shared uses of the Pavilion Building, Shipping and Receiving Building, and Club Sugarbush Condominiums.**
- 2) Recommendation prepared by a registered professional engineer will be submitted to the DRB, by October 1, 2000, addressing the condition of the facility entrance and the need for the apron to be sufficiently widened to accommodate large trucks.**
- 3) The dumpster area will be relocated to the lower parking lot, and will be sufficiently screened and maintained to lessen the visual impact. The existing location will be restored to blending in with the surrounding area.**
- 4) The parking lots will not be used for the long term parking and/or storage of busses or vehicles. Only vehicles associated with the professional uses of the facility shall park in the parking lots.**

- 5) **There will be no exterior storage of building material. All carpentry work associated with the use will take place within the building. This condition does not disallow the general exterior maintenance of the building.**
  - 6) **The relocation of the dumpster area and de-construction of the front five clay courts will be complete by October 1, 2000. All remaining site work as proposed in the application will be complete by October 1, 2001.**
  - 7) **All existing lighting associated with the upper parking lot will remain in place and be maintained as necessary.**
- VOTE: 4 ayes, 1 nay (VR); motion carried.**

Ms. Roth stated that she voted against the motion because she believes the change of use as requested for the facility and the uses allowed under conditional use in the district are not compatible.

**MOTION by Mr. Behn, seconded by Mr. Brattstrom to continue the hearing until May 31, 2000 at 7:45 p.m. VOTE: unanimous; motion carried.**

Ms. Roth departed at 9:25 p.m.

### **III. INITIAL MEETING: Samara Farms 2-lot Subdivision**

Samara Farm, Inc. and Joseph H. Muraskin seek approval for a 2-lot subdivision of 37.5 +/- acres. The subdivision consists of Lot 6.1 (18.6 +/- acres) and Lot 6.2 (18.9 +/- acres). The property is located off the east side TH#23 (Fuller Hill Road) in the R-2 (Rural Residential) District.

Anne Whiteside, Bill Maclay, and Todd Hill came before the Board on behalf of the subdivision application.

#### **STAFF REPORT**

Mr. Markolf explained that this was the initial meeting for the application, where classification and general discussion of the projects takes place.

#### **APPLICANT COMMENTS**

Ms. Whiteside reviewed Mr. Muraskin's development history regarding the original 320-acre farm. The portion of the farm, which lies on the west side of Fuller Hill Road, was subdivided onto 14 lots in the late 1960's. The portion of the farm, which lies on the east side of Fuller Hill Road, was subdivided into six lots in the late 1970's. The applicant is requesting to further subdivide Lot 6 of the 6-lot subdivision.

Updated site plan maps were submitted. Lot configuration has been modified slightly from the original maps submitted with the application. Under the new configuration Lot 6.1 is 15 +/- acres, and Lot 6.2 is 22.5 +/- acres.

Mr. Maclay and Mr. Hill described the site plan and why this particular layout was chosen. The western portion of the lot is classified as meadowland, while the eastern portion is wooded. Two curb cuts are proposed. Each lot will be serviced by a separate driveway, with the driveway on lot 6.2, also servicing lot 5. A driveway easement was granted to lot 5 at the time of the original 6-lot subdivision. Technically lot 5 is not part of this application. There will be no development in the meadowland, except the excavation of the driveways. The house sites will be set back into the woods. The road frontage on the existing lot is greater than 900 feet. Adequate septic capacity exists on both lots and will be designed to accommodate four bedroom dwellings. The lots will be sold unimproved.

PUBLIC INPUT

There were no public comments.

DELIBERATION/DECISION

**MOTION by Mr. Markolf, seconded by Mr. Behn to deem the subdivision application complete with the exception of proof of abutter notification, which will be submitted at the next meeting. VOTE: unanimous; motion carried.**

**MOTION by Mr. Markolf, seconded by Mr. Behn to classify the request as a minor subdivision. VOTE: unanimous; motion carried.**

Mr. Behn asked the applicants to explore the possibility of accessing both lots with a single curb cut and common driveway splitting as needed to service lot 6.1, lot 6.2, and lot 5.

**MOTION by Mr. Markolf, seconded by Mr. Behn to schedule a site visit on May 3, 2000 at 6:00 p.m. VOTE: unanimous; motion carried.**

The public hearing has been warned for May 3, 2000 at 7:45 p.m.

The Board requested that the proposed driveway routes be flagged for the site visit.

**IV. OTHER BUSINESS**

a) Della Monica letter

The Board discussed the letter from John Pollock requesting re-wording of condition #5 of the Della Monica decision. The Board agreed to re-word the condition and too also include language requesting a time schedule be included in the planting plan.

**MOTION by Mr. Markolf, seconded by Mr. Brattstrom to amend the Della Monica decision such that the submission of the planting plan for review and approval by the DRB will occur prior to occupancy of the structure, and that a time schedule be included in the planting plan. VOTE: 3 ayes, 2 abstained (CB, VR); motion carried.**

b) signing of minutes and decision

**MOTION by Mr. Robinson, seconded by Mr. Behn to approve the April 5, 2000 minutes.**

**VOTE: unanimous; motion carried.**

**V. ADJOURNMENT**

**MOTION by Mr. Behn, seconded by Mr. Robinson to adjourn. VOTE: unanimous; motion carried.**

The meeting adjourned at 10:00 p.m.

Respectfully submitted,  
Margo B. Wade  
DRB/PC Assistant

**DEVELOPMENT REVIEW BOARD**

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Chris Behn (date)

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Eric Brattstrom (date)

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Lenord Robinson (date)

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David Markolf, Vice Chair (date)

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Virginia Roth (date)