TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
JANUARY 29, 2003

MEMBERS PRESENT:	Eric Brattstrom, David Markolf, Vice Chair; Peter Monte, Chair; Lenord Robinson.
OTHERS PRESENT:	Bob Ackland, Jason Lisai, Whitney Aldrich, Sugarbush Resort; Jeff Nelson, Pioneer Environmental; Charles Grenier, Grenier Engineering; Michael Kroposki, Ron Zschaler, Jay Staunton, Miron Malboeuf, David Blythe, Margo Wade, DRB/PC Assistant.
AGENDA:	1) 7:30 p.m. Call to Order 2) Public Hearing Continuation: Summit Ventures NE, LLC (d/b/a Sugarbush Resort – Conditional Use Review and PUD Review for the Lincoln Peak Hotel proposal 3) Other Business: a) Signing of minutes and decision

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I. CALL TO ORDER

Mr. Monte called the hearing to order at 7:35 p.m.

II. PUBLIC HEARING: Summit Ventures NE, LLC (d/b/a Sugarbush Resort – Conditional Use Review and PUD Review for the Lincoln Peak Hotel proposal

Summit Ventures NE, LLC (d/b/a Sugarbush Resort) seeks approval to construct a hotel and condominium complex consisting of three buildings; associated lodging, conference, retail and dinning components; under ground parking and parking lots; relocation and restoration of the Hotel Brook and riparian zone, "ski-back trail," and roads. The project is located on 57+/- acres off the northwest side of the Sugarbush Access and Sugarbush Village Roads in the Sugarbush Commercial and Vacation Residential Districts.

Bob Ackland, Jason Lisai, Whitney Aldrich, Jeff Nelson, and Charles Grenier, came before the board on behalf of the applicant.

STAFF REPORT
Mr. Monte stated that this meeting is a continuation of the January 15, 2003 hearing.

DISCUSSION
Mr. Lisai reviewed the new submittal material, which included: Ex#13 - Vtrans 12/24/02 letter; Ex#14 – Resource Systems Group Preliminary Traffic Study Results dated 1/29/03; Ex.#15 – Water Quality plan; and Ex#16 – Storm Water Plans (5 sheets).

Mr. Lisai introduced Jeff Nelson from Pioneer Environmental (PE) who is handling natural resource protection and surface water protection aspects of the project and Charles Grenier from Grenier Engineering who is handling the civil engineering portions of the project.

Mr. Nelson reviewed the work and portion of the project his group is responsible for. PE has re-delineated wetlands on the overall project site, which was necessitated because the

delineations go stale after 5 years and relocation of the building in the new project. Thirteen wetlands have been identified on map. The GSH project impacted 0.83 acres of wetland; while the LPH project impacts 0.86 acres. This is a minimal difference. All of the impacted wetlands are class 3.

Stream buffers & buffers in general:
Clay Brook will have a 50' wide or greater undeveloped/vegetated buffer. The Rice Brook buffer is unchanged from the GSH proposal and varies in width. The Access Road will have a 75' and 90' wide tree corridor up to the relocated Access Road/Village Road intersection.

Ground water protection areas:
The project area lies within "zone 3" of a number of ground water protection areas. Zone 3 is the furthest from the water source. The ANR Water Supply division will also review the project. The land use between GSH and LPH projects is similar and Mr. Nelson does not anticipate the project will impact those water supplies. The public water supplies include Mt. Water Co., Club Sugarbush, and South Village. Mr. Nelson feels the delineation method is dated and does not reflect the true hydrology of the water sources.

Surface Waters:
For the past two years Sugarbush, with the Water Quality Div., has been developing a Water Quality Remediation Plan to improve the water quality of streams near the resort. This is a watershed wide effort to address activities that result in sediment loading to streams, storm water run off and impaired watersheds. Clay (iron & sediment) and Rice (sediment) Books and associated water sheds are currently on State's list of impaired waters due to storm water run off. The major contributing source is from parking lot run-off entering streams. There is some in stream erosion and uncontrolled peak flows also contributing. State storm water and water quality permitting has change since GSH project. PE is developing a plan that includes modeling and monitoring, and sets forth a program (water quality remediation plan) to restore the streams to meet the State's current water quality standards. PE has been working successfully with Stratton with similar issues. The key elements of the project incorporate measures necessary to insure stream meet water quality standards.

These measures include implementation of up to date storm water management and on mountain measures. The objective is to remove streams from impaired watershed list. This is a multi year implementation effort. The primary focus involves controlling the major contributor (parking lots) followed by implementation of the on mountain work (culvert, bridge replacement). There has been ongoing monitoring of sediment and aquatic biota to establish remediation targets, which will result in returning the streams to acceptable states over a period of time. PE does not know how long it will take for the streams to respond to the changes. Since implementation at Stratton the targets established for the first 2 years been have proven to be realistic. PE anticipates 5 years time frame for complete recovery. This is a relatively small watershed, the contributing activities are identifiable, and the number of property owners is small. It will get a bit more complex once the process begins for the Sugarbush Village area due to multiple contributing activities, and numerous property owners.

Restoration of Hotel Brook:
The Hotel Brook is a small tributary of Rice Brook that currently has a long section enclosed in a culvert. The GSH project proposed reconstruction of the stream channel, while the LPH project proposes stream restoration, which is an improvement over the previous project. This plan integrates the stream as a resource to the hotel. It is a major component of the project and, therefore, must be properly designed and engineered. The restoration proposes removing approximately 400 feet of the brook from the existing culvert while maintaining the natural channel of the brook above project site. A new 650-foot channel will be constructed using natural channel design principles. The construction components provide habitat for biota, eliminate existing intrusions (culvers and other man made features), and employs bridges or bottomless arch culverts. The new channel will include a planted and re-vegetated stream buffer.

Mr. Nelson shared photographs of the stream restoration project at Stratton, which has been successful to date. He also gave a brief overview of the new VT storm water treatment standards adding that this project will meet the new standards. Mr. Nelson added that up grading the existing storm water permits, to meet the new standards, is going above and beyond what is required, but given the desire to implement the remediation plan it is a prudent thing to do.

Five basins are proposed to handle storm water run off associated with the project, including the hotel complex, existing and proposed parking lots, and road relocation. The storm water basins employ a two-cell structure with a fore bay to traps sediment and slow the velocity of the water and a main cell to hold the water prior to release back into the watershed. Additional plantings will be included within basins to treat nutrients and further trap sediment. The current basin above CB1 is too small to serve the designated area and has not been successful. The new basins are larger than old designs; employ state of the art storm water management techniques, which has been a challenge for the area given the amount of gravel and climate.

The system handling the plaza (snow melt system) and western shedding hotel roof run off, considered clean water, is in the design stage. Goals include keeping the clean water separate from dirty water and not commingling, controlling peak volumes, and implementing an infiltration system in the area of the existing firehouse to process the un off. The engineers should have plans solidified within two weeks and will submit additional testimony at that time.

In response to Mr. Blythe's questions, Mr. Nelson explained that the proposed discharge into Rice Brook would include the two lower basins near the proposed parking lots. The Hotel basin discharges into Hotel Brook, which is a tributary of Rice Brook. There will be no discharges into Rice Brook above the sports center.

Minor remediation measures are planned for Rice Brook, including the on mountain improvements. Other contributor to be addressed in the Water Quality Remediation Plan include run off associated with the Village road network and parking lots.

The State's testing station for Rice Brook is below the Access Road. Through event base-monitoring PE has a good handle on impact locations. Again the parking lots are clearly identified as the major contributors to the degradation of the brooks.

Mr. Zschaler pointed out that Rice Brook breached its banks during the 1998 flood. The Out to Lunch bridge was repaired and stream back stabilized which caused erosion down stream by the Village foot bridge. Mr. Nelson responded that smaller contributors are still under consideration and will be address in the remediation plan. Timing for the paving of the Village parking lot and adjacent in stream repairs may need to be better coordinated.

Iron has both aesthetic and biological effects on the watercourse. One key component of the stream channel restoration includes iron seep restoration and remediation. A successful treatment strategy employs crushed limestone, which changes the pH of the watercourse, and effectively remediates old seeps while preventing new seeps.

Mr. Lisai noted that Pioneer Environmental has been responsible for the design and implementation of the 5 remediation sites associated with the snowmaking pond. The techniques employed at the snowmaking pond have been successful for the habitat restoration.

In response to Mr. Kroposki's question, Mr. Grenier pointed out the small clean stormwater collection system above the building, which will be buried under ground and runs partially under the Ski Back Trail. Mr. Kroposki added that the system has to be sloped down hill therefore the slope of trail could coincide with the slope of collection systems.

Sequencing of Project:
Breadloaf, Grenier & Pioneer are working on the construction sequencing. The State also requires a Construction General Permit, which pertains to the evaluation and review of construction related storm water impacts. Through the CGP program the detailed construction sequencing, staging, erosion control measures, timing, exposure, etc. will be identified. The early implementation of storm water control systems is anticipated. A detailed project sequencing plan is under development.

The CGP process out lines specific requirements including: addressing the seasonal nature of the project construction and related concerns; and specific months when earthwork can occur. The CGP review is a more stringent process than when the GSH was permitted thus will serve the town well because it assures erosion control practices are in place and functioning. The final engineering site plan will include site grading, contours, storm water and erosion control plans. A majority of the plans are complete with a few exceptions.

There was discussion about whether the project necessitates the Town to hire an independent consultant to review the technical aspects and/or implementation of the plans. The applicant could be obligated to cover the costs of the consultant. In some instances the State requires a neutral engineer to be onsite to monitor the work. The project requires an amended Act 250 permit, which will rely on ANR to handle the technical review; a Construction General Permit from Water Quality Division; an updated Storm Water

Permit, which may be permitted as a watershed vs. project by project; and an amendment review by the Army Corp of Engineers. Mr. Nelson testified that he is confident the town's requirements will be met by the State detailed technical review in the processes for the CGP, indirect discharge and Act 250 permits. The DRB concluded that there was no need to incur the costs necessary for local permits to shadow the State's detailed and expert examination of these technical issues for this project.

Mr. Zschaler raised concern about the construction sequencing for the Village Parking lot because the village is an area of commerce. Mr. Blythe added that the construction sequence could interrupt commercial activity in the village. The sequencing plan will consider impacts on traffic flow in the project area, village, SHARC, etc. Mr. Lisai added the construction sequence would be developed to accommodate many different needs. Mr. Monte stated the DRB would need evidence that the different needs are being accommodated. A detailed construction schedule will need to be submitted to the DRB for review.

Mr. Ackland requested that the board define the town's review standards in order for the applicant to prepare accordingly. The board generally discussed how comfortable they are relying on ANR and Federal requirements to accommodate the local requirements. The board generally agreed that the Town would rely on the State's technical expertise and permit requirements. Where specific local concerns are involved (i.e. Sugarbush Village access, traffic, etc.) the board will pay close attention.

In response to Mr. Blythe's question, Mr. Nelson replied that he does not anticipate either temporary or permanent changes to Rice Brook above the village footbridge.

Mr. Markolf asked how the underground parking garage storm water would be treated. Mr. Grenier responded that they will be required to have oil/water separators and will be tied into wastewater treatment facility.

Mr. Lisai has been meeting with the Friends of the Mad River on a monthly basis to discuss the project and remediation plan.

Mr. Monte raised concern with some of the more subjective and or vague conditions contained in the 1997/1998 permits and his desire to craft clear and definitive conditions.

The applicant will submit final construction sequence documentation for the project.

The February 12 meeting will focus on building design and possibly the design of the ski back trail if Mr. Lisai gives the go ahead on 1/31 to Ms. Wade to include the item on agenda.

Mr. Lisa asked the board to review the Resource Systems Group preliminary report and raise any questions at the 2/12 meeting.

Outstanding items include handling of clean water run off from the plaza and that side of the hotel and underground parking garage storm water run off.

MOTION by Mr. Markolf, seconded by Mr. Robinson, with exception of clean water run off and parking garage storm water accommodations, to grant conceptual approval of stormwater, protection of natural resources, erosion control, and surface water protection plans as presented this evening. VOTE: unanimous; motion carried.

III. OTHER BUSINESS

a) Signing of minutes and decision

MOTION by Mr. Markolf, seconded by Mr. Monte to approve the January 15, 2003 meeting minutes with corrections. VOTE: unanimous; motion carried.

The Sugarbush Wastewater Treatment Facility decision was approved and signed.

IV. ADJOURNMENT

MOTION by Mr. Markolf, seconded by Mr. Monte to adjourn the meeting. 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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Eric Brattstrom (date)

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Lenord Robinson (date)

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David Markolf (date)

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Peter Monte, Chair (date)