

**TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
APRIL 9, 2003**

MEMBERS PRESENT: Peter Monte, Chair; David Markolf, Vice Chair; Lenord Robinson, Eric Brattstrom, Chris Behn

OTHERS PRESENT: Bob Ackland, Jason Lisai, Margo Wade, Sugarbush Resort; Michael Kroposki, Ron Zschaler, Miron Malboeuf, Shannon Hill, 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
Items to be considered:
 - Continue Deliberative Sessions
 - 3) **Other Business:**
 - a) Signing of minutes from March 12 and March 19

I. CALL TO ORDER

Mr. Monte called the meeting 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 dining 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.

Mr. Ackland, Mr. Lisai and Ms. Wade came before the board on behalf of the applicant.

STAFF REPORT

This meeting is a continuation of the December 18th, January 15th, January 29th, February 12th and the March 27th hearings.

Ms. Hill received a copy of the material Sugarbush submitted to the state for their amended Act 250 application.

DISCUSSION

The DRB received the following updated and/or new application material:

- Memo dated 4/7/03 addressing concerns of the DRB
- Updated list of exhibits
- Updated landscape and lighting plans with lighting specifications
- Updated stormwater plans
- Updated architectural plans
- Letter from Eric Hanson of Pioneer Environmental Associates

- Exhibit #25 – Preliminary signage plans
- Exhibit #26 – Sugarbush village parking lot data
- Exhibit #27 – Lodge at Lincoln Peak square footage and parking counts
- Exhibit #28 – Proposed traffic management plan

The DRB reviewed the Memo submitted by Mr. Lasai, dated April 7, 2003, in response to the DRB's comments made at the 3/27/03, Mr. Borel's 3/27/03 letter, Mr. Zscheler's 3/22/03 letter, and Mr. Blythe's two 3/27/03 memorandums.

Signs

The DRB will only review the signs leading people away from West Hill Road and the sign leading people through the Lodge and into Sugarbush Village. All other signs will require an additional application and will be reviewed by the zoning administrator. The SE maps in the application notebook indicate the locations of the proposed signs.

Parking

Sugarbush submitted an updated parking plan, page 5 of Exhibit #16 dated 3/19/03 and revised 4/02/03, which indicates a reduction in the number of parking spaces from 92 to 85, and incorporates more traffic flow and a truck delivery area. The entrance to the underground parking area has not changes. There will be no additional owner parking privileges at the Lodge.

Exhibit # 26, Village Parking Lot Space Requirements, indicates that Chez Henri can accommodate 140 seats. The DRB believes this number is too high and requested Sugarbush determine the licensed capacity.

The maximum number of parking spaces required to serve the village at full capacity is 109. However, the DRB realizes that the current standard requirements limit the space available in the Village Lot and therefore there cannot be as many spaces as there are now. Sugarbush is willing to allow public parking to service the Village Parking Lot, however there will not be overnight parking allowed for guests of the Lodge and the general public.

The DRB proposed a permit condition to state, "With the exception of overnight parking, Sugarbush will allow public access to the Village Parking Lot to provide, to the extent possible, space for traditional users in Sugarbush Village. They will, to the extent possible, preclude day skiers from parking in the Village Parking Lot to maximize the number of spaces available to the village".

The memo from Mr. Lisai, dated 4/7/03, offered a proposed condition #24 on page 2 that seems to fulfill the DRB's request.

Mr. Zschaler reserves the right to comment on the new material Sugarbush submitted at the next meeting. The DRB will continue their discussion on the Village Parking Lot updated plan after they receive comments from Mr. Zschaler and the Warren Fire Department.

Stormwater

The DRB received a letter from Mike Blazewicz, the Friends of the Mad River's Watershed Coordinator, to inform the DRB of their ongoing positive dialogue with Sugarbush Resort.

Pioneer Environmental Associates completed a round of static water level measurements at wells 1, 2, 3 and 4 to compare the current water levels with the results from 1996. The board will review the information submitted.

Bond

Sugarbush will review the issue of a bond and make a recommendation to the DRB.

The DRB suggested that Sugarbush place a bond on each project individually from the start to the completion of the project. Each project will be considered "complete" when the certificate of compliance is issued. Mr. Malbouf, the Zoning Administrator, would oversee and release the bonds.

The DRB would also like a separate bond for temporary site work. The site work, if abandoned, would initiate a serious erosion risk and be costly to the town to remediate.

Fire Protection

Sugarbush has scheduled a meeting with the Warren Fire Department for Thursday, April 10, 2003 to discuss the fire station specifications and the fire protection services for the lodge.

Subdivision Map

Sugarbush will submit to the DRB a map indicating the boundaries of the subdivided lot for the Lodge to the DRB.

Other Issues Discussed

Mr. Malbouf, the Zoning Administrator, requested the DRB include the exact square footage and specific number of units in the finding of facts so he would be clear on what is permitted.

Sugarbush may want to use another ski able material for the tunnel through the Lodge leading people to Sugarbush Village.

Sugarbush requested the DRB not include the condition from the prior permit prohibiting them from checking in off-site guests at the Lodge. They would like the flexibility to have guests staying in the condominiums check in at the Lodge. They currently rent out 120 condominium units. The loop parking area in front of the Lodge can accommodate 6-parked cars.

Motion by Mr. Markolf, seconded by Mr. Brattstrom, to not impose restrictions on off-site check-ins at the Lodge. VOTE: unanimous; motion carried.

Applicants Proposed Finding of Fact and Notice of Decision

The DRB reviewed each condition from the Applicants *Proposed Finding of Facts and Notice of Decision* dated 3/19/03. The following is a summary of the DRB discussion on each proposed condition. The bold text indicates new and/or changed language. The word “deferred” indicates the board has decided to wait to discuss the condition. The condition numbers are the same and listed in the same order as the applicants *Proposed Finding of Facts and Notice of Decision* dated 3/19/03.

I. General Conditions:

1. The DRB will change the first condition to state as follows:
The project shall be constructed and used only in accordance with the terms, plans, procedures and specifications as stated:
 - In the application, as amended,
 - All exhibits furnished by the applicant,
 - All findings of fact and conclusions stated above in this decision, and
 - Approval of the Subdivision Plat by the DRB.
2. The language will be changed to read:
Detailed construction sequencing will be **as provided in Exhibit #24**. Sequencing shall be coordinated with village businesses and events to minimize disruption.
3. The word “town” will be replaced with the “Development Review Board”.
4. Delete Condition – Already stated in Condition #1.
5. The language will be changed to read:
~~6.~~ Within **60-days** of the issuance of this permit for the Project, the Applicant will provide a bound volume that includes all written and drawn documents relating to this permit. The contents of this volume shall be **initially by the DRB**. Such approval is limited only to identification of documents and attachments to be included. Any proposed amendments shall be provided in a similar bound volume, the contents of which will be approved by the Board. (1998 Permit – Condition 77)
6. Deffered.

II. Wastewater Disposal, Water Supply and Utilities

7. OK as is.
8. Delete
9. The language will be changed to read:
All utilities for the Project shall be located underground, including power, propane supply lines, telephone, fiber optics and television cable. The propane storage tank for the Lodge, located adjacent to the Snowmaking

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Control Building will be above ground and screened by a fence. Wherever feasible, utility corridors will be shared with other utilities, roads and parking lots so as to minimize unnecessary clearing. (1998 Permit – Condition 35)

III. Parking, Traffic, Roads and Pedestrian Access

10. Delete Condition.

11. OK as is.

12. OK as is.

13. OK as is.

14. The language will be changed to read:

The traffic control related conditions contained herein should not be construed as to supersede traffic monitoring and parking count requirements mandated by the 1983 MOU **as updated from time to time**.

15. OK as is.

16. The language will be changed to read:

Shuttle bus service transportation will be provided when lots **G, H and I** are **open and directed by the resort to be** used for guests.

17. Ok as is.

18 & 19. The two conditions will be combined and the language will be changed to read:

The following pedestrian paths shall be completed and shall be installed in conjunction with the Project completion:

- the parking and village area path
- the path from Sugarbush Village Road to the Warren House (f/k/a/ Sam Rupert's)
- the Sugarbush Inn/Club Sugarbush complex path

20. Ok as is.

21. Ok as is.

22. Ok as is.

~~30~~.23. The language will be changed to read:

All Lodge refuse will be contained within a gasketed and sealed compactor at the designated Lodge trash storage area until removed from the Lodge property.

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24. Deferred.

25. Deferred. The DRB would like the specific easements to be listed in the permit.

IV. Landscaping, Lighting and Signage

~~30~~26. The language will be changed to read:

As proposed, all site lighting will employ downward focused fixtures so as to reduce potential glare. Parking lot lights will be on timers and will be managed according to plans (see Exhibit #8).

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27. Deferred. The DRB would like to replace this condition with the standard *Specimen Text for Landscaping Plans in Zoning Permit*.

28. Deferred. The DRB would like to replace this condition with the standard *Specimen Text for Landscaping Plans in Zoning Permit*.

~~30~~29. The language will be changed to read:

Applicant shall install signage directing vehicles to VT 100 via the Sugarbush Access Road and discouraging travel via West Hill/Inferno Road in accordance with the plan.

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~~30~~30. The language will be changed to read:

~~43~~All directional signage shall be installed in coordination with the construction sequence. Signs not specifically approved in this application will need a zoning permit.

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31. OK as is.

The DRB will continue reviewing the Applicants *Proposed Finding of Facts and Notice of Decision* at the next meeting.

III. OTHER BUSINESS

a) Approval of meeting minutes

MOTION by Mr. Monte, seconded by Mr. Robinson, to approve the March 12, 2003 meeting minutes as submitted/corrected. VOTE: unanimous; motion carried.

MOTION by Mr. Robinson, seconded by Mr. Brattstrom, to approve the March 19, 2003 meeting minutes as submitted/corrected. VOTE: unanimous; motion carried.

MOTION by Mr. Markolf, seconded by Mr. Behn, to approve the Ritchie Subdivision Conditional Use Permit as submitted/corrected. VOTE: unanimous; motion carried.

IV. ADJOURNMENT

MOTION by Mr. Brattstrom, seconded by Mr. Behn, to adjourn the meeting. VOTE: unanimous; motion carried.

The meeting adjourned at 10:20p.m.

Respectfully submitted,
Shannon M. Hill
DRB/PC Assistant

DEVELOPMENT REVIEW BOARD

Chris Behn (date)

Eric Brattstrom (date)

Lenord Robinson (date)

David Markolf (date)

Peter Monte (date)