

**TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
MARCH 27, 2003**

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

OTHERS PRESENT: Bob Ackland, Jason Lisai, Margo Wade, Sugarbush Resort; Joyce Westcott, Adrienne Brady, Robert Aldred, Bradford Cook, MRV Ambulance Service Representatives; Michael Kroposki, Ron Zschaler, Butch Hartshorn, Miron Malboeuf, Henri Borel, David Blythe, Jay Staunton, 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: Begin Deliberative Sessions
- 3) **Other Business:** Signing of minutes and decisions

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 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.

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, and the February 12th hearings.

Mr. Blythe will not be able to attend the meeting until 9p.m. and has requested the DRB wait to discuss the Village Parking lot until he arrives.

The applicants Proposed Finding of Facts and Notice of Decision was received on March 19th and distributed to the DRB members and all interested parties.

DISCUSSION

The new submittal material included:

- Updated List of Exhibits
- Exhibit 8 - Updated Landscape Plans
Replaces the Previous Exhibit 8-Landscape Plan &
Exhibit 9 - Detailed Landscape Plans
- Exhibit 24 - Preliminary Construction Sequence

Ms. Wade presented the DRB with a “DRB hit list” identifying items discussed during the review process that were left unresolved and/or need to be discussed further during the past hearings.

Sugarbush requested the DRB review the fire station at the end of the deliberation since they are still in the process of working on the design.

The Village Parking lot is going to remain as designed. Sugarbush has no plans to change the parking lot based on the discussion at the prior meeting.

Mr. Cook, president of the Mad River Valley Ambulance Service, came before the board to discuss using the third bay in the fire station for an ambulance. The DRB elected to invite Mr. Cook to participate in the discussions between Sugarbush and the Fire Department and in hearings once the board has received the fire station plans.

Sugarbush plans to re-design the base area and include an ambulance bay in the clinic area of the base lodge.

The DRB requested the public take notes during the meeting and time would be allotted at the end of the meeting to discuss any concerns.

Motion by Mr. Behn, seconded by Mr. Markolf to close the public participation and begin deliberations. VOTE: unanimous; motion carried.

The board reviewed the comments submitted by Ron Zschaler, Henri Borel and David Blythe.

The concerns of the board and interested parties discussed during the hearing included:

1) Notification of Permit Violations - Miron will not be notified by Sugarbush if they violate their wastewater permits. The State of Vermont will notify Miron Malboeuf in writing of any violations.

2) Bond – The board discussed the issue of a bond. If the developer disappears, how much will it cost the town to go in and fix it? Since the project is being completed in phases, the bond would be the cost of repairs for the “worst finish cost” not the aggregate cost of everything. No decision was made.

3) Signage – Since signs are the solution to some potential problems, the DRB would like to see the “significant” signs prior to issuing a permit. Mr. Ackland is willing to have signs on the hotel and nearby trails that would guide people to Sugarbush Village. There will also be a sign guiding people down the Access Road and away from West Hill Road.

4) Fire Access – The DRB is concerned that the board should not approve incomplete plans. Is it the boards business since Sugarbush is bound to the state laws?

5) Traffic Patters – The board would like to see the Village Parking Lot reconfigured to have better traffic flow.

6) Act 250 – The board discussed including the acquisition and compliance with an Act 250 permit by the applicant as a condition of the local permit, if one should be issued. If the board does include this condition, a violation of the Act 250 permit will trigger a local violation.

7) Paths – Since Sugarbush does not own all of the land between the base area and the Sugarbush Inn, they would need to use the town right of way for part of the path. Sugarbush is willing to make a path on the land they own. The location of the proposed path is indicated on the ortho photo map.

8) Stormwater - The board asked Sugarbush to request a letter of support from the Friends of the Mad River. Mr. Lasai does not think that the FMR will issue such a letter because it may be against their mission. Mr. Lasai will put together a summary of the meetings instead. Although the DRB will be relying mostly on the state’s opinion of the stormwater issue, they would still like to consider the opinion of the local environmentalists.

9) Receiving – The hotel will only receive goods for the hotel, not the entire resort.

10) Subdivision for PRD– The DRB would like to see the Parcel boundaries for the parcels that go with the condominiums. Ownership will change over from Sugarbush to the condominium association. Sugarbush will be responsible for permit compliance until the construction is complete at which time the condo association will take over the responsibility.

11) Condominium Declaration - The DRB is interested in seeing the condominium declaration.

12) Parking - There is not enough parking to include 1 parking space for each 4 seats in the restaurants. Sugarbush believes the ski area parking will be empty at night and therefore will open up parking for the restaurant. Valet parking will also be available.

There is a discrepancy between the maximum parking spaces in the Village Lot as counted by Sugarbush and Ron Zschaler. Sugarbush counted the number of vehicles as often as they could.

Mr. Ackland feels that anyone could use the Village Lot, but he does not believe that Sugarbush has a legal obligation to provide parking for the village.

Sugarbush stated that the total maximum parking requirements for Sugarbush Village, including employees who work in the village, ranges between 86 and 94.

Sugarbush tried to maintain the same number of parking spaces, and have compromised the functionality of the lot. They would prefer to eliminate spaces and make the lot more functional. The DRB agrees that it would be better to sacrifice spaces and re-organize the lot.

The DRB requested that Sugarbush calculate the total number of parking spaces required based on the strict application of the zoning regulations.

13) Other Concerns: Mr. Hartshorn, the chief of the Warren Fire Department, is concerned that the DRB is in "way over their heads". His top concerns are the magnitude of the project, the traffic that will be created and the limited housing in the Mad River Valley.

Mr. Hartshorn requested Sugarbush include a fire lane in the Village Parking Lot that could also be used by the valley bus. He reviewed the Village Parking Lot Design when it was first submitted, and it subsequently changed. He is frustrated that when he spends time reviewing information it changes and he must review the information all over again.

The DRB explained that Sugarbush makes the changes at their request. Mr. Ackland is willing to have no overnight parking in the Village Lot so the lot could be properly maintained.

Mr. Borel requests a condition of the permit, if one is issued, that allows Chez Henri customers to park in the Village Lot. The board suggests Mr. Borel work out a deed with Sugarbush.

The DRB will continue to accept evidence from both Sugarbush and interested parties.

Mr. Markolf will set up a meeting between the Warren Fire Department and Sugarbush to try to complete the fire station design and complete the final recommendations.

Mr. Hartshorn requested a 3-D clay model from Sugarbush. Mr. Lisai feels this request is above and beyond normal planning and offers to sit down with Mr. Hartshorn and go through the cross sectional drawings of the building.

The DRB suspects a detailed plan for the sprinkler system would alleviate some of the concerns about fire protection.

Motion by Mr. Markolf, seconded by Mr. Behn, to continue the deliberative session to April 9th at 7:30 at the Warren Municipal Building.

III. ADJOURNMENT

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

The meeting adjourned at 10:12 p.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)

Cc: Applicant
MRVPD
Town Clerk
Consultant
Interested parties
Applicant File
Post