

**Town of Warren  
Development Review Board  
Minutes of Meeting  
Monday, August 7, 2023**

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

Members Present: Chris Behn, Devin Klein Corrigan, Megan Moffroid, Peter Monte (Chair), Jeff Schoellkopf (Vice-Chair).  
Staff Present: Ruth Robbins (ZA), Carol Chamberlin (Recording Secretary)  
Others Present: Kevin Babic (Sugarbush), David Conger (Dubois & King), Jon Hammond (Sugarbush), Mark Herrmann (SHOC), Steve Roy (WLA), Margo Wade (Sugarbush), Jim Westhelle (Sugarbush)

The meeting was called to order at 7:03 pm.

**Application #2023-02-CU-PUD** submitted by Sugarbush Mountain Resort for Final Plan Review for the redevelopment of the former Rosita's Restaurant site and a change of use at the adjacent former Sugartree B&B. The Rosita's project proposes creation of a four-story building housing 28 studio apartments (seven on each floor) along with four floors of congregate living. The congregate living units meet the definition of Boarding House. Each Boarding House contains 24 single occupancy bedrooms with shared living, dining, kitchen and bathroom facilities. A total of 38 residential units are proposed at the sites. Twenty-eight studio apartments and 8 boarding houses within the Rosita's building and one single family and one boarding house at Sugartree. The Rosita's Building contains a total of 192 single occupancy bedrooms and 28 studio apartments. The Sugartree property contains a three-bedroom single family home attached to a 10-room boarding house (former Inn) and will typically house 25 residents. This application also includes a boundary line adjustment with an adjacent parcel that is owned by the Resort. The property is located at 2500 Sugarbush Access Road and is comprised of 13.59 acres +/-, parcel id # 005009-6 and the adjacent parcel involved with the Boundary Line adjustment is parcel id # 250030, located over two zoning districts, Vacation Residential & Sugarbush Village Commercial. Sketch Plan Review for this project took place on January 30, 2023. Preliminary Plan Review was held on April 17, 2023.

This Final Plan Review is continued from August 7, 2023.

Ms. Wade pointed out some adjustments made to the plans, documentation of which had been included in the most recent application submissions.

She outlined that there had been some discussion regarding adjusting the property line boundaries to accommodate the additional .3 acres required to allow for the full number of units previously included in the plans; but that the Resort has decided to keep the Boundary Line Adjustment request as proposed and reduce the number of studio apartments to be included on the ground floor of the new building so that the number of units would be allowable on the acreage as proposed. She indicated that the space would instead be used for storage, or potentially as a management office.

Ms. Wade then noted that recommendations regarding more efficient use of the SHARC parking area had led to a redesign of the spaces, allowing for an additional 10 spaces, for a total of 67. These SHARC spaces, plus the 12 at the new building location and 14 at the Sugartree site, brings the total number of dedicated spaces to 93. Additional parking at the upper tennis court area (92 spaces) and east of the Warren House (61 spaces) allows for 153 overflow/potential future spaces.

Ms. Wade summarized that the total spaces outlined in the most recent plans submitted are therefore 246, and the total required by the standards in the Regulations is 261; a waiver request has been submitted to allow for this difference.

There followed a discussion of what reporting requirements related to parking would be included in permitting the project, and what triggers would be established to ensure that additional designated parking will be made available if there is a greater need than anticipated at this time. Ms. Wade outlined proposed plans to conduct a count of vehicles parked on site for two peak capacity days at the housing location and to establish a trigger of consistently reaching 90% parking capacity at the designated lots. She also noted that the Resort will be issuing parking permits for employees housed at these properties. Board members provided various reasons for requesting that reports, including the number of permits requested, be provided on an annual basis. It was explained that it needs to be clear going forward that the partial forgiveness of the required number of spaces is justified, whether due to occupancy by a population of employees more likely to have vehicles or some other reason.

It was discussed that some of the overflow parking areas would need to be vetted for stormwater permitting and other criteria if they were to become designated parking for the site, and that having a reporting mechanism that is available on at least an annual basis is necessary in order to adequately anticipate any need for expansion of the designated parking.

**MOTION** by Mr. Schoellkopf to, based upon the overall plan submitted, require a minimum of 88 parking spaces for residents on build out, with five additional spaces to be allocated for service and maintenance vehicles. **SECOND** by Mr. Behn. **VOTE:** All in favor, the motion carries.

**MOTION** by Mr. Monte to condition approval upon limiting parking on the premises to be by permit only, and rigorous enforcement of the permit requirements by the applicant. **SECOND** by Ms. Klein Corrigan. **VOTE:** All in favor, the motion carries.

**MOTION** by Mr. Monte to condition approval upon the applicant providing an annual report regarding parking on February 1 of each year following initial occupation of the project. **SECOND** by Ms. Klein Corrigan. **VOTE:** All in favor, the motion carries.

**MOTION** by Mr. Monte to require that the annual parking report will consist of the number of permits issued for resident spaces, the number of permits requested for resident spaces, and physical counts of cars parked in designated residential spaces at three peak occupancy times to be determined by the applicant, to be reported to the DRB as scheduled. **SECOND** by Ms. Klein Corrigan. **VOTE:** All in favor, the motion carries.

**MOTION** by Mr. Monte to impose a condition that, if for two consecutive years a report indicating 90% of residential parking capacity has been requested, additional review of parking requirements by the DRB will be triggered. This trigger will require that the applicant either apply to the Town and all other relevant authorities to construct additional dedicated parking to meet the additional demand or to request a further waiver. **SECOND** by Mr. Schoellkopf. **VOTE:** All in favor, the motion carries.

**MOTION** by Mr. Monte to condition approval upon a stipulation that the tennis court parking sites at SHARC and at the gravel storage space located east of the Warren House, both indicated in the 'A' plans submitted, must be designated as reserve parking on the final plat, and shall be reserved to provide future expansion of adequate space to be designated for residential parking for this project, unless there is a future alteration of this requirement by the DRB. **SECOND** by Ms. Klein Corrigan. **VOTE:** All in favor, the motion carries.

**MOTION** by Mr. Monte to find, given the composition of the current workforce and their patterns of automobile ownership, that 93 total parking spaces will be adequate for initial occupancy, and that the applicant has demonstrated the availability of additional parking space within reasonable walking distance should more space for parking become necessary. **SECOND** by Mr. Schoellkopf. **VOTE:** All in favor, the motion carries.

The Board next reviewed with Ms. Wade the suggested topics for findings and outline of standards which she had provided upon the request of the Board.

Ms. Wade noted that potential future EV charging parking is now indicated on the plans submitted; at this point there is no demand for EV charging from the relevant population.

**MOTION** by Mr. Schoellkopf to find that the layout of the drive aisles and the parking spaces is in compliance with the Town standards and is currently under review by the Warren Fire Department (WFD). **SECOND** by Ms. Klein Corrigan. Some details were outlined for the Board members. **VOTE:** All in favor, the motion passes.

Ms. Wade explained that sample easement language was available, and that some easements already exist while some have been drafted but not yet executed. No example of language for an easement with Waitsfield Telecom was yet available. Mr. Monte explained that the need for any easements related to the project is covered in the standard approval language for all applications, as this documentation is necessary for the project to be developed as outlined in the plans submitted.

Next it was noted that nothing in the plans related to the stream relocation has changed since the previous meeting. Ms. Wade indicated that new stormwater infrastructure will primarily allow for ground absorption, with drainage to the culvert only intended during overflow conditions. It was noted that stormwater will be addressed as planned and approved by the State, and the applicant will report to the DRB any changes that are required within the Town's purview.

Ms. Wade confirmed that trucks needing to access the Mountain Water System tanks will have sufficient width to drive through the site, and will be directed to go one way through to the exit.

Regarding signage for emergency personnel, Ms. Wade explained that the wings have been labelled and the rooms are now numbered so that rooms can be identified; all has been set up to be 911 compliant, and there are no duplicate addresses. Exterior signage consists mostly of traffic/parking indicators, and it was agreed that handicapped and service vehicle signage will be installed, as well as signs indicating that parking is by permit only. It was also suggested that the road and parking area have 'no through traffic' signs installed, and an automatic gate was discussed as a future possibility.

Ms. Wade explained that detailed sprinkler information is typically not developed until construction plans are drafted, but she pointed out the sources for the sprinkler system and noted that there are now emergency phones planned for installation on each floor, one on each wing and one in the central area. Board members acknowledged that this information is included in the plans as a proposed configuration.

Ms. Wade noted that, although not requested, a Management Plan was included in the application materials.

She then pointed to the exterior lighting plan included in the materials, which contains additional data, as well as a depiction of light shadows. The lighting will be sufficient to provide safety, and will be downcast and shielded. There will be daylight sensors, but no occupancy sensor, so the lights will be on during all non-daylight hours. Ms. Wade indicated that there are no residences below the site and the lighting, only the Telecom building sits below the lighted areas.

Regarding the provision of a letter of support from the MRVPD regarding the project, Ms. Wade explained that she worked with Joshua Schwartz to draft the September 27 document included in the application materials. This document provides related data and indicates the clear increase in the availability of employee housing units, which will help relieve the pressure on local housing availability. She also noted that the Resort is not opposed to summer use as workforce housing by other local businesses. There was some discussion related to the affordability of the units, with Mr. Schoellkopf pointing out that the proposed interior structure, including shared amenities, is a key support for this project delivering affordable employee housing.

**MOTION** by Mr. Schoellkopf to condition approval upon there being no material alterations to the maximum number of occupants allowed or interior configuration of the buildings included in the project without additional DRB review. **SECOND** by Mr. Monte. **VOTE:** All in favor, the motion carries.

**MOTION** by Ms. Klein Corrigan to require that as-built plans be submitted to the Zoning Administrator for this project. **SECOND** by Mr. Schoellkopf. **VOTE:** All in favor, the motion carries.

As requested, Ms. Wade had provided an outline of suggestions for which standards in the Regulations need to be addressed, and how the project as proposed satisfies those requirements. The Board agreed in most cases to accept the substance of the language proposed by Ms. Wade, as noted in the related motions below.

**MOTION:** A motion to accept the substance of the proposed language for **Section 5.3 (A)(1)** passed unanimously.

*Proposed language: The project as proposed does not pose undue demand on or exceed the capacity of existing facilities or services such as schools and emergency services, since families with children are not the majority population to be housed in the proposed Rosita's and Sugartree workforce housing buildings, and ability to service letters are forth coming from the Warren Fire Department and the Mad River Valley Ambulance Service.*

Mr. Monte offered a reminder that the letters from WFD and Mad River Valley Ambulance Service (MRVAS) will need to be submitted before a decision is issued.

Ms. Wade explained that an updated traffic report had recently been received from Dubois & King, and that the applicants have not yet had an opportunity to discuss its contents.

**MOTION** by Mr. Monte to find that this project will not negatively impact traffic on roads in the vicinity. **SECOND** by Ms. Klein Corrigan. **VOTE:** All in favor, the motion carries.

**MOTION:** A motion to accept the substance of the proposed language for **Section 5.3 (A)(4)** passed unanimously.

Proposed language: *As demonstrated in associated project submittals and as included above, the project as proposed conforms to municipal bylaws and regulations and is in conformance with the policies of the Warren Town Plan.*

**MOTION:** A motion to accept the substance of the proposed language for **Section 5.3 (A)(5)** passed unanimously.

Proposed language: *The project as proposed incorporates efficient use of energy and includes renewable ready designs. The project will not reduce availability of renewable energy resources or by eliminating nearby property owners' access to such resources.*

It was acknowledged that the building, while large, is situated appropriately against the hillside and is not out of context with the surrounding development.

**MOTION:** A motion to accept the substance of the proposed language for **Section 5.3 (B)(1)** passed unanimously.

Proposed language: *The project as proposed is redevelopment on a previously developed site, designed to nestle the proposed building onto the parcel at the bottom of an existing slope and is consistent with existing buildings and development patterns in and around the Lincoln Peak base area and zoning districts (Sugarbush Village Commercial, Sugarbush Village Residential and Vacation Residential).*

**MOTION:** A motion to accept the substance of the proposed language for **Section 5.3 (B)(2,3,4)**, with the understanding that letters of approval from WFD and MRVAS will be received before a decision is issued, passed unanimously.

Proposed language: *The project as proposed provides for: 2) safe and appropriate traffic circulation and access routes; 3) separate bicycle and pedestrian routes and sidewalks, which connect to planned adjacent bicycle and pedestrian facilities; 4) adequate onsite and nearby off-site vehicle parking, with additional parking area capacities identified should additional parking be needed in the future.*

No significant changes to the landscaping plans had been made, Ms. Wade noted that there will likely be additional plantings along the stream. There was some discussion of the trees currently screening the Telecom building and potential damage caused by this development. Board members requested that Ms. Robbins determine if the Telecom permit required that screening be maintained. It was agreed that the standards of **Section 5.3 (B)(6)** will be reviewed for approval at the next continuation of this hearing.

**MOTION:** A motion to accept the substance of the proposed language for **Section 5.3 (B)(5)** passed unanimously.

Proposed language: *The project as proposed provides for: 5) management of trash and recyclables within the building, and collection and disposal at the resort's central waste management area.*

**MOTION:** A motion to accept the substance of the proposed language for **Section 5.3 (B)(7)** passed unanimously.

Proposed language: *The project as proposed will not have an undue adverse effect or impact on important natural resources or fragile features located on the parcel, including wetlands, steep slopes,*

*rivers and streams, critical wildlife habitat and habitat diversity, groundwater source protection areas, and/or flood plains identified in the Warren Town Plan or through field investigation.*

**MOTION:** A motion to accept the substance of the proposed language for **Section 5.3 (B)(8,9)** passed unanimously.

Proposed language: *With acquisition of Operational and Construction Stormwater permits, and a Stream Alternation permit issued by the Vermont Department of Environmental Conservation, which permits once secured, will be submitted to the Zoning Administrator, the project as proposed will manage stormwater in accordance with Sections 3.4 and 7.5, and protect streams and wetlands in accordance with Section 3.13.*

**MOTION:** A motion to accept the substance of the proposed language for **Section 5.3 (B)(10)** passed unanimously.

Proposed language: *The project as proposed will provide appropriate site lighting while minimizing undesirable effects, provide minimum exterior lighting for safety and security, with downcast, shielded and low energy use fixtures.*

**MOTION** by Mr. Schoellkopf to find that the standards outlined in **Section 5.3 (B)(11)** are either not applicable to the project or are satisfied by the application materials submitted and conditions imposed. **SECOND** by Mr. Monte. **VOTE:** All in favor, the motion carries.

**MOTION** by Mr. Monte to approve the Conditional Use portion of Application 2023-02-CU-PUD, subject to reopening the hearing if at the time of issuing a decision the Zoning Administrator has not received the support letters from WFD and MRVAS, and reserving the opportunity to reconsider before signing a decision depending on the materials presented for landscaping and screening plans. **SECOND** by Ms. Klein Corrigan. **VOTE:** All in favor, the motion carries.

**MOTION** by Mr. Schoellkopf to continue the hearing for Application 2023-02-CU-PUD until October 16, 2023 at 7 pm. **SECOND** by Ms. Klein Corrigan. **VOTE:** All in favor, the motion carries.

**Application #2023-07-CU** submitted by Jared and Amantha Rouleau for a Conditional Use approval for the addition of fill in excess of 1000 or more square feet creating a gradient of 15% or more resulting in a steep to very steep slope. The property is located at 143 Buck Road, consisting of .65 +/- acres, parcel ID # 417043 in the Warren Grand List and located in the Alpine Village Residential District.

Ms. Robbins informed the Board that the applicants have requested continuance until they provide notification that they have the materials requested and are ready to proceed.

**MOTION** by Mr. Schoellkopf to continue the hearing for Application 2023-07-CU until October 16, 2023 at 7 pm. **SECOND** by Ms. Klein Corrigan. **VOTE:** All in favor, the motion carries.

**Other Business:**

No other business was taken up by the Board.

The meeting adjourned at 9:55 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

**Development Review Board**

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Peter Monte, Chair      Date

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Chris Behn                      Date

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Devin Klein Corrigan      Date

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Megan Moffroid              Date

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Jeff Schoellkopf              Date