November 18, 2011

Peter Monte, Chairman
Development Review Board
Town of Warren
Warren, VT 05674

Re: Summit Ventures NE LLC Application 2011-15-SD/PRD

Dear Peter:

I am unable to attend the November 21st Sketch Plan Meeting and would appreciate the Development Review Board consideration of the following:

I along with Miron Malboeuf are principles in Sugarbush Village Real Estate which is the corporate owner of two commercial condominium units located within the center of Sugarbush Village. Both properties were approved for construction by the Town of Warren Planning Commission and Act 250 during the period of 1978 -1979:

Mountainside Commercial Condominium C2: Is currently the office of Sugarbush Investment Properties, a Real Estate Brokerage firm. Between 1983 and mid 2010 this space was leased to Sugarbush Village Condominiums (SVC). The use during since 1983 was continuous as an office for the rental of independently owned condominiums, guest check-in, housekeeping services, and other related guest and condominium owner hospitality services. In 2010 these administrative functions were incorporated within the Mountainside C3 space which SVC also leased.

Mountainside Commercial Condominium C3: Currently the office of Sugarbush Village Condominiums. This property has had continuous usage as a rental and check-in office from 1983. In 2010 the SVC usage of Mountainside C2 was incorporated within C3 premises.

As with previous base area development applications I urge the DRB to honor the long standing existence and use as the Sugarbush Village Parking Lot for the benefit of the previously permitted commercial development within the core of Sugarbush Village. The Mountainside C2 & C3 properties are part of an approved plan of development which included the requirement of adequate parking in accordance with the then applicable Town of Warren Zoning regulation.

This concern is not new as it has been acknowledged in previously issued permits along with mention in an approved Traffic Management Plan which is part of the Lincoln Peak Permit. Previous applicant submittals indicate parking for 83 -103 vehicles within the Sugarbush Village Parking Lot even though I have counted over 125 vehicles which I assume were weekend and holiday day skiers and /or season pass holders.

Any reduction of currently available public spaces, delivery vehicle limitations, shuttle bus access, emergency vehicle access will each subject the Village Commercial properties and occupying business to additional inconvenience.

It should be noted that the above listed Mountainside properties were referenced to as "two commercial buildings" in a December 14th, 1978 to the Agency of Environmental Conservation, to which Sugarbush Valley Inc (then owner of the Mountainside land being proposed for development) was a co-applicant.

Very truly yours

Ronald A. Zschaler
Sugarbush Village Real Estate, Inc
RR#1 Box 68-21
Warren, VT 05674

RECEIVED
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RVR

cc: File
encl: Sidel Letter December 14, 1978

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PETER S. SIDEL *Attorney at Law*

P.O. BOX 115, ROUTE 100
WAITSFIELD, VERMONT 05673
802-496-3277

December 14, 1978

Mr. Paul Nergaard
District Coordinator
Agency of Environmental Conservation
P.O. Box 586
Waterbury, Vermont 05676

Re: #5W0504 - 90 Unit Condominium

Dear Mr. Nergaard:

At the Pre-Hearing held on December 4, 1978 relative to the proposal by Sugarbush Village Associates and the co-applicant, Sugarbush Valley, Inc. for construction of 90 condominium units, it was apparent that there was an omission on the application relevant to two commercial units. The omission was that the application did not clarify that there would be two buildings in addition to the condominium units which would be for commercial purposes. In keeping with the agreement of the parties at the Pre-Hearing, being the applicants, Steven Sease, Jeff Squires, Robert Finucane and yourself, I indicate by this letter the appropriate changes to the application relative to the commercial spaces.

Paragraph 3 of the original application shall be changed by adding to the description of the project the following:

a. Two commercial buildings, each building being 30 X 50 feet for its outer dimensions and approximately 3,000 square feet of floor space. These buildings shall be for commercial purposes, being of a retail nature or service oriented; it shall not include for purposes of this application restaurants or other establishments requiring food preparation or the sale of food.

   Appropriate plans are presently being drafted. They will be submitted as soon as is practicable. Please note that there is certain difficulty in indicating at this time the exact use of the commercial space. Therefore, any concern by the Agency of Environmental Conservation as to the nature of the commercial space appears to be satisfied by the requirements of the public permits prior to occupancy. By copy of this letter to them, I request a written letter indicating their concerns.

I would like to add at this time that on December 11, 1978 the local Planning Commission for the Town of Warren had a meeting and has agreed to the project. The presentation to them at that meeting included not only the residential condominium units as originally indicated on the application but the two commercial units as discussed in this letter and as shown on the model and the plans already submitted.

As indicated in this letter I have sent a copy of it to the various persons entitled to party status.

Sincerely,

Peter S. Sidel

PSS/bds

cc: State of Vermont, Agency of Environmental Development
Central Vermont Regional Planning Commission
Selectmen of the Town of Warren
Local Planning Commission of Warren