

TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
MINUTES OF MEETING
MONDAY DECEMBER 19, 2011

Members Present: Lenord Robinson, Tom Boyle, Peter Monte, Don Swain, Virginia Roth and Chris Behn.

Others Present: Tim Seniff, Win Smith, David Blythe, Gale & Jim Cutchins, Barbara Brady, Jeff Schoellkopf, Jim Edgcomb, Brook Weston, Cindy Carr, Art Kuigo, Pete Delany, Mike Fennelly, Rob Milanette, Henri Borel, Bernard Perillat, David Sellers, Alex Peff, Michael Willard, Jason Lerner, Elias Winthrop, Francois Borel, Joel of CJA Assoc., Dino Valadakis, Jim Roettger, Kevin Cortland, Mark Daly, Ken Walker, Siobhan Tully, Robert Milanette, Margo Wade, Mark Hamelin, Katherine Holder, Miron Malboeuf and Ruth Robbins.

Agenda: Call meeting to order, 7:00 pm.

1. Hearing:

Preliminary Plan Review- Summit Ventures NE, LLC. Subdivision/PRD: Summit Ventures NE, LLC has submitted an application for Preliminary Plan Review (application 2011-15-SD/PRD). The applicant seeks approval for Phase II of the Lincoln Peak Base Area Development Project.

The applicant proposes a multi year project, which consists of eight building sites with a mix of townhouse, condominium style, and mixed-use buildings. The proposed buildings will house approximately 80 to 90 residential units. Underground parking will be provided for all new buildings. Surface parking and access drives will be shared with the adjoining Sugarbush Village and strong pedestrian connections are proposed between the existing base area and the Sugarbush Village. Additional project components include the completion of the Hotel Brook reconstruction; stormwater and utility infrastructure; Village Double lift relocation and replacement, improvements in skier traffic management at the approach to the Village Double; improvements to beginner skier terrain and children's ski school terrain; and the creation of five new parcels to accommodate the proposed buildings. Building sites and associated site improvements will be constructed in phases over several years.

The proposed development encompasses the land bounded by the Sugarbush Resort Lincoln Peak Base Area to the south and Rice Brook to the north, Village Road to the east and the US Forest Service boundary to the west and is located off Sugarbush Village Drive in the Sugarbush Village Commercial (SVC) zoning district in the Town of Warren (Parcel ID#250010-& 250012). This application requires review under Article 2, Table 2.7, Article 5, Development Review, Article 6, § 6.5 Preliminary Plan Review, Article 7, Subdivision Standards and Article 8 Planned Unit & Residential Development review of the Warren Land Use & Development Regulations adopted in 2008 and subsequently amended in 2010.

2. Other Business:

Mr. Monte called the meeting to order at 7:04 pm.

The only hearing on the agenda was for the application submitted by Sugarbush Resort for Phase II of the Lincoln Peak Base Area Redevelopment Project. A Sketch Plan Review was held on November 21, 2011. This hearing is the start of the Preliminary Plan Review process. Mr. Monte noted for the record the copies of correspondence that were received by the Board: Patricia Maguire, 34 Mountainside, Chris Heespelink, Sugarbush villager unit #12, Barbara Brady,

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President, Mountainside Condominium Associate, and Robert Hurwitz, Chairman, Forum Townhouse Association.

Mr. Monte then turned the hearing over to the applicant where Mr. Smith gave a brief review of the highlights of the project as also presented during the Sketch Plan review hearing in November. He noted that this was Phase II of an overall plan that was begun in 2005 with the creation of Clay Brook, the Gate House and more recently the School House and Farm House buildings. Additional infrastructure projects were also part of Phase I such as stormwater remediation and a new wastewater facility. He continued to say that Phase II will be what will pay for much of the previous improvements and development. To quantify it, excluding Clay Brook, 15 million was spent on base lodge creation and another 18 million in Clay Brook parking lot and stormwater remediation. The sales of these proposed residential units will pay back the investors who made the previous improvements possible. Mr. Smith also emphasized the importance of this phase in creating connectivity with Sugarbush Village, not just in ski season but year round. Attention has also been paid to the overall visual effect with a lesser scale than considered in the past. Mr. Smith also noted that they took into account the importance of appropriate parking for their neighbors in Sugarbush Village. He reminded the Board that the financial climate has changed since 2005 and that this development would be phased in economically as the market dictates.

Mr. Hamelin of the SE Group, the Land Planners on the project, then walked the Board and those in the audience through the general layout of the project pointing out the vehicular, pedestrian and skier pathways and connections. He listed three objectives in the approach of the overall land plan: 1) creating connectivity between Sugarbush Village/Mountainside and the new development, continuing on with a connection between the new development and the existing base area; 2) the "day lighting" or opening up of Gadd/Hotel Brook from it's current culvert to create a "park-like" spine; and 3) the functional improvement of the skier terrain adjacent to the base area and the Phase II development area for the beginner skier and ski over access. Mr. Smith added for clarification that the out-to-lunch and in-and-out trails would continue to be maintained as part of this plan.

Mr. Schoellkopf, of the Design Group, commented that they attempted to balance competing desires in their approach to this project; parking, both surface and underground, density and character with some open space, and adequate access. There were some environmental concerns that provided some challenge with both Rice Brook and Hotel Brook part of the mix. The road that leads up to Sugarbush Village and Chez Henri will be much improved with a lesser grade than what currently exists.

Ms. Wade continued with the applicant's presentation with an overview of the environmental aspects. Since there were no wetlands within the development area, the main issue was that of setbacks and buffers from Hotel Brook and Rice Brook. Working with the VT Agency of Natural Resources they have determined that with Hotel Brook they will have at least a 25 foot vegetated buffer though in some places it may be as much as a 60 foot buffer. [In additional comments, it was stated that the buffer was more in the range of 80 to 130 feet. Several numbers were mentioned.] The Rice Brook has some pre-existing conditions – some areas have a full 50 foot buffer where in other areas there is the existing road. The proposed development however will create no increased encroachment than what already exists and in some areas the buffer will be "given back". She also noted that some significant stormwater improvements were being made: for example, there is little if any stormwater treatment for the Sugarbush Village parking lot and that will be changed including some enhanced plantings. Some of the existing stormwater ponds will be utilized with this project and there will be one additional. As far as domestic water, the current system is adequate for the construction of Building A but subsequent building will require additional sources for the domestic water supply. The current wastewater system is more than adequate for all of the proposed Phase II said Ms. Wade.

Mr. Edgcomb and Mr. Schoellkopf then went over the elevation drawings for the Board. All of the residential buildings are anywhere from 2 to 4 stories over underground parking with 4 to 12 units per building. The exception is the plan for Building E which will be a mixed use building with approximately 30 smaller residential units. Mr. Schoellkopf stated that they attempted to keep the buildings not too big but appropriately dense for this type of project. He continued to say that they were working from Vermont traditional designs with a few tweaks such as added more than usual windows for light and views and in keeping the exterior finishes similar to what you would see driving around Vermont.

Mr. Edgcomb then addressed more specifically the Rice Brook building or Phase II "A". Ms. Wade spoke to the permitting aspect. She said they were requesting Master Plan approval [overall site plan] with the understanding that they would need to get domestic water approval for anything from Building B and beyond, and that the stormwater plan would have to be done as each build out of the phase was to be done especially since ANR will not give Master Plan approval for their Stormwater permit. Mr. Edgcomb then pointed out which elements would actually be built as part of Phase II "A". Mr. Schoellkopf spoke to the energy efficient aspects that were being utilized. They positioned the buildings to maximize southerly views which should receive some passive solar benefit. They will be enrolling in the Energy Star program and are working with some consultants to make sure they are using the most efficient heating and cooling systems they can.

Mr. Schoellkopf continued and told the Board that they had had conversations with both the Warren Fire Department and the State Fire Marshall. In the review with the State Fire Marshall it was determined that they had reasonable access and layout of fire hydrants. The garage level will be built with completely non-combustible materials and all the buildings will be sprinkled. For those buildings that are taller, any floor above 30 feet from ground level will be equipped with a standpipe to provide for convenient hook-ups in the stairwells for the fire department. All the units will be fire protected from one another [fire walls]. Though not required by the State Fire Marshall, additional standpipes are being incorporated at the request of the local fire department in areas where they feel it is important. Mr. Schoellkopf did note though that the Warren Fire Department has asked for additional/better access along the east face of the building [Building A]. He said more conversations will be taking place with the fire department to hopefully find a way to accommodate their requests. Mr. Monte asked about the water supply for the sprinkler system. Mr. Schoellkopf replied that they had a water test done with Mountain Water and the test revealed that the pressure was adequate for the sprinkler system. The hydrants will also be sourced from Mountain Water Co., but the system is designed such as it will not be coming from the same reservoir of water as Clay Brook Building which Ms. Wade said has access to the snowmaking pond water line. She also noted that there is an existing hydrant at the four-way which uses the snow making water line as back-up.

Mr. Schoellkopf discussed the heights of the various buildings. He explained that height is measured as the average grade from highest point of the building to lowest point. Also employed is a measurement to "most" of the building and then to the actually highest point. He said that the heights are ranging from 37 feet to about 50 feet with some actual points as high as 60 to 65 feet where there are towers used in the design. He acknowledged that any height over 35 feet [though 50 feet is allowed] will require Conditional Use approval from the Board. He also added that no height was taller than the silo on Clay Brook which is about 80 feet high.

The next aspect presented was the lighting and landscape plan which Mr. Hamelin spoke of. He said the lighting was done at the minimal level required for safety and security to minimize light pollution. The lighting fixtures being used are the same as those utilized at the Farm House and School House buildings. For lighting along the roadway a 12 foot mounting height is used and a 10 foot mounting height is used for along the pedestrian walkways. There will also be lighting

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under the canopy and entryways of the buildings. As far as the landscaping, all native materials will be used. Shade trees will be red and sugar maples, beech and yellow birch. Native shrubs will also be used in the same manner as the rest of the resort.

Mr. Smith brought up the issue of the lower bridge connection. Mr. Schoellkopf talked about the snow being allowed up to the front of the building and the use of a bristle mat as a connection where necessary. Mr. Smith added that upon further investigation it was thought that the mat system will probably not be installed permanently but brought in and out as needed due to potential safety issues. Mr. Smith emphasized that the connective trails such as the out to lunch and in and out trail will be maintained – the resort has no desire or intention to take anything away. Mr. Monte asked if the applicant would be submitting a detailed description of the mat system as it was only drawn on the plan and there appeared to be no other information. Mr. Schoellkopf said they would get more information to the Board.

At this point the applicant felt ready to start in on the worksheets that speak to the regulations. Mr. Monte first asked if any of the Board members had any questions – with no one having any at this time, Mr. Monte then invited those in the audience to offer comments or ask questions. Mr. Valadakis, who owns and operates a deli, expressed his concern with the new parking configuration as he felt it would cut off business patrons to Sugarbush Village. He noted the number of businesses in the village and the residential units that were there as well. He said no parking, no business. The new parking design in no way comes close to what currently exists. Ms. Wade responded that north of Gadd Brook [aka Hotel Brook] there are 75 parking spaces planned not including those spaces in the underground garage. Mr. Smith added that those spaces are intended for "legitimate" use – he said that as many may be aware, a lot of the current parking is not used as it should be and it is not currently enforced. Mr. Smith also said that the new lot, located where the current upper lot is now, holds 14 spaces where it currently holds 20. The difference is found in the other parking areas to make up to 75 parking spaces. Mr. Schoellkopf added that the pedestrian design does allow for connectivity with the larger lot [aka the heli lot]. Ms. Wade said it was their goal to work with the Sugarbush Village businesses to come to an agreement on the use of the parking area. Ms. Wade also noted that they differed some from Mr. Valadakis in their analysis as they focused on the Brook Building and the village Edge building as Center Village, the Phoenix and Mountainside all have their own parking.

Mr. Sellers commented that he had been involved in the initial planning of Sugarbush Village back in the mid sixties and it is a unique place that is a model of a pedestrian village in resort areas. He also stated that he thought the success of the village is paramount to Sugarbush's success overall. Mr. Sellers also stated that he felt the historic aspect of Sugarbush Village needed to be honored.

Mr. Gartland, a co-owner of the Pine Tree Pub expressed his concern about adequate and convenient parking which he said was crucial to his business. Mr. Minelli, a residential unit owner in Village Edge, asked for clarification of how many spots were in the upper parking lot during the winter months. Ms. Wade said in the wintertime, maybe twenty. Mr. Monte stated that he had been up there recently on a full night at Henri's and counted closer to thirty cars. He continued to add that with more significant snow banks it could be less. The concern about delivery trucks was brought up and Ms. Wade said the circle was designed to handle not only delivery trucks but the largest of fire trucks.

Mr. Monte asked how many parking spaces were currently there according to Sugarbush's count. Ms. Wade said they use a wintertime scenario and come up with 85 spaces that encompass both the upper and lower lots. Mr. Monte then asked how many would be there after the project was built out and was told 75 spaces. Mr. Smith spoke up and noted that they had been "car counting" for many years. He also stated that without being monitored that the Village lot has been inappropriately used for some time by skiers seeing an easy access to the slopes. Without

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those day skiers then Mr. Smith believed there would be adequate parking for the Sugarbush Village businesses. He did say though that there was a question about where the parking should be for the Pine Tree Pub. He thought there was designated parking in the back but that it was actually being used by Mountainside. It was thought that some research needed to be done for clarification of the use of that space.

Mr. Daly stated that he was a resident of one of the Village Edge units which had deeded parking rights and was very concerned that the new plan had fewer parking spaces. When asked for clarification of the number of spaces, Ms. Wade stated that there were currently 85 spaces and that the new plan had 75 spaces, 59 of which were long term parking and 14 that were being called short term parking. Mr. Daly agreed that if the day skiers were eliminated that it would help but that there was still no guarantee that he would have a parking space as he should with deeded rights.

Mr. Blythe spoke up saying he was there on behalf of Village Edge and wanted to echo the concerns about whether or not there would be adequate parking. He added that the Board needed to carefully consider the parking requirements in their review. Mr. Seniff added his comment that he thought the proposed project was too big and took away from the character of the mountain.

Ms. Wade then described the subdivision they were contemplating. It would be 5 additional lots in the 57 acre parcel. As a reminder, the 57 acre parcel was acquired via a land swap with the US Forest Service. She continued to say that this would be in addition to Clay Brook which is a PUD and they have prepared a "draft" of what it might look like. Ms. Wade noted that since this was a "phased" project, some boundary line adjustments might be needed as the phases came about. Each new lot, labeled A, B C et al, will encompass the new structures and the balance will remain as part of the underlying 57 acre parcel. It was specifically noted that the brook and ski over trails will remain apart of the 57 acre lot and be part of Sugarbush's responsibility. Mr. Schoellkopf said it might actually be that the building envelope for each of the buildings is also the parcel boundary or at least very tightly drawn.

Ms. Wade asked if the Board wanted to next go on to the Worksheet and address the standards under the ordinance. Mr. Monte first noted a couple of issues that still needed further development/information; the issue of sufficient parking and the fire department concerns. He also asked those in attendance how they felt about the overall "connectivity" as that had been a large issue in a previous proposal. Mr. Valadakis commented that he thought it was fine specifically for walking and skiing. Mr. Behn asked how much work would be done to the lower parking lot in front of Sugarbush Village with the construction of building A. Mr. Smith said it would remain pretty much as is as they could not economically do everything at once. The road in however would be improved with the construction of Building A. Mr. Behn also asked what the duration of construction would be and was told it depended on the pre-sales over the winter – if all went well, they could possibly start in April with the 1st phase and be done in December. It was going to be market driven, added Mr. Smith. Mr. Monte more specifically asked which of the infrastructure elements would be done with each phase. Mr. Behn also expressed his concern of the "interruption" of the use of the space that could impair access to Sugarbush Village businesses. It was recommended that the issue of parking be pushed out for consideration by the Board but that if there were other aspects they wanted to review then to move forward.

Mr. Monte then said they would hold off on the subdivision review as they still seemed incomplete and they still needed to submit the covenants.

MOTION by Mr. Monte that the Board finds the application sufficiently complete to move forward with standards review. SECOND by Mr. Swain. VOTE: all in favor, the motion passed.

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The Board then began with review under Article 7 Subdivision Standards, Sec 7.2 General Standards.

MOTION by Mr. Monte that Sec 7.2 (A) Character of the Land and (B) Conformance with the Warren Town Plan and other Regulations has been satisfied by the applicant. **SECOND** by Mr. Behn. **VOTE:** all in favor, the motion passed.

The Board decided to pass over until a later date the review of Sec 7.2 (C), (D) and (E) due to incomplete information at this time.

Section 7.2 (F) deals with standards for Landscaping and Screening. Item 2 calls for the provision of stormwater infiltration and management. The applicant noted that there are working closely with VT ANR to increase the stormwater treatment performance and they will be enhancing the buffer with more vegetation. Ms. Wade did tell the Board that they would be getting a more detailed supplement on the stormwater management plan soon.

MOTION by Mr. Behn that the applicant has met the requirements of Sec. 7.2 (F) (1). **SECOND** by Mr. Robinson. **VOTE:** four in favor, one abstained, the motion carried.

The Board decided to pass over until a later date the review of Sec 7.2 (F) (2) stormwater infiltration and management.

MOTION by Mr. Monte that Sec 7.2 (F) items (3), (4), (5), and (6) are satisfied by the applicant. **SECOND** by Mr. Robinson. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Monte that a condition of the final approval be a detailed planting plan for each construction phase. **SECOND** by Mr. Swain. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Behn that Sec 7.2 (G) Energy Conservation items (1) thru (4) have been found to be satisfied. **SECOND** by Mr. Monte. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Monte that Sec 7.2 (H) Disclosure of Subsequent Development Plans is found by the Board to be sufficient and thus satisfied by the applicant. **SECOND** by Mr. Swain. **VOTE:** all in favor, the motion passed.

MOTION by Mr. Monte that the Board classifies this application as a Major Subdivision and PUD development. **SECOND** by Mrs. Roth. **VOTE:** all in favor, the motion passed.

Section 7.3 covers the "protection of primary and secondary conservation areas". After some discussion the DRB decided to pass on this until they could see a completed erosion control plan.

Section 7.4 speaks of open space and common land. Since it was determined that the site plan may still have some modifications that could effect this section, the Board passed on this until a later time.

Mr. Monte suspended the hearing and continued it until Monday January 16, 2012 at 7 pm. The DRB meeting was adjourned at 9:56 pm.

Respectfully submitted,

Ruth V. Robbins
DRB/PC Assistant

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Peter Monte 2/7/12
Peter Monte date

Virginia Roth 2/7/12
Virginia Roth date

Lerord Robinson date

Don Swain date

Chris Behn 02/06/2012
Chris Behn date

Tom Boyle
Tom Boyle date

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