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TOWN OF WARREN
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT AND NOTICE OF DECISION
AMENDMENT TO PERMIT #2008-13-SD/PUD/CU
#2008-13-SD/PUD/CU –AM2

LINCOLN PEAK BASE AREA REDEVELOPMENT PROJECT – PHASE 1B

Summit Ventures NE, LLC (dba Sugarbush Resort) seeks approval for minor amendments to permit #2008-13-SD/PUD/CU for the Lincoln Peak Base Area Redevelopment Project – Phase 1B, issued on April 17, 2009.

A duly warned hearing was held on Monday February 15, 2010 and attended by the following DRB members: Peter Monte, Chris Behn, Virginia Roth and Lenord Robinson. Others in attendance were: Dana Haskins, Jason Lisai, Margo Wade, Miron Malboeuf and Ruth Robbins.

Findings of Fact and Conclusions of Law:

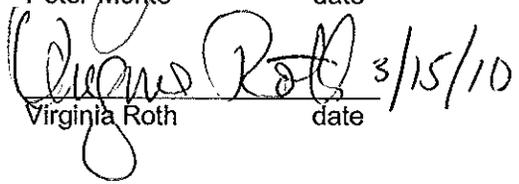
- 1) The applicant submitted a complete application, project summary, revised site plan for Phase 1B, floor plans and elevations for both structures, the Adult Ski and Rental building and the Children's Ski School building.
- 2) The applicant requested a waiver of abutter notification as per Article 5, Section 5.2 (C) as the proposed changes did not materially alter the intent of the previously approved project nor will they negatively affect abutters to the site. The Board agreed that the changes were minor in nature and would have little or no effect on the neighboring properties and voted unanimously to allow the waiver.
- 3) The Discovery Building is being eliminated.
- 4) The Children's Ski School Building is eliminating the residential units on the third floor and reducing the building to two stories. The size is reduced from 18,000 gsf to 12,600 gsf. The original approved building was three stories with a height of 50 feet. The new two story building will have a height of 40 feet 7 inches.
- 5) The Adult Ski and Rental Building will have a small reduction in overall square footage from 14,737 gsf to 14,366 gsf. The building height is 37 feet 4 ¾ inches, which is higher than originally approved.
- 6) The applicant is planning on eliminating a section of the existing stairs which are being replaced by a graded (4 – 8% grade) walkway, and snowmelt will be installed on the paved walkway and remaining stairway.
- 7) The applicant has a Construction General Permit for this site location and the changes they were making all fell within their existing Stormwater permit.
- 8) The Board found that the proposed height of the Children's Ski School Building of 40'7" and the Adult Ski & Rental building of 37'4 ¾" does not offend any of the Conditional Use Standards of Section 5.3. The Board also noted that the Children's Ski School building is lowered from the original approved height, and that the Adult Ski & Rental building is only a little over two feet above the maximum allowed and is still lower than the Clay Brook building and the Gate House building. The overall volume of buildings is less than originally approved.
- 9) In considering the PRD/PUD standards of Article 8, the Board found that the impact of the proposed revised plan had less impact than previously approved.
- 10) The standards under Article 5 Conditional Use, Sec. 5.3 (B) Specific Standards, items (1) through (11) were found to be satisfied or not applicable and the Board further required that an "as built" plan for landscaping should be submitted by the applicant.

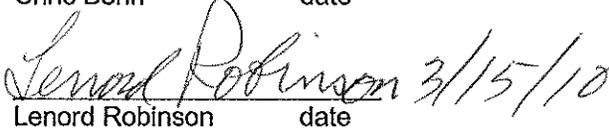
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Notice of Decision:

The Development Review Board based on the findings listed above hereby approves the revised plans for Phase 1B. Any and all other findings and conditions related to permit number 2008-13-SD/CU/PUD that are not amended by this approval are still in effect. This approval is conditional on the execution of the plans and specifications as submitted by the applicant.

DEVELOPMENT REVIEW BOARD


Peter Monte date

Virginia Roth date

Chris Behn date

Lenord Robinson date

TOWN OF WARREN, VT
Received for Record 3/16 2010
at 10:30 o'clock A M and Received in

Vol 205 Page 20-21
TOWN CLERK