

TOWN OF WARREN
ADMINISTRATIVE REVIEW
Amendment to Conditional Use approval 2007-04-CU, issued June 20th, 2007;
2011-09-CU-AR: SUMMIT VENTURES NE, LLC

The applicant, Summit Ventures NE, LLC. seeks administrative review to relocate the beginner portions of the existing mountain bike terrain park features to a new location adjacent to the Sugarbush Village Lot. This will be reviewed as an amendment to their Conditional Use Permit, issued by the DRB on June 20th, 2007 (**SUMMIT VENTURES NE LLC #2007-04-CU**). The purpose stated in the applicants request is;

The beginner mountain bike skills park will be a single track mountain bike trail loop that runs from the plaza between the Farmhouse and Schoolhouse buildings across the ski trails Easy Rider and In Road down to and across the Heli lot and back up to the Farmhouse plaza along the northern side of the Schoolhouse. Currently all terrain park features are located at the base of the Gondolier trail. Separating the advanced and teaching terrain features will improve rider safety, terrain access for beginners, and provide a better riding area for new and learning riders. The track will be constructed by removing the vegetation within trail tread and installing drainage and erosion control. Dirt from the parks current location will be moved for the burned turns and "rollers". An oval track approximately 30 ' by 20' will be constructed in the Heli Lot. The purpose of this section of trail is to provide beginners an introduction to what can be found on trails on the mountain and allow practice in an easier environment.

This application requires review under Article 2, *Zoning Districts & District Standards*, Table 2.7, *Sugarbush Village Commercial District* and Article 5, *Development Review*, and Article 9, Section 9.8 (F) *Administrative Review*, of the Warren Land Use and Development Regulations.

This approval meets requirements found under Sec. 9.8 Municipal Administrative Requirements,(F) Administrative Review (1) (d). As such, all abutting land owners were given written notice with proof of mailing on June 23rd, 2011. On the same date, notice was published in the Valley Reporter and posted in three public places in the municipality, including posting of the notice within view of the public right(s)-of-way nearest to the subject property.

The Administrative Officer found the following:

The administrative review will not create any new structures and there will be no change to any of the original conditions and *Findings Of Fact* and Notice of Decision of the Warren Development Review Board conditional use permit, 2007-04-CU (quoted below):

Findings of Fact and Conclusions of Law of:

1. *In addition to a completed application the applicant also submitted a project narrative, site location map, existing conditions map, summer programming map, examples of terrain parks, abutter letter and certificate of service, and a copy of the 1998 Planning Commission decision of approval for the BMX Park.*
2. *As a four-season resort they were looking to improve/expand their summer activities.*

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3. *The operation will be run out of the retail space in the Gatehouse with hours of 9 to 4 on Saturdays and Sundays, holidays and one mid-week day that will probably be Wednesday from 12 noon to 6:30 pm commencing June 30, 2007.*
 4. *Timbers would be open for food service on Saturdays and Sundays and the restrooms in the Gatehouse would be used as public restrooms.*
 5. *Previous ridership had been approx. 30 people, a number they hoped to improve on however they did not anticipate any traffic issues.*
 6. *The application asks for the requested activities to be allowed from June 15th through October 15th of any given year going forward.*
 7. *The applicant conducted only a limited notification of abutters.*

Notice of Decision 2007-04-CU:

The Development Review Board hereby approves the applicant's request for an amended Conditional Use Permit under the standards of Article 5 Section 5.3 (A) as stated in their application subject to the following conditions:

- 1- *The applicant to send notice in writing to the adjoining by Tuesday June 12 informing them of the results of this hearing on the application and for them to notify the DRB in writing should they want an additional hearing by Friday June 29, 2007. The abutters required to receive this notice are all of those who directly abut the 57-acre parcel.*

For this administrative review decision the Administrative Officer finds that:

1. There may be some substitution of restaurant /food service to other base area facilities.
2. The administration of this facility will be operated out the new Farm House facility at the Lincoln Peak Base area.
3. The proposed activity in the relocated area will be for beginner mountain bike instruction (as in the original conditional use permit).
4. There will be no change to hours and dates of operation.
5. That all parking and traffic circulation will be contained with in the Lincoln Peak base area lots and that there will be no additional impact on the *Sugarbush Village Lot*.
6. A zoning permit will be filed for the construction of this facility and proper soil erosion control measures will be installed during and after completion. Should development occur on slopes greater than 15% an erosion control plan, prepared by a licensed engineer, must be filed with the zoning application.

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SUMMIT VENTURES NE, LLC

Administrative Officer



Miron C. Malboeuf

date: 07/07/11

NOTICES:

- In accordance with 24 V.S.A. §4449(e), the applicant is hereby notified that state permits also may be required prior to land subdivision or construction. The applicant should contact the DEC Permit Specialist for District #5 (802-476-0195) to determine whether state permits are required.