

**DEVELOPMENTAL REVIEW BOARD  
MINUTES**

**May 10, 2010**

**MEMBERS PRESENT:**

Phil Carter, Chairman	Richard Harrison	Rose Goings, Zoning Administrator
Troy Adams	Linda Petty	

**MEMBERS ABSENT:**

Julie Nicoll

**OTHERS PRESENT:**

Peter Alberti	Ted Reeves	Lisha Klaiber, Recorder
Mike Doran	John Watanabe	Michele Stinson, LPC-TV

1. **CALL TO ORDER**

- A. Meeting opened at 6:02 p.m. by Chairman Phil Carter. All board members present, except Julie Nicoll.

2. **EXTENSION OF PERMIT**

- A. Phil Carter advised that this is a request to extend a permit for Winterplace COA. This is application permit #081-94-PUD, Amendment #6.
- B. John Watanabe said that this is a request to extend the permit for a period of one year. They hope to formalize another sale.
- C. Phil Carter asked if there were any changes.
- D. John Watanabe said that everything is the same.
- E. **MOTION by Linda Petty and seconded by Troy Adams to extend the completion date until May 10, 2011. Motion passed unanimously.**

3. **OPEN THE RECESSED PUBLIC HEARING FOR TOWN OF LUDLOW**

- A. Phil Carter advised that this hearing is recessed from the January 11, 2010 meeting and is an application to consider a Conditional Use permit to renovate the Ludlow Armory and Tank Barn and to convert the Armory Building to a recreational building in the Village Residential/Commercial District. Property is located at 37 Main Street. He advised that the Town is not ready with certain items requested by this board at the January meeting. These items include traffic flow, lighting and signage. The town is requesting a one-month recess.

- B. Rose Goings advised that they are waiting for traffic flow and also they are meeting tomorrow with contractors who bid on the project. They hope to finalize the contractor after the meeting tomorrow and award the bid at their meeting on May 17<sup>th</sup>.
- C. Richard Harrison said that Frank Heald said they are working on the bids.
- D. Phil Carter said that Frank Heald knows what the DRB needs.
- E. **MOTION by Linda Petty and seconded by Troy Adams to approve the request for a one-month recess until the June meeting of the DRB.**
- F. **Richard Harrison abstained as he is on the Armory Committee. Motion passed.**

4. **OPEN THE PUBLIC HEARING FOR CHRISTOPHER AND SUSAN CALGER**

- A. Phil Carter advised that this hearing is for an application for to amend a PRD permit to convert an existing open deck into living space. Property is located at 360 Trailside Extension, Iroquois Village Unit #37B and is in the Mountain Recreation District. He added that this board has had many of these same applications.
- B. Rose Goings advised that this is application 128-98-PRD, Amendment #23. Posted in the Town Hall bulletin boards April 22, 2010, advertised in THE VERMONT JOURNAL on April 22, 2010, and the abutting property owners were notified on April 20, 2010. Peter Alberti is here to represent the applicants.
- C. Phil Carter administered the oath to all wishing to speak at this hearing.
- D. Peter Alberti said that this is the standard design approved by the Condominium board. The applicant wishes to enclose a deck, enlarging the mudroom by about 6 feet. There are a lot more of these units that may want to do the same thing.
- E. Phil Carter asked about the color.
- F. Peter Alberti said it would be the same exterior color as the existing building. They will remove the deck, put in a new foundation, reroute the drainage and will leave the existing roof.
- G. Linda Petty asked if they would be changing the exterior lighting.
- H. Peter Alberti said no.
- I. Rose Goings asked about parking and occupancy.
- J. Peter Alberti said they would also stay the same.
- K. Rose Goings said that the board would be able to close and approve the hearing tonight and she would be able to write the decision.
- L. **MOTION by Richard Harrison and seconded by Troy Adams to close this hearing and approve the application as requested. Motion passed unanimously.**

5. **OPEN THE PUBLIC HEARING FOR GERARDO AND KATHLEEN CANET**

- A. Phil Carter advised that this hearing is for an application for to amend a PRD permit to convert an existing open deck into living space. Property is located at 224 Village IV, Unit # 46B and is in the Mountain Recreation District.
- B. Rose Goings advised that this is application 128-98-PRD, Amendment #22. Posted in the Town Hall bulletin boards April 22, 2010, advertised in THE VERMONT JOURNAL on April 22, 2010, and the abutting property owners were notified on April 20, 2010. Peter Alberti is here to represent the applicants.
- C. Phil Carter administered the oath to all wishing to speak at this hearing.

- D. Peter Alberti said that this is also a request to enclose the existing deck in order to expand the mudroom.
- E. Phil Carter asked if there had ever been any objections to these projects in the past.
- F. Peter Alberti said one a long time ago. The Condominium Association board monitors these projects.
- G. **MOTION by Linda Petty and seconded by Troy Adams to close this hearing and approve the application as requested. Motion passed unanimously.**

6. **OPEN THE PUBLIC HEARING FOR OKEMO LLC/CNL INCOME OKEMO MOUNTAIN LLC**

- A. Phil Carter advised that this is an application to amend a PUD to allow for the installation and operation of a mountain coaster located in the Jackson Gore Recreational Area. Property address is Jackson Gore Road/Development.
- B. Rose Goings advised that this is application 152-00-PUD, Amendment #20. Posted in the Town Hall bulletin boards April 22, 2010, advertised in THE VERMONT JOURNAL on April 22, 2010, and the abutting property owners were notified on April 20, 2010. Ted Reeves and Mike Doran are here to represent the applicants. She added that letters have been received from the Ambulance, Fire, Police and Electric departments.
- C. Phil Carter administered the oath to all wishing to speak at this hearing.
- D. Ted Reeves explained that Okemo would like to install and operate a Wiegand Mountain Coaster at Jackson Gore. He said that it is really like a roller coaster. There is a haul line to pull the sleds (cars) up the hill and gravity pulls it down. The cars are locked into a 4 bar track. The two lower bars hold the car in place. There will be a walkway on one side of the track. He referred to a picture and indicated the proposed location and showed that it will not be visible from Route 103. He showed the proposed path of the coaster and explained that at the points where it crosses the stream, there will be 1-2 footings in the stream and they are working with ANR on this. They are also working with the Railroad regarding the areas where the coaster will cross the tracks. The ride will terminate at the water tank. At the base of the ride, there is a set of brakes to slow and stop the cars. There will be an exit area. The area will be lit for night riding. There is a lighting plan in the packets. The poles will be about 15' high and the lights will be down lit. These are low-level lights for safety. They may have a themed ride at Halloween. They are working with the International Dark Sky Association to follow their standards for night-lights. The ride has a maximum capacity of 375 rides per hour and they estimate about 3,750 rides in a 10-hour day. There will not be a significant impact on traffic on Route 103. People will be leaving on their own schedules. They think that most of the winter usage will be from Jackson Gore guests. They will construct a storage building where the cars will be stored at night. It will measure about 18' x 24'. There is a floor plan in the packet. There will be two small heated areas, one for the operators and one for the mechanical equipment. The building will have clapboard sides and asphalt roof and be the same color as the Adams building. Letters from the Ambulance, Fire, Police and Electric departments indicate approval of the project. Aesthetically, he referred to pictures of the ride at Jiminy Peak and showed how the ride fits into the woods and terrain. The foundations are small and steel and are attached with large soil nails driven into the ground. He showed pictures of the magnetically charged braking systems. He also showed a picture of the haul cable and the bridge span construction.
- E. Richard Harrison asked about safety.

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- F. Ted Reeves said that the riders are able to control their own speed and can stop in the middle of the track. It is positive control. He said that, when he was on the one at Jiminy, he tried to get is as fast as he could and never felt any loss of control. There are shoulder harnesses and lap belts and they are very secure.
- G. Richard Harrison asked what happens if someone is riding alone and passes out.
- H. Ted Reeves said that the operators at the top and bottom of the run could control the ride. There is also telephone communication between them. He did add that he really does not know either top or bottom would know right away if someone passed out.
- I. Troy Adams asked about the drive for the control unit.
- J. Ted Reeves said it is neutral.
- K. Linda Petty asked if the cars were 2-person.
- L. Ted Reeves said that most ride one at a time. Anyone over 48" is allowed alone at Jiminy and the operators check the harnesses and lap belts.
- M. Richard Harrison asked about bumpers.
- N. Ted Reeves said front and back.
- O. Linda Petty asked if helmets are required.
- P. Ted Reeves said no, but the seat has a very high back.
- Q. Linda Petty asked about individual weight limits.
- R. Ted Reeves said about 300 pounds.
- S. Linda Petty asked how that would be determined.
- T. Ted Reeves said they would have to rely on the judgment of the operators and riders. There would be no scales. Heavier people might find fitting in the car a little uncomfortable.
- U. Troy Adams asked what would happen if someone got to the top and decided they did not want to ride down.
- V. Ted Reeves said they could send an empty car down. No protocol has been set yet and he will address the issue. He added that people would understand what the ride was when they got on.
- W. Troy Adams asked how the person would get down.
- X. Linda Petty said the operators ride up, so there must empty cars coming down.
- Y. Ted Reeves said that there would be access by snowmobile in the winter and regular vehicles when the snow is gone.
- Z. Richard Harrison said that through the years, Okemo has maintained a good safety record.
- AA. Troy Adams asked about line of sight visibility.
- BB. Ted Reeves said that the top operator could see all the way down to a corner that he indicated on the drawing and the bottom operator can see all the way up to that same corner. There also will be some mirrors. The top operator will also try to maintain 80 feet between cars. The bottom operator can watch up the hill. You can see substantial portions of the line from the top and bottom.
- CC. Richard Harrison asked if they would install cameras if needed.
- DD. Ted Reeves said if needed, yes. This may be on the curves on the down line. He indicated to pictures of the Jiminy ride and showed cameras. He will investigate what Wiegand suggests.
- EE. Linda Petty asked the hours of operation.
- FF. Ted Reeves said 9:00 a.m. to 10 p.m. and until about 12:15 a.m. on New Year's Eve.
- GG. Rose Goings asked how fast the cars could go.
- HH. Ted Reeves said 23-25 MPH. The track is designed to keep speeds lower in steep pitches by snaking and pick up speeds on the flats.
- II. Rose Goings asked if Wiegand had come to see the location.
- JJ. Ted Reeves said they came and laid it out. Then we surveyed it out.

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- KK. Linda Petty asked the time to get down.
- LL. Ted Reeves said 1 ½ to 2 minutes and it takes 5 minutes to get up.
- MM. Troy Adams asked about tree cutting.
- NN. Ted Reeves said it is not a wide ROW that needs to be cut. We want to cut as few trees as possible. By the stream we may need to cut a little and then after Southern Crossing. He pointed these areas out on the drawing. The ride, with rails, is about 6 feet wide.
- OO. Richard Harrison asked if it would be open to the public.
- PP. Ted Reeves said yes.
- QQ. Phil Carter asked the highest point.
- RR. Ted Reeves said by the railroad track about 18 feet. It would also be about the same at Southern Crossing.
- SS. Phil Carter asked more about the lighting.
- TT. Ted Reeves said it would be 15 feet over the track. The pole heights would be 8 feet. He indicated these on the drawing. He said it would be about 15-18 feet above grade at the bridge, but the lights would not broadcast out a large distance.
- UU. Phil Carter asked if the poles mounted on the frame of the track were electric.
- VV. Ted Reeves said electricity would be there for lights, power, controls and TV.
- WW. Phil Carter asked if the brake at the bottom would require power.
- XX. Ted Reeves said yes.
- YY. Phil Carter asked what would happen if there were a power outage. Would the brakes work.
- ZZ. Ted Reeves said he is not sure and will check on that in the O&M.
- AAA. Phil Carter asked if there were a power outage on the cable going up, would the car roll backwards.
- BBB. Ted Reeves said there is a set of dogs on the bottom that would grab and catch the car.
- CCC. Phil Carter asked if the manual brake in the cars works backward.
- DDD. Ted Reeves said he is not sure, but it might. He added that they try to anticipate as much as possible.
- EEE. Phil Carter asked about ticket booths.
- FFF. Ted Reeves said they would probably use the existing ticket booths. He added that no plumbing or running water would be in the new building.
- GGG. Troy Adams asked how they would secure for animals on the track.
- HHH. Ted Reeves said the operators would check the track from the top and bottom.
- III. Rose Goings asked about closing in the icy weather and noted that the information provided said that the brake efficiency also is reduced in wet weather. She asked if they would have people sign waivers.
- JJJ. Ted Reeves said that the operators would keep an eye on it. He added that ski lift tickets have limitation language that has been approved by the state and proved in court. He did not think that people would have to sign waivers.
- KKK. Rose Goings asked about traffic into Jackson Gore. She asked what is happening with the turning lane and how this would affect the intersection of Jackson Gore Road and Route 103.
- LLL. Ted Reeves said that they have a preliminary design for a turning lane into Jackson Gore. He said that he does not think that this will jeopardize the traffic at the intersection.
- MMM. Troy Adams asked about noise of the machinery.
- NNN. Ted Reeves said that you may notice the clicks from the car, but the noises are not loud like snowmaking. The motor is enclosed and not loud.
- OOO. Phil Carter advised that the original permit for Jackson Gore said that 51.16 acres should remain untouched. How will this affect that?

- PPP. Ted Reeves said that it would not affect that at all. He indicated on a drawing the area to remain untouched and the area where this would be.
- QQQ. Phil Carter said that in the original Phase I, the lights in the parking lot must be off by 8:00 p.m. This proposal asks for 10:00 p.m.
- RRR. Ted Reeves said the lights are low level and broadcast to light the track, not like night skiing.
- SSS. Phil Carter said that there is a conflict between what is permitted and what is requested in this proposal. He said they would either have to change the original permit or this.
- TTT. Mike Doran said that the 8:00 p.m. refers to the lower parking lots, not the walkways.
- UUU. Richard Harrison said it is important to have cameras on the tracks and he would like to see that.
- VVV. Ted Reeves said that it may be in the design and he does not know for sure.
- WWW. Rose Goings said that Okemo might be asking for a change in the original permit for Jackson Gore.
- XXX. Ted Reeves said they could live without having the lower parking lot lights on. People using the ride at night will probably use the upper parking lots.
- YYY. Mike Doran said the walkways are allowed to have low-level lighting.
- ZZZ. Linda Petty asked about signage for lots.
- AAAA. Ted Reeves said that would be easy to accomplish.
- BBBB. Rose Goings said they would also be asking for Local Act 250 approval for next month. They will also have to go to the state for approvals.
- CCCC. Phil Carter asked about erosion control.
- DDDD. Ted Reeves said that would be part of the state application. He added that they had asked ANR if this could be a minor application, but have not heard back. They have been talking to ANR and the Railroad.
- EEEE. **MOTION by Linda Petty and seconded by Richard Harrison to close this hearing. Motion passed unanimously.**

7. **OTHER BUSINESS**

- A. Phil Carter advised that there is no other business.

8. **REVIEW AND APPROVE MINUTES**

- A. Phil Carter advised that the minutes to be reviewed and approved are from April 12, 2010. He added that on page 1, Linda Petty should only be listed as absent. He also asked about item #4D on page 2.
- B. Rose Goings explained that it meant that the hearing could be recessed unless they change the use of the property. If they change the use, the applicant must reapply.
- C. **MOTION by Troy Adams and seconded by Linda Petty to accept the minutes from April 12, 2010 as corrected. Motion passed unanimously.**

9. **DELIBERATIVE SESSION**

- A. Phil Carter suggested that the board go into Deliberative Session.
- B. MOTION by Phil Carter and seconded by Linda Petty to enter into Deliberative Session.

C. Board entered Deliberative Session at 7:15 p.m.

Respectfully submitted,

Lisha Klaiber

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Phil Carter, Chairman

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Julie Nicoll

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Troy Adams

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Linda Petty

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Richard Harrison