

**DEVELOPMENTAL REVIEW BOARD
MINUTES**

January 22, 2018

MEMBERS PRESENT:

John Boehrer, Vice Chair	Julie Nicoll	Rose Goings, Zoning Administrator
Phil Carter, by phone		

MEMBERS ABSENT:

Linda Petty	Dana Wilson
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OTHERS PRESENT:

Greg Kepler	John Watanabe	Ed McEneaney, Okemo Valley TV
Matt Sydorowich		Lisha Klaiber, Recorder

1. **CALL TO ORDER**

- A. Meeting opened at 6:00 p.m. by Vice Chairman John Boehrer. Phil Carter by telephone. All board members present, except Linda Petty and Dana Wilson.

2. **OPEN THE PUBLIC HEARING FOR MATTHEW SYDOROWICH**

- A. John Boehrer advised that this is an application to allow for the change of use from a wine bar to a computer sales and repair shop with an art and photo gallery. Property is located at 116 Main Street, Unit C6, in the Village Residential Commercial District.
- B. Rose Goings advised that this is application 88-191-CU, Amendment #6. Posted in the Town Hall bulletin boards December 27, 2017, advertised THE VERMONT JOURNAL on December 27, 2017, and the abutting property owners were notified on January 2, 2018.
- C. John Boehrer administered the oath to all (Matthew Sydorowich) wishing to speak at this hearing.
- D. Matthew Sydorowich advised that he wants to open a computer repair and sales shop and a photo gallery.
- E. John Boehrer asked if there would be any changes to the infrastructure.
- F. Matthew Sydorowich said no.
- G. John Boehrer asked if there would be any changes to the outside, including lighting.
- H. Matthew Sydorowich said no, except for a sign.
- I. Rose Goings said he could apply for the sign permit through her office.
- J. John Boehrer asked the hours of operation.
- K. Matthew Sydorowich said Monday through Friday, 10:00 AM to 6:00 PM.
- L. John Boehrer asked if there were any chance he would work on weekends.
- M. Matthew Sydorowich said yes.
- N. Julie Nicoll explained that if at a later date, Matthew Sydorowich wanted to change the hours of operation, he would need to come back to this board.

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- O. Matthew Sydorowich said the hours of operation would be from 8:00 AM to 7:00 PM, seven days per week.
 - P. Rose Goings said that the Fire Marshal said there are no changes to the space.
 - Q. John Boehrer advised that letters have been received from Police, Fire and Ambulance.
 - R. Phil Carter asked about parking.
 - S. Matthew Sydorowich said there is space in the rear of the building and street parking.
 - T. Phil Carter said, for the record, that the wine bar had enough parking and since there is no expansion of the business, the spaces would still be available,
 - U. **MOTION by Julie Nicoll and seconded by Phil Carter to close this hearing. Motion passed unanimously.**

NOTE: JOHN BOEHRER ASKED THE APPLICANT IF THE WINTERPLACE COA HEARINGS COULD BE OPENED AND DISCUSSED AT THE SAME TIME. JOHN WATANABE SAID THAT WOULD BE FINE.

- 3. **OPEN THE PUBLIC HEARING FOR WINTERPLACE COA**
- 4. **OPEN THE PUBLIC HEARING FOR WINTERPLACE COA**

- A. John Boehrer advised that the first hearing is an application to amend the Planned Residential Development permit to construct three duplexes. The property is located at Harrison Lane in the Mountain Recreational District.
- B. John Boehrer advised that the second hearing is for Local Act 250 Review of the application to construct three duplexes. The property is located at Harrison Lane in the Mountain Recreational District
- C. Rose Goings advised that this is application 081-94-PRD, Amendment # 9. Posted in the Town Hall bulletin boards December 27, 2017, advertised THE VERMONT JOURNAL on December 27, 2017, and the abutting property owners were notified on January 2, 2018.
- D. Rose Goings advised that this is application 462-18-Act 250. Posted in the Town Hall bulletin boards December 27, 2017, advertised THE VERMONT JOURNAL on December 27, 2017, and the abutting property owners were notified on January 2, 2018.
- E. John Boehrer administered the oath to all (John Watanabe and Greg Kepler) wishing to speak at these hearings.
- F. John Watanabe advised that about 5 or 6 years ago, the applicant received a permit to construct four (4), 5-bedroom duplexes. One of the units was built, but not the remaining 3. They are scaling back the duplexes to 4-bedroom, which will decrease the square footage of each dwelling by 250 square feet. Everything else will remain the same.
- G. John Boehrer asked if Building X is the one that is complete.
- H. John Watanabe said yes.
- I. John Boehrer asked if the drawings submitted for this hearing are the most recent.
- J. John Watanabe said yes.
- K. John Boehrer asked John Watanabe to show the location of the buildings on the drawing.
- L. John Watanabe referred to a map in the room and indicated the approximate location of the buildings. He said they are further up the hill than the existing buildings shown on page 1 of the drawings submitted tonight.

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- M. Rose Goings referred to the letter from Fire Chief Kolenda with the following conditions:
- i. Permit is required from Vermont Division of Fire Safety
 - ii. Install NFPA 13 sprinkler system in all units
 - iii. Install fire hydrant on the upper level of the new construction
 - iv. No wood burning appliances are allowed in any unit
 - v. Provide CO and smoke detectors/fire alarm system as required by the Vermont Division of Fire Safety
 - vi. Provide at least one egress window (5.7 square feet of clear opening) in each bedroom
 - vii. A \$.35 fee is required for the Town of Ludlow Fire Equipment Fund.
- In addition, Rose Goings added that the would be required to receive an allocation for 24 bedrooms for the municipal sewer system and contribute \$500 per unit to the Enterprise Fund. This is the same as South Face. She said that the Police and Ambulance letters are in and are okay with the project.
- N. John Watanabe said he was not aware that wood burning appliances are no longer allowed.
- O. Rose Goings said it is a new law.
- P. John Watanabe asked if gas fireplaces are allowed.
- Q. Rose Goings said yes.
- R. John Boehrer addressed the Act 250 elements
- i. Educational Services –
 - ii. John Watanabe said this project does not include any residential construction. The units are second homes. This will not result in an increase in student enrollment.
 - iii. Municipal Services –
 - iv. John Watanabe said this project will impose no additional burdens on municipal services, including fire, ambulance, police, and road maintenance. They will apply for sewer.
 - v. John Boehrer advised that letters are in from fire and police.
 - vi. Conformance to Town Plan –
 - vii. John Watanabe said it conforms to the town plan
 - viii. Rose Goings said the project is in the Mountain Recreation district and conforms to the purpose and standards of the district.
- S. Phil Carter asked is they would be adding 6 additional dwelling units.
- T. John Watanabe said yes.
- U. Phil Carter asked the if the acreage is 55.9 acres.
- V. John Watanabe said 57.9
- W. Phil Carter asked how many dwelling units are there at Winterplace.
- X. John Watanabe said 252.
- Y. Phil Carter asked what the land density is.
- Z. Rose Goings said some of the land is under 20,000 and some of the land is under the 40,000 requirement. She said she hadn't done the calculation.
- AA. Phil Carter said that someone will have to provide that information.
- BB. John Watanabe said the density was addressed years ago and they have up to 300 acres.
- CC. Phil Carter said we would need new evidence of the density of the project for the record.
- DD. Julie Nicoll asked if this hearing could be closed pending receipt of the density calculation.
- EE. John Watanabe said he could have it this week.

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- FF. **MOTION by Julie Nicoll and seconded by Phil Carter to close this hearing on January 30, 2018 pending receipt of density calculation.**
- GG. John Watanabe said he will have it by this coming Friday.
- HH. **MOTION amended by Julie Nicoll and seconded by Phil Carter to close this hearing on Friday, January 26, 2018 pending receipt of density calculation. Motion passed unanimously.**

5. **OTHER BUSINESS**

- A. None

6. **REVIEW AND APPROVE MINUTES**

- A. The board reviewed the minutes of the December 11, 2017 meeting.
- B. Julie Nicoll noted the following correction:
i. Page 1, date at top should read "2017"
- C. **MOTION by Julie Nicoll and seconded by Phil Carter to approve the minutes of December 11, 2017 as corrected. Motion passed unanimously.**

7. **ADJOURN**

- A. **MOTION by John Boehrer and seconded by Phil Carter to close this meeting. Motion passed unanimously**
- B. Meeting closed at 6:21 p.m.

Respectfully submitted,

Lisha Klaiber

Phil Carter, Chairman

Julie Nicoll

John Boehrer

Linda Petty

Dana Wilson