

**DEVELOPMENT REVIEW BOARD  
MINUTES**

*February 10, 2020*

**MEMBERS PRESENT:**

Phil Carter, Chairman  
John Bohrer

Julie Nicoll  
Doug Sheehan

George Tucker, Jr.

**STAFF PRESENT:**

Rose Goings

**OTHERS PRESENT:**

Scott Baitz  
Mike Behn  
George Benson  
Diane Cafarelli  
Paul Carocchio  
Dave Creaser  
Gilbert Donatelli  
Martha Donahue

Dave Frothingham  
Chris Huston  
Tom Macari  
Ken Mitchell  
John Neal  
Mike Normyle  
Ted Reeves  
Robert Ross

Marissa Selleck  
Terry Thayne  
Heather Tucker  
John Watanabe  
Fred Marin – Okemo Valley TV  
Lisha Klaiber, Recorder

**I. CALL TO ORDER**

1. Meeting opened at 6:00 p.m. by Chairman, Phil Carter. All members present.

**II. OPEN THE PUBLIC HEARING FOR WINTERPLACE COA**

1. Phil Carter advised that this is an application to consider an amendment to a Planned Residential Development Permit to turn attic space into a bonus room. The project is located at Winterplace, in the Mountain Recreational District for the following units:
  - a. 42 Harrison, M302
  - b. 84 Harrison, J305
2. Rose Goings advised that this is application 081-94-PRD, Amendment #13. Posted in the Town Hall bulletin boards, and the Post Office Bulletin Board and on the website January 15, 2020, advertised in THE VERMONT JOURNAL on January 22, 2020 and abutting property owners were notified on January 15, 2020. She advised that letters have been received from the Fire, Ambulance and Police Departments.
3. Phil Carter administered the oath to all (John Watanabe) wishing to speak at this hearing.
4. John Watanabe said that the DRB had previously seen other applications and approved changing these spaces into bonus rooms, for other units. They are asking for the same change for 2 more units. They will be changing unconditioned space to conditioned space.
5. Phil Carter asked if they would be building adjacent to the existing loft into the attic space and this would be a bonus room with no beds.
6. John Watanabe said that is correct, the space would not be used for sleeping.
7. Phil Carter asked about Chief Kolenda's letter and egress windows.
8. John Watanabe said Unit M302 if they can and M305 will have one.
9. John Bohrer asked if this would be a condition of the Fire Marshal's permit.

10. John Watanabe said that he has not contacted the Fire Marshal and that the contractor would.
11. Phil Carter asked if the Fire Marshal would require the space have sprinklers.
12. said yes.
13. Rose Goings asked if these plans are okay for now and future projects, as they are hand drawn.
14. Phil Carter asked if there is any language in the zoning or statutes as to how to submit plans.
15. Rose Goings said normally the architect must be a licensed Vermont contractor. She has reached out to the Secretary of State, over the last several months, but has not received a response. She said that in cases of 5 or more units, the drawings must be signed by an architect licensed in Vermont. These buildings, other than the duplexes, have 5 or more units.
16. Phil Carter asked if it is state statute.
17. Rose Goings said according to the Fire Marshal, it is.
18. Phil Carter asked Rose Goings that, going forward, she notify applicants for projects with 5 or more units that the drawings must be signed by a licensed Vermont architect.
19. Rose Goings said that Landon Wheeler is aware of this.
20. Julie Nicoll said that one of these drawings is signed by an out-of-state architect.
21. **MOTION by John Bohrer and seconded by George Tucker to close this hearing. Motion passed unanimously.**

### III. **OPEN THE PUBLIC HEARING FOR REXBO PROPERTIES, INC**

1. Phil Carter advised that this hearing is an application to amend the Conditional Use permit to demolish existing office building, expand the convenience store parking and construct new dumpster pad and enclosure. The property is located at 224 Main Street in the Village Residential Commercial District.
2. Rose Goings advised this is application is 204-02-CU, Amendment # 3 and application 480-20-FHR. Both applications posted in the Town Hall bulletin boards, and the Post Office Bulletin Board and on the website January 15, 2020, advertised in THE VERMONT JOURNAL on January 22, 2020 and abutting property owners were notified on January 15, 2020. She advised that agents are present and that letters have been received from Police, Fire and Ambulance departments.
3. Phil Carter administered the oath to all (Mike Behn, Dave Frothingham, Diane Cafarelli, Dave Creaser, George Benson, ) wishing to speak at these hearings. He explained that this is an on the record hearing and accepts written and verbal evidence. All evidence is reviewed. If the decision of the DRB is appealed to the court, the court will not hear this evidence again, but will review the process.
4. Dave Frothingham advised that they will demolish existing office building, expand the parking area, and add screening toward Pond Street. They will add a concrete pad for the dumpsters and will enclose it. They will move the edge of the pavement 18 feet toward Pond Street and add 2 more parking spaces. The will move the planting to between the street and fence.
5. Phil Carter asked what will be in the space where the building is now.
6. Dave Frothingham said the front will be green, there will be 6 new parking spaces and they will move it 18 feet to the east to the top of the building foundation He said there will be 35 feet of green space with a stockade fence.
7. Mike Behn said the fence will be about 6 feet high.
8. Dave Frothingham said the fence will be more solid than open to block light.
9. Mike Behn said the fence will be more pleasing for the neighbors.
10. Phil Carter asked about trees.

11. Dave Frothingham said the existing trees will remain and there will be new plants between the street and the fence.
12. Phil Carter asked if you were standing on Pond Street, would you see the existing trees, then the new shrubs, then the stockade fence.
13. Dave Frothingham said yes.
14. Phil Carter asked about water drainage on the green space.
15. Dave Frothingham said there will be a net decrease in the impervious area and they will re-grade so that water will drain to the existing catch basin.
16. Phil Carter asked if all of the green space will be designed for the water to drain to the catch basin.
17. Dave Frothingham said yes and there will be a narrow swale.
18. Phil Carter asked if there would be handicapped parking spaces.
19. Dave Frothingham said yes, and there would be proper signs and painting with an aisle adjacent to the ramp to the corner of the building.
20. Phil Carter asked about the dumpsters.
21. Dave Frothingham said there will be a new concrete pad and a locking chain link fence surrounding it.
22. Phil Carter asked about the fuel pumps.
23. Dave Frothingham said they will stay. He added that they will stripe the existing parking spaces, but there will not be any changes to them.
24. Phil Carter asked about the area to the back by the Electric department.
25. Dave Frothingham said it would remain the same.
26. John Boehrer asked about the existing building.
27. Rose Goings said they already have their CO.
28. Diane Cafarelli said she is happy that there is no more exit to Pond Street and happy to see they will be putting in a fence and shrubs.
29. Dave Creaser asked what kind of shrubs. He said that at the last hearings, he was told there would be trees.
30. Mike Behn said they will be red cedars.
31. Dave Creaser asked if the dumpster enclosure would be insulated because when they pick them up, it is usually very early in the morning and very noisy.
32. Dave Frothingham said the enclosure would not have a roof and would not be insulated.
33. Mike Behn said they will see if the contractor can change the times for pick-ups.
34. Dave Creaser asked why they will have so many parking spaces.
35. Mike Behn said it is a busy store.
36. Phil Carter asked about lighting.
37. Dave Frothingham said all the lights will be downward facing
38. Phil Carter said that the Planning Commission wrote into the zoning regulations that if the permit is issued, the buffer will be clearly defined. That will need to be in the permit.
39. Julie Nicoll asked when they demolish the building, will the area be fenced in.
40. Dave Frothingham said REXBO will fence in the area during the construction.
41. Diane Cafarelli suggested they stop plowing that area for the winter to keep people from driving through.
42. Phil Carter said that REXBO will be responsible for maintenance of the area and making sure there is no litter and is clean.
43. Doug Sheehan said if the lights are shining in the neighbors' windows, what they will do.
44. Dave Frothingham said they will put shields around the lights..
45. Phil Carter asked if there were any more comments or questions. There were not.
46. **MOTION amended by Julie Nicoll and seconded by George Tucker to close this hearing. Motion passed unanimously.**

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IV. **OPEN THE PUBLIC HEARING FOR MARTHA JANE DONAHUE**

1. Phil Carter advised that this hearing is an application to subdivide an existing 11.1 acre lot into two (2) separate parcels. One lot will access off Sandra Drive and one lot is contiguous with a lot on South Hill Road. The property is located at 11 Smokeshire/Sandra Drive in the Town Residential District.
2. Rose Goings advised that this application is SUB20-007. Posted in the Town Hall bulletin boards, and the Post Office Bulletin Board and on the website January 15, 2020, advertised in THE VERMONT JOURNAL on January 22, 2020 and abutting property owners were notified on January 15, 2020. She advised that agents are present and that letters have been received from Police, Fire and Ambulance departments.
3. Phil Carter administered the oath to all (Martha Donahue) wishing to speak at these hearing.
4. Martha Donahue said that she wishes to split the parcel into 2 lots. One lot will be behind property already owned and be accessed from Smokeshire Road. The other lot will have a driveway off Sandra Drive.
5. Phil Carter referred to the drawing and noted that Parcel A will be 5.15 acres and will be combined with an existing parcel and access off Smokeshire Road. They will not be using Sandra Drive. He said that the other lot, Parcel B will be 5.95 acres and will have a 35 foot ROW but cannot use Sandra Drive. He said that if it is only for one lot, an ROW may be only 35 feet.
6. Phil Carter asked if there are any known historical or interesting features to the land.
7. Martha Donahue said not that she knows of.
8. **MOTION amended by John Boehrer and seconded by Doug Sheehan to close this hearing. Motion passed unanimously.**

***NOTE: Phil Carter advised that the following three hearings are for OKEMO and asked the applicant if they could be addressed concurrently. The applicant's representative agreed.***

V. **OPEN THE PUBLIC HEARING FOR OKEMO, LLC**

1. Phil Carter advised that the three applications will be addressed together. There is an application for a Conditional Use Permit, Local Act 250 Review and Amendment to a PRD Permit, all to upgrade the Quantum Four lift to a six-passenger lift and the Green Ridge triple lift to a high-speed detachable four-passenger lift, construction of approximately 1,400 lineal feet of ski trail, renovation of the Administration Building to a facility focused on a children's ski school, renovation of, and addition to existing Base Lodge Building and site improvements including heated walkways, improved parking area, removal of some parking spots adjacent to the existing Base Lodge, and improved storm water system management and treatment. Property is located on Okemo Ridge Road in the Mountain Recreation District.
2. Rose Goings advised that this is applications 479-20-CU, 478-20-ACT250 and 092-95-PUD, Amendment #2. All three were posted in the Town Hall bulletin boards, and the Post Office Bulletin Board and on the website January 15, 2020, advertised in THE VERMONT JOURNAL on January 22, 2020 and abutting property owners were notified on January 15, 2020.
3. Rose Goings advised that letters have been received from Police, Fire and Ambulance.

4. Phil Carter administered the oath to all wishing to speak at these hearings (Ted Reeves, Chris Huston, and John Neal.)
5. Ted Reeves explained referred to drawings and indicated locations, including the Clock Tower, sidewalks that will be heated, new landscaping, where area will be regarded and stairs removed and pitch changed. He showed where they will revise the entrance and add on to the existing base lodge. He showed where new stairs will be located, a new patio, new vestibules, new ramps and a new 3-stop elevator. He advised that a purpose of these changes is to provide easier access for wheel chairs and other access devices. They will be bringing the buildings into compliance with new and existing ADA codes. They will add 10 ADA compliant parking spaces. There will be a new U-shaped traffic area to make for safer passage. The access to the loading dock will be improved. They will remove the parking by the Administration building and add a 12 foot wide corridor for EMS access. There will be a new storm water system, as required by the state, new life safety and they will renovate the entire storm drainage system to also comply with new state regulations. There will be 2 new treatment areas between Okemo and the Loft. There will be a new lighting plan, mostly for safety, with down lit lights.
6. Chris Huston said there will be a 2-story addition to the base lodge, with about 1,800 square feet per floor and a 3-stop elevator adjacent to the main entry for guest flow. The vestibule will be energy efficient with double doors. There will also be a similar vestibule next to the Sitting Bull going to the slopes. They have had several meetings with the Fire Marshal. They will be doubling their egress capacity. They will be a 2-story addition to the Sitting Bull with a fire rated egress stairs. The new upper level will be 36' x 54' 10" and just for seating area. There will be an open stair to the main area. The exteriors of both new additions will complement the existing buildings. He said that they will be creating a better connection between the buildings. He said they will be adding a new 2-stop elevator for accessibility to the ski school building. The ski school will be on the lower level and open on the back side, with direct access to Baby Basin. He said that the upper level will be cleared out and used for upper level students, and will come out of the existing exit and walkway to the slope.
7. Ted Reeves said they propose to remove the existing Green Ridge Chair and move the Quantum 4 lift from its existing location to the Green Ridge location. The terminals on both ends will be moved 50 feet down to help avoid congestion. They will add a new 1,400 feet trail, between 40 and 50 feet wide. Skiers will go down Mountain Road to the new trail to the bottom of the Green Ridge. This will reduce skier density at the core of the mountain. He advised that the Department of Forest, Parks and Recreation owns the land there and will have signed on to the application. He said that the lift will have new towers and tower bases. He said that the Quantum 4 will be replaced with a 6 seat chair lift in the existing location. He said that he has sent Rose Goings a list of all of the local and state permits for which they are applying. They would like to start the project on April 1, 2020.
8. Julie Nicoll asked what the height of the buildings would be.
9. Chris Huston said 26 feet to the upper ridge and 36 feet to the main level.
10. Phil Carter asked what a food scramble is..
11. Chris Huston said it is where people choose and pick up their food.
12. Phil Carter asked if the capacity would be the same.
13. Ted Reeves said yes, but it will be spread people out. It will be a wider, open area.
14. Phil Carter asked how they would heat the walks.
15. Ted Reeves said the concrete will have snow melting tubing looped throughout it. They will pump heated glycol through them.
16. Phil Carter asked, when the snow melts, will it be part of the storm water system.
17. Ted Reeves said yes.
18. Phil Carter asked about retention areas.

19. Ted Reeves said that effective 3/2019, there are new rules on how to treat small and large (100 year) storms. There will be 2 new storm water dry well batteries with concrete tanks. There will be 5 and 10 wells and will discharge to an existing swale.
20. Phil Carter asked about maintenance.
21. Ted Reeves said that state statute requires a registered engineer check the systems to make sure they are working as designed. They are required to clean out the catch basins and batteries.
22. Phil Carter asked if the state monitors this.
23. Ted Reeves said yes, and closely. An engineer has to sign a form that answers in one of 3 ways; system operating as it is supposed to operate. The system is not operating as designed, but there are appropriate steps to be taken or, the system is not operating properly and there is no way to correct it.
24. George Tucker asked about treatment.
25. Ted Reeves said they will try to slow the flow of water and have it settle in catch basins.
26. Phil Carter asked if, with the changes in the ski school building, they are expecting more students.
27. Ted Reeves said the goal is to help spread out the students.
28. John Neal said it is to provide a better experience for them. It may not increase the number.
29. Phil Carter asked, with changing the Quantum 4 to a six, will there be more skiers or riders.
30. Ted Reeves said the uphill capacity will increase by about 50%, but it may not mean more people.
31. Phil Carter asked about the Forest Land sign off.
32. Ted Reeves said they are co-applicants and second signatures. There will be a Stewardship Team at ACT250. They will be able to answer questions. He has the applications in front of ACT250. We hope to have a response by the end of the week.
33. Phil Carter asked if the Forest Land people have approved the new trail yet.
34. Ted Reeves said we are corresponding with them. He will address any questions that the Stewardship Team and ACT 250 bring up.
35. Phil Carter noted that when they went to ACT250 for Jackson Gore, there were questions about the bear corridor. Are there any issues for this new trail.
36. Ted Reeves said that Okemo did have to address how to work around those habitats. He said that those 1,400 lineal feet is not part of the bear corridor and was not previously identified.
37. Phil Carter asked if by moving the lifts down by 50 feet, they would need to do more clearing.
38. Ted Reeves said the clearing already exists.
39. George Tucker said the drawing shows new area.
40. Ted Reeves corrected himself and said they will need to clear more at the ends of the lifts.
41. Phil Carter noted that in his letter, Chief Kolenda required extended sprinkler coverage in all new construction area, a permit from the Vermont Division of Fire Safety and a \$.35 per square foot fire impact fee. Phil Carter said there is no reference to the Enterprise Fund.
42. Ted Reeves said that he thought that the Enterprise Fund had been sunset-ed.
43. Rose Goings said it is still going and all large development projects have to contribute to it. This is a new project.
44. Phil Carter said that is by ordinance, not zoning. He continued, and noted that in his letter, Chief Billings raised concerns about more people and more traffic. He noted that Okemo has reduced the number of shuttle buses from Okemo to the village. Okemo has also reversed its half day ticket from the morning to the afternoon and he would like to see it go back to mornings. Phil Carter said that, if that is taken away, it would un-mitigate about 129 cars.
45. John Neal said he would look into it.
46. George Tucker said Okemo has already reduced the shuttles.

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47. John Neal said the bus schedule has not changed the number of routes, but they have had trouble finding personnel.
  48. Phil Carter said he will review the permit and asked if this project will impact traffic.
  49. Ted Reeves said that at the time they were working on Jackson Gore, there was a study and it showed they could comfortably carry 625,000 skier visits per year. He said that while he was at Okemo, they sold maybe 500,000 skier visits and estimated season pass visits. When they started to scan tickets that number decreased. He said that with the mitigation steps that Okemo has taken, they have done well.
  50. John Neal said they will work with Chief Billings.
  51. Phil Carter asked if they shuttle employees from the north.
  52. John Neal said he thinks that is happening.
  53. Phil Carter asked them to look into all of this and assure this board and Chief Billings that the original mitigation plans are being followed. He said the board needs clarity.
  54. Ted Reeves said they will address all of Chief Billings' issues.
  55. Phil Carter asked the occupancy allowance for the Sitting Bull.
  56. Chris Huston said they are only adding the 2-story area. It will be part of the Fire Marshal's plans.
  57. Phil Carter said they will give Okemo the number.
  58. Chris Huston said we will make the submittal and they will respond.
  59. Phil Carter asked when they expect to wrap it up with the Fire Marshal.
  60. Ted Reeves said a couple of weeks ago, he dropped some paperwork off and Landon Wheeler said it would be about 3 more weeks. They told Rose Goings recently, that it would be about 2 ½ more weeks. We will go to meet with them as a team.
  61. Rose Goings said the Fire Marshal may change things, but these plans do say, "For Permit Review." She said the drawing says the cafeteria holds 200 people on the bottom floor.
  62. Chris Huston said yes.
  63. Rose Goings asked if they do the numbers by square feet.
  64. Chris Huston said the main level will be 326 people, the upper level will be 193 people and the Sitting Bull lower level 219 and upper level 87 people. These are code derived occupancies.
  65. George Tucker noted that on drawing LR3, it refers to bubble chair parking. What does that mean.
  66. Ted Reeves said on the detachable lifts, the chairs come off and go around into the parking structure. It keeps the ice and snow off the chairs.
  67. George Tucker asked about lighting.
  68. Ted Reeves said it is measured in foot candles – light as it hits the ground spreads over an area. He said all of the lights will be LED, down lit and energy efficient.
  69. Phil Carter asked Ted Reeves to address the Local ACT250 portion of the application.
  70. Ted Reeves responded as follows:
    - a. This project will not cause an unreasonable burden on the ability of the municipality to provide educational services. The project is intended to enhance the guest experience. It is not the intention of Okemo to add to the permanent employee base population or the student population in the town.
    - b. This project will not cause an unreasonable burden on the ability of the municipality to provide municipal or governmental services. The project has sent ability to serve requests to the various departments within the town. They have reached out to Fire Chief Kolenda and Assistant Chief Ron Bixby and their questions and concerns have been addressed.
    - c. The project is in conformance with the Municipal Plan. "As stated in the Zoning and Flood Hazard Regulations," The purpose of the Mountain Recreation District is to provide for the orderly growth of the existing ski resort in the town of Ludlow." This

project outlined by Okemo falls into the category of a conditional use and within the context of the Mountain Recreation District. The description of the Mountain Recreation District states, “ future uses of the land within the district are envisioned to be those which are consistent with the direct operation of the ski area facilities, as well as those which complement ski area activities.”

71. Rose Goings said that in his response to “Conformance to the Municipal Plan, Ted Reeves referenced the Zoning Regulations. We have a new town plan.
72. Phil Carter suggested that on his list of things to do, Ted Reeves may want to check the new town plan.
73. Phil Carter asked if the new 1,400 foot trail crosses a stream.
74. Ted Reeves said yes. He said he met with Courtney Buckley (VT Fish & Wildlife) and there are culverts above and below. The fish can’t go up stream. She would prefer a bridge across the stream. Ted Reeves said he has drafted plans for a bridge to cross the stream and will submit it to her. They have to sign off on it.
75. Mike Normyle asked where the new trail would start.
76. Ted Reeves indicated the location on the drawing.
77. Mike Normyle asked the footprint increase.
78. Ted Reeves said it is on the drawing.
79. Mike Normyle asked if the Magic Carpet is gone.
80. Ted Reeves said yes, they will be regarding and have a landing at each level.
81. Phil Carter asked about the Village Trustees.
82. Ted Reeves said they granted us the Wastewater allocation. He added that the town manager asked Okemo to true up what is actually at the base lodge area.
83. Rose Goings said the Village has not issued the letter yet. He said that Chuck Craig will contact John Neal to set up an inventory check. She said that she will talk to the town manager about the letter tomorrow.
84. Tom Macari asked about Domestic and Fire Protection water.
85. Ted Reeves said they do have to get the permits. Their idea is to get started when the lifts close and move out the lifts. They need to be ready in November to start up again.
86. Phil Carter said the following items need to be addressed:
  - a. They need a sign off from the State about the stream and any conditions about when they may and may not work
  - b. They need to go back through the existing Okemo permits and to check for compliance with traffic and shuttles.
  - c. They need the Department of Forest, Parks and Recreation to sign off and approve the project on their land.
87. Ted Reeves said the Department of Forest, Parks and Recreation is a co-applicant.
88. Phil Carter said the DRB will need a letter from the Stewardship team
89. Rose Goings said that will be part of the ACT250 review.
90. Ted Reeves said that the town’s (DRB) permit will be contingent upon ACT250 and we can’t do this project without either one of them.
91. Phil Carter said that ACT250 can put conditions on their permit that will result in your having to come back to this board. We need answers about the bear corridor, seasonal work and the stream. We need those answers, but you can’t give them until you hear from ACT250.
92. **MOTION by Julie Nicoll and seconded by Doug Sheehan to recess this hearing until March 9, 2020. Motion passed unanimously.**

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VI. **APPROVE MINUTES**

1. Phil Carter advised that the minutes to be reviewed are from December 9, 2019. We will do them at the March meeting.

VII. **OTHER BUSINESS**

1. **Winterplace COA – Permit Extension**
  - a. Rose Goings advised that Winterplace has built 2 of the duplexes, but have one more to go. They would like an extension on the third. They hope to start as soon as possible. All of their fees have been paid. They would like to extend for one year.
  - b. Phil Carter asked board for a consensus and then asked Rose Goings to send Winterplace a letter approving the extension.
2. **Hotel**
  - a. Rose Goings said that they have one year left and ACT250 has required changes. She has not heard from them.

VIII. **ADJOURN**

1. **MOTION by John Bohrer and seconded by George Tucker to adjourn. Motion passed unanimously.**
2. Meeting adjourned at 7:50 p.m.

Respectfully submitted,

Lisha Klaiber

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Phil Carter, Chairman

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Doug Sheehan

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John Bohrer

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George Tucker, Jr.

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Julie Nicoll