

**DEVELOPMENTAL REVIEW BOARD  
MINUTES**

**July 12, 2010**

**MEMBERS PRESENT:**

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

**OTHERS PRESENT:**

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

1. **CALL TO ORDER**

- A. Meeting opened at 6:00 p.m. by Vice Chairman, Julie Nicoll. Phil Carter arrived later. All board members present.

2. **OPEN THE PUBLIC HEARING FOR ROBERT AND JOAN AIRO**

- A. Julie Nicoll advised that this is an application to amend a Planned Unit Development to enclose an existing deck to make a mudroom and ski closet. Property is located at 36 Lower IV, Trailside Village IV A 48A in the Mountain Recreation District.
- B. Rose Goings advised that this is application 128-98-PRD, Amendment #24. Posted in the Town Hall bulletin boards June 18, 2010, advertised THE VERMONT JOURNAL on June 23, 2010, and the abutting property owners were notified on June 21, 2010. She said that letters have been received from the Ambulance and Police departments, but not from the Fire department. She introduced Peter Alberti who will represent the applicants.
- C. Julie Nicoll administered the oath to all wishing to speak at this hearing.
- D. Peter Alberti advised that the applicants wish to enclose an existing deck to make a mudroom with a ski closet.
- E. Julie Nicoll asked the board if they had any questions.
- F. Richard Harrison advised that the board has done about 12-15 applications for the same request. He asked how many units there are.
- G. Peter Alberti said that there are 212 units.
- H. Linda Petty asked if they would enter into the mudroom from the steps.
- I. Peter Alberti said they would enter from the steps; the closet would be on the left and then enter into the mudroom.
- J. Linda Petty asked if the outside lighting would remain the same.

- K. Peter Alberti said yes.
- L. **MOTION by Linda Petty and seconded by Troy Adams to close this hearing. Motion passed unanimously.**

3. **OPEN THE PUBLIC HEARING FOR OKEMO LLC – JACKSON GORE**

- A. Julie Nicoll advised that this is an application to reconsider paragraph 2 of the Findings of Fact related to the hours of operation for the alpine 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-PRD, Amendment #21. Posted in the Town Hall bulletin boards June 18, 2010, advertised THE VERMONT JOURNAL on June 23, 2010, and the abutting property owners were notified on June 21, 2010.
- C. Julie Nicoll administered the oath to all wishing to speak at this hearing.
- D. Ted Reeves said that at the June DRB meeting, he had mentioned that Okemo would like to motion to reconsider the hours of operation for the mountain coaster as listed in the permit. Okemo is requesting the ability to have 10 test days with the hours of operation extended from 8:00 p.m. until 10:00 p.m. This request is to determine the extent of the business for Okemo and to determine the impacts of the lighting. He also asked about summer hours of operation. In the summer, it is still light after 8:00 p.m. and there would be no need for the lights. He would like to know if they might operate until dark.
- E. Rose Goings said that it was her understanding that the 8:00 p.m. referred to the lights.
- F. Phil Carter said that was also his understanding of the intent of the board decision. Lighting was the issue.
- G. Ted Reeves said that the 10 test days would have hours of operation, with lights, until 10:00 p.m. He added that this would be in winter conditions and they would be able to see if the lights caused glare, what the visibility would be, if there would be complaints from local residents, the impact on business. He suggested that the DRB board members would make a site visit on a test day.
- H. Phil Carter asked that with respect to the tests for visibility, what would be the process, who would do the tests and what would be the standards and controls.
- I. Ted Reeves said that it would be Okemo's observations from Jackson Gore, North Hill, Solitude, Route 100, Route 103, Buttermilk Falls Road and other pertinent locations. He said it would be a group decision along with the DRB members.
- J. Phil Carter said that at the original hearing for the coaster, Okemo mentioned standards.
- K. Ted Reeves said he had referred to the International Dark Sky Association standards for glare. He said that required that lights be all directed down. Okemo complies with that. They will not use floodlights and all lights would be focused down onto the track for safety purposes.
- L. Richard Harrison said that he still has a problem with safety at the later hours.
- M. Ted Reeves said that they would evaluate the situation during those 10 test days. They would cover holidays, non-holidays and weekends. This would give Okemo the chance to see how people are acting on the ride and there would be operators on the ride. The 10 days would not be consecutive. They would include foliage, snow and non-snow. They would be random, maybe during January, to include the end of the Christmas/New Years period and maybe Martin Luther King weekend. There is no specific schedule at this time. He would work it out with Rose Goings and the board.

- 
- N. Linda Petty asked why 10 days.
  - O. Ted Reeves said it was a random number that would encompass a variety of operating days and weather conditions. Maybe 5 or 6 would do.
  - P. Rose Goings referred to the Act 250 statement that the commission was inclined to approve the application based on the DRB hours of operation. Will Okemo have to go back to Act 250?
  - Q. Ted Reeves said that Act 250 referred to how they could harmonize with the DRB. Mike Bernhart said that Act 250 would retain jurisdiction and they may allow flexibility in the hours of operation if this request is approved. We will probably have to go back to them for an amendment. They left additional time before closing the hearing to allow for comments from Buttermilk Falls residents.
  - R. **MOTION by Linda Petty and seconded by Phil Carter to close this hearing. Motion passed unanimously.**

4. **OTHER BUSINESS**

A. August Agenda

- i. Rose Goings advised that the August agenda is very full and will be a long night. They have a request for a preliminary concept review for a PUD. It will be informal and under "OTHER BUSINESS," but may take a long time. She is not going to schedule a site visit for it at this time.
- ii. Phil Carter said that he would prefer not to do a site visit until after they make the presentation. It will be a big project and the board will have a better understanding of the scope after the presentation.
- iii. Rose Goings said it is a very wooded area and the board would not see very much right now.

B. Articles in Packets

- i. Rose Goings advised that she had put an article about writing findings of fact in the packets. She said that when she sees pertinent articles, she will make copies for the board.

C. Ranta Road Mediation

- i. Phil Carter advised that the mediation for the Ranta property at Okemo, is tentatively scheduled for August 25<sup>th</sup>. It will be held here in the conference room.
- ii. Linda Petty said that she would not be available.
- iii. Phil Carter said that he does not think board members would have to attend. He will have more details at the August DRB meeting.

5. **REVIEW AND APPROVE MINUTES**

- A. The board tabled review of the June 14, 2010 minutes until the next meeting.

6. **ADJOURN**

- A. **MOTION by Linda Petty and seconded by Troy Adams to adjourn this meeting.**  
**Motion passed unanimously**
- B. Meeting closed at 6:30 p.m.

Respectfully submitted,

Lisha Klaiber

\_\_\_\_\_  
Phil Carter, Chairman

\_\_\_\_\_  
Julie Nicoll

\_\_\_\_\_  
Troy Adams

\_\_\_\_\_  
Linda Petty

\_\_\_\_\_  
Richard Harrison