

DEVELOPMENT REVIEW BOARD

PRELIMINARY MINUTES

ZOOM ELECTRONIC MEETING

**Monday – August 8, 2022
6:00 P.M**

Join Zoom Meeting

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MEMBERS PRESENT:

Phil Carter, Chairman

Julie Nicoll

George Tucker, Jr.

John Boehrer

Doug Sheehan

STAFF PRESENT:

Rose Goings

OTHERS PRESENT:

Joan Airo

Rich Jewett

Mike McLaine

Robert Airo

Marek Kovac

Meredith Milliken

Tom Berry

Siri Laurenza

Keelan Morton

Greg Biancardi

Tony Laurenza

Ted Reeves

Lara Fram

Adam Lennon

Randall Walter

Andrea Goldman

Carl Lisman

Peter Wilkens

Tim Hertwick

Chrissy Martino

Lexi Young

I. CALL TO ORDER – ELECTRONIC MEETING GUIDELINES

1. Phil Carter opened the meeting opened at 6:00 p.m. All members are present.

II. OPEN THE RECESSED PUBLIC HEARING FOR OKEMO TRAILSIDE COMMUNITY ASSOCIATION, INC. (F.K.A. OKEMO TRAILSIDE MASTER ASSOCIATION)

1. Phil Carter advised that this is an appeal to the Development Review Board from a Notice of Violation, dated February 22, 2022, issued by Rosemary Goings, Administrative Officer to the Okemo Trailside Master Association. Property is located at Okemo Trailside Condominiums in

the Mountain Recreation District. He referred to an email from Carl Lisman to Chris Callahan in which Mr. Lisman advised Mr. Callahan that the engineer at Otter Creek who prepared the design plan had retired and Otter Creek has not found a replacement for him. Otter Creek has brought on MSK Engineers from Bennington to work with them on this project. He said that he was told that “the design phase will take upwards of six months before the plans will be sufficiently complete.” Phil Carter said that the project is moving forward.

2. **MOTION by Phil Carter and seconded by John Boehrer to recess this hearing until the January, 2023 meeting.**
3. Phil Carter said that this will give them time to get the engineering plans complete.
4. **Motion passed unanimously.**

III. **OPEN THE PUBLIC HEARING FOR OKEMO TRAILSIDE COMMUNITY ASSOCIATION**

1. Phil Carter advised that this is an application to comply with the Ludlow Fire Department’s fire protection improvements at Okemo Trailside. The project is located in the Mountain Recreation District. He said that the application is not complete and this board has nothing that it can work with. He hopes that by January they will have a complete application with engineered drawings, site plan, storm water run-off and letters from the Police, Ambulance, Division of Fire Safety and a new letter from the Ludlow Fire Chief. He added that this is a waste of the DRB’s time. He said that hopefully, in January this will all be complete and the Notice of Violation can go away.

IV. **OPEN THE RECESSED PUBLIC HEARING FOR OKEMO HIEGHTS LLC**

1. Phil Carter advised that this is an application for an eight (8) lot subdivision in the Village Residential zoning district. The hearing was recessed from the meeting on July 11, 2022. He said we received a letter from Ted Reeves requesting a recess until the next meeting (October.)
2. **There was board consensus to recess this hearing until the October 24, 2022 meeting.**

V. **OPEN THE PUBLIC HEARING FOR RICHARD VOTTO**

1. Phil Carter advised that this is an application for a 2-lot subdivision in the Mountain Recreation District.
2. Rose Goings advised that this is application SUB23-002. It is for a 2-lot subdivision. Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website, July 18, 2022 advertised in THE VERMONT JOURNAL on July 20, 2022 and abutting property owners were notified on July 19, 2022. She said that today, we received letters from Fire, Ambulance and Police. All letters said the project would not have an impact on services. Plans have been submitted. She said that Mr. Votto is not here and does not have an agent present. She described the project:
 - a. Existing lot is on the corner of Smokeshire and West Hill. It will be divided into 2 lots:
 - b. Lot 1, will have 1.61 acres and is on the corner of West Hill Road (a town road) and Smokeshire Road (a private road.)
 - c. Lot 2, will have 1.6 acres and is only facing Smokeshire Road.
 - d. There is no development list.
 - e. There are no septic plans or permits
3. Phil Carter asked Rose Goings where the driveways will be located.

4. Rose Goings said she doesn't know.
5. Phil Carter asked if there is a 50-foot ROW for Smokeshire.
6. Rose Goings said she doesn't know.
7. Phil Carter said this board needs to know if there is a 50-foot ROW. He suggested recessing this hearing for 2 months to give the owner the opportunity to submit the needed information.
8. Phil Carter administered the oath to Tony Laurenza.
9. Tony Laurenza asked if the owner will be able to put a couple of homes on each lot.
10. Phil Carter said no, only one home per lot. There must be one acre per home.
11. **MOTION by Phil Carter and seconded by Doug Sheehan to recess this hearing until October 24th. Motion passed unanimously.**
12. Phil Carter said that hopefully there will be someone present to answer questions.

VI. **OPEN THE PUBLIC HEARING FOR OKEMO LIMITED LIABILITY COMPANY
STATE OF VERMONT, FORESTS AND PARKS
OKEMO MOUNTAIN RESORT**

1. Phil Carter advised that this is an application to create a new 60' x 150' connector trail that will provide skier access from the Upper Tomahawk connecting to the Sweet Solitude Trail. Also, the removal of a strip of trees, approximately 50 feet wide at its widest point by approximately 1,200 feet long, an area of approximately one acre. The project is located in the Mountain Recreation District.
2. Rose Goings advised that this is application 092-95-PUD, Amendment #3 and 491-23-ACT250. Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website July 18, 2022, advertised in THE VERMONT JOURNAL on July 20, 2022 and abutting property owners were notified on July 22, 2022. She said that we have received the plans with the application and that Ted Reeves is here representing Okemo and the State.
3. Phil Carter administered the oath to Ted Reeves.
4. Ted Reeves referred to a drawing that was submitted and indicated the locations of the proposed trail and the strip where trees will be removed. He noted that the smaller green area, of about 60' x 150' will be a connector trail between the Upper Tomahawk and Sweet Solitude trails. He said that this trail will improve access for less experienced skiers and will be safer. He referred to the other green area and said that it will be about 1,200 feet long and 15 to 20 feet wide, on average and 40 – 50 feet at its widest. The area is located between the snowboard park and the Black Out Trail. He said that it will widen the area between the two areas. He said that Black Out is used for races. This application does not include expansion of any buildings nor changes to the snowmaking system. He said that the connector trail is outside the Bicknell Thrush habitat. He said that he has been in contact with Tyler Brown from the State Fish and Wildlife and Mr. Brown said that the trail will not conflict with the Bicknell Thrush habitat. He said that the application and drawings was reviewed by Forest, Parks and Recreation and were approved by them.
5. Phil Carter asked if there were any comments about the bear corridor.
6. Ted Reeves said no, it is mainly on the Jackson Gore property and this area is not mapped as a designated bear area.
7. Phil Carter asked the elevation of the project.
8. Ted Reeves said about 2,800 feet. He said he has already contacted Stephanie Guile at ACT 250.
9. Doug Sheehan noted that the trail that was being discussed as Sweet Solitude is listed on the drawing as Sunburst.
10. Ted Reeves said it is the same trail, just renamed.

11. George Tucker asked if this board needs to see the letter from Tyler Brown.
12. Phil Carter said the board would need to see any documents that are pertinent.
13. Ted Reeves said he will email a copy to Rose Goings.
14. Phil Carter said it will be part of the record.
15. Ted Reeves addressed Local ACT 250:
 - a. Will not cause an unreasonable burden of the ability of the municipality to provide educational services:
 - The project will not result in an increase in employees and will not impact the schools. He said that he sent a letter to Lauren Fierman, but she has not responded.
 - b. Will not cause an unreasonable burden on the ability of the municipality to provide governmental services:
 - He said that it will not impact municipal services. He said that he has received a letter from Fire Chief Kolenda, but not Police or Ambulance. He said that Okemo has a protocol in place for Police, Fire and Ambulance services.
 - c. Is in conformance with the Municipal Plan as adopted in accordance with the Act.
 - The purpose of the Mountain Recreation District is to provide for orderly growth of the existing ski resort in the Town of Ludlow. Future uses of land within the district are to be consistent with the direct operation of the ski area facilities. One of the uses allows for “outdoor recreational uses.” The proposed trail work advances recreational uses on the mountain.
 - Also – within the context of the district, “provide for the orderly growth of the existing ski resort- be consistent with the direct operation of the ski area facilities. The trail improvement project is consistent with this vision.
16. **MOTION by John Boehrer and seconded by Doug Sheehan to close this hearing. Motion passed unanimously.**

VII. **OPEN THE PUBLIC HEARING FOR OKEMO OWNERS’ ASSOCIATION (NAVAJO VILLAGE)**

3. Phil Carter advised that this is an application to re-roof, new siding, new mudrooms, build dormers and new gable overhangs. The project is located in the Mountain Recreation District.
4. Rose Goings advised that this is application 490-23-CU. Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website, July 18, 2022 advertised in THE VERMONT JOURNAL on July 20, 2022 and abutting property owners were notified on July 22, 2022. She said that we have received letters from Fire, Police, Ambulance and the Electric Department as well as plot plans, building plans and the application.
5. Phil Carter administered the oath to Rich Jewett from Flying Goose. He said that with a Conditional Use the changes need to be on the record.
6. Rich Jewett said that they plan to replace the roofs (they are leaking), put on new siding, add overhanging gables, expand the doorways and upgrade the egress windows.
7. Phil Carter asked when the units were built.
8. 1974.
9. Phil Carter clarified that they will not be adding rooms.
10. Rich Jewett said just the overhangs to stop water from coming down on the doorways. They are doing safety updates/
11. Doug Sheehan asked about the new mudrooms mentioned on the application.
12. Rich Jewett said half and half. One half will be expanded out. He the top on the plans shows what is below and what is proposed. We will add a wider front door out to the existing porch.
13. Phil Carter asked about view from the sky - footprint.

14. Rich Jewett said yes it will look different. One entry per unit at the driveway. The next unit set back into the building and then bring the next out.
15. Rose Goings said that the letter from the fire chief says that a permit from the Vermont Division of Fire Safety is required prior to construction and all proposed new enclosed entries shall have a non-combustible wall surface (i.e., sheetrock.) She asked if he has been in contact with the Fire Marshal.
16. Rich Jewett said he has spoken to Jay Moody about the mudroom build outs and upgrading the dryer vents.
17. Phil Carter asked if, when the permit from the Division of Fire Safety is received, for them to send a copy to Rose Goings.
18. John Boehrer asked if some of the mudrooms are already done.
19. Rich Jewett said yes. There are still 22 to do. It will even out the roofline.
20. Phil Carter administered the oath to Randall Walter.
21. Randall Walter said that A and B shows the mudrooms reconfigured, with better covered entries. We are changing the locations of the entries. They will be adding overhangs, using better materials, lowering maintenance impacts and they will be more consistent to the mountain architecture.
22. George Tucker asked if there are any water or snow configurations.
23. Randall Walter said we are resolving the issue with the gables and putting in better siding.
24. **MOTION by John Boehrer and seconded by Doug Sheehan to close this hearing. Motion passed unanimously.**

VIII. **OPEN THE RECESSED PUBLIC HEARING FOR MICHELLE SUKER (47 Depot Street)**

1. Phil Carter advised that this is an application to add a bedroom to the second floor and existing commercial building, including lifting the roof line, adding a dormer and a staircase in the back. He said this was recessed from the meeting on July 11, 2022. He said that a letter was received from Ms. Suker withdrawing the application.
2. **MOTION by Doug Sheehan and seconded by Julie Nicoll to close this hearing. Motion passed unanimously.**

IX. **APPROVE MINUTES**

1. Phil Carter advised that the minutes to be reviewed are from:
 - a. May 9, 2022
 - i. Julie Nicoll noted that on page 3 of 5, item IV, 38 should read, "...they would hear the specific hours of operation."
 - ii. Phil Carter noted that on page 5 of 5, item VII, 2 should read, "He said that this is the 4th hearing."
 - iii. **MOTION by Julie Nicoll and seconded by George Tucker to approve the minutes from May 9, 2022 as corrected. Motion passed unanimously.**
 - b. June 13, 2022 – Re-Organization Meeting
 - i. **MOTION by John Boehrer and seconded by Julie Nicoll to approve the minutes from the Re-Organization meeting on June 13, 2022 as presented. Motion passed unanimously.**

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- c. June 13, 2022 - Regular meeting
 - i. Julie Nicoll noted that on page 2, item II, 13, should read, “Josh Sapp asked if...”
 - ii. Phil Carter noted that on page 5, item V, 6 should read, “In July they plan to put an apartment...”
 - iii. Julie Nicoll noted that on page 7, item VII, 7, should read, “...Up/Down votes, but he likes John Boehrer’s point...”
 - iv. **MOTION by Phil Carter and seconded by John Boehrer to approve the minutes from the regular meeting on June 13, 2022 as corrected. Motion passed unanimously.**

 - d. July 11, 2022 – Regular Meeting
 - i. Julie Nicoll noted that on page 2, item II, 2, should read, “...satisfies the MOU requirements that we file and the application...”
 - ii. Phil Carter noted that on page 3, item III, 14, should read, “There are no comments.”
 - iii. Phil Carter said that on page 3, item IV, 4, and should read, “It will be multi-use, no motor vehicles. There will be biking, hiking...”
 - iv. Phil Carter noted that on page 7, item V, 30, should read, “...with the 5 criteria and come back with a complete application.”
 - v. Phil Carter noted that on page 9, item VI, 30, should read “...that was unknown widths...”
 - vi. Phil Carter noted that on page 9, item VI, 35, should read, “Rose Goings said that Ron Tarbell had been out and that she was approached this morning by Ron Tarbell...”
 - vii. Phil Carter noted that on page 9, item VI, 35 should read, “...going out to where the road would be and he can’t handle it.”
 - viii. Julie Nicoll noted that on page 9, item VI, 37 should read, “... Okemo Heights Road – the town portion terminates and then the road crosses private property to the subdivision.”
 - ix. Julie Nicoll noted that on page 9, item VI, 41 should read, “...but that he did know that it was a 75 foot cul-de-sac, but thought that the road was 50 feet all along.”
 - x. **MOTION by Phil Carter and seconded by Julie Nicoll to approve the minutes from July 11, 2022 as corrected. Motion passed unanimously.**

X. OTHER BUSINESS

- 1. Divided Sky
 - a. Rose Goings said there hasn’t been any new word and she has no idea where it stands.
 - b. Phil Carter said we should hear this month. He said that next week, Divided Sky will be holding a fund raiser at the Country Girl Diner in Chester.
 - c. Rose Goings said they should do well.

- 2. Next Meeting
 - a. Rose Goings said that the next meeting will be on October 24, 2022. There will not be a meeting in September.

XI. ADJOURN

1. **MOTION by Phil Carter and seconded by John Boehrer to adjourn. Motion passed unanimously.**
2. Meeting adjourned at 6:54 p.m.

Respectfully submitted,

Lisha Klaiber

Phil Carter, Chairman

Julie Nicoll

John Boehrer

Doug Sheehan

George Tucker, Jr.