

DEVELOPMENT REVIEW BOARD

PRELIMINARY MINUTES

Monday –May 8, 2023
6:00 P.M. – In Person Meeting
Town Hall Heald Auditorium – 37 Depot Street Ludlow, VT 05149

MEMBERS PRESENT:

George Tucker Jr., Chairman Alan Couch Doug Sheehan
John Boehrer Julie Nicoll

MEMBERS ABSENT:

STAFF PRESENT:

Jarrold Jowdy Lisha Klaiber, Recorder

OTHERS PRESENT:

Paul Alcorn	Troy Caruso	John Neal
Eric Alden	Susan Chadwick	Chuck Peel
Scott Baitz	Richard Dunseith	Richard Radonis
David Barrett	Terry Ellison	Ted Reeves
Greg Biancardi	Lara Fram	Patrick Ross
Pauline Bostock	Daniel Fram	Ted Reeves
Richard Bostock	Sandy Johnson	Jean Strong
Elizabeth Calabrese	Betsy Mitchell	John Watanabe
Tylan Calcagni	Kathy Moravek	Okemo Valley TV

I. CALL TO ORDER

1. George Tucker Jr., Chair, opened the meeting at 6:15 p.m., all members present.

II. RE-OPEN THE RECESSED PUBLIC HEARING FOR OKEMO HEIGHTS

1. George Tucker Jr. advised that this is an application for an 8-lot subdivision in the Village Residential District. This hearing was recessed from the meeting on July 11, 2022; it includes subdivision, Local Act 250 and site plan approval. It was recessed again from February 13, 2023, and March 13, 2023 meetings. They were waiting for information regarding a traffic study. He reminded all who had spoken at the previous hearings that they are still under oath. He administered the oath to Ted Reeves and David Barrett.
2. Ted Reeves said this hearing has been going on since July and the DRB now has all of the information they requested at the February 13, 2023 meeting.
3. Julie Nicoll asked who owns the parcel.
4. Ted Reeves said that Mr. Stearns is the attorney who did the title search. He added that it is not the purview of the DRB to determine who owns the property.
5. Alan Couch said that he is a new member on the DRB, but has attended meetings and followed the minutes and is informed about this hearing.
6. Ted Reeves said that he has no objection to Alan Couch's participation.

7. Nate Stearns said he had submitted a copy of the title analysis to the Planning office. The deeds are in the land records. Parcel 35 (230735) is at the end of Okemo Heights and is 150 feet. In 1964, all of that land belonged to Vermont Real Estate Company and each time they conveyed a lot without frontage, a ROW was granted. In 1968, they conveyed the parcel to Oliver Tucker, who later conveyed it to Okemo Heights with the ROW. Mr. Yarrish conveyed it to Culture Works. Vermont Real Estate reserved the right to widen the road to standards specifications. He said he provided a copy of this to the assessor.
8. George Tucker Jr. said he has a copy and this has not been adjudicated. He said that will Okemo Heights will enter into a private road maintenance agreement with Culture Works if the DRB grants this permit.
9. Doug Sheehan said that they can only widen the north side of the road.
10. Nate Stearns said Yarrish owned both sides of the road, and he is pretty certain it can be widened.
11. Greg Biancardi said he purchased from Marquis, by Quit Claim Deed and has been paying the taxes on the parcel. There was no agreement for a ROW. There may have been a note from Perrini on the Ralph Michael's survey. The town didn't want the parcel and it was granted to Marquis.
12. George Tucker Jr. asked Mr. Biancardi if he would be willing to enter into a private maintenance agreement.
13. Greg Biancardi said yes, but he wants to retain ownership.
14. George Tucker Jr. asked if they would enter into that agreement before the DRB decision.
15. Nate Stearns said it would be easier if they had the DRB decision first.
16. George Tucker Jr. said the permit would be contingent upon meeting the town highway road standards.
17. Ted Reeves said it does not meet the 2-rod road, but it is preexisting and pinned on both sides by the other people. The travel way will meet the subdivision regulations.
18. Susan Chadwick said she objects to this request. The road is not adequate for construction and 8 other houses. The owner, Okemo Heights also owns property at Soapstone Road and can access through there and leave the natural barrier of trees.
19. Sandy Johnson agreed that the road doesn't support the traffic and if they add 8 more houses, with 16 more cars coming up the road, they can't pass. There could be a disaster if there was an emergency and the emergency vehicles couldn't get up the road.
20. **MOTION by John Boehrer and seconded by Doug Sheehan to close this hearing. Motion passed unanimously.**

III. RE-OPEN THE RECESSED PUBLIC HEARING FOR TROY CARUSO – 87 FOX LANE

1. George Tucker Jr. advised that this is an application for Flood Hazard Review and Conditional Use to construct an outdoor deck at Calcutta's Restaurant. The deck is for outside dining for up to 89 seats. The project is located in the Town Residential/Commercial District. This hearing was recessed from the February 13, 2023 and March 13 meetings. He advised anyone who had previously spoken that they are still under oath and administered the oath to Liz Calabrese and Troy Caruso.
2. Liz Calabrese said that she is the architect and submitted the revised drawing on April 26, 2023. She said that added stairs and a ramp to the deck. She said she spoke to Terry Shearer at the VT DEC and was told that Calcutta's may have up to 12 events per year. The longest event may be up to 4 days (leaving 8 days.) The deck will be located where the old Golf School used to be and will not be attached to the restaurant.
3. Troy Caruso said it will be in back of the red barn with a stair case and ramp.

4. John Boehrer asked if the cart barn would remain.
5. Troy Caruso said yes.
6. George Tucker Jr. noted that structural plans had not been submitted.
7. Liz Calabrese said that she was not aware that they would be needed tonight and they are not ready. She said they do have a letter from the fire Marshall, but will have to resubmit it because they have revised the plans. They will submit structural plans that are stamped.
8. John Boehrer asked how long Liz Calabrese thought that may take.
9. Liz Calabrese said about Wednesday. She said they can't get the Fire Marshall's permit without stamped drawings. She asked if this board also needs a copy.
10. George Tucker Jr. said the board would like to see the structural plans before they can issue a permit.
11. Doug Sheehan asked about occupant limits.
12. Liz Calabrese said it is designed for 89 people, including design and snow load.
13. George Tucker said it will be a public deck, with many people and that is why this board needs to see the drawings.
14. Julie Nicoll asked about the notation that the owner must retain records of the dates of the events for at least 3 years and provide them to state is needed.
15. Liz Calabrese said that is per the state regulations to be able to show the number of people and the dates.
16. George Tucker Jr. said that would be part of the permit.
17. Troy Caruso said that with their last permit, the DRB gave their decision before all of the papers were in.
18. George Tucker Jr. said this board would like to recess this hearing.
19. John Boehrer said that if they can provide the required drawings, the board can hold off on its decision and close the hearing at a later date and time OR, the board can recess this hearing until next month. He asked if noon on Friday would be possible for them.
20. Liz Calabrese said she would do her best.
21. **MOTION by John Boehrer and seconded by George Tucker Jr. to close this hearing on Friday, May 12, 2023 at noon.**
22. Julie Nicoll asked what if they do not submit the required papers.
23. George Tucker Jr. said the board would make a decision based on the evidence already provided.
24. **Motion passed unanimously**

IV. **RE-OPEN THE RECESSED PUBLIC HEARING FOR OKEMO TRAILSIDE COMMUNITY ASSOCIATION**

Okemo Trailside Condominiums, Arapaho Village, Trailside Ext. Buildings 14 through 24

1. George Tucker Jr. advised that this is an application to amend a Planned Unit Development Permit to replace siding trim, decking, railing, select windows and doors. The project is located in the Mountain Recreation District. This was recessed from the March 13, 2023 meeting. We received letters from Police, Ambulance and the Fire Marshal's permit.
2. George Tucker Jr. administered the oath to Lara Fram.
3. Lara Fram explained that this is an application to replace siding, decking, railing, windows and doors. They would not be expanding the footprint of any of the units.
4. George Tucker Jr. asked if they would be changing the color.
5. Lara Fram said yes, from brown to flagstone. There would be no additional space added.
6. John Boehrer noted that in his letter, Chief Kolenda said a permit is required from the Vermont Division of Fire Safety.

7. Lara Fram said they are working with them. She asked the board for an up/down vote because of the recesses in the hearing.
8. George Tucker Jr. said that this board will no longer be doing up/down votes. He said they hope to get the decision out by the end of this week or next week.
9. **MOTION by George Tucker Jr. and seconded by Alan Couch to close this hearing.**
Motion passed unanimously.

V. **RE-OPEN THE RECESSED PUBLIC HEARINGS FOR OKEMO LIMITED LIABILITY COMPANY - 21 Prospect Street**

1. George Tucker Jr. advised that this is an application for a Conditional Use Permit to convert an existing Multi-unit Family Residential Home into an Inn. The project is located in the Village Residential District. This hearing was recessed from the March 13, 2023 meeting.
2. George Tucker Jr. reminded all who had spoken previously at this hearing that they are still under oath and administered the oath to John Neal, Ted Reeves, Richard Dunseith, Paul Alcorn, Rich Radonis and Eric Alden.
3. Ted Reeves advised that this is an application to change the use from a Multi-Unit family residential home to an Inn. It will serve as employee housing and it was decided by the state and local regulations that Inn was the best definition for the new use. On March 28, he submitted floor plans and met with Jay Moody (Fire Marshall.)
4. George Tucker Jr. asked how they would transport the employees to work.
5. John Neal said they have a 14-passenger bus that makes with stops on Main Street and Prospect.
6. George Tucker Jr. asked how many trips will be made each day.
7. John Neal said there will be 5 shuttles per day: 6:00 a.m., 9:00 a.m., 12:00 p.m., 4:00 p.m. and 6:00 p.m. The buses are run by the Okemo Shuttle service.
8. George Tucker Jr. asked if only Okemo will be running the buses to Okemo.
9. John Neal said Okemo.
10. Julie Nicoll said there were other buses last winter.
11. George Tucker Jr. administered the oath to Pauline Bostock.
12. Pauline Bostock said there were large buses on Depot Street.
13. John Neal suggested that a condition of the permit be 14-passenger buses run by Okemo.
14. George Tucker Jr. asked if there will be any midnight or other runs.
15. John Neal said he will refine the schedule and submit it.
16. George Tucker Jr. said there may be some leeway. He asked if the employees have cars.
17. John Neal said very few will have cars in the winter. There may be 4 – 6 cars in the summer.
18. Alan Couch said that it looks like the parking infringes on the other property.
19. Ted Reeves said the whole parcel is owned by Okemo.
20. Alan Couch said there is a 2-lot subdivision on the west side and the survey submitted by David Rose looks like the parking lot infringes on that property.
21. Ted Reeves said that he got the property lines off the listers card on the town website.
22. Alan Couch said that at some point, the surveys with deeds should be resolved with the abutters.
23. Ted Reeves asked the date of David Rose's drawing.
24. Julie Nicoll said March 10, 2023.
25. Alan Couch said there are no addresses shown.
26. George Tucker Jr. said that would be on the applicant's to-do list for clarification.
27. Ted Reeves said he will call David Rose tomorrow.
28. Alan Couch said the plans show two 2 bedrooms with 8 people, 26 others and 1 bathroom per unit.
29. George Tucker Jr. asked if only employees will be staying there.

30. John Neal said yes, only employees and that can also be a condition of the permit.
31. George Tucker Jr. asked about outside entertainment. He suggested a “pseudo” quiet hour of 10:00 p.m.
32. John Neal said that would be ok.
33. Doug Sheehan asked about outside lighting.
34. John Neal said only what is already there. John Neal said that garbage would be picked up 2 times per week.
35. Doug Sheehan asked about signs.
36. John Neal said none.
37. George Tucker Jr. asked if they would be willing to put a fence around the dumpsters.
38. John Neal said he has no objection to that.
39. George Tucker Jr. asked about snow removal.
40. John Neal said Okemo has a team that plows and removes snow.
41. George Tucker Jr. asked about bus flow in the bad weather.
42. John Neal said in bad weather, they would not use Dug Road, but would turn the bus around and send it down the other way.
43. Alan Couch said that he lives across the street from one of the other employee housing units and the buses don’t bother him. It is a quiet, residential area and the employees are quiet and respectful.
44. John Boehrer referred to the letter from Chief Kolenda: “If not already completed, a hood suppression system shall be installed and inspected as outlined in the Fire Prevention Inspection Report from the Vermont Division of Fire Safety date 3-13-22.”
45. John Neal said that has been completed.
46. John Boehrer noted there were no conditions in the letter from the Ambulance Service.
47. George Tucker Jr. said that all letters are in.
48. Paul Alcorn said that in the winter there are issues with garbage, with the dumpster overflowing. They moved the dumpster to the driveway. There was noise earlier in the winter, and one of the neighbors dealt with it through the HR Department. He said it is hard to imagine 42 people there. He is concerned that they will be outside talking and making noise. He said there was an issue last winter. He asked why “Inn” is the only designation the town has and why the Planning Commission is not more proactive in creating a definition for “Employee Housing.” He said the DRB had no say in the change from the Pettigrew Inn to what it is now. He said the DRB should ask the Planning Commission to come up with a definition for Employee Housing.
49. Richard Dunseith asked if an inn is residential or commercial.
50. George Tucker Jr. said that an “Inn” is allowed in both Commercial and Residential areas.
51. Richard Dunseith asked what happens if they fail to abide by the permit and who do the neighbors call.
52. George Tucker Jr. said they should call the Planning and Zoning office. They will go and inspect the property and if the property had not abided by the permit, the Planning and Zoning Office will issue a Notice of Violation and it will go back to the DRB. George Tucker said that he hopes that local business owners will operate in good faith.
53. Richard Dunseith said they can’t call the police.
54. John Boehrer asked why they can’t call the police.
55. Richard Dunseith said in the summer the employees will be outside and have music and make noise until 11:00 p.m. or 12:00 a.m. If you put a 10:00 curfew, what if they don’t abide by it.
56. John Boehrer asked what Mr. Dunseith would do if his current neighbors made noise at night.
57. Richard Dunseith said he would go and talk to them.
58. Doug Sheehan said that John Neal had said only 6 people in the summer.
59. John Neal said he would not agree to limit it to 6 people.

60. Eric Alden said that the Planning Commission will be discussing Employee Housing at their next meeting.
61. John Boehrer said the DRB did not give Okemo their definition.
62. Eric Alden said that an inn would not have that many people. He added that 3 bathrooms for 42 people is inhumane – that would be 14 people per bathroom. That should be considered. Also, what about cooking and refrigeration.
63. Richard Dunseith asked if there could be a contact person for the neighbors to call if there is a problem.
64. John Neal said there are 5 bathroom and also 2 in the basement.
65. John Boehrer asked John Neal if he could give the neighbors a contact person.
66. John Neal said that Okemo has an Employee Housing Team (3-persosn) that handles trash, noise and other issues.
67. John Boehrer asked how quickly they would respond.
68. John Neal said Okemo does not own the Pettigrew Inn property, but leases it. We do have a security team at night.
69. John Boehrer asked if there is an on-site house manager.
70. John Neal said no, but there is a 24-hour phone number to call.
71. George Tucker Jr. asked about people being outside at night making noise.
72. John Neal said the Prospect Street property will probably be older couples and there will always be some outside noise. He said we didn't have a lot of concerns this winter.
73. Doug Sheehan reiterated that earlier in the meeting, John Neal said 6 people in the summer.
74. John Neal said the house will be used primarily in the winter, he cannot commit to only 6 people in the summer.
75. Julie Nicoll said she would like an updated map.
76. George Tucker Jr. said that is on the to-do list.
77. Rich Radonis said he has seen buses at 7:30 a.m. and 8:30 a.m. and there are more than 5 runs.
78. John Neal said he will submit a refined bus schedule to the DRB.
79. Rich Radonis said there was noise this past winter, but the noise from Off the Rails was louder.
80. **MOTION by George Tucker Jr. and seconded by Doug Sheehan to recess this hearing until the June 12th meeting. Motion passed unanimously.**

VI. **OPEN THE PUBLIC HEARINGS FOR DAVID BARRETT – 168 Okemo Trailside Ext., Unit 21A**

1. George Tucker Jr. advised that this is an application to amend a Planned Unit Development to enclose part of the front porch area to expand the mudroom. The project is located in the Mountain Recreation District. He said that this hearing was recessed from the April 10, 2023 meeting.
2. Jarrod Jowdy advised that this is Application 128-98-PUD, AMD # 66. Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website April 19, 2023, advertised in THE VERMONT JOURNAL on March 22, 2023 and abutting property owners were notified on March 22, 2023. He said that letters have been received from police, fire and ambulance.
3. George Tucker Jr. administered the oath to David Barrett.
4. David Barrett said that he wishes to enclose part of the front porch to expand the mudroom. The Arapaho board has approved this request. There will be no changes to the footprint.
5. George Tucker Jr. noted that in his letter, Chief Kolenda said a permit is required from the Vermont Division of Fire Safety.
6. David Barrett said he has received it and sent it to the office.
7. **MOTION by John Boehrer and seconded by George Tucker Jr. to close this hearing.**

8. Alan Couch asked about the Notice of Violation.
9. George Tucker Jr. said the board has negotiated, in good faith and we are hearing permit requests. They have done a bunch of these in the past. He said the board would not do an up/down vote, but would write the decision as soon as possible.
10. **Motion passed unanimously.**

VII. **OPEN THE PUBLIC HEARINGS FOR ROBERT SULLIVAN
21 Prospect Street**

1. George Tucker Jr. advised that this is an application for a three lot subdivision in the Village Residential District.
2. Jarrod Jowdy advised that this is application SUB23-010, posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website March 22, 2023 and April 19, 2023, advertised in THE VERMONT JOURNAL on March 22, 2023 and April 19, 2023 and abutting property owners were notified on March 22, 2023 and April 19, 2023. He advised that letters have been received from Ambulance, Police and Fire departments. The applicant also has a sewer allocation.
3. George Tucker Jr. administered the oath to Chuck Peel, Pauline Bostock.
4. Chuck Peel said that the applicant wished to subdivide 2 lots into 3 lots. There are 2 lots across the street.
5. Alan Couch asked where the property lines are.
6. Chuck Peel said they bought 2 lots, but not the house. The property was mis-described in the deed. He said that he has not seen the map about the parking lot.
7. Alan Couch said the letter from Scott Murphy regarding the water hook up lists the property as 5 Gill Terrace. It was probably a typo, but he asked that be clarified.
8. Chuck Peel said that Lot #1 will be 10,963 square feet, Lot #2 will be 10, 198 square feet and Lot #3 will be 10,161 square feet.
9. Pauline Bostock said the previous owner had tried to do this before and the boundaries shown were part of Benson bank and part of our land, not his. He doesn't own all that property and she likes to see the field there.
10. George Tucker Jr. asked if it went down to Prospect.
11. Doug Sheehan said on High Street to Prospect to Dug Road.
12. Julie Nicoll asked if it goes down to the river.
13. Pauline Bostock said not down to the river.
14. Doug Sheehan asked if David Rose put in new stakes.
15. Pauline Bostock said there are some there now.
16. Chuck Peel said this is the first that he has heard about this boundary dispute. It predates the survey and David Rose got information from land records.
17. Julie Nicoll said he thought he owned all of the land, and then sold it.
18. Chuck Peel said when he purchased, it was just the land and he thought the house was included. The house has since been sold.
19. George Tucker Jr. said this hearing is not a permit to build 3 houses, just a subdivision. The iron pipes are shown on the plans and are close to the boundary lines.
20. Pauline Bostock said they are wooden stakes.
21. George Tucker Jr. said that with subdivision, all lots must meet all setback requirements.
22. John Boehrer if those are the boundary lines.
23. Chuck Peel said he assumes that they are David Rose's stakes, but he will confirm that tomorrow. He added that there are no plans to build at this time.

24. George Tucker Jr. said it is not the place of the DRB to assume what the owner will do in the future. This is just a subdivision. If they want to build, that will be a new permit. He said the 3 lots meet the setbacks. If the boundaries are incorrect, when they go to build, that would be part of that permit. He asked what the minimum lot size is in that district.
25. Jarrod Jowdy said 5,000 square feet.
26. Julie Nicoll said he doesn't own to the river.
27. George Tucker Jr. said that Pauline Bostock owns to the river, his is from the Okemo property.
28. **MOTION by Doug Sheehan and seconded by John Boehrer to close this. Motion passed unanimously.**

VIII. **OPEN THE PUBLIC HEARINGS FOR BARRY ELLISON – 241 North Hill Pent Road**

1. George Tucker Jr. advised that this is an application for a two lot subdivision. The project is located in the Town Residential District.
2. This is application SUB23-009, posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website March 22, 2023, advertised in THE VERMONT JOURNAL on March 22 and April 19, 2023 and abutting property owners were notified on March 22, 2023.
3. George Tucker Jr. administered the oath to Terry Ellison.
4. Terry Ellison said the family wants to subdivide the lots and the lots will remain in the family.
5. John Boehrer read the lots sizes into the record: Lot #1 will be 20.2 acres and Lots #2 will be 29.34 acres.
6. Alan Couch noted that there is reference on the drawings of changes in the boundaries.
7. Terry Ellison said that has nothing to do with this subdivision.
8. Alan Couch said the drawing says that the line to Bernie Ellison is to be removed.
9. Terry Ellison said Bernie Ellison moved his boundary to include other lands. This is a separate issue.
10. George Tucker Jr. asked if they have already moved that line.
11. Terry Ellison said yes. He added that there is a Mylar in the town office.
12. George Tucker Jr. noted that they are missing the fire department letter.
13. Terry Ellison said that Peter Kolenda emailed it to him and he will forward it to the board.
14. **MOTION by George Tucker Jr. and seconded by Doug Sheehan to close this hearing. Motion passed unanimously.**

IX. **OPEN THE PUBLIC HEARINGS FOR KATHY & CHRIS MORAVEK – 320 Okemo Trailside Ext., Unit 36A**

1. George Tucker Jr. advised that this is an application to amend a Planned Unit Development to expand the mudroom over the existing porch area. The project is located in the Mountain Recreation District.
2. Jarrod Jowdy advised that this is Application 128-98-PUD, AMD # 67. Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website April 14 and April 19, 2023, advertised in THE VERMONT JOURNAL on April 19, 2023 and abutting property owners were notified on April 19, 2023. Letters have been received from Police, Ambulance, Fire and Division of Fire Safety.
3. George Tucker Jr. administered the oath to Kathy Moravek.
4. Kathy Moravek advised that they want to expand to mudroom over the existing porch. The footprint will stay the same. They have the association's approval.

5. **MOTION by George Tucker Jr. and seconded by Julie Nicoll to close this hearing. Motion passed unanimously.**
6. John Boehrer said that the board has 45 days to issue their decision, but it would probably be much sooner.

X. **OPEN THE PUBLIC HEARINGS FOR WINTERPLACE COA –**

- **69 WHITE LOOP UNIT E302**
 - **84 HARRISON LANE UNIT J301**
 - **64 FOWLER ROAD UNIT Q302**
1. George Tucker Jr. advised that this is an application to amend a Planned Unit Development to convert attic space into a bonus room. The project is located in the Mountain Recreation District.
 2. Jarrod Jowdy advised that this is Application 081-94-PRD, AMD # 18. Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website April 14 and April 19, 2023, advertised in THE VERMONT JOURNAL on April 19, 2023 and abutting property owners were notified on April 19, 2023. Letters have been received from Police, Ambulance and Fire Departments.
 3. George Tucker Jr. administered the oath to John Watanabe.
 4. John Watanabe explained that there are 3 units that want to convert attic space into bonus rooms. They will not be used as bedrooms. They will be the same as previous projects.
 5. George Tucker Jr. asked about the permit from the Fire Marshall.
 6. John Watanabe said that the contractor will take care of that. They have done about 15 similar units in the past.
 7. John Boehrer noted that in his letter, Chief Kolenda required the following: permit from the Division of Fire Safety, Sprinkler coverage in all bonus rooms. provide at least one egress window (5.7 square feet of clear area when unit is open) and the proposed spiral staircase in Unit J301 must meet the Vermont Division of Fire Safety requirements Stearns. He asked about how many more of these permits there may be.
 8. John Watanabe said 50 units are eligible. We do them in clumps.
 9. Doug Sheehan asked what people use the bonus rooms for.
 10. John Watanabe said TV rooms, or sitting rooms or office space.
 11. **MOTION by George Tucker Jr. and seconded by John Boehrer to close this hearing. Motion passed unanimously.**

XI. **OPEN THE PUBLIC HEARINGS FOR TYGART MOUNTAIN SPORTS – PATRICK ROSS, LAMER SQUARE UNIT 2C**

1. George Tucker Jr. advised that this is an application to amend a Planned Unit Development to convert an office space into retail space. The project is located in the Village Residential Commercial District.
2. Jarrod Jowdy advised that this is Application 51-92-PUD, AMD # 14. Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website April 14 and April 19, 2023, advertised in THE VERMONT JOURNAL on April 19, 2023 and abutting property owners were notified on April 19, 2023. Letters have been received from Police, Ambulance and Fire Departments.
3. George Tucker Jr. administered the oath to Pat Ross and Betsy Mitchell.

4. Pat Ross advised that they wish to convert the previous Kelley Real Estate Office into retail space. They will be selling non-sports clothing, bed and bathroom linens and other retail items. He said that the only interior change will be to create a walkway between the walls.
5. George Tucker Jr. asked if there would be any changes to the footprint.
6. Pat Ross said no.
7. George Tucker Jr. noted that in his letter, Chief Billings said that the parking plans show ample space and an alarm system is required. He said that in her letter, Stephanie Grover of the Ambulance Service said they would like to see the location clearly numbered with accurate E-911 addresses. He said that in his letter, Chief Kolenda said that a permit from the Vermont Division of Fire Safety is required.
8. Patrick Ross acknowledged all of the letters. He added that Chief Kolenda has seen the wall.
9. Julie Nicoll asked if the 2nd floor would also be for retail.
10. Patrick Ross said no.
11. John Boehrer asked about the hours of operation. He explained that if the applicant states hours, they will be in the permit. If they may want to increase the hours in the future, they will have to come back to change the permit. If they decrease the hours, they would not have to come back.
12. Patrick Ross said the hours of operation will be 9:00 a.m. to 8:00 p.m., 7 days per week.
13. George Tucker Jr. asked about signs and outside lighting.
14. Patrick Ross said they will be getting a sign permit.
15. George Tucker Jr. said there is already lighting to the sign, but if they change it, they will have to come back to this board to change the permit.
16. Patrick Ross asked about internally lit signs.
17. Julie Nicoll advised that the ones that are in town are preexisting. She suggested he go to the zoning office for a sign permit.
18. **MOTION by George Tucker Jr. and seconded by Doug Sheehan to close this hearing. Motion passed unanimously.**

XII. MINUTES

1. Minutes from the Meeting of February 13, 2023 and March 13, 2023.
 - a) February 13, 2023 – Julie Nicoll noted that on page 5, item IX-19 should read, "...He said the drawings state the occupancy as 26."
 - b) March 19, 2023, no changes.
2. Alan Couch recused himself as he was not on the board for those hearings.
3. **MOTION by John Boehrer and seconded by George Tucker Jr. to approve the minutes from February 13, 2023 as corrected and the minutes from March 13, 2023 as presented. Motion passed unanimously.**

XIII. OTHER BUSINESS

1. There was none.

XIV. ADJOURN

1. **MOTION by John Boehrer and seconded by George Tucker Jr. to adjourn. Motion passed unanimously.**
2. Meeting adjourned at 7:51 p.m.

Respectfully submitted,

Lisha Klaiber

George Tucker, Jr., Chairman

Julie Nicoll

John Boehrer

Doug Sheehan

Alan Couch