

**DEVELOPMENTAL REVIEW BOARD  
MINUTES**

*July 8, 2013*

**MEMBERS PRESENT:**

Phil Carter	Richard Harrison	Linda Petty
Julie Nicoll	Linda Petty	

**MEMBERS ABSENT:**

John Boehrer

**STAFF PRESENT:**

Rose Goings

**OTHERS PRESENT:**

Mike Doran	Ted Reeves	Lisha Klaiber, Recorder
Scott Kilgus	Josh Rourke	Patrick Cody, LPC TV

**SPECIAL MEETING – REORGANIZATION**

1. **CALL TO ORDER**

- A. Meeting opened at 6:05 p.m. by Chairman Phil Carter. All board members present, except John Boehrer.

2. **ELECTION OF CHAIRPERSON**

- A. **MOTION by Julie Nicoll and seconded by Richard Harrison to elect Phil Carter as chairman. Motion passed unanimously.**

3. **ELECTION OF VICE-CHAIRPERSON**

- A. **MOTION by Phil Carter and seconded by Julie Nicoll to elect John Boehrer as vice-chairperson. Motion passed unanimously.**

4. **ELECTION OF CLERK**

- A. **MOTION by Julie Nicoll and seconded by Linda Petty to elect Rose Goings as clerk. Motion passed unanimously.**

5. **APPOINTMENT OF RECORDING SECRETARY**

- A. **MOTION by Phil Carter and seconded by Richard Harrison to appoint Lisha Klaiber as recording secretary. Motion passed unanimously.**

6. **DESIGNATION OF NEWSPAPER OF RECORD**

- A. Phil Carter advised that the previous newspapers of record were THE VERMONT JOURNAL and THE RUTLAND HERALD (as back-up). He asked if there had been any issues with these.
- B. Rose Goings said no and added that the Select Board also uses them.
- C. **MOTION by Richard Harrison and seconded by Linda Petty to keep this the same. Motion passed unanimously.**

7. **ESTABLISH MEETING DATES AND TIMES**

- A. Previous DRB meeting schedule was to hold regular meetings at 6:00 p.m. on the second Monday of each month and alternate dates on the 4<sup>th</sup> Monday of the month.
- B. **MOTION by Phil Carter and seconded by Julie Nicoll to keep the schedule the same. Motion passed unanimously.**

8. **ADOPT RULES OF PROCEDURE**

- A. Phil Carter advised that the DRB has, in the past, adopted a set of Rules of Procedure. He asked if anyone had any changes or suggestions. There were none.
- B. **MOTION by Linda Petty and seconded by Richard Harrison to re-adopt the Rules of Procedure as written. Motion passed unanimously.**

9. **ADJOURN**

- A. **Phil Carter adjourned this special meeting at 6:08 p.m.**

***REGULAR MEETING OF THE DEVELOPMENTAL REVIEW BOARD***

1. **CALL TO ORDER**

- A. Meeting opened at 6:09 p.m. by Phil Carter. All members present, except John Boehrer.

***NOTE: The following two (2) Okemo hearings will be opened and addressed concurrently.***

- 2. **OPEN THE PUBLIC HEARING FOR OKEMO, LLC/CNL INCOME OKEMO MOUNTAIN LLC**
- 3. **OPEN THE PUBLIC HEARING FOR OKEMO, LLC/CNL INCOME OKEMO MOUNTAIN LLC**

- A. Phil Carter advised that the first is an application for a conditional use permit to build a 36x60 Clubhouse for the Okemo Mountain Alpine Racing Association. Property is located on Mountain Road on Okemo Mountain in the Mountain Recreation District.

- 
- B. Phil Carter advised that the second is an application for Local Act 250 Review to build a 36x60 Clubhouse for the Okemo Mountain Alpine Racing Association. Property is located on Mountain Road on Okemo Mountain in the Mountain Recreation District.
  - C. Rose Goings advised that the first application 378-13-CU. Posted in the Town Hall bulletin boards May 23, 2013, advertised in THE RUTLAND HERALD on May 24, 2013 and abutting property owners were notified on May 23, 2013.
  - D. Rose Goings advised that the second application 377-13-ACT250. Posted in the Town Hall bulletin boards May 23, 2013, advertised in THE RUTLAND HERALD on May 24, 2013 and abutting property owners were notified on May 23, 2013.
  - E. Phil Carter administered the oath to all wishing to speak at these hearings.
  - F. Josh Bourke advised that OMARA lacks a club facility. They need a place for the athletes to warm up, store equipment and for families to wait and watch the races. The proposed location for the building is above the Black Ridge Chair. They chose this location for the view corridor, proximity to Mountain Road and it is close to the Black Ridge Chair. There will be general seating on the main floor upstairs and a deck for viewing. Also a little kitchen area, though they do not expect to be cooking. People can walk out from the lower level. They will also hold race registration, have bathrooms, the MER, utility space, gate storage space and water fountains. The building will be a gable structure and is located to maximize views. The exterior will be Okemo Brown and other earth tones. Access to the building will be by pedestrians only in the winter (except for staff snowmobiles.) The building will be open when the lifts are open, except for a possible, occasional cocktail party. They have been in contact with the Fire Marshall who is happy with their egress plans, occupancy plans and they will have a sprinkler system in the entire building. They have also taken ADA requirements into consideration. The exterior will have 2 down lit lights (one on each entrance.)
  - G. Rose Goings asked what the occupancy would be.
  - H. Josh Bourke said 267 people.
  - I. Phil Carter asked if the building would be open to the general public.
  - J. Josh Bourke said it would be membership only.
  - K. Phil Carter asked if there would be signs to that effect.
  - L. Ted Reeves said there would be signs outside, but added that it would be a public building, but mostly for OMARA racers and family members.
  - M. Phil Carter asked if the bathrooms would be on the lower level.
  - N. Ted Reeves said yes.
  - O. Josh Bourke said the plans call for more bathrooms than required.
  - P. Phil Carter asked about land density.
  - Q. Ted Reeves said the parcel is 59 acres and this will be the largest building on the parcel. There is also a 1500 square foot pump house, lift building and race timing tower.
  - R. Linda Petty asked about heating.
  - S. Ted Reeves said they would heat with propane, but have not yet decided whether or not to bury the tanks.
  - T. Phil Carter asked for confirmation that there would be no vehicles accessing the building in the winter.
  - U. Ted Reeves said that was correct.
  - V. Phil Carter asked about the fire suppression system.
  - W. Ted Reeves said it would be off the snowmaking ponds. He added that in the beginning of the ski season, it would be fully charged, toward March or April they would be able to charge it quickly.
  - X. Richard Harrison asked about the tank for the fire suppression system.
  - Y. Ted Reeves said it has not been designed yet.

- 
- Z. Phil Carter asked about letters from the town departments.
- AA. Mike Doran said that they have been requested from Ambulance, Fire, Police and that Howard Barton was okay with the electrical portion. He added that they had also applied to the Trustees for the wastewater allocation.
- BB. Rose Goings advised that had been approved and the letter had gone out.
- CC. Phil Carter asked if the Fire Marshall would be consulted about the fire suppression system.
- DD. Ted Reeves said yes, the system would be designed in coordination with the Fire Marshall.
- EE. Phil Carter asked if they had begun the state process yet.
- FF. Ted Reeves explained that there are 2 forces at work., funding and Act 250. The state has said that they would not grant any further Act 250 permits until Okemo constructs the left turn lane at the entrance to Jackson Gore. They are hoping to start construction of the building by the fall, but more than likely it would be next spring.
- GG. Mike Doran addressed the three criteria for Act 250 Review
- i. Criterion 6 Educational Impact – Mike Doran advised that this is would not be a burden to the schools. The project does not include any residential development and would not increase student enrollment. Existing seasonal employees will service the project
  - ii. Criterion 7 Impact on Municipal Services – Mike Doran advised that letters from the Police Department, Ambulance and Fire departments were requested on June 28, 2013. Howard Barton from the Electrical Department was consulted and indicated the location has adequate electrical service to power the facility. Wastewater allocation was requested from the Trustees on June 28, 2013.
  - iii. Criterion 10 – Conformance to Town Plan – Mike Doran said that this project will conform to the town plan in that is it located in the Outdoor Recreational area and will complement the resort and destination. The town plan defines the area for outdoor recreation and this will be for skiing activities.
- HH. Phil Carter asked if board members had any further questions or comments. There were none.
- II. **MOTION by Linda Petty and seconded Richard Harrison to close these hearings.**
- JJ. **Phil Carter advised that approval of these applications would also be contingent upon letters from Fire, Police and Ambulance.**
- KK. **Motion passed unanimously.**

4. **APPROVE MINUTES**

- A. Phil Carter advised that the minutes to be reviewed are from the meetings of June 10, 2013.
- B. **MOTION by Julie Nicoll and seconded by Linda Petty to accept the minutes from June 10, 2013 as presented. Motion passed unanimously.**

5. **OTHER BUSINESS**

- A. 70 Main Street
- i. Phil Carter advised that the briefs have been submitted by the attorneys and now it goes back to Andrea Lehtonen who is representing herself for her review and response. He explained the procedure saying that the first step was for the opposing parties to contest the initial decisions. The applicant's attorney then reviewed the contesting documents and countered them. The opposing party then may respond to that counter response.

- ii. Rose Goings said that the opposing party has a deadline of July 10<sup>th</sup> to respond.
- B. Next Meeting
  - i. Rose Goings advised that at this point, there are no hearings scheduled for August, however, applications for the August meeting would be accepted through this Friday, July 12, 2013.

6. **ADJOURN**

- A. **MOTION by Richard Harrison and seconded by Julie Nicoll to adjourn this meeting.**  
**Motion passed unanimously.**
- B. Meeting adjourned at 6:28 p.m.

Respectfully submitted,

Lisha Klaiber

---

Phil Carter, Chairman

---

Julie Nicoll

---

John Bohrer

---

Linda Petty

---

Richard Harrison