

**FAYSTON DEVELOPMENT REVIEW BOARD**  
**MINUTES**  
**TUESDAY, JANUARY 8, 2019**  
**Unapproved**

Attending DRB Members: Jon Shea (Chair), Shane Mullen (Vice-Chair), Jared Alvord, Lindsay Browning, and Mike Quenneville; ZA: John Weir; Public: Andy Cook, Jeff Dunham, Kip Dalury, Margo Wade, Peter Lazorchak, Andy Baer (via phone)

The meeting opened at 6:05 p.m.

Chair Jon Shea opened the hearing for application #3510 (parcel ID #11-055.001, located at 626 Mount Ellen Road, Fayston). Applicant Vermont Adaptive Ski & Sports seeks conditional use approval pursuant to Article 2, Table 2.6 (C) (2) (21) (accessory structure to a conditional use: Ski Lift/Ski Area Operations) to construct a 9,280 square foot addition to the base lodge at Mount Ellen.

Presenting the application were Kip Dalury (Board of Vermont Adaptive) and Jeff Dunham (architect).

Members reviewed the conditional use application requirements pursuant to Section 5.2 (A). Shane pointed to Section 5.2 (A) (4), noting that the site plans as submitted do not include a general location map showing the location of the proposed development in relation to zoning districts, public highways, drainage and surface waters, and adjoining properties and uses. Jeff Dunham believes these missing elements of the submitted site plan exist on another set of plans generated by Grenier Engineering. Kip said that any requested supplemental materials will be submitted subsequent. Shane also noted that utilities are not shown on the site plans, as required pursuant to Section 5.2 (A) (5) (e). Jeff Dunham noted that all utilities will run underground. Some existing utilities will be moved. Applicants noted that the next set of plans will include utilities.

Mike moved to find the application complete subject to applicants submission of revised site plans that include the missing requirements of Section 5.2 (A) (4) and 5.2 (A) (5) (e), and Lindsay seconded. All were in favor and the motion passed.

Kip Dalury described the project. Vermont Adaptive has been using space within the Mount Ellen lodge for a few decades. Currently, VT Adaptive is hosted on the second floor of the lodge where there exists one handicap restroom. There are some sheds and a trailer that sit on the north side of the lodge. The project proposes to enclose those existing sheds and trailer and create a new space to house Vermont Adaptive. There would be an elevator that would bring the public up from the ground floor. Bathrooms will be added to all floors rather than just the basement as they are now. The project proposes better access for the public and the clients of the Vermont Adaptive. There would be two ADA access points as well. The 3-story addition to the existing base lodge would be approximately 9,280 square feet. The addition would include a deck, elevator and additional spaces and restrooms in order to improve the all-around

accessibility. The addition would be shared space by Vermont Adaptive and Sugarbush Resort. Solar is planned for the roof, along with screening if necessary. The goal is zero-net and carbon neutral. This project falls under the jurisdiction of Act 250. However, applicant is seeking local approval initially before proceeding with the State.

Applicant is aware of Chase Brook's proximity (approximately 200 feet) and will take all necessary stormwater and erosion control measures. Shane asked what measures would be taken. Kip responded that best practices would be utilized before, during and after construction. Kip stated that even for the test pits they dug, mulch was used. Shane asked about an Operational Stormwater Permit. Margo stated that they did not have one. Shane inquired whether construction of this addition would result in at least one acre of disturbance of impervious surface, thereby triggering the need to receive such permit. Applicant was not sure. Margo stated that Mount Ellen itself consists of 3 acres of impervious surface, but the proposed addition is less than one acre. Margo stated she will work with the State to see if an Operational Stormwater Permit is necessary here. In Shane's experience, additional disturbance of impervious surface would be added to the existing disturbance in determination of whether the permit was required. However, in this instance it may be that the addition encompasses the same or much of the existing disturbed area. Kip stated that the applicant would do whatever is needed by the Board as well as the State. Shane asked about drainage. Margo stated that there was an existing culvert. Jeff Dunham said that there was not much flow there. Shane asked about grading. Jeff stated that the area would be leveled off and the gravel will be replaced by a paved surface. Shane asked whether the parking would be ADA accessible. Jeff stated yes.

Discussion was had as to the height of the proposed addition. At no point would the addition exceed 35 feet. Jeff stated the average height from the base to the flat roof is approximately 25 feet. Kip asked whether solar would be included in the height calculation. ZA Weir noted that rooftop solar collectors are exempt from the height calculation under the regulations (Section 3.6 (A) – (B)).

Chair Shea asked about the reconfigured space. Margo stated that the existing VT Adaptive space will go back to retail space, along with a bathroom. Spaces in the basement will be displaced, including locker rooms and various storage and food and beverage services.

Chair Shea stated that the Board would like to see the missing site plan requirements. These include a general location map showing the location of the proposed development in relation to zoning districts, public highways, drainage and surface waters, and adjoining properties and uses. Also necessary is for the site plans to denote the utilities.

Chari Shea asked about the timeline for the project. Jeff stated that after conditional use approval, applicant would seek Act 250 approval at the same time as obtaining a zoning permit. Whether or not an Operational Stormwater Permit is necessary will also be pursued. A department of public safety permit is also necessary in addition to whatever other State permits are deemed necessary.

Margo stated that one thing which hasn't been discussed is the addition of a carpet lift to bring the VT Adaptive skiers to the other side of the Green Mountain Express. Margo stated that this

would be a part of the construction that is the subject of this application. Kip stated that the plans for the carpet lift could be submitted along with the revised site plans. It is basically a conveyor belt that is placed on the land. It would take the place of “Tommy’ Toy” – an existing tow rope. Whether it is a “structure” or not is in question. ZA Weir stated that “ski lift” and “ski area operation” are defined separately in the land use regulations. It may be best that the replacement of the tow rope with a carpet lift be sought as a conditional use.

Lindsay moved to continue the hearing until the February 12, 2019 hearing date. Shane seconded. All were in favor and the motion passed.

Chair Jon Shea re-opened the continued hearing for applications #3506 - #3507 (parcel ID #03-095.002, located off 2186 Center Fayston Road, Fayston). Applicants Jane O’Donnell and Andrew Baer request approval under Article 7 of the pending Fayston Land Use Regulations for a minor subdivision of 31.24 acres into two lots of 27.24 acres and 4 acres (#3506). Applicants further request conditional use approval under Section 3.4 (C) (1) (d) of the Fayston Land Use Regulations for development on slopes between 15% - 25% in grade (#3507). Applicants’ proposed subdivision would keep the existing house on the 4-acre parcel. Applicants would seek to build on the 27.24-acre parcel. Applicants are seeking a second curb cut with a second driveway in order to avoid a significant wetland that comes down and behind the existing house.

At the December hearing, the Board requested a revised set of site plans that included missing features: septic design, initial culvert (24 inch) for driveway, driveway cross-section, stone line outlets of culverts, ten-foot setback to driveway, and underground power on downhill side of driveway. Peter presented the revised set of plans. Peter bumped up the culvert at the intersection of Center Fayston Road to 24 inches; included two more culverts on the uphill section of the driveway; added stone line outlets of culverts; added stone boulder wall at edge of wetland; showed design of the mound system which had moved since prior hearing; modified the building envelope to allow for more flexibility; denoted the driveway cross-section; showed underground power; and labeled the 10-foot setback from the driveway to the property line.

Shane moved to close the hearing and Mike seconded. All were in favor and the motion passed.

The Board went into deliberative session at 7:15p.m. The Board exited deliberative session at 7:30p.m.

The meeting adjourned at 7:35p.m.