

**Development Review Board, Town of Fayston, VT
Notice of Decision for Application No. 3510**

**Applicant(s): Vermont Adaptive Ski & Sports
Landowner(s): Summit Ventures, LLC**

Parcel ID: #11-085.001

Reason for Application: 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

Public Hearing Attendees 1/8/2019: 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)

Public Hearing Attendees 3/12/2019: Attending DRB Members: Jon Shea (Chair), Shane Mullen (Vice-Chair), Jared Alvord, Lindsay Browning, and Mike Quenneville; ZA: John Weir; Public: Jeff Dunham, Kip Dalury, Margo Wade, Maggie Burke, Gunner McCain, and Lisa Schermerhorn

Introduction and Procedural History:

1. The Development Review Board application was filed on December 19, 2018 requesting 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 9,379 square foot addition to the base lodge at Mount Ellen.
2. A copy of the application and supporting paperwork are available at the Fayston, VT town offices.
3. Notice of the hearing was properly published. On December 20, 2018 the legal warning for a public hearing for review of this application was published in the Valley Reporter. This warning was also posted at the Fayston municipal offices, as well as at both the Moretown and Waitsfield post offices.
3. Abutters to the property were properly notified of the hearing.
4. The application and plans were considered by the Development Review Board at public hearings which occurred on January 8, 2018 and March 12, 2019. The Development Review Board reviewed the application and plans under the Town of Fayston, VT Land Use Regulations, as amended June, 2018.

The following exhibits were submitted to the Development Review Board:

Exhibit A. Conditional use application #3510

Exhibit B. Letter to adjoining landowners with project description

Exhibit C. Warning placed in the Valley Reporter on December 20, 2018. This warning was also posted at the Fayston municipal offices, as well as at both the Moretown and Waitsfield post offices.

Exhibit D. EX1 Existing Site 2/28/2019 (Grenier Engineering)

Exhibit E. OA1 Overall Plan (proposed) 3/6/2019 (Grenier Engineering)

Exhibit F. C1 Site Grading Plan (proposed) 3/6/2019 (Grenier Engineering)

Exhibit G. AX1 Existing Lower 3/8/2019 (Dunham Architecture)

Exhibit H. AX2 Existing Main 3/8/2019 (Dunham Architecture)

Exhibit I. AX3 Existing Upper 3/8/2019 (Dunham Architecture)

Exhibit J. AK1 Lower Key Plan (proposed) 3/8/2019 (Dunham Architecture)

Exhibit K. AK2 Main Key Plan (proposed) 3/8/2019 (Dunham Architecture)

Exhibit L. AK3 Upper Key Plan (proposed) 3/8/2019 (Dunham Architecture)

Exhibit M. AK4 Elevations (proposed) 3/8/2019 (Dunham Architecture)

Findings:

1. The Board found the application to be 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), at a public hearing held January 8, 2019. (The missing site plan requirements were submitted at the March 12, 2019 hearing.)
2. The property is owned by Summit Ventures, LLC, d/b/a Sugarbush Resort.
3. The property is located in the Resort Development District as described on the Town of Fayston Zoning Map on record at the Town of Fayston municipal office, also described under Article 2, Table 2.6 of the Town of Fayston, VT land use regulations.
4. The subject parcel is adjacent to land owned by Mad River Cooperative, Mad River Corporation, State of Vermont, Bear Cobble Tree Farm LLC, Megan Gadd, Michael Trahan, Thomas and Cari Papp, Sterling Ski Club, Inc., Glenn Corso, Seth Henry, Scott Sneath, Debora Manchester, Fiddlehead Condominium, Snowside Condominium, and the United State Forest Service.
5. 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.
6. The project proposes better access for the public and the clients of the Vermont Adaptive. There would be two ADA access points. 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.

7. The 3-story addition to the existing base lodge would be approximately 9,379 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.
8. Solar is planned for the roof, along with screening if necessary. The goal is zero-net and carbon neutral.
9. This project falls under the jurisdiction of Act 250. Applicants are seeking local approval prior to Act 250.
10. Given the proximity of Chase Brook (approximately 200 feet), best practices will be taken before, during and after construction with regard to stormwater and erosion control measures.
11. An Operational Stormwater Permit will most likely be necessary depending on the calculated total of impervious surface. Mount Ellen itself consists of 3 acres of impervious surface, but the proposed addition is less than one acre. 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.
12. The area around the proposed addition would be leveled off and the gravel will be replaced by a paved surface.
13. Parking will be handicapped accessible and will meet all ADA requirements.
14. At no point would the addition exceed 35 feet. The average height from the base to the flat roof is approximately 25 feet.
15. Rooftop solar collectors are exempt from the height calculation under the land use regulations (Section 3.6 (A) – (B)).
16. A department of public safety permit is required.
17. Applicant also proposes the addition of a carpet lift to bring the VT Adaptive skiers to the other side of the Green Mountain Express. It is basically a conveyor belt that is placed on the land. It would take the place of “Tommy’s Toy” – an existing tow rope. The ride comes in modules approximately 5 x 10 feet, which are placed on the ground on stilts. The height of the stilts are adjusted depending on grade of the slope. Snow fills in the sides. The proposed surface lift would require minimal grading.

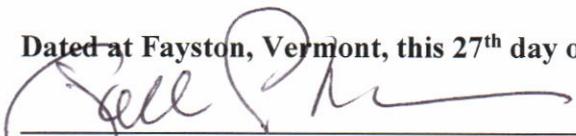
Decision:

DRB members voted unanimously to approve application #3510 to construct a 9,379 square foot addition to the base lodge at Mount Ellen. With the following conditions:

Conditions:

1. Obtain and follow all other required local, state and federal permits.

Dated at Fayston, Vermont, this 27th day of March, 2019.



Jon Shea Development Review Board Chair

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the [Development Review Board]. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.