



Bennington County Regional Commission | Regional Development Review Committee

## MINUTES

December 10, 2020 at 3pm

Meeting held virtually through Zoom platform

Present: Paul Carroccio, Jason Dolmetsch, Bruce Lierman, Charlie Rockwell  
Catherine Bryars and Jim Sullivan (BCRC staff)

### 1. Introductions and Assign Chair

P. Carroccio will serve as Chair, and J. Dolmetsch will serve as Vice Chair.

### 2. Overview of Green Mountain Reserve Development Proposal, Process to Date, and Relevant Regional Plan Language

The Green Mountain Reserve (GMR) is a proposed resort development in East Manchester at the site of Boorn Brook Farm at the end of Benson Rd. The resort would provide 46 beds of lodging and would operate year-round for weddings, conferences, and other gatherings. The development entails: (1) reuse of an existing farmhouse for a 30-seat restaurant and 3 guest rooms, (2) construction of a 3,600 sqft lodge with 60-seat restaurant, (3) construction of 43 double occupancy modular cabins, and (4) construction of various accessory structures, paths, and parking areas across the 53.6-acre parcel.

The Town of Manchester has issued a zoning permit for the GMR since municipal bylaws allow resorts in this area, though the applicant's request to allow the 30-seat restaurant to be open to the general public was denied since stand-alone restaurants are not permitted at this location. Additionally, onsite parking was reduced and the applicant is required to shuttle additional guests beyond the 96-guest capacity to and from the property for large-scale events. Furthermore, the developer has agreed to pay for Benson Rd to be widened by 4 ft and paved. The Town's zoning permit is being appealed by abutting property owners.

BCRC staff has already submitted testimony through the ACT 250 process to correct the record on the location of the GMR in relation to the Regional Land Use Plan. The applicant originally stated that the project is in the Urban District, but in fact the GMR is located mostly in the Rural District with a smaller portion in the Forest District.

- **Rural District.** Reviewing the policies for these areas in the Regional Plan, the Plan notes that Rural areas are generally not suited for most new commercial development since

these are best suited for existing developed areas because scattered development detracts from the economic vitality of existing villages and downtowns and increases fiscal liabilities for municipalities. There is an exception made for “outdoor recreation centers” such as ski areas, golf clubs, state parks, and sites whose primary use is for outdoor, nature-based activities and that feature open space and very low-density development. For these sites, any commercial or residential uses must be ancillary to the primary outdoor recreation use of the site.

- **Forest District.** Roughly 4 or 5 of the modular cabins and a 500 sqft “forest outpost pavilion” are located within the Forest District. Reviewing the policies for the district, the Plan notes that most development is prohibited in these areas due to environmental concerns. Limited exception is made for outdoor recreational activities that may include hiking, camping, and limited commercial facilities such as campgrounds. The plan notes that lodging and commercial facilities should be associated with national or state parks.

### **3. Committee Discussion**

Committee members discussed compliance of the GMR with the Regional Plan policies. Members agreed that a straight reading of the Regional Plan does not find the proposed uses for hotel lodging and conference space as permitted in this location. The applicant’s original proposal to allow a new restaurant facility to be open to the general public is starkly inconsistent with the Regional Plan. Members were skeptical of labelling the resort as an “outdoor recreation center”. Examples of outdoor recreation centers cited in the Regional Plan include ski resorts, golf courses, state parks, and existing sites such as Merck Forest. For the GMR, the proposed level of outdoor recreational activity does not appear to constitute primary use of the property, and instead the indoor lodging, conference, and restaurant spaces seem to be the primary use of the property.

During the discussion, Committee members expressed hesitancy to contradict the Town’s determination that a resort is suitable development in this area. However, of particular concern to the Commission was the precedent this development may set for other projects in the region’s Rural District, as well as concerns for the road improvements required for the project, which increase the Town’s infrastructure liability in this rural area.

### **4. Next Steps**

C. Bryars will draft a position statement based on discussion and circulate with Committee members for revision and approval.

### **5. Other Business**

Request for a guidance document that outlines process and procedure for Committee’s activities. General process is as follows: for Act 250 projects that have a “substantial regional impact” and that are easily interpretable, review is handled by BCRC staff; projects for which the Regional Plan’s policies are not easily interpreted are brought to the Regional Development

Review Committee; if needed, review may be brought before the entire Commission. It was also noted that generally the BCRC avoids contradicting municipal determinations, but there may arise instances where contradiction is merited.

C. Bryars will look into developing a reference document for this Committee.

**6. Adjournment** – Meeting of the Development Review Committee adjourned before 4:30pm.