

**TOWN OF KILLINGTON
DEVELOPMENT REVIEW BOARD
Meeting of February 3, 2022**

PRESENT: Ken Wonsor, Chair
Vito Rasenas, Vice Chair
Roger Rivera
Merisa Sherman
Jon Wysocki

START: 6:31 p.m.
END: 9:18 p.m.

Chuck Claffey, Interim Zoning Administrator
Lucrecia Wonsor, Recording Secretary

GUESTS: Kevin Brown; John Facey; Jim Haff; Chet Hagenbarth; Brian Lane-Karnes;
Nina Kleaveland; Diantha Korzan; Whit Montgomery; Zachery Scheinberg

*All DRB Members & Guests via *Zoom* Video Conferencing

1. **Open Meeting**

Ken Wonsor, Chair opened the meeting at 6:31 pm.

2. **Approval of Agenda**

Rasenas moved to approve the Agenda as may be amended. Rivera seconded. There being no changes, vote on agenda as presented. 4 in Favor (Wysocki not present for this vote)

3. **Approval of Minutes: January 20, 2022**

Rasenas moved to approve the Minutes of January 20, 2022 as may be amended. Rivera seconded. There being no amendments, vote on minutes as written. 4 in Favor (Wysocki not present for this vote).

4. **Citizen Input** – None.

5. **Review of DRB Rules of Procedure**

Ken Wonsor, Chair drew the DRB's attention to key sections of the Rules of Procedure, ie Section III - Definitions of "Deliberative Session" and "Executive Session"; Section VI – Regular and Special Meetings and Section VII – Public Hearings and Order of Business. He then reviewed the order for hearing final testimony regarding the next item on the agenda – Lanyard Hotel PUD and Site Plan Application #21-058. (Wysocki joined the meeting)

**TOWN OF KILLINGTON
DEVELOPMENT REVIEW BOARD
Meeting of February 3, 2022
Page 2**

6. Lanyard Hotel PUD and Site Plan Review Application #21-058

Ken Wonsor, Chair reopened the public hearing on Application #21-058 by Lanyard, A Shared Stay Inc. at 6:36 p.m. At the January 20th hearing, the DRB put together a list of proposed conditions which were sent to the applicant on January 24th for their response. Applicant submitted a response via email (DeWolfe Letter) dated January 31, 2022 to each item as follows:

- a) Deferred Parking Denied – It came to the applicant’s attention that the parking requirements for the proposed Lanyard Hotel project and the adjacent Hillside Inn property were combined as a result of a PUD approval for change of use in 2006. As a result, the applicant revised their parking plan and provided a detailed PUD parking calculation. Based on their analysis the PUD would require 190 spaces. There are 40 spaces at the neighboring Hillside Inn and 139 spaces at the Lanyard Hotel. Of the 139 Lanyard spaces, 25 spaces to the north side of the Lanyard Hotel would be designed as overflow parking with the possibility of being used as an outdoor gathering space (with movable furniture) during non-peak hours. Applicant requested a deferral of 11 spaces or 6% of the total parking requirement. The floor was open to questions and comments first to DRB members and then to guests. Town Manager, Chet Hagenbarth, advised that the Planning Commission is in the process of revising the Zoning Bylaws and the Parking Requirements Section is among those sections being updated. He is fairly certain that the Commission will be reducing the parking space size from 10x18 to 9x18. He suggested that the DRB may want to consider allowing the reduction in parking space size. This would enable the applicant to build out the required 190 spaces within the same amount of space.
- b) Paving Nanak Way from Killington Road – Applicant submitted a revised Ability to Serve Letter from Police Chief, Whit Montgomery. The letter clarified that Nanak Way is currently paved from the Killington Road to just after the entrance to the Hillside Inn parking lot and that is sufficient to provide Police services to the project.
- c) Maintenance Agreement for Nanak Way – Applicant has a draft Maintenance Agreement which they are proceeding to finalize with the owners of the Hillside Inn property. They would be willing to submit a copy to the DRB before a CO is issued.
- d) Pedestrian Walkway along Nanak Way – The applicant is committed to pedestrian safety, however, they feel that providing a sidewalk to the Killington Road that does not connect to any existing pedestrian infrastructure would create a dangerous and unsafe condition for pedestrians. They noted that VTrans comments on the proposed Act 250 permit recommends that the Act 250 permit be conditioned that a sidewalk be constructed along Nanak Way when “the shared use path that the Town is considering in the Master Planning Study (prepared by VHB in 2021) is constructed”. Applicant further noted that there is currently an existing pedestrian connection between the Hillside Inn and the Lanyard Building that will be maintained so that pedestrians traveling between the two developments do not have to use Nanak Way. Applicant also advised they have had discussions with The Bus regarding having that service include a stop the Lanyard Hotel on its route and pick up guests at the front door. Applicant proposed that the DRB condition the permit to “require that a sidewalk or other separate pedestrian walkway be constructed to Killington Road when the shared use path along the Killington Road is

**TOWN OF KILLINGTON
DEVELOPMENT REVIEW BOARD
Meeting of February 3, 2022
Page 3**

completed.” The DRB question whether the Applicant could ask The Bus to provide a contract for services to the Lanyard Hotel.

- e) Fire Chief’s Ability to Serve Letter – Applicant updated the plans to address the required items on Chief Roth’s letter dated January 13, 2022. They have reached out to Chief Roth to request a letter that affirmatively states Killington Fire and Rescue’s ability to serve the project.
- f) Police Chief’s Ability to Serve Letter – A revised Ability to Serve letter dated January 26, 2022 was provided to the DRB. Police Chief, Whit Montgomery stated during the hearing he was good with how his concerns were addressed at this point.
- g) Alpine Pipeline Ability to Serve Letter – An Ability to Serve Letter from Alpine Pipeline was submitted to the Town on January 5, 2022. Applicant will need to purchase an additional 33 ERUs from Alpine Pipeline. Town Manager, Chet Hagenbarth, advised that they will also need to purchase 23.5 ERUs from the Town’s Killington Road/Route 4 Sewer.
- h) VT DEC Source Permit – Applicant expects that the draft permit will be issued for public comment within the next two weeks. They will provide a copy of the Source Permit as soon as it is issued.

In light of the fact that this project is already part of a PUD permitted in 2006, Wonsor asked whether this application is for an amended PUD/SPR. Applicant responded that they are looking to move forward with the application in whatever manner is most appropriate.

Rasenas moved to go into Deliberative Session at 7:56 p.m. Wysocki seconded. All in favor.

The DRB moved out of Deliberative Session at 9:13 p.m.

Rasenas moved, and Sherman seconded, to approve the Change of Use and Amend the PUD Parking Requirements with the following comments/conditions:

- i. Applicant will provide an updated parking plan showing 190 parking spaces in 9x18 size prior to a building permit being issued.
- ii. Paving of Nanak Way will not be required.
- iii. A maintenance agreement, subject to the approval of the Fire Chief, be submitted to the Town and recorded in the Killington Land Records prior to a building permit being issued.
- iv. Applicant to provide to the Town an Agreement to Serve Letter from the The Bus and install a “Bus Stop” sign in front of the Lanyard Hotel. Should bus service become unavailable at any point in the future, Applicant will have to submit an amendment to the PUD to address Pedestrian and Bike access. Approval is further conditioned that when a multi-use facility becomes available on the Killington Road, Applicant will submit a plan that provides for pedestrian access to the Killington Road.
- v. Applicant will submit an updated Ability to Serve Letter from Killington Fire and Rescue.
- vi. The updated Police Ability to Serve Letter dated January 26, 2022 has been received and that condition satisfied.
- vii. Applicant will purchase an additional 33 ERUs from Alpine Pipeline and an additional 23.5 ERUs from the Killington Road/Route 4 Sewer. The Town of Killington will issue an Ability to Serve Letter.
- viii. Applicant will obtain and submit to the Town, a copy of the VT DEC Source Permit when issued.

**TOWN OF KILLINGTON
DEVELOPMENT REVIEW BOARD
Meeting of February 3, 2022
Page 4**

Vote on approval as conditioned. All in favor.

Wonsor closed the hearing and advised the Applicant that a written Decision would be forthcoming.

7. **Other Business** – None.

8. **Adjourn**

Rasenas moved to adjourn the meeting at 9:18 p.m. Wysocki seconded. All in Favor.

The next meeting of the Development Review Board is scheduled for February 17, 2022 at 6:30 pm at the Sherburne Memorial Library and via Zoom.

Respectfully submitted,

Lucrecia Wonsor

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Recording Secretary

NOTE: These minutes have not been approved by the Development Review Board and are, therefore, subject to change.