Town of Killington Planning Commission

Minutes from 04/23/2025 Meeting

Meeting held at the Public Safety Building as well as remotely via Zoom.

Start Time: 7:02pm

End Time: 9:05pm

Attendance:

Jennifer Iannantuoni, Chair
Vince Wynn
Dave McComb
Don Gaunt
Guy Keefe
Lisa Davis Lewis, Town Planner
William Austin, Assistant Town Planner
Jim Haff, Zoning Administrator
David Atherton, Town Manager
Jeremy Farkas, Town Counsel*

Guest Attendees:

Jill Frankle
Jeffery Mita
Curt Peterson*

(participants joining via zoom*)

1. **Open Meeting**

The Chair opened the meeting at 7:02pm.

2. **Approval of Agenda**

The Chair requested a motion to approve the agenda as may be amended. Wynn made a motion. McComb seconded the motion. Davis Lewis remarked that she would like to add a brief discussion on the proposed KMS Athletic Center to the agenda prior to the public hearing. The motion to approve the agenda as amended passed unanimously.

3. **Approval of Minutes – March 19, 2025**

The Chair requested a motion to approve the minutes from March 19, 2025, as may be amended. Wynn made a motion. Keefe seconded the motion. There being no amendments, the minutes passed unanimously.

4. **Citizen's Input**

None

5. **Welcome New Town Manager (David Atherton)**

The Commission welcomed the new Town Manager, David Atherton, and gave introductions. Atherton gave a brief description on his background in municipal government and offered his support on the Commission's future projects.

6. Parcel 43-022 Discussion

Davis Lewis began a conversation on Parcel 43-022 which is a 25 acre parcel located within the Valley Zoning District, off of US-Rt. 4, south of East Mountain Road, and is owned by Jeff Mita. Mita asked the Commission to consider rezoning his parcel from the Valley District to the Ski Village District. The Chair asked for clarity on the difference between the Ski Village and the Valley District. Davis Lewis stated that the Valley District allows for one (1) dwelling unit per ten (10) acres, and one (1) dwelling unit per one (1) acre in a PUD. The Ski Village Zoning District allows for one (1) dwelling unit per forty thousand (40K) square feet, and one (1) and two (2) family dwelling units per sixty five hundred (6,500) square feet in a PUD. Davis Lewis reminded the Commission that they recently recommended rezoning a portion of the adjacent parcel from Forest Reserve to Valley District and one of the reasons for the recommendation was to maintain consistency with the abutting parcel in the Valley District. The Chair remarked that she believes there needs to be a compelling reason for the Commission to recommend the rezoning of a parcel and one of the reasons for recommending the rezoning of the adjacent parcel was the unusual situation that it is located within three zoning districts. She stated that she would need to better understand the reasoning behind Mr. Mita's request. Mita stated that he was trying to understand the differences between the two zoning districts and to understand why the parcel to the north of his was zoned as Ski Village and not the Valley District. Davis Lewis stated that the property is owned by Killington Resort and the Ski Village Zoning District is limited to the Sky Ship Base Lodge, the gondola station, and related parking.

Haff brought to the Commission's attention that Rutland Regional Planning Commission is currently in the process of updating the Future Land Use Map which will be included in the new Master Plan for the Rutland Region. Haff stated the RRPC appears to be using the Town's Zoning Map as a basis for their land classification and suggested the PC revisit some of the boundary district lines. Davis Lewis explained that the Future Land Use Map is one of the criteria that will be used to determine whether Town's can apply for areas to be classified as Tier 1A or 1B, which exempts those areas from Act 250 requirements pursuant to Act 181, the State's new Land Use Law. Haff suggested the Planning Commission take an in-depth look at the Town's Zoning Map and decide if certain areas should be rezoned to encourage more development. The Commissioners agreed that this is an important project that should be undertaken in the near future.

7. KMS Athletic Center Comment

Davis Lewis gave a brief overview on the Killington Mountain School (KMS) Athletic Center project. KMS is currently seeking approval from the DRB to construct an athletic center and under the current zoning regulations, KMS would be required to provide eighty (80) parking spaces, which they are unable to achieve. The zoning does provide for a reduction of up to eighty (80) percent through the shared parking provision. Davis Lewis asked if the Commission would support her attending the next DRB meeting and stating the PC's support for the reduction in parking. The Commissioners supported this request.

8. Public Hearing on Proposed Subdivision Regulations and Zoning Bylaw Amendments

Davis Lewis reviewed the most recent changes to the proposed Subdivision Regulations and Zoning Bylaw Amendments which were based on input from the public and the Commissioners at the public hearing. Davis Lewis reviewed the changes to Section 120 which addresses the need for a zoning permit in connection with the removal of trees within 20 feet of any property boundary. This revision eliminates the reference to removal of trees within an area equal to or greater than the maximum lot coverage and only addresses the removal of trees within 20 feet of a property line. The proposed change will allow the Zoning Administrator to issue a zoning permit for the removal of trees within 20 feet of a property line, only if it is related to the construction of a one or two family house, the issuance of a driveway, or if the owner has received approval from the DRB for a PUD, site plan, or conditional use approval, or has received consent from an adjacent property owner. Wynn expressed concern about this approach, and felt it was too restrictive. Davis Lewis stated that the goal of this revision was to provide clear standards that would allow the Zoning Administrator to issue a zoning permit for the removal of trees. Haff expressed concern about requiring written permission from the abutting landowner. Keefe raised a concern that this would prohibit people with existing homes to clear some of their land. Farkas suggested revising the language to apply only to unimproved properties. The Commissioners agreed with this change.

Davis Lewis reviewed the proposed changes to Section 1110 of the proposed Subdivision Regulations. She highlighted the revision to subsection VII, which states that a minor subdivision that proposes road slopes greater than fifteen (15) percent would be classified as a major, unless the applicant provides a report from a Vermont licensed civil engineer demonstrating the safety of the road along with written approval from the Fire Department. She highlighted the revision to subsection III, which states that changes to conditions of a previously approved minor subdivision would trigger its review as a major subdivision but changes to lot lines or boundary adjustments would not trigger this requirement. The Commissioners agreed to these changes.

Davis Lewis reviewed the proposed changes to Section 1140 regarding the requirements for Performance Bonding. The revision requires performance bonding to be posted solely for public improvements and prior to the issuance of a zoning permit. Wynn stated that the language was too was subjective by saying “may require” and suggested it be revised to state “shall require.” Farkas suggested they revise the language to require the completion of public improvements as a condition of subdivision approval rather than the issuance of a zoning permit. The Commissioners agreed with this revision.

Davis Lewis reviewed Section 1150, highlighting the revisions to Rock Outcrops, Steep Slopes, Hillsides and Ridges. This section was revised to prohibit the construction of roads with slopes in excess of twenty (20) percent without written approval from the Fire Department. Haff remarked that the subsection only refers to steep slopes and suggested they revise the title and remove the last sentence regarding rock outcrops. The Commissioners agreed with the revisions. Under the Preservation of Existing Features subsection, Haff remarked that the language that states “to the extent feasible” was difficult to interpret. Farkas suggested revising the language to state “the applicant shall use best efforts” to maintain clarity. The Commissioners agreed. Under the Fire Protection subsection, Haff remarked that the review of adequate fire suppression should be under the review of the Fire Department and not the DRB. The Commissioners agreed with this revision.

After some discussion, the Commissioners agreed to continue the public hearing until May 7, 2025, to allow Town Counsel to complete the revisions discussed, and to allow the public to continue to submit comments on the proposed Subdivision Regulations and Zoning Bylaw Amendments. Wynn made a motion to continue the public hearing until May 7, 2025. McComb seconded the motion. The motion passed unanimously.

9. Updates and Reports

- **Raise Grant –** No Updates
- **Killington Forward –** Davis Lewis stated that construction of Contract four (4) of the Water System project has commenced. Austin stated that he and Davis Lewis have been asked to present Killington Forward as a long range planning project at the Northern New England Chapter, American Planning Association (NNECAPA) conference in November 2025.
- **Recreation Master Plan –** Davis Lewis stated that the Recreation Commission along with Town Staff and Vermont Integrated Architecture (VIA), held a public meeting on the Recreation Master Plan on April 1, 2025. VIA is in the process of refining the preferred Concept design based on public and Commission's input received at the public meeting.
- **VOREC –** Austin stated that the Civil Engineer has begun the process of preparing. They expect to complete their work in approximately four (4) weeks, after which time the developed site plans will be given to the Structural Engineer to being the structural design of the bridge and boardwalk.
- **Enhanced Energy Plan –** No Updates

10. Commissioners Concerns

Wynn asked when the line striping on Killington Road would be completed. Haff remarked that at a previous meeting the Selectboard approved the road stripping. He referred Wynn to the Public Works Director for questions regarding the timeline of the project.

11. Other Business

None.

12. Executive Session

None.

13. Next Meeting:

May 7, 2025, at 7:00pm

14. Adjourn

The Meeting was adjourned at 9:05pm

Respectfully submitted,
William Austin,
Assistant Town Planner