

TOWN OF KILLINGTON PLANNING COMMISSION

Minutes from the Meeting of October 10, 2023

Public meeting held at the Public Safety Building and remotely via Zoom teleconference

PRESENT: Jennifer Iannantuoni, Chair
Vince Wynn
Andy Salamon
Ricky Bowers
Rob Hecker
Lisa Davis Lewis, Town Planner
Michael Ramsey, Town Manager

START: 7:11 p.m.
END: 8:47 p.m.

GUEST ATTENDEES: Curt Peterson*
Tim Goettelmann*

*Participants attending via *Zoom* video conferencing

1. **Open Meeting**

Jennifer Iannantuoni, Chair opened the meeting at 7:11 p.m. Tim Goettelmann introduced himself to the Commission. Tim is a student at the University of Vermont. Tim explained that he is an environmental studies major and is doing an internship with the Town. Tim is working on a number of projects with the Town Planner including working on the filing of the final report on the VOREC grant, assisting in the Municipal Planning Grant application and working on the MERG application.

2. **Approval of Agenda**

The Chair requested a motion to approve the meeting agenda as may be amended. There being no amendments, Wynn made a motion to approve the agenda as written. Salamon seconded. Motion passed unanimously.

3. **Approval of Minutes**

The Chair requested a motion to approve the draft minutes of September 20, 2023, PC Meeting. There being no amendments, Wynn made a motion to approve the minutes as written. Salamon seconded. Motion passed unanimously.

4. **Citizen Input**

None

5. **Planning Commission Priorities /Town Plan Implementation**

Lisa Davis Lewis asked the PC for their input on the PC priorities / Town Plan Implementation. The Chair indicated that she thought the Enhanced Energy Plan should be included in the list of PC Priorities. Davis Lewis indicated that she would reach out to the RRPC and ask them for a proposal to prepare an enhanced energy plan. Vince Wynn indicated that he would like the PC to address the pool and the recreation center. Davis

Lewis indicated that the Municipal Planning Grant is included in the PC priority list and that we are applying for the MPG specifically to do an update of the recreation master plan. If we are unsuccessful in securing this grant, then the PC will use its reserve fund to pay for the plan. Davis Lewis walked the PC through the list. In addition to applying for the Municipal Planning Grant, the list includes applying for a Village Center Designation. The Town has contracted with RRPC to work on this. A kickoff meeting is scheduled for early November. Another item on the list is Cannabis regulations which is tonight's agenda for discussion with the goal of getting this ready for a public hearing as well as further revisions to the zoning bylaws. Last week the Town met with Great Gulf to review the new design and discuss potential changes to the Ski Village II regulations that would be required to implement their plan (see discussion below.) The next item on the priority list are subdivision regulations. Davis Lewis indicated that she does not have the capacity to begin work on this until early 2024. The Chair asked whether this would impact anyone in town and Davis Lewis explained that anyone planning on doing a subdivision can apply under the current regulations or choose to wait until the town adopts regulations which has a bearing on the Act 250 threshold. The Chair agreed that this is important but that other items may take priority over this. Rob Hecker asked if we could commit to a timeline for getting this done. Davis Lewis indicated that it's a 3-4-month process so if we begin in January / February '24 we can expect to have them in place during the spring of 2024. In addition to updating the Ski Village II regulations, adopting cannabis regulations and subdivision regulations, there are a number of zoning changes that are needed including updating the regulations for consistency with the HOME act, updating definitions and potentially updating the sign regulations. Finally, there is still ongoing TIF work and grant administration and given the fact that the Planning Department staff consists of one person, the PC needs to be mindful of this. For example, Nicole Kesserling recently reached out to find out if the Town is contemplating changes to the Accessory Dwelling Unit (ADU) regulations. Davis Lewis indicated that while her request may be reasonable, we cannot amend our bylaws every time someone requests a change. The Chair concurred. Vince Wynn suggested that a shared workspace which would give Commission members access to the document and allow them to make edits would be a useful tool. The Chair indicated that she did not think this would be workable but that if one member such as Vince would like to work on making changes to the bylaw that might be helpful. The Town Manager stated that because so much of zoning is prescribed by the State, he is not sure whether this would be viable. Vince indicated that he was referring to correcting typos and grammar. Davis Lewis suggested that she would work with Vince on this. That summarizes the list of priorities. She will add the Enhanced Energy plan to the list. The Chair reiterated the importance of staying focused on the priorities.

6. Cannabis Regulations

Davis Lewis provided the PC with a table that provides a definition of the various types of cannabis establishments and whether they should be permitted in each of the town's zoning district and if so whether as a permitted use allowed by right or a conditional use. She explained that a permitted use requires the DRB to review a site plan and possibly impose conditions whereas a conditional use requires the applicant to demonstrate that the project is not harmful to the neighborhood. The standard for approval for a

conditional use is higher and the DRB has more latitude. Davis Lewis also reiterated that except for retail establishments, all other cannabis establishments are allowed and that we cannot indicate that we don't want manufacturing or a laboratory. Therefore, we should identify at least one zoning district that is appropriate. Andy Salamon suggested that the State would not license a manufacturer in a residential neighborhood. Davis Lewis explained that the State through the Cannabis Control Commission reviews an applicant's background and whether they have the financial ability to operate but it does not review zoning. The PC reviewed the table of uses. The Chair asked what districts permitted nurseries. Davis Lewis explained that nurseries are defined in the zoning bylaw, but that agriculture is permitting in the R3, Forest Reserve and the Valley zoning districts. The PC thought that those districts make sense for outdoor cultivation. The PC made a few other changes to the Use Table. The sentiment was that all the cannabis establishments except for retail establishments should be conditional uses. Regarding retail establishments, the PC would like to restrict them to the Killington Basin section of the Commercial District. Davis Lewis explained that the Killington Basin section of the bylaw starts at Schoolhouse Road and runs in a southerly direction to just beyond the Lookout. Unfortunately, when the town made its last rounds of zoning bylaw changes, it eliminated the description of the Killington Basin section of the Commercial District. Her recommendation is that we ask RRPC to update the Zoning Map to show the 2 sections of the Commercial District. The PC discussed whether to make retail establishments a conditional use. The sentiment is that retail establishments should be a use permitted by right if we can still include performance standards which require a security plan and odor control. Davis Lewis said she would confirm this with Town Counsel. There was a question as to whether the town could limit the number of retail establishments and Davis Lewis indicated that she did not think so. At the next meeting, Davis Lewis will provide the PC with a schedule for adopting the regulations. She indicated that getting the map changed might take time and that she would reach out to RRPC.

7. **Signage**

Davis Lewis asked the PC whether it would be helpful to have Sparky (local sign designer) appear before the PC to discuss the signage regulations and how the Commission could accommodate requests for internally illuminates signs without impacting our goal of dark skies. The Commission felt that was a good idea as they may want to revisit our sign regulations and indicated that it would be helpful if he could provide some visuals.

8. **Great Gulf**

Davis Lewis provided a brief overview of the plan that the Great Gulf presented. She indicated the plan is more pedestrian friendly and has more green space, all of which is consistent with the Town plan. The plan will require changes to the Ski Village II Zoning bylaws including a change in the height limitation. Davis Lewis suggested the members of the PC attend the resort update meeting on October 19 as Great Gulf will be making a presentation. Davis Lewis explained that she told Great Gulf that once they have finalized their plan and have a clear understanding of what changes they will be seeking, she will put them on an agenda to start the dialogue with the PC. At this point no action is required on the part of the PC. Andy Salamon asked how the changes would impact their

Act 250 application. The Town Manager indicated that in general the new design reduces most impacts. Regarding the height limitation, we advised Great Gulf that they should present cross sections which show the impact on nearby properties. Once the zoning changes have been submitted, the PC will hold a public hearing at which time abutters can provide input on the proposed changes as is the norm.

9. **Updates and Reports**

- **TA Grant** – no updates.
- **Village Center Designation** – The Town signed a contract with RRPC and a kickoff meeting is scheduled for early November.
- **Killington Forward** – The Chair thanked the PC members for attending the Ribbon Cutting which was a wonderful event. The Town Manager indicated that tree clearing will begin on the lower portion of Killington Road
- **Municipal Planning Grant** - Davis Lewis requested a Motion from the PC to authorize the Chair to sign the application and to provide a letter of support. Wynn made a motion and Bowers second. Motion passed unanimously.

8. **Commissioner's Concerns** – Andy Salmon informed the PC that RRPC is in the process of updating the plan for the County.

9. **Executive Session** – None

10. **Next Meeting** – The next PC Meeting will be on October 25, 2023 @ 7:00 PM at the Public Safety Building. Following the next meeting, future meetings will be held on November 8, November 29 and December 13.

11. **Adjourn** – Bowers made the motion to adjourn the meeting at 8:47 pm. Wynn seconded. All in favor.

Respectfully submitted,

Lisa Davis Lewis
Town Planner