Town of Killington Planning Commission

Minutes from 10/16/2024 Meeting

Meeting held at the Sherburne Memorial Library as well as remotely via Zoom.

Start Time: 7:03pm

End Time: 8:58pm

Attendance :

Jennifer Iannantuoni, Chair
Vince Wynn
Dave McComb
Lisa Davis Lewis, Town Planner
Jim Haff, Zoning Administrator
William Austin, Assistant Town Planner
Jeremy Farkas, Town Counsel*
Curt Peterson, Mountain Times*
Jill Frankle

(participants joining via zoom*)

1. **Open Meeting**

The Chair opened the meeting at 7:03pm.

2. **Approval of Agenda**

The Chair requested a motion to approve the agenda for the meeting of October 16, 2024, as may be amended. Wynn made a motion. McComb seconded the motion. There being no amendments the motion passed unanimously.

3. **Approval of Minutes –September 4, 2024**

The approval of the minutes from the meeting of September 4, 2024, were tabled until the next meeting due to a lack of quorum.

4. **Citizen's Input**

None

5. **Parcel 44-18 Zoning Discussion**

Davis Lewis began a conversation on Parcel 44-18 which is a 31 acre parcel located off of US-Rt. 4, just north of Hadley Hill, and is owned by Jill Frankle. The parcel is located within three different zoning districts; the Forest Reserve district (18.61 acres), the Hamlet district (2.74 acres), and the Valley district (10.18 aces). The Forest Reserve District is the most restrictive zone, as it allows for a single or two family home every ten (10) acres and a single or two family home for every five (5) acres within a PUD. The Valley District allows for a single or two family home on one (1) acre within a PUD, and the Hamlet District allows for a one or two family home or multifamily housing on one (1) acre. Ms. Frankle is asking the Commission to consider rezoning the parcel so that all of it is within either the Hamlet or Valley Zoning District. Davis Lewis remarked that it is important for the Commission to look at the Town's Zoning Map to fully understand the reasoning behind the existing

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zoning districts and the implications of a rezoning. She remarked that the Commission rarely rezones a single parcel unless there is a compelling argument. Ms. Frankle stated that the parcel to the north is entirely within the Valley district, and she is confused as to why her parcel was split between three districts. Wynn asked Frankle to elaborate on her plans for development. Frankle stated that she is undecided but is interested in potentially subdividing her land into 8 building lots. Frankle stated that in 2001 the owner of Parcel 44-18 and the neighboring Parcel 44-022 were given an Act 250 permit to build up to 110 units on the land. Davis Lewis remarked that Austin and she would look into this permit for more background information. The Chair asked why she needed to rezone the parcel because it seems that she could still subdivide the parcel into the desired number of lots based upon the current zoning. Frankle explained that the current Valley district lands are steep and not developable and that the Forest Reserve lands are more suited for development. A question of access was raised, and Frankle explained that she has access from the neighboring parcel off of US-Rt. 4 to her parcel. Davis Lewis explained that in order to develop a parcel in the Valley District as a PUD, you need 1,000 feet of frontage along US-Rt. 4. Davis Lewis asked whether the parcel was accessible on foot, and if so whether the Commissioners would be interested in a non-meeting site visit. The Chair agreed that a site visit would be useful. Haff questioned why the Valley district extends further in depth on the east side of US-Rt. 4 than it does on the west side. Wynn and McComb remarked that the Forest Reserve district on the west side of US-Rt. 4 appears to be designed to create a wildlife corridor. Wynn asked if there was any benefit to swapping some of the Valley and Forest Reserve lands but there does not appear to be a benefit. The Chair reiterated that the Commission does not typically change zoning for a single parcel but is sympathetic to the problems associated with having 3 zoning districts on one parcel. Davis Lewis remarked that changing the Zoning Map could impact the residents on the north side of Hadley Hill Road. The Commissioners decided to conduct a non-meeting site visit of the parcel and would revisit the issue at their next meeting. The site visit was scheduled for November 4, 2024, at 1:00p.m.

Haff stated that the Commission may want to revisit Section 414 of the Zoning Bylaws which addresses lots in 2 or more zoning districts. He indicated that the language was confusing, and as written appears to penalize larger lots. Davis Lewis said she would review the language, and the Commissioners concurred that this language should be revisited.

6. **Subdivision Regulations**

Davis Lewis started the discussion on Subdivision Regulations by stating that the goal behind the creation of subdivision regulations is to both increase the number of lots that trigger an Act 250 review and also to protect the resources of the Town. She stated that she reviewed the subdivision regulations of numerous towns and worked with Town Counsel Jeremy Farkas to develop the regulations. She strived to create regulations that achieved these two goals without being overly burdensome. She stated that she would like to walk the Commission through the key parts of the draft regulations, and they can get into a more detailed discussion at the next meeting. She emphasized that the regulations focus on the dividing of land into building lots, and she tried to stay away from the site plan aspects contained in many subdivision regulations. As a result, the primary focus is on stormwater management and road construction standards. She also clarified that a two (2) lot subdivision would only require a zoning permit from the Zoning Administrator.

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Davis Lewis went on to explain a change that she is proposing to Section 420 of the Zoning Bylaws, which addresses driveway curb cuts. She stated that reducing the number of curb cuts on Town roadways is generally good planning. The Chair remarked that she is hesitant to accept the change as it reads, because she sees a difference from a one (1) acre lot and a ten (10) acre lot, which may necessitate the need for multiple curb cuts. Haff explained he had concerns about bringing the request for multiple curb cuts to the DRB and stated that it would make more sense for the Road Foreman and Fire Chief to make the evaluation. The Chair remarked that restricting a lot to a single driveway is consistent with Town planning goals but allowing the Highway Foreman in consultation with the Fire Chief to review a request for additional curb cuts made sense. The Commissioners supported the Chair's statement and Davis Lewis said she would make the necessary changes.

Davis Lewis reviewed Section 615 of the proposed regulations which focuses on zoning permits for the division of land. She stated that a zoning permit would be required for a boundary line or lot line adjustment, and two (2) lot subdivisions but that DRB review would be required for anything more than a 2 lot subdivision. Haff asked Davis Lewis to explain the reasoning behind the requirements for a major and minor subdivision. He stated that the required materials for a minor subdivision seemed extensive and recommended that minor subdivisions be handled by the Zoning Administrator. Davis Lewis understood his concerns but stated that even a 4 or 5 lot subdivision could have impacts on the Town's drainage system and roadways. She also stated that the plat requirements are standard and that a licensed surveyor would be able to prepare the plat. The Commissioners understood her thought process but expressed concerns about making the subdivision regulation requirements too onerous. Farkas stated that the proposed plat requirements were standard and did not present anything too onerous to applications. He also stated that none of the requirements in these regulations were as extensive as would be required under an Act 250 review. McComb indicated that the Commission should focus on what level of review is appropriate based upon the number of lots being created. The Chair recommended that they continue the discussion at their next meeting.

Davis Lewis indicated before moving on to the rest of the agenda she wanted to state that after hearing objections from the Zoning Administrator and getting feedback from other planners on the VPA Listserv, she is recommending deleting Section 725, which gives the Planning Department a formal role in the review of applications that are reviewed by the DRB. Haff strongly objected to this provision as he believes it encroaches on the duties of a Town Zoning Administrator. Davis Lewis explained that she concurs that this does not belong in the Bylaws although she still believes there is a role for the Planning Department staff to provide input on applications. The Commissioners agreed with this decision to remove this section.

7. **Updates and Reports**

The Commission agreed to table the updates and reports until the next meeting.

8. **Commissioner's Concerns**

None

9. **Other Business**

None

10. **Executive Session**

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None

11. **Next Meeting:**

November 6, 2024, at 7:00pm.

12. **Adjourn**

The meeting was adjourned at 8:58 pm.

Respectfully submitted,

William H. Austin
Assistant Town Planner

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