

TOWN OF KILLINGTON PLANNING COMMISSION

Minutes from the Meeting of November 8, 2023

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

PRESENT:	Jennifer Iannantuoni, Chair	START:	7:03 p.m.
	Vince Wynn	END:	8:15 p.m.
	Andy Salamon		
	Rob Hecker		
	Lisa Davis Lewis, Town Planner		
	Michael Ramsey, Town Manager		

GUEST ATTENDEES: Curt Peterson*
Noreen Binder*

*Participants attending via *Zoom* video conferencing

1. **Open Meeting**

Jennifer Iannantuoni, Chair opened the meeting at 7:03 p.m.

2. **Approval of Agenda**

The Chair requested a motion to approve the meeting agenda as may be amended. Lisa Davis Lewis stated that the Town Manager is present and will provide an update on the PC Special Reserve Fund. The Chair added this item under Reports and Updates. Wynn made a motion to approve the agenda as amended. Salamon seconded. Motion passed unanimously.

3. **Approval of Minutes**

The Chair requested a motion to approve the draft minutes of October 25, 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**

The Chair welcomed Noreen Binder and asked if she had anything she wanted to discuss, or whether she was just there to observe. Ms. Binder indicated that she was just there to observe the meeting.

5. **Cannabis Regulations**

Davis Lewis indicated that Town Counsel reviewed the regulations and made two changes. Firstly, she indicated that the State Legislature determined that the outdoor cultivation of cannabis is the same as agriculture and therefore falls under the Agriculture Use category and should not be regulated as a cannabis establishment. Secondly, she rewrote the odor definition. With these changes, the bylaw is now ready for a public hearing. Rutland Regional PC has updated the zoning map which now shows the Commercial District as being comprised of 2 sections – the Route 4 section and the Killington Basin section. The proposed cannabis regulations will permit retail establishments as a conditional use (subject to a yes vote at Town Meeting) in the Killington Basin section. The new map will be included in the public hearing scheduled for January 3, 2024.

6. **S100 Bylaw Amendments**

Davis Lewis indicated that the Town Counsel was working on incorporating the changes to the bylaw for consistency with S100. One issue that has come up with the S100 requirement that lots with water and sewer can have 5 dwelling units on a one-acre lot. It's unclear whether this means that you can have 5 single family homes on one lot without subdividing the lot, or whether you can mandate a subdivision but still meet the definition by allowing 1 building with up to 5 units. The PC also had a discussion on parking spaces. According to S100, Towns can only mandate 1 parking space per residential dwelling unit. However, if a town has short term rental regulations, it can mandate more parking. This means that if someone converts their single-family home to a STR property, they would be required to meet the parking requirements contained within the STR regulations. At this point the Town zoning bylaw does not provide for different parking requirements for STRs but this is something the PC may want to consider. The goal is to complete the bylaw updates by the end of November so that the PC will be able to review the final draft at its meeting on November 29, 2023.

7. **Site Clearing Regulations**

Davis Lewis also informed the PC that she had a discussion with Town Counsel regarding site clearing regulations. Town Counsel informed her that under 4 V.S.A. §4413(d)(2)(B) "forestry operations" are exempt from municipal zoning regulations. Forestry operations include, among other things, timber harvesting and wildlife habitat management which both involve tree cutting. The Town can regulate site clearing as part of an application for a subdivision or site plan approval. For example, the town of Fayston has predevelopment site clearing regulations related to site plan and subdivision regulations. Salomon asked about the screening requirements for single-family homes. Davis Lewis clarified that the Town does not have screening requirements for single- or two-family homes. Projects that require DRB review such as PUDs or a site plan application can be required to provide landscaping or screening. Wynn stated that there are environmental consequences associated with land clearing and questioned why this cannot be regulated. Davis Lewis explained that this is regulated by the State. She also indicated that the PC could revisit this as part of the subdivision regulations which she will be working on in early 2024.

8. **Updates and Reports**

- **TA Grant** – We are expected to receive an alternatives plan from VHB next week with a review meeting scheduled for November 16. A public meeting to review the alternatives plan is scheduled for December 5, 2023.
- **Village Center Designation** – A kickoff meeting is scheduled for November 14, 2023. The PC agreed that the boundaries of the district should go from the ERA building to Base Camp outfitters. Wynn asked about the timing of the town employees moving to the new town hall. The Town Manager said the goal is to be in the Town Hall in June 2024.
- **Killington Forward** – Davis Lewis told the PC that the Town received 60% design drawings for Phase 1a of the road. The goal is to bid the work out in the spring / summer. We are waiting for some input from Great Gulf on utilities. The Chair asked about the schedule for Phase 1b (Anthony way to Route 4). Haff indicated that the contractor is beginning site clearing but the main construction activity will take place in Spring 2024.
- **Municipal Planning Grant** – Submitted November 1, 2023.

- **Planning Commission Special Reserve Fund** – The Town Manager reviewed the budget with the PC. The PC Special Reserve fund currently has \$123,435.92 in its account. The Town Manager asked whether this fund is connected to a capital plan. The Chair gave the Town Manager an overview as to how this fund came to be and informed him that is designed for the PC to cover local matches that may be required, or for them to undertake studies that deem important. The Town did use funds from the account for the deposit for the new town hall and for the affordable housing site. These funds were reimbursed. However, funds were used to pay for the engineering services that were undertaken as part of the due diligence for the affordable housing site.

9. **Commissioner’s Concerns**

Wynn mentioned that he has two concerns. Firstly, he wanted to know when the new speed limit will go into effect. The Town Manager indicated that it would go into effect around the end of November. The new speed limit will be 30 mph for the entire length of Killington Road. Secondly, Wynn mentioned that when the State redid the striping at the bottom of Killington Road, they eliminated the straight arrow, and the sign was removed. This is unsafe since people do need to do straight into the Welcome Center/Base Camp Outfitters. Haff explained that the sign was removed because the road across the street was actually a driveway and that we do not post signs for driveways. However, now that it serves multiple lots, it is now considered a roadway and should be properly signed. There also needs to be a stop sign on the Base Camp Road. The Town Manager indicated he would follow up on this issue. Curt Peterson asked for confirmation from the Town Manager that the new speed limit will go into effect at the end of November. He also asked if signs have been ordered and whether the public will be notified. The Town Manager answered in the affirmative and also stated that the Town has ordered new radar signs – one of which will go on Killington Road. His last question is whether there will be any enforcement. The Town Manager said this will be taken up by the Selectboard.

10. **Executive Session** – None

11. **Next Meeting** – The next PC Meeting will be on November 29, 2023 @ 7:00 PM at the Public Safety Building. Following the next meeting, future meetings will be held on December 13, 2023, January 3, 2024, and January 17, 2024.

12. **Adjourn** – Wynn made the motion to adjourn the meeting at 8:15 pm. Salamon seconded. All in favor.

Respectfully submitted,

Lisa Davis Lewis
Town Planner