

TOWN OF KILLINGTON PLANNING COMMISSION

Minutes from the Meeting of May 17, 2023

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

PRESENT: Jennifer Iannantuoni, Chair
Vince Wynn
Andy Salamon
Lisa Davis Lewis, Planning Consultant

START: 7:07 p.m.
END: 9:08 p.m.

GUEST ATTENDEES: Jim Haff
Lisa Ranson
Curt Peterson*
Caroline Wise*
Amy XXX *

*Participants attending via Zoom video conferencing

1. **Open Meeting**

Jennifer Iannantuoni, Chair opened the meeting at 7:07 p.m.

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 the May 3, 2023 PC Meeting. Wynn indicated that he would abstain since he did not attend the meeting. Since there was not a quorum, the Chair tabled this item until the next meeting.

4. **Citizen Input**

Jim Haff introduced Lisa Ransom from Mission Farm Church and indicated that the Church would like the Town's to work with them to expand their trail network, potentially creating mountain biking trails and possibly provide additional parking at the Skyship parking lot. Lisa Ransom introduced herself and stated that the Church has embarked on several exciting projects. The Mission Farm Bakery is being renovated and will become a community kitchen. They are working with the Vermont Food Bank; the kitchen will be used to address food insecurity. They also plan to make it available to entrepreneurs and small businesses that need access to a commercial kitchen. The second project is the creation of an outdoor amphitheater or Odeon which can be used for community events such as concerts. The Church is trying to be a bridge between the town and the resort and are interested in making their property a community asset. They would like the Planning Commission's assistance to increase usage of their trails. They are also working with Randy Elles of First Stop Bike & Barn to provide a bike trail that would start at the bike shop, cut through their property and ultimately provide access to the

existing trail network. The Chair recommended that they also speak with the Recreation Commission. She indicated that she did not see parking as an issue but that improved wayfinding including a new trail map would be invaluable. She suggested that if the Church would provide a formal request to the PC for funding, the PC would entertain said request. Salamon recommended that the Church create a partnership with the library. In the winter months, the library rents out snowshoes and they could jointly sponsor winter hikes. Ms. Ransom thanked the PC for their time and indicated that she hoped the PC would keep them in mind as they move forward with planning efforts.

Jim Haff introduced Caroline Wise who owns The Still on the Mountain. Ms. Wise along with her father recently purchased the 58-acre site behind the Greenbrier Inn. Ms. Wise has hired VHB to provide engineering services. If feasible, she is interested in providing bike trails and connections to the existing network. Ms. Wise indicated that the distillery operates in a small space and is running out of room. They would like to remain in Killington and would like to locate the facility on the 58-acre site which has approximately 5 usable acres. They are also looking at other possible uses for this site. As they get started on their planning and engineering for this site, she wants to know if there is anything the Town is interested in. Davis Lewis informed Ms. Wise that the Town has recently received a grant from the State to address bike / pedestrian connectivity along Route 100 and has retained VHB as the consultant. As part of this process, the consultant will be reaching out to the various landowners to see if they would be willing to provide easements for a possible bike path along Route 100. The study will also be looking at crosswalks along Route 100. Ms. Wise indicated that she is interested in cooperating with the Town on this effort. Jim Haff stated that he and Lisa met with Devon Neary of the Rutland Regional Planning Commission who has been notified of her project through VTrans. Neary wanted to see if the Town would be interested in taking over approximately 0.5 mile of Route 4 from Base Camp to the ERA office from the State. Jim Haff and Lisa Davis Lewis explained that the Town is interested in seeking a town center designation for this area, especially since the new Town Hall will be in the Post Office building. Neary indicated that VTrans was unaware of this project, but this certainly strengthens the argument. He indicated that VTrans is more receptive to this idea than in past years. This section of Route 4 would then be classified as a Class I road rather than a state highway. Wynn asked what happens to maintenance. Haff explained that the State would continue to pave the road. They would probably continue to plow it but may ask the Town to contribute towards plowing. Jim Haff asked Caroline Wise if she had anything further to add and she indicated that she did not but thank the PC members for their time.

The Chair asked Amy xxx if she wanted to say anything. Amy indicated that she had nothing specific to add but was excited for all the new projects going on and that she is trying to try to attend more meetings. The Chair expressed her thanks and indicated that she wished more citizens would attend.

5. Town Plan

Maggie O'Brien will provide a final draft to the PC by May 31, 2023. The goal is for the PC to adopt the draft at its meeting on June 7, 2023, and schedule a public hearing to be

held at its meeting on July 19, 2023. The PC should review this draft and provide comments by its June 7 meeting. The Chair indicated that the PC will also be able to provide comments following the public hearing but stressed the need to review this final draft.

6. Zoning Permit Fees

Before the PC commenced its review of permit fees, Jim Haff as the Zoning Administrator informed the PC that the Town should not make money on fees but the fees should cover a greater portion of the expenses to review applications and should cover costs to publish warning notices. The Chair agreed.

Davis Lewis suggested that the PC recommend the Selectboard adopt a policy like Stowe's policy which would allow the Town to charge Applicants for legal and engineering fees. This is not something that would be used often but would give the Town flexibility. The Town could not charge for legal opinions or interpretations of the bylaws but if an applicant requests to speak directly to Town Counsel, they would do so at their own expense. Similarly, if the Town felt they needed to hire a particular expert to review a project this would give them the ability to do so and bill the Applicant. For example, when the DRB was reviewing the proposed hotel next to the Hillside Inn, there was some uncertainty as to the number of parking spaces that was required because the project was part of an existing PUD. This policy would have allowed the Town to hire an independent 3rd party consultant to conduct the review. The Commissioner's agreed that the Selectboard should adopt this policy.

Wynn questioned the fee charged for lot line changes. He indicated that this seemed low as it could require a lot of work. Jim Haff explained the process and indicated that lot line changes are straightforward. Haff indicated that while the existing \$50 fee is low, this is one of the easier permits to issue. Haff clarified that in addition to the permit fee, a recording fee of \$15 is also charged.

Lisa Davis Lewis and Jim Haff as Zoning Administrator went through the existing permit fee schedule and recommended changes for each of the permits. For permit that require public hearings, they recommended that there be a separate warning fee. There was a question as to whether the Town issues permits for utilities, wind and solar projects. Jim Haff said he would discuss with Town Counsel. There was also a question as to whether an appeal of the Zoning Administrator is a warned public hearing. Davis Lewis said she would investigate. There was a discussion on conditional uses and how they differ from site plan review. Davis Lewis explained that certain uses are defined as conditional uses and need to go through a review similar to site plan review and therefore the fee should be the same as site plan review. There was a discussion on variances and the standard for issuing them. The Chair made a recommendation that the PC forward the proposed zoning fee schedule with the clarifications as to whether permits are issued for utilities, solar and wind projects and whether an appeal of the ZA is done so at a warned hearing for adoption by the Selectboard. She further indicated that the PC recommends that this includes the policy that would allow the Town to charge for legal and engineering fees on a limited basis. Wynn seconded the motion which passed unanimously.

7. **Updates and Reports**

- **TA Grant** – A kickoff meeting has been scheduled for May 25, 2023.
- **Killington Forward** – Jim Haff informed the PC that the Town received a letter from Great Gulf instructing the Town to move forward with Phase I of the infrastructure projects as per the Development Agreement and that they (Great Gulf) are obligated to pay the debt service on the bonds. In terms of the water project, on May 11, 2023, the Town received 6 bids for Contracts 1 – 3a (Casella, Kubricky, Beldon, Markowski, JW Teatro and Shultz submitted bid) and 4 bids (Shultz and Markowski did not submit bids) for Contract 3b. Casella was the low bidder on Contracts 1-3a and Kubricky was the low bidder on Contract 3b. The Town’s engineer has estimated the cost for the contracts plus the alternates at \$29.6 million. The low bids for both contracts, including alternates, came in at a total of \$25 million. Davis Lewis indicated that the Dufresne Group (Town’s engineer) is doing due diligence including a review of qualifications. Upon completion of this work, they will make a recommendation to the Town to award the bid. This process takes about 2 weeks. Road contract 1b (Anthony Way to Route 4) will be put out to bid in late June. Work will commence in August with the goal of being completed by mid-November. There are a few items that could cause delays such as utility pole relocation, but these items are outside of the Town’s control. In terms of grant /loan applications, the USDA loan application was modified to exclude Phase 1b of the road and was resubmitted on May 16, 2023. The Town was shortlisted for a Northern Borders Catalyst Grant. We applied for the maximum - \$3 million but Vermont only has \$11million to distribute. Rutland County is one of 3 distressed counties in the State and of the \$11 million, half the funds must be spent in these 3 counties. Also of the 33 applications that were shortlisted, only 16 are listed as regional priority projects of which our project is listed as a priority project by the Rutland Region Chamber. Applications on due on June 2, 2023.

8. **Commissioner’s Concerns** – None

9. **Executive Session** - None

10. **Next Meeting** – The next PC Meeting will be on June 7, 2023 @ 7:00 PM.

11. **Adjourn** – Wynn made the motion to adjourn the meeting at 9:08 pm. Salamon seconded. All in favor.

Respectfully submitted,

Lisa Davis Lewis
Planning Consultant