

TOWN OF KILLINGTON PLANNING COMMISSION
Meeting of October 7, 2020

PRESENT: Vince Wynn, Chair*
Ricky Bowers
Jennifer Iannantuoni*
Chris Karr*
Young Namkung

START: 6:34 p.m.
END: 7:57 p.m.

Preston Bristow, Town Planner
Lucrecia Wonsor, Recording Secretary

GUESTS: Andrew Gieda*, Vito Rasenas*, Roger Rivera*, Steve Selbo, Ken Wonsor,
Jon Wysocki*

*via *Zoom* Video Conferencing

1. OPEN MEETING and WELCOME

Town Planner, Preston Bristow, opened the meeting at 6:34 p.m.

2. ELECT CHAIR TO SERVE UNTIL MARCH 2021

Iannantuoni nominated Vince Wynn for Chair. There being no other nominations, vote on Vince Wynn for Chair. All in Favor.

3. APPROVAL OF THE AGENDA

Karr moved to approve the Agenda as may be amended. Iannantuoni seconded. There being to changes, vote on Agenda as presented. All in Favor.

Wynn welcomed new Planning Commission Member, Ricky Bowers.

4. APPROVAL OF MINUTES

Iannantuoni moved to approve the Minutes of September 2, 2020 as may be amended. Young seconded. There being no amendments, vote on minutes as written. All in Favor.

5. CITIZEN INPUT

a. Steve Selbo asked whether the Zoning Bylaws fell under the purview of the Planning Commission or the Development Review Board. Bristow explained that the Planning Commission writes, and recommends for adoption, the Bylaws. The DRB implements them. Bristow also advised that the Selectboard has charged the Planning Commission to do a

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comprehensive rewriting of the Zoning Bylaws. To that end, the Town has applied for a Municipal Planning Grant of approximately \$12,600 which will be used to enlist the help of the Rutland Regional Planning Commission in writing the Bylaws and developing new maps. Notice of the grant award should be received by January, 2021. However, even if we are not successful in getting this grant, the Selectboard still wants the Commission to move forward and this will be the primary task for the Commission over the next several months.

b. Steve Selbo asked whether the work being done on the Killington Road Master Plan by VHB falls under the purview of the Planning Commission. Bristow confirmed that is the case and he was advised that VHB will have their report to the Town in two weeks.

6. REVIEW OF PROPOSED EVENT PERMIT

The Selectboard has requested the Planning Commission develop an Events Permit Application. Bristow explained that when the Resort or other groups hold events, it usually involves spill over onto the Town right-of-way, or use of town buildings and/or facilities, and/or the use of Town Police/Fire manpower. This permit process would ensure that the group holding the event has the proper insurance coverage, that the Town has a mechanism to bill for police and fire services and that there is a plan in place to make sure roads are not blocked in the event of an emergency. Bristow provided the Commission with a preliminary draft Event Permit Application for review, suggesting that maybe it be broken down into two types of permits – one for Town buildings and property and the other for uses of Town rights-of-way. During discussion, the Commission offered the following questions/comments: i) Was there an incident that prompted the need for this permitting process? ii) What are the issues we are trying to address? iii) When the Town had an Economic Development Commission/Department, the focus was getting events in Town that would attract visitors and increase patronage to local inns, restaurants and other businesses. Several current day successful events resulted from this focus. To add another layer of permitting and then possibly fees, would discourage rather than encourage events. iv) If we have a budgeted Police Department, why do we have to bill an event holder for their services? v) Is the Town's insurance company asking for this and do they have a suggested amount of Liability Insurance they would like the event holder to carry? vi) How many non-town sponsored events are currently held on an annual basis? vii) Rather than have this permitting process in place for all events, maybe have it be triggered by events expecting a high number of participants.

7. REVIEW OF PROPOSED PARKING ORDINANCE

The Town has had a Parking Ordinance in place since 1986 and it is need of being updated. Bristow provided an updated draft Ordinance that has been reviewed by Town Attorney, Jim Barlow and is ready for adoption after the Commission review. The Commission noted it would like more time to review the document prior to recommending adoption. To further aid in their review, they requested that Bristow provide a comparison between the old and the new Parking Ordinance documents identifying the changes.

**8. NON-BINDING DISCUSSION ON COVERED OUTDOOR DINING STRUCTURES
IN THE COMMERCIAL, BUSINESS AND COMMERCIAL/BUSINESS DISTRICTS**

The Commercial and Business Districts along Route 4 and the Killington Road have a 50' setback requirement from the center of the road. The arrival of COVID-19 and restrictions on indoor dining have caused restaurants to look to their outdoor spaces to replace the seating lost indoors. They have applied for and received temporary Outdoor Consumption Permits for these new spaces which will expire on November 15th. Restaurants have gotten very creative but with the cooler weather approaching and the lifting of indoor occupancy restrictions nowhere in sight, there are two restaurants that are looking to erect covered structures to extend the use of their outdoor seating areas through the fall and winter. The issue is that these structures would not meet the 50' setback requirement thus requiring Site Plan Review by the Development Review Board. With the Killington Road Master Plan still in process and being a newly formed Board, the DRB asked to have a non-binding discussion with the Planning Commission to ensure that if they should grant a setback waiver, that it will not impact the goals and objectives of the Killington Road Master Plan. DRB Chair, Ken Wonsor, in anticipation that other businesses along the Killington Road will follow and submit similar applications, and in an effort to treat each one equally, requested some guidance regarding what the minimum setback should be if not 50 feet. He recommended waiting for receipt of the Killington Road Master Plan in two weeks and that the Planning Commission and DRB discuss and make a determination on this jointly.

During discussion, there was support from the Planning Commission to do what is needed to help businesses to operate during this difficult pandemic, but they were not comfortable with giving the green light to granting setback waivers for permanent structures without the benefit of having the Killington Road Master Plan completed. There were concerns expressed regarding the speed of cars along the road, visitors that drive the road in the winter without proper tires and snow thrown by snow plows along the road reaching these dining areas. Overall, the consensus was the Commission was comfortable with granting setback waivers for temporary structures. Namkung noted that should such waivers be granted, they could act as a study as to how zero setbacks would work.

Andrew Gieda commented that as a resident and business owner, he does not have an issue with the Commission and/or DRB granting setback waivers for temporary structures, however, he asked that any changes to rules apply to all properties along the Killington Road.

9. NOMINATE TOWN REPRESENTATIVE TO RRPC TRANSPORTATION COUNCIL

Karr nominated Young Namkung. Iannantuoni seconded. All in Favor

10. COMMISSION'S CONCERNS

Karr suggested setting some goals of what the Planning Commission hopes to accomplish over the next year and creating a schedule to meet those goals. He would like to hear from the Selectboard and the Town Manager as to what they would like to see the Commission working on. He also suggested enlisting the KPAA to send out a questionnaire to area businesses and other groups in town to get an idea of areas they would like the Commission to focus on.

Bristow advised that he would make putting a work plan together a priority.

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11. OTHER BUSINESS – None.

12. NEXT MEETING

The next Planning Commission meeting is scheduled for October 28, 2020 at 6:30 p.m. at the Sherburne Memorial Library.

Karr moved to adjourn the Planning Commission meeting at 7:57 p.m. Iannantuoni seconded. All in Favor.

Respectfully submitted,

Lucrecia Wonsor
Recording Secretary

NOTE: These minutes have not been approved by the Planning Commission and are, therefore, subject to change.