

TOWN OF CHESTER
DEVELOPMENT REVIEW BOARD
MINUTES

July 22, 2019

BOARD MEMBERS PRESENT: Carla Westine, Gary Coger, Harry Goodell Larry Semones and Phil Perlah.

STAFF PRESENT: Cathy Hasbrouck, Recording Secretary, Michael Normyle, Zoning Administrator

CITIZENS PRESENT: Caroline Ebel, Eric Tatro, Terry J. Ebel, Terry A. Ebel, Beverly Ebel, Scott Kendall, Scott Wunderle, Hanson Savage, Alice (Susie) Forlie, Joe DiBernardo, Paul Dexter.

Call to Order

The meeting was called to order at 6:00 PM by Chair Carla Westine in the Town Clerk's office. She introduced the DRB members and staff. The group recited the Pledge of Allegiance. She noted that there had been 2 site visits earlier that evening. The first at 5:15 PM at 1726 Route 103 South for Vermont Stone Sales' Conditional Use application and the second at 5:25 PM at 2206 Green Mountain Turnpike for a boundary adjustment. Carla Westine read the agenda.

Agenda Item 1 Review Draft Minutes of June 24, 2019 meeting.

Harry Goodell moved to accept the June 24, 2019 minutes as written. Gary Coger seconded the motion. There was no discussion. A vote was taken and the motion passed.

Agenda Item 2 Citizen Comments

No citizen had any comments about items not on the agenda.

Agenda Item 3 Conditional Use Application for Vermont Stone Sales

Chair Carla Westine swore in the following citizens to give testimony: Hanson Savage, Scott Kendall, Terry J. Ebel, Terry A. Ebel, Beverly Ebel, Caroline Ebel, Eric Tatro.

Several documents were entered into evidence as follows:

The first document was an application for a hearing before the Development Review Board. Carla Westine read several pieces of information from it. The appeal number was 535. The Appellant was Terry A. Ebel. The location of the property was 1726 and 1758 Route 103 South. The parcel numbers were 44-20-21 and 44-20-22. The description of the project was, "to create a stone yard for sales and cutting stone. This may include a new metal building or two, plus pole barns later." The application was signed by Michael Normyle and Terry Ebel and dated May 13 and 14, 2019. Harry Goodell moved to accept the application as Exhibit A. Gary Coger seconded the motion. A vote was taken and the application was accepted as Exhibit A.

The second document was a Town of Chester Notice of Public Hearing Before the Development Review Board dated June 16, 2019. The date and time of the site visit and hearing are given. The property owner listed was Hanson Savage, the applicant was Terry Ebel, the district was R40. The action requested was, "Create a stone yard for storage, processing and sales of my

quarried (off-site) stone.” Harry Goodell moved to accept the notice as Exhibit B. Gary Cogger seconded the motion. A vote was taken and the notice was accepted as Exhibit B.

The third document was a letter from Terry Ebel, addressed to the Development Review Board and department heads, dated June 16, 2019. The letter gave the history of the Vermont Stone Sales and explained the goals of the project. Beverly Ebel read the letter aloud. Harry Goodell moved to accept the letter as Exhibit C. Gary Cogger seconded the motion. A vote was taken and the letter was accepted as Exhibit C.

The fourth document was a Project Review Sheet from the Department of Environmental Conservation and Natural Resources Board. The document was three sides of paper on two sheets. Carla Westine read the following information from the document. The date initiated was 7/5/2019, the project name was Vermont Stone Sales, stone storage and processing site, the project town was Chester and the address was 1726 VT 103S. The project description was, “Mr. Ebel would like to re-purpose this former redemption center building into a place to store and process stone mined from his quarry (in Chester, Lat 43.30273° Lon 72.62117° W, 251064-2). His plans are to have 2-3 employees and to put up a pole barn next to the current building and a 20 x 60 plastic hoop shelter behind it to store stone and keep the weather off. The employees would work in the barns and the currently vacant 3-bedroom residence (1758 Vt-103) would be an office and bathrooms. (the current or former incineration toilet in the redemption center will not be used.) Lot was 1.43 acres plus the residential lot was 0.5 acres for a total of 1.93 acres.” Wastewater System and Potable Water Supply permits WW-2-0963, EC-2-2224 were listed on the sheet. An Act 250 permit was marked as required. The basis for the Act 250 decision was given as,” the proposed project is within 5 miles of the existing quarry and the operations will have a relationship. V.S.A Section 6001(3)(A)(i)/Act 250 Rule 2(C)(6).” The sheet was signed by Stephanie Giles. Harry Goodell moved to accept the Project Review Sheet as Exhibit D. Gary Cogger seconded the motion. A vote was taken and the Project Review Sheet was accepted as Exhibit D.

The fifth document presented was a letter on Town of Chester Police Department stationery from Chester Police Chief Richard Cloud to Zoning Administrator Michael Normyle, dated July 16, 2019. Carla Westine read the letter aloud. The letter stated that the Chester Police Chief did not think traffic safety would be an issue with this project. Harry Goodell moved to accept the letter as Exhibit E. Gary Cogger seconded the motion. A vote was taken and the letter was accepted as Exhibit E.

The sixth document presented was an e-mail exchange between Chester Fire Chief Matt Wilson and Zoning Administrator Michael Normyle dated July 16, 2019. Matt Wilson said he saw little impact on the Fire Department as a result of this project. He requested a site visit to pre-plan a response to a potential accident. If stone were involved in the accident the Fire Department heavy rescue equipment would be required. Carla Westine read the e-mail aloud. Phil Perlah moved to accept the e-mail exchange as Exhibit F. Gary Cogger seconded the motion. A vote was taken and the e-mail exchange was accepted as Exhibit F.

The seventh document presented was a letter on Town of Chester stationery dated June 20, 2019 from Graham Kennedy. The letter was an endorsement of the project, stating that Mr. Ebel’s quarry had always been operated safely and was meticulously maintained. Graham Kennedy said he felt the expansion of the operation would benefit the community. Carla Westine read the

letter aloud. Larry Semones moved to accept the letter as Exhibit G. Gary Coger seconded the motion. A vote was taken and the letter was accepted as Exhibit G.

The eighth document presented was a letter from Hanson Savage dated June 26, 2019 stating the he is working with Terry Ebelt to acquire permits for two properties at 1726 and 1758 Vermont Route 103 South. Carla Westine read the letter aloud. Larry Semones moved to accept the letter as Exhibit H. Gary Coger seconded the motion. A vote was taken and the letter was accepted as Exhibit H.

The ninth document submitted was three pages from a Steinex stone cutting machine manual. Section 3.40, Machine Air Acoustic Emissions was marked. Carla Westine noted that the type of Machine, the Model and Year of Manufacture were listed on the first page. She read section 3.40 aloud. Harry Goodell moved to accept the three pages of the manual as Exhibit I. Gary Coger seconded the motion. A vote was taken and the pages of the manual were accepted as Exhibit I.

The tenth document presented was a site plan drawn by the applicant with building dimensions and setback measurements shown. Abutters' names are also listed. Carla Westine read the abutter's names and some dimensions aloud. Harry Goodell moved to accept the site plan as Exhibit J. Gary Coger seconded the motion. A vote was taken and the motion passed.

The eleventh document presented was a section of the tax map where the two parcels in question are located. Michael Normyle said he had included this portion of the tax map so the DRB members would know where the property was in relation to the highway and the rest of the area. Harry Goodell moved to accept the map as exhibit K. Gary Coger seconded the motion. A vote was taken and the map was accepted as Exhibit K.

Carla Westine began evaluating the application according to section 4.8 Conditional Uses of the Chester Unified Bylaws. She asked Terry Ebelt to respond to each standard as follows:

4.8 CONDITIONAL USES

Specific conditional uses are permitted only by approval of the Development Review Board, providing that General standards, Specific Standards, Performance Standards and Special Criteria, as herein provided are met, and further provided that:

1. General Standards

These general standards shall require that any conditional use proposed for any district created under these Bylaws shall not result in an undue adverse effect to:

- a. The capacity of existing or planned community facilities;

Terry Ebelt said he believed the impact of the project will be minimal. There are not many employees involved, about 4 to 5 people. Carla Westine noted that the applicant had obtained letters from the Fire and Police Departments stating that they saw no problems with the project.

- b. The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located,

Carla Westine turned to the R-40 zoning district on page 20 and read section 2.E2, **Character of Development.** New development and modifications to existing buildings and uses shall be consistent with the existing character of the area and

compatible with adjacent land uses with respect to traffic, noise, vibrations, or other impacts in conflict with residential uses.

Carla Westine noted that there was a residence on one side of the property, a farm on the other side with a residence and a farm across Route 103, some distance away. Terry Ebelts said he believed the project met all the criteria for the R-40 district. His only question was about the noise from his machinery but he was ready to mitigate it if necessary.

Beverly Ebelts said she doubted the project would affect the character of the area because the activity would be inside a building set back from the road. She was sure the property would look better than it does now. She acknowledged that there will be trucks occasionally. Hanson Savage said he planned to re-side the small house and rebuild the detached 2-car garage, which could not be saved.

c. Traffic on roads and highways in the vicinity;

Carla Westine acknowledged that a letter had been received from the Police Chief saying he did not expect a traffic problem. She also noted that Route 103 has its share of tractor trailer traffic. Terry Ebelts said the visibility from the driveway was good in both directions. He said he didn't think the traffic they created would be problematic.

d. Bylaws and ordinances then in effect; and,

Carla Westine turned to page 20 and read the list of Conditional Uses allowed in the R-40 district. She said it looked like this project encompassed use 13, Processing Construction and Landscaping Aggregate and use 14, Professional Office. Harry Goodell suggested that use 10, Heavy Construction Trades also applied. The rest of the Board agreed. She noted that the buildings currently on the lot met the zoning standards. She said that any new buildings or additions would have to meet the district setbacks, which were 40 feet in the front and 30 feet at the side and in the rear. She asked if Terry Ebelts was aware of the setbacks. He said he was. He said their plans for a shelter to keep the weather off the stone were flexible. They would adapt the shelter to the amount of stone they wanted to process and other constraints. He said the shelter could be a hoop structure, flexible and easily moved.

e. Utilization of renewable energy resources.

Terry Ebelts said he did not plan on using any renewable energy resources.

2. Specific Standards

Specific standards will include consideration with respect to:

a. Minimum lot size;

Carla Westine noted that these are pre-existing lots and the smaller one probably would not meet today's standards, but the lots are grandfathered.

b. Distance from adjacent or nearby uses;

Carla Westine looked at the sketch plan and noted it was 60 feet from the back of the building to the property line and 40 feet from the front side to the road. She noted that there was a residence to the north which she believed was his closest neighbor. She asked Terry Ebelts how far away the house was from his property. Terry Ebelts said that if you go to the boundary line you can just see it through the trees. Several people asked about a roughly triangular piece of land to the north of the property which was part of a larger parcel to the west behind the property. The tax map said the parcel belonged to Parker Way LLC. It was decided that there was no building on that parcel. The parcel north of the Parker Way parcel did have a residence on it, and that was the residence Carla Westine had noticed.

Carla Westine asked Hanson Savage how far the building on the subject property was from the storage barn on his property. Hanson Savage estimated it to be 300 – 400 feet from one building to another.

c. Minimum off-street parking and loading facilities;

Terry Ebelts said the tractor trailers will follow the driveway around the building and approach Route 103 going forward. Employee and customer parking will be between the existing building and Route 103 close enough to the building for easy walking. He said he wants to have a display area between the customer and employee parking and Route 103. He planned to have a fireplace and other stone displays. Carla Westine asked Terry Ebelts to sketch the parking area onto the site plan. Terry Ebelts said he expected to have six or seven spaces in that parking lot. He said there was more space for parking near the small house, which will be the office. The small house has its own driveway onto Route 103.

d. Landscaping and fencing;

Carla Westine turned to page 20 and read the requirements for landscaping in the R40 district: **Landscaping and Screening**. The Development Review Board shall require landscaping or other screening between incompatible uses or structures. She said there was no structure on the Parker Way land that abuts the property, so screening was not required. No one on the Board thought that any screening was required on any side of the lot.

e. Design and location of structures and service area;

Carla Westine summarized what had been said so far about the buildings: that the current building would be fixed up, that an addition was to be added to the rear, and that an open area with a shed roof would be added. She noted that Terry Ebelts had mentioned a storage area for the stone and a display area in front of the building along Route 103. Beverly Ebelts said they planned to make the area very attractive.

f. Size, location and design of signs;

Carla Westine asked whether Terry Ebelts wanted a sign. He said he did. Carla Westine asked him whether he had discussed a sign permit with Zoning Administrator Michael Normyle yet. He said he hadn't. Carla Westine warned him that the state of Vermont had a significant right of way on Route 103 and if he put a sign in the at right of way the state would force him to take it down.

- g. Performance Standards under Section 4.9 and,
Carla Westine turned to page 68 and addressed the Performance Standards as follows:

4.9 PERFORMANCE STANDARDS

In accordance with §4414(5) of the Act, the following standards must be met and maintained by all uses in all districts that are subject to a permit under these Bylaws.

A. Noise: noise volume shall be limited to the specified decibel levels listed below measured at the property line. (The sidebar is shown only as a reference to illustrate the decibel levels of typical activities.) Noise levels or frequencies which are not customary in the district or neighborhood or which represent a repeated disturbance to others shall not be permitted. Limited exceptions are allowed for incidental and customary activities, such as the occasional use of lawn mowers and snow blowers for regular property maintenance.

1. Noise shall not exceed 60 dB between 8:00 p.m. and 7 a.m.;
2. Noise shall not exceed 70 dB during the day between 7 a.m. and 8:00 p.m.

Carla Westine read the above standards. She noted that the business hours were to be from 7:00 AM to 5:00 PM, so the 60-dB requirement was not likely to apply. Phil Perlah noted that the manual entered in evidence had two measurements of sound, acoustic pressure and acoustic power. He wondered what the difference between those two measurements signified.

Phil Perlah asked Terry J. Ebel if he knew whether the decibel meter he had used in the test measured pressure or power. Terry J Ebel said he believed it read power. Phil Perlah noted that the pressure reading in the manual was 83.2 and the power reading was 14 point higher, at 97.2. He said he thought the machine would be louder when it is actually cutting stone.

A recording of a noise test of that model stone cutter, done at another site, was displayed on a laptop screen. The meter was next to the machine inside a building. It was possible to see the meter register the brief spike that came when the machine actually cut the stone. It was clear in the video that human voices could easily be heard while the machine was running. The recording was played again so people could understand what they were seeing better.

A second recording of a test taken outside the building was played. It was difficult to hear the machine at all. The voices on the tape were clearly louder than the machine. Harry Goodell said the noise requirement was for the noise level at the property boundary, which was quite a distance away from the building. The Board agreed that this machinery would meet the noise requirement.

When Carla Westine asked for comments from the audience, Beverly Ebel brought up sanitary facilities for the employees. She said they will be using PortaPotties, not the bathroom in the small house that will be the office. Carla Westine said the important point is that there is an existing wastewater permit, which was entered into evidence.

B. Air Pollution: no use shall create emissions, such as dust, fly ash, fumes, vapors, gases and other forms of air pollution, which:

1. Constitute a nuisance to other landowners, businesses or residents;
2. Endanger or adversely affect public health, safety or welfare;
3. Cause damage to property or vegetation; or,
4. Are offensive or uncharacteristic of the area.

Outdoor wood-fired boilers are exempt from this provision.

Terry Ebeltsaid the machines were hydraulic and did not create any air pollution.

C. Glare, Light or Reflection: illumination from lighting fixtures or other light sources shall be shielded or of such low intensity as not to cause undue glare, reflected glare, sky glow or a nuisance to traffic or abutting properties. Lights used to illuminate parking areas and drives shall be so arranged and designed as to deflect light downward and away from adjacent residential areas and public highways. Lights shall be of a "down shield luminaire" type where the light source is not visible from any public highway or from adjacent properties. Only fixtures which are shielded to not expose a light source, and which do not allow light to "flood" the property, are permitted to be attached to buildings. Searchlights are not permitted. The Development Review Board may require a lighting plan under conditional use or planned unit development review procedures.

Terry Ebeltsaid the yard needed minimal light, particularly facing the road. Carla Westine confirmed that the standards required shielded, downward facing lights. She asked whether the sign would be lit. Terry Ebeltsaid he was considering a solar light for the sign. Carla Westine said the light for the sign must not glare into oncoming traffic. She referred Terry Ebelts to Zoning Administrator Michael Normyle for details.

D. Safety Hazards: Fire, explosive and similar safety hazards which would substantially increase the risk to an abutting property, or which would place an unreasonable burden on the Fire Department, shall be prohibited.

Terry Ebeltsaid there was nothing explosive or otherwise hazardous that would endanger his neighbors. Carla Westine pointed out that a letter had been received from the Fire Department saying the project did not pose a hazard.

E. Electromagnetic disturbances: any electromagnetic disturbances or electronic emissions or signals which will repeatedly and substantially interfere with the reception of radio, television, or other electronic signals, or which are otherwise detrimental to the public health, safety and welfare, beyond the property lines of the property on which it is located, except as specifically licensed and regulated through the Federal Communications Commission.

Terry Ebeltsaid there were no electromagnetic disturbances created by the equipment.

F. Underground Storage Tanks, Ground/Surface Water Pollution: No use shall result in burying or seepage into the ground of material which endangers the health, comfort, safety or welfare of any person, or which has a tendency to cause injury or damage to property, plants or animals. Commercial, industrial or institutional facilities having underground fuel storage shall

maintain all tanks and related equipment with leak detection and spill control systems incorporating the best available safety practices and technology, consistent with government and industry standards.

Terry Ebel said there were no underground storage tanks and he did not plan on installing any. Hanson Savage said he was working on preventing water from running onto Route 103 year-round. Harry Goodell asked about a propane tank he saw between the Redemption Center building and the small house. Hanson Savage said it will be used, but not from its current location. Phil Perlah asked how the large building will be heated. Terry Ebel said it will have some electric heat, but it was uncomfortable to work in a warm building. Heat will be minimal.

This concluded the Performance Standards.

h. Other such factors as these Bylaws may include.

Carla Westine said that the special criteria did not have to be addressed in the R40 district and this concluded the General, specific and performance standard evaluation. Scott Wunderle made a statement in favor of the project. He said the stone is a beautiful local resource and he hopes Chester will become known for the beautiful stone. He also felt that Terry Ebel was a responsible keeper of his quarry and would be an asset to the community.

There being no further comment, Harry Goodell moved to close the hearing. Gary Coger seconded the motion. A vote was taken and the hearing was closed. An informal poll of the Board indicated that the project will be approved.

Agenda Item 3 Boundary Line Adjustment (#536) Dexter - Root

Board member Phil Perlah recused himself from this hearing as he was an abutter of the properties involved. Chair Carla Westine began the hearing by examining the documents submitted as evidence. The first document was a Town of Chester Application for Boundary Line Adjustment. Carla Westine read the following items aloud. The applicant name was Paul B. and Patricia Dexter, the address was 22096 Green Mountain Turnpike, the location of the property was 2206 Green Mountain Turnpike. The zoning district was R120. The tax map number for parcel 1 was 39-20-45, the acreage before the adjustment was 47.04, the acreage after the adjustment was 35.00. The tax map number for parcel 2 was 39-20-42, the acreage before the adjustment was 15.18, the acreage after the adjustment was 27.22. The application was signed by Paul and Patricia Dexter and Michael Normyle, Zoning Administrator. Harry Goodell moved to accept the application as Exhibit A. Gary Coger seconded the motion. A vote was taken and the application was accepted as Exhibit A.

The second document was a Town of Chester Notice of Public Hearing dated June 25, 2019. Carla Westine read the following items aloud. The site visit was announced for July 22, 2019 at 5:25 PM. The property owners are Paul and Pat Dexter and Rachel and Richard Root. The location was 2206 Green Mountain Turnpike, and the district was R120. The action requested was A proposed boundary line adjustment which will transfer 12 acres from the Dexter to the Root property. The notice was signed by Zoning Administrator Michael Normyle. Harry Goodell moved to accept the Notice as Exhibit B. Gary Coger seconded the motion. A vote was taken and the Notice was accepted as Exhibit B.

The third document was a letter from Paul B. and Patricia Dexter to the Town of Chester, describing the proposed adjustment and giving the reasons for it. Carla Westine read the letter

aloud. Harry Goodell moved to accept the narrative as Exhibit C. Gary Coger seconded the motion. A vote was taken and the narrative was accepted as Exhibit C.

The fourth document was a letter from Richard and Rachel Root of Stonewall Farm dated June 26, 2019 addressed to the Chester Planning Commission. Carla Westine read the letter aloud. The letter authorized Joseph DiBernardo to represent them at Planning Commission meetings. Harry Goodell moved to accept the letter as Exhibit D. Gary Coger seconded the motion. A vote was taken and the letter was accepted as Exhibit D.

The fifth document submitted was a Property Line Adjustment Exemption Form from the State of Vermont Department of Environmental Conservation. Carla Westine said this form is a copy of what Richard Root submitted to the state of Vermont, with box ii in Step 2 checked, which states, "a lot is increased in size". The form was signed by Richard Root and dated 6/4/19. Harry Goodell moved to accept the form as Exhibit E. Gary Coger seconded the motion. A vote was taken and the form was accepted as Exhibit E.

The sixth document submitted was a Property Line Adjustment Exemption Form from the State of Vermont Department of Environmental Conservation. Carla Westine said this form is a copy of what Paul B. and Patricia Dexter submitted to the state of Vermont, with box iii in Step 2 checked. Carla Westine read the contents of Box iii states, "the boundary line being adjusted is located, after adjustment, at least 500 feet from the footprint of the building or structure on an improved lot. (Please include the footprint of all buildings – except storage buildings – on the diagram that shows the original and the new proposed property lines and show the distance from the building(s) to the new proposed property line)". The form was signed by Paul B. and Patricia Dexter and dated 6/13/19. Harry Goodell moved to accept the form as Exhibit F. Gary Coger seconded the motion. A vote was taken and the form was accepted as Exhibit F.

The final document submitted was a survey of the two properties prepared by DiBernardo Associates dated January 3, 2019, titled Paul B. and Patricia Dexter and Dr. Richard W. Root, II and Rachel Root. The survey is stamped by Joseph A. DiBernardo, Licensed Land Surveyor. Harry Goodell moved to accept the survey as Exhibit G. Gary Coger seconded the motion. A vote was taken and the survey was accepted as Exhibit G.

Carla Westine then swore in the following citizens to give testimony: Alice (Susie) Forlie, Joseph DiBernardo, Paul Dexter and Phil Perlah. Paul Dexter apologized for not being present when the site visit began earlier in the evening, he had understood the visit would take place from the Root's property at 2114 Green Mountain Turnpike and was waiting there. Joe DiBernardo gave a summary of the adjustment, which moves 12 acres from the Dexter property to the Root property. The change will allow the Roots to utilize the Current Use program for their property.

Carla Westine turned to the Boundary Line Adjustment language on page 83 of the Town of Chester Unified Development Bylaws, Section 4.13. She read aloud the definition beneath the section header and the paragraph 4.13.A.

4.13 BOUNDARY LINE ADJUSTMENTS

Boundary Line Adjustments are adjustments to the dividing line between adjacent lots (see Definitions in Article 8).

A. In accordance with 24 V.S.A. §4464(c), these Bylaws authorize the Development Review Board to review applications and issue permits for boundary line adjustments, provided that the applicant satisfies all of the following standards:

1. It meets the definition of a Boundary Line Adjustment;
Carla Westine read the definition from page 122: BOUNDARY LINE ADJUSTMENT: Moving a property boundary between two (2) or more adjoining parcels that creates no new separate lots or parcels, and has no adverse impact on access, the provision of public services and utilities, or neighboring uses.
Harry Goodell stated that he didn't think this boundary adjustment created any new problems and the Board agreed.
2. It does not create any new lot as a result of the adjustment;
Carla Westine noted that the surveyor Joseph DiBernardo and one of the applicants, Paul B. Dexter affirmed that no new lots will be created. Carla Westine asked Joseph DiBernardo whether the deeds will be updated to reflect the new boundaries. Joseph DiBernardo said that they would.
3. The Plan must show the requirements of Section 4.12(F) of these Bylaws;
Carla Westine turned to Section 4.12(F) and discussed the requirements as follows:

F. Required Submissions

1. **Preliminary Plat.** The Preliminary Subdivision Plat shall consist of a pdf copy as well as seven (7) copies of one or more maps or drawings which may be printed or reproduced on paper with all dimensions shown in feet or decimals of a foot, drawn to a scale or not more than one hundred (100) feet or more to the inch, showing or accompanied by information on the following points unless waived by the Development Review Board:
 - a. Proposed subdivision name or identifying title and the name of the Town.
This was found in the lower right corner of the plat.
 - b. Name and address of record owner, subdivider, and designer of Preliminary Plat.
This was found in the lower right corner of the plat.
 - c. Number of acres within the proposed subdivision, location of property lines, existing easements, buildings, water courses, and other essential existing physical features.
The acreage was found in the lower left quadrant and in the upper center of the plat. The property lines, existing easements and other features were present. The acreage to be transferred is shaded.
 - d. The names of owners of record of adjacent acreage.
The names and addresses of all seven abutters were found on the plat.
 - e. The provisions of the zoning standards applicable to the area to be subdivided and any zoning district boundaries affecting the tract.
This was found in Note 5 on the plat. The entire area is in the R120 district.
 - f. The location and size of any existing sewer and water mains, culverts, and drains on the property to be subdivided.

Three culverts are located in the lower left quadrant of the plat.

- g.** The width and location of any existing roads within the area to be subdivided and the width, location, grades, and road profiles of all roads or other public ways proposed by the Subdivider.

Green Mountain Turnpike is shown on the left side of the plat. There are no roads in the area of the boundary adjustment.

- h.** Contour lines at intervals of five (5) feet of existing grades and of proposed finished grades where change of existing ground elevation will be five (5) feet or more.

Contour lines were found nearly everywhere on the plat.

- i.** Date, true north point, and scale.

True north is indicated in the upper left corner. The scale and date are found in the lower right corner the plat

- j.** Deed description and map of survey of tract boundary made and certified by a licensed land surveyor tied into established reference points, if available.

Deed descriptions and reference plans are found in the lower left corner the plat.

- k.** Location of connection with existing water supply or alternative means of providing water supply to the proposed subdivision.

The well location is shown on the Root property. It is missing from the Dexter property. Carla Westine asked Joseph Di Bernardo to add it to the final mylar.

- l.** Location of connection with existing sanitary sewage system or alternative means of treatment and disposal proposed.

The septic system location is shown on the Root property. It is missing from the Dexter property. Carla Westine asked Joseph Di Bernardo to add it to the final mylar.

- m.** Provisions for collecting and discharging storm drainage, in the form of drainage plan.

Carla Westine asked Paul Dexter if any changes were being made to the topography of the parcels. He said no changes were proposed. Harry Goodell moved to waive the drainage plan requirement for the plat. Gary Coger seconded the motion. A vote was taken and the drainage plan requirement was waived.

- n.** Preliminary designs of any bridges or culverts which may be required.

No bridges or culverts were required.

- o.** The proposed lots with surveyed dimensions, certified by a licensed land surveyor, numbered and showing suggested building locations.

No lots are being created and no new buildings are proposed.

- p.** The location of temporary markers adequate to enable the Development Review Board to locate readily and appraise the basic layout of the field. Unless an existing road intersection is shown, the distance along a road from one corner of the property to the nearest existing road intersection shall be shown.

Carla Westine noted the location map in the upper right corner showed the property in relation to Roach Road and Green Mountain Turnpike. Paul Dexter

pointed out the distance along Green Mountain Turnpike to Route 11, which was shown as 0.34 miles in the upper left corner of the plat.

- q. Locations of all parcels of land proposed to be dedicated to public use and the conditions of such dedication.

No parcels are being dedicated to public use.

- r. Names identifying roads and streets; locations of street name signs and description of design of street name signs.

The name of Green Mountain Turnpike is present. Carla Westine noted that there are no new roads or streets, as this is a boundary line adjustment.

- s. The Preliminary Plat shall be accompanied by:

1. A vicinity map drawn at the scale of not over four hundred (400) to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area. The vicinity map shall show all the area within two thousand (2,000) feet of any property line of the proposed subdivision or any smaller area between the tract and all surrounding existing roads, provided any part of such a road used as part of the perimeter for the vicinity map is at least five hundred (500) feet from any boundary of the proposed subdivision.

Carla Westine pointed out the vicinity map in the upper right corner of the plat.

2. A list or verification of the applications for all required State permits applied for by the Sub-divider. Approval of the subdivision application by the Development Review Board may be conditioned upon receipt of these permits.

Paul Dexter said the only forms he had to file were for the Property Line Exemption forms. No new state permits are being applied for.

- t. Endorsement. Every Plat filed with the Town Clerk shall carry the following endorsement:

"Approved by the Development Review Board of the Town of Chester, Vermont as per findings of fact, dated ___ day of _____, _____ subject to all requirements and conditions of said findings.

Signed this ___ day of _____, _____ by

_____, Development Review Board"

Carla Westine pointed out the endorsement block found in the lower right quadrant of the plat.

Susie (Alice) Forlie asked to have the word TRAIL deleted from the feature at the lower edge of the map and to make it clear that the area is part of parcel 39-20-30, which belongs to the Henry Land Corporation. She also asked that new monuments be placed at the four corners of the new boundary. There was one present, she wanted three more. Joseph DiBernardo said that the boundary was a stone wall. Susie Forlie said she still wanted a pin placed, as stone walls can disappear. Paul Dexter did not object.

Harry Goodell moved to close the hearing. Gary Coger seconded the motion. A vote was taken and the hearing was closed. Carla Westine recapped the changes to be made to the mylar. The well and septic would be drawn in on the Dexter property. The word TRAIL will be removed from the feature at the bottom of the plat and it will be clearly indicated that the strip of land belongs to Henry Land Corporation. She said the permit will also condition that three pins marking the corners of the new Root property will be set and the land owners will update their deeds with the new boundaries.

Agenda Item 5 Confirm the next meeting date.

Michael Normyle circulated a mylar from Michael Gacioch for the Board's signatures. Michael Normyle said there were a couple of applications very close to a hearing, but there were no hearings scheduled. There were two possible conditional use applications in town and a possible home business use application on Popple Dungeon Road in progress which may be scheduled for August 26, 2019. Michael Normyle said he had been busy of late working with town officials, including the assistant Health Officer and state agencies on the salvage yard issue. Friendly letters and notices of violations have gone out to places in a few different parts of town. He also said there was a great deal of activity with the Planning Commission re-write of the bylaws.

Agenda Item 6, A deliberative session to review previous matters

The Board went into Deliberative session. The meeting was adjourned at the end of it.