

TOWN OF Chester
PLANNING COMMISSION
June 15, 2020 Minutes

Commission Members Present: Naomi Johnson, Cheryl Joy Lipton, Barre Pinske, Tim Roper and Peter Hudkins via Zoom video conference.

Staff Present: Michael Normyle, Zoning Administrator, and Cathy Hasbrouck, Recording Secretary via Zoom video conference.

Citizens Present: Arne Jonynas via Zoom video conference.

Call to Order

Chair Peter Hudkins called the meeting to order at 7:00 PM.

Agenda Item 1 Review minutes from June 1, 2020 meeting

Tim Roper moved to accept the minutes from the June 1, 2020 meeting. Barre Pinske seconded the motion. Tim Roper corrected a typo on the bottom of page 4. The word “send” should have been “sent”. Michael Normyle noted that the word “said” was missing from the first line of the second paragraph on page 2. He asked that the discussion on page 2 of the current and proposed zoning requirements for a driveway/access road to lots with no frontage on a town road be clarified. On page 3, the first paragraph under Agenda Item 4, he asked that the words “in the proposed bylaws” be added to the second sentence so that it was clear that the proposed bylaws represent a change from the current bylaws to the method used for measuring setbacks. The minutes were accepted as corrected.

Agenda Item 2, Citizen Comments

There were no citizen comments.

Agenda Item 3 Old Business – Action Item List

Peter Hudkins reviewed the compiled list of action items.

He asked that the task from 5/4/2020 which states, “Cheryl Joy will contact Fish and Wildlife about the map Monica may have created” be changed to indicate that there was more work to do. Cheryl Joy has been in contact with the Fish and Wildlife Department and located some maps. The Commission still needs maps to sort out the parameters it wants to use for riparian buffers.

The item about Naomi sending e-mails from Monica Przyperhart and Jason Rasmussen to the Recording Secretary was marked complete after it was noted that the information had been forwarded to Cheryl Joy. Tim Roper requested a copy of that information as well.

The item about Michael Normyle’s conversation with Jason Rasmussen was marked complete.

Peter Hudkins noted that having a complete list of definitions was essential for good bylaws. He said the definition of extraction had been such a source of controversy that it was put to a vote by the entire town. The task is ongoing.

Naomi Johnson said she had investigated the General Standards in Section 3305 and would share her thoughts with the group.

Peter Hudkins said he would like to review the road standard one more time with the group. He said Cathy Hasbrouck was now the holder of the bylaw document and he expected her to send out updated sections to the Commissioners as they are changed.

There was considerable discussion about the Stone Village dimensional standards, how to measure them, how to present them to the citizens, and whether the citizens or the Planning Commission would decide what the standards were. Naomi Johnson summarized the discussion saying the board wants to document existing conditions and then meet with the citizens to discuss proposed dimensional standards in light of the existing conditions. She confirmed that the Stone Village will have its own district with its own dimensional standards and list of uses. Highlights of the discussion included:

- The Commission and Stone Village residents had agreed at the February 3, 2020 meeting that the best and most appropriate minimum lot size for the Stone Village district would be 20,000 square feet.
- The Commission agreed that the front setback standard had an important visual impact and the new standard should maintain the setback that has been used in the past.
- Measuring the current existing front setbacks was worth the trouble to preserve the look of the Stone Village.
- The side and rear setbacks would be accurate enough if measured on the aerial map and not on the ground
- The proposed Residential 2 district would be a template for some dimensional standards in the proposed Stone Village district. A template is needed because the Stone Village was not part of the original proposal
- The Stone Village has its own list of permitted and conditional uses
- The boundaries of the Stone Village district will be established when Gabe Ladd returns to Vermont in the late summer/early fall.
- The Chair of the Commission requested that a Stone Village zoning district page be created that could act as a basis for discussion with the Stone Village citizens.

The page would:

- List all the permitted and conditional uses for the district
- Have a dimensional standards table that shows the current Stone Village dimensional standards, the existing front setbacks as measured on the ground, the existing side and rear setbacks as measured on the aerial photograph, and a column for the standards to be proposed
- List all other general standards, standards for new buildings and standards for new or modified building facades contained in Section 2113 Supplemental Standards Table

Naomi Johnson asked to add the River Corridor research to the list of completed actions.

Agenda Item 4 Review road and driveway standards for new bylaws.

Naomi Johnson had some comments for the proposal sent in the packet for the June 1, 2020 meeting. She said that item 3305.D.3.a, had sight distances that conflicted with other standards and needed to be removed.

Peter Hudkins asked whether a sidewalk could be fit into a 50-foot right-of-way. Cheryl Joy Lipton asked if a bike lane could also be fit into a 50-foot right-of-way. Naomi Johnson said she had worked with requirements like this in the past and there was room for both. Given that, Peter Hudkins said 3305.D.4.a, requiring all new road rights-of-way be 60 feet wide could be removed. Naomi Johnson said VTrans had requirements for widths of roadways which were based on speed and traffic standards. Given that, she said 3305.D.4.a and b could be removed along with the words, "A right-of-way must"

Cheryl Joy Lipton asked if the cul-de-sac option could be removed because a hammerhead turn around uses less impervious surface. Peter Hudkins said the Fire Department has requested both options be available in the past. A cul-de-sac allows more fire trucks to pass each other than a hammerhead turn around.

Agenda Item 5 Discuss creating a list of features in the new bylaws that could be controversial.

This agenda item sparked an extensive discussion about the bylaw project from many points of view. The following points were raised during the discussion:

The history of the bylaw project was reviewed:

The proposed bylaws and map have been reviewed by the Planning Commission with the author, Brandy Saxton.

Tim Roper pointed out that

- two workshops have been held to gather public input about the proposed zoning district map and bylaws,
- comments made at the workshops were collected.
- The collected comments have been reviewed and responded to by the Commission.
- The zoning map has been adjusted;
- some changes have been made to the bylaws themselves.

The Commission agreed the proposed bylaws represent significant change from previous bylaws with regard to regulations for the Village Center area and the most rural portions of Chester.

Peter Hudkins observed that the Commission has been working in relative isolation from other town government bodies such as the Selectboard and Development Review Board.

Peter Hudkins said, in the past, the bylaws were revised chapter by chapter working with a member of the Regional Planning Commission and other members of Chester's town government. It was easier to track the extent of changes proposed then. Other key members of town government were aware of the changes. The wholesale replacement of the bylaws requires more effort to communicate proposed changes. It also makes the task of verifying the integrity of the new bylaws much more difficult in his eyes.

Peter Hudkins thought the new bylaws would be easier to assimilate if their format was closer to the format of the existing bylaws.

Different provisions in the proposed bylaws were cited during the discussion. These included building height standards and the impact they could have on the Fire Department, different types of planned unit developments, lot size minimum for firewood processing and the amount of land that may be cleared for a home site in the R18 district.

Michael Normyle reminded the Commission that the next steps in the adoption process are for the Planning Commission to hold public hearings and then for the Selectboard to hold its own public hearings. After the public hearings, the Selectboard would vote to adopt or reject the bylaws.

There was general concern about how to present these changes to Chester's citizens and the Selectboard.

Peter Hudkins said he did not want to present the bylaws at public hearing until he was reasonably sure that Selectboard members had been consulted individually and it was likely a majority would accept the proposal.

Peter Hudkins said he had noted some controversy among citizens during meetings held in July 2019. He had asked some of those citizens privately to give the Commission time to address several concerns before presenting their objections to the Commission again.

Barre Pinske wondered if anyone could anticipate the objections the Selectboard would have to the proposed bylaws and if the Commission is over-thinking the problem.

Tim Roper and Barre Pinske both said the Commissioners were appointed to make the best decision they could for the town and its people, not to just worry about what bylaws will be acceptable.

Tim Roper did not want to lose sight of the fact that the Commission had reviewed the document once and agreed that it was right for the town.

Individual members of the Commission, Peter Hudkins and Tim Roper, have begun discussing the proposed R18 district, which could have an impact on the Grand List and Chester's tax structure, with individual members of the Selectboard, Arne Jonynas and Jeff Holden.

During that discussion, Arne and Jeff requested a list of other significant changes in the new bylaws.

That request for a list prompted the meeting's agenda item 5, "Discuss creating a list of features in the new bylaws that could be controversial"

Cheryl Joy Lipton suggested that the list not be called controversial items. Naomi Johnson suggested Items of Significant Changes as a name. The Commission agreed this more accurately reflects the nature of the list and presents it in a positive light.

Cheryl Joy Lipton established that the list of Significant Changes was being created to be discussed with different individuals from the Selectboard and Development Review Board.

Peter Hudkins felt strongly that the bylaws need to be checked for issues such as conflicts between the bylaw road specifications and Chester's Road and Bridge Standards document,

Naomi Johnson suggested that items of significant change identified by the Commissioners or inconsistencies they locate be shared as part of the agenda documents before each meeting.

Naomi Johnson said she thought this review process was similar to the process that has been used so far in reviewing the proposed bylaws. Peter's discussion about the firewood processing lot size requirement was similar to a discussion she initiated at the February 3, 2020 meeting about the limited area that may be cleared at a house site in the R18 district.

Agreements worked out in years past, such as the definition of extraction and quarrying which the entire town had voted on, or the size and type of turn arounds at the end of roads are missing from the proposed bylaws.

No Commissioner wanted the bylaws to be completely rejected by the Selectboard.

The Commissioners agreed that effort needed to be put into selling the proposed bylaws.

Tim Roper spoke for several of the Commissioners when he said he felt able to sell the proposed bylaws.

Agenda Item 6 Discuss table 4-01 of new bylaws and materials distributed by our Zoning Administrator as a map for evaluating permit applications

It was 8:17 PM at this point and Peter Hudkins suggested that because the meeting had started one-half hour late in order to accommodate the Board of Civil Authority, it should close early. He had been haying all day and would be haying in the morning. Several members agreed. This item was put off until the next meeting.

Agenda Item 7 Set date for next meeting

The next scheduled meeting is Monday July 6, 2020. Michael Normyle said that was the weekend of July 4. He wondered if people would be available for a meeting. The official holiday would be Friday, July 3. Monday, July 6 was a regular work day.

Barre Pinske moved to adjourn the meeting. Naomi Johnson seconded the motion. A vote was taken and the meeting was adjourned.

Action Item Summary

No new Action Items were added.