

1 **TOWN OF CHESTER**  
2 **DEVELOPMENT REVIEW BOARD**  
3 **MINUTES**

4 *February 8, 2021*

5 **BOARD MEMBERS PRESENT:** Carla Westine, Harry Goodell, Robert Greenfield, Gary  
6 Coger and Phil Perlah via Zoom teleconference.

7 **STAFF PRESENT:** Cathy Hasbrouck, Recording Secretary and Jill Barger Zoning  
8 Administrator via Zoom teleconference.

9 **CITIZENS PRESENT:** Russ and Hannah Monier, Jeff Holden, RJ Dourney.

10 **Call to Order**

11 Carla Westine called the meeting to order at 6:05 PM via Zoom conference, after a problem  
12 starting the meeting on Zoom. She introduced the members of the Board and staff and read the  
13 meeting agenda. Given that Robert Greenfield needed to recuse himself from the hearing for St.  
14 Joseph's Church and he was not quite ready to join the meeting, it was decided to begin with the  
15 minutes, Citizen's Comments and Item 5, Final Plat Hearing for St. Joseph's Church. Items 3  
16 and 4 would follow Item 5.

17 **Agenda Item 1 Review draft minutes from the January 11, 2021 meeting.**

18 The minutes for the January 11, 2021 meeting were considered. Carla Westine pointed out a  
19 misspelling of her name on Page 4. Harry Goodell moved to accept the minutes from the January  
20 11, 2021 meeting. Phil Perlah seconded the motion. A vote was taken and the minutes were  
21 accepted as corrected.

22 **Agenda Item 2 Citizen comments.**

23 There were no citizen comments.

24 **Agenda Item 5 St Joseph Parish Minor Subdivision #523 Final Hearing**  
25

26 Carla Westine explained the reasons for taking up this agenda item before the others as stated  
27 above. Harry Goodell moved to take up agenda item 5 before agenda items 3 and 4 Phil Perlah  
28 seconded the motion. A vote was taken and the motion passed unanimously. Robert Greenfield  
29 had informed Chair Carla Westine before the meeting that he would recuse himself from the  
30 hearing, and he had not yet joined the Zoom call as this hearing began.

31 Carla Westine accepted documents entered as evidence. The first document was a Notice of  
32 Public Hearing before the Development Review Board. The notice was dated January 13, 2021.  
33 Carla Westine read several items aloud. The property owner was Salvatore R. Matano, the  
34 applicant was RJ Dourney, the location was 96 Main Street, the district was Village Center. The  
35 action requested was, "Subdivision of parcels 60-51-53.5 into two Lots. Lot 1 – 4.56 acres and  
36 lot 2 – 0.53 acres." The Notice was signed by Zoning Administrator Jill S. Barger. Harry  
37 Goodell moved to accept the notice as Exhibit A. Phil Perlah seconded the motion. A vote was  
38 taken and the notice was accepted as Exhibit A.

1 The second item in the packet was the updated plat titled Proposed Subdivision of Property of  
2 Salvatore R. Matano, Trustee of the Saint Joseph Parish Charitable Trust. Carla Westine said the  
3 single correction, the placement of the property on the location map had been corrected. Harry  
4 Goodell moved to accept the updated plat as Exhibit B. Phil Perlah seconded the motion. A vote  
5 was taken and the updated plat was accepted as Exhibit B. Phil Perlah asked if a wastewater  
6 system and potable water supply permit number was needed for this subdivision. Carla Westine  
7 said that the rectory and church building were connected to municipal water and sewer and a new  
8 permit was not needed.

9 The third item to be considered was an application for Subdivision Final Plat, which was e-  
10 mailed to the DRB members earlier that day. Carla Westine verified that the DRB members had  
11 seen the document. She read some items from the application. The applicant's name was RJ  
12 Dourney and the St. Joseph Catholic Church. The number of lots after division was two, the  
13 acreage by parcel was Lot 1 4.56 acres and Lot 2 0.53 acres. The application was signed and  
14 dated by the applicant. Harry Goodell moved to accept the application as Exhibit C. Phil Perlah  
15 seconded the motion. A vote was taken and the application was accepted as Exhibit C.

16 Carla Westine recapped the history of the project and noted that the single error on the original  
17 plat, the location of the parcel on the location map had been corrected. The applicant, RJ  
18 Dourney and the board had no further questions. Harry Goodell moved to close the hearing.  
19 Phil Perlah seconded the motion. A vote was taken and the hearing was closed.

20 Carla Westine explained the next steps in the process to the applicant RJ Dourney. She verified  
21 that the Recording Secretary had the correct mailing address to which to send the Findings  
22 document when it is recorded. RJ Dourney confirmed that it is the address on the application, 10  
23 Pleasant Street in Springfield. He thanked the Board for its consideration.

24

25 **Agenda Item 3 Monier Minor Subdivision #561- Final Hearing**

26 Carla Westine began the hearing by swearing in Hannah and Russ Monier in case their testimony  
27 was needed. She asked if any Board members had had any ex-parte communication about the  
28 hearing or had a conflict of interest to report. None did.

29 She then began accepting the documents offered as exhibits. The first document was a Town of  
30 Chester Notice of Public Hearing Before the Development Review Board. Carla Westine read  
31 several items aloud. The property owners were Hannah and Russ Monier. The applicants were  
32 Hannah and Russ Monier. The location was 791 Trebo Road, and the district was R-120. The  
33 action requested was, "Subdivision of Parcel 29-20-11.100 into Lot 2 – 72.61 acres, Lot 3 – 3.28  
34 acres, Lot 4 – 3.35 acres." The notice was signed by Zoning Administrator Jill S. Barger. Phil  
35 Perlah moved to accept the Notice as Exhibit A. Harry Goodell seconded the motion. A vote  
36 was taken and the Notice was accepted as Exhibit A.

37 The second document was a Town of Chester Application for Subdivision, Final Plat Phase,  
38 assigned number 561. The application was dated 11-13- 2020. It was signed by Catherine  
39 Hasbrouck, Zoning Administrator and Hannah and Russell Monier. Harry Goodell moved to  
40 accept the application as Exhibit B. Phil Perlah seconded the motion. A vote was taken and the  
41 application was accepted as Exhibit B.

42 The third document was the site plan titled Subdivision Plan of Russell & Hannah Monier, 791  
43 Trebo Road, Chester. Carla Westine noted that the only change requested to the document was

1 correction of the spelling of “residential” in note 4, and the spelling, indeed had been corrected.  
2 Harry Goodell moved to accept the site plan as Exhibit C. Phil Perlah seconded the motion. A  
3 vote was taken and the site plan was accepted as Exhibit C.

4 Carla Westine said all the conditions in the preliminary finding had been satisfied. There were  
5 no further questions from the Board or the applicant. Harry Goodell moved to close the hearing.  
6 Phil Perlah seconded the motion. A vote was taken and the hearing was closed. Carla Westine  
7 recapped the next steps in the process. Russ and Hannah thanked the Board for their attention  
8 and left the meeting.

9 **Agenda Item 4 Holden Minor Subdivision #562 Final Hearing**

10  
11 Carla Westine swore in the applicant Jeff Holden. She asked if any Board members had a  
12 conflict of interest to report. Harry Goodell recused himself as he was representing an adjoining  
13 landowner. Carla Westine noted that a quorum of the board was present without Harry  
14 participating. Phil Perlah, Gary Coger and Carla Westine were the quorum. Robert Greenfield  
15 arrived shortly after the hearing began. Carla Westine asked if anyone had had any ex-parte  
16 communication about the hearing. No one had.

17 Carla then began accepting the documents offered as exhibits. The first document was a Town  
18 of Chester Notice of Public Hearing Before the Development Review Board. Carla Westine read  
19 several items aloud. The property owner was Jeffery Holden Real Estate Trust. The applicant  
20 was Jeffery Holden. The location was 3055 Green Mountain Turnpike and the district was R-40.  
21 The action requested was, “Subdivision of Parcels 58-50-10.5 and 58-50-19.8 into 3 lots with the  
22 following dimensions: Lot 3 – 7.95 acres, Lot 4 – 17.88 acres, Lot 5 – 5.27 acres.” The notice  
23 was signed by Zoning Administrator Jill S. Barger. Phil Perlah moved to accept the Notice as  
24 Exhibit A. Gary Coger seconded the motion. A vote was taken and the Notice was accepted as  
25 Exhibit A.

26 The second document was a Town of Chester Application for Subdivision, Final Plat Phase. The  
27 application was signed by Catherine Hasbrouck, Zoning Administrator and Jeffery Holden on  
28 11/17/2020. Phil Perlah moved to accept the application as Exhibit B. Gary Coger seconded the  
29 motion. A vote was taken and the application was accepted as Exhibit B.

30 The third document was a Wastewater System and Potable Water Supply permit from the State  
31 of Vermont, WW-2-6327. Carla Westine read several items on the permit. The Permittee was  
32 Holden Real Estate Trust. Lot 4 (existing) had 31.10 acres. Lot 4 (proposed) would have 17.88  
33 acres. Lot 5 (proposed) would have 7.95 acres and lot 6 (proposed) would have 5.27 acres. She  
34 read this description: This application consisting of a 3-lot subdivision with lots #5 and #6 each  
35 to be developed with a 5-bedroom residence and lot 5 to remain undeveloped, located at Green  
36 Mountain Turnpike Road in Chester, Vermont is hereby approved under the requirements of the  
37 regulations named above subject to the following conditions. Any person aggrieved by this  
38 permit may appeal to the Environmental Court within 30 days of the date of issuance of this  
39 permit in accordance with 10 V. S. A Chapter 220 and the Vermont Rules of Environmental  
40 Court Proceedings.

41 Carla Westine also read the paragraph 1.4 under 1. General: *“Any deed for Proposed Lot #4 shall*  
42 *contain the following language until a permit has been obtained from the Drinking Water and*  
43 *Groundwater Protection Division: “Notice of permit requirements. In order to comply with*  
44 *applicable state Rules concerning potable water supplies and wastewater systems, a person shall*

1 *not construct or erect any structure or building on the lot of land described in this deed if the use*  
2 *or useful occupancy of that structure or building will require the installation or connection to a*  
3 *potable water supply or waste water system, without first complying with the applicable rules*  
4 *and obtaining any required permit. Any person who owns this property acknowledges that this*  
5 *lot may not be able to meet state standards for a potable water supply or wastewater system and*  
6 *therefore this lot may not be able to be improved.”*

7 Carla Westine asked Jeffery Holden if Lot #4 was the lot along the Green Mountain Turnpike  
8 which he intends to keep with the farm. He said it was. Carla Westine said the Wastewater  
9 permit had 3 pages and was signed by Terry Shearer. Phil Perlah moved to accept the  
10 Wastewater and Potable Water Supply permit as Exhibit C. Gary Coger seconded the motion. A  
11 vote was taken and the motion passed.

12 The fourth document submitted was a plat titled Subdivision Plan Jeffery Holden Real Estate  
13 Trust 3096 Green Mountain Turnpike, and dated September 16, 2020. Phil Perlah moved to  
14 accept the plat as Exhibit D. Gary Coger seconded the motion. A vote was taken and the plat  
15 was accepted as Exhibit D.

16 Carla Westine turned to the list of conditions on the preliminary findings document. She pointed  
17 out that the name Crow Hill Road had been replaced on the location map by Flamstead Road.  
18 She noted the name Holden Acres Road has been given to the 50-foot right of way that connects  
19 the new parcels. Carla Westine asked Jeffery Holden about the address added to the title block,  
20 3096 Green Mountain Turnpike. She had expected to see 3055 Green Mountain Turnpike. Jeff  
21 said 3096 is the address of the parcel with the existing small house on the map, abutting parcels  
22 #4 and #3, where 3055 is the address of the farmhouse across the road.

23 The Wastewater permit number, WW-2-6327, was found to be hiding in plain sight in large text  
24 in the upper right corner of the plat. The last condition, the locations of proposed house, well  
25 and leach field sites were found in lots #3 and #5 as requested.

26 There being no further question from the Board or the applicant, Phil Perlah moved to close the  
27 hearing. Gary Coger seconded the motion. A vote was taken and the hearing was closed. Carla  
28 Westine recapped the next steps in the process.

29 **Agenda Item 5 Deliberative Session to review previous or current matters**

30 At this point the meeting went into deliberative session and was adjourned at the end of it.