

**TOWN OF Chester**  
**PLANNING COMMISSION**

**June 7, 2021 Draft Minutes Executive Summary**

The body of the meeting was a discussion of the topics listed in Figure 4-01. Four other major issues were part of the conversation. The points raised are summarized here.

Hugh Quinn worked hard to keep the group focused on reviewing the first nine items in Figure 4-01. He said what he was interested in was whether the nine items were reasonable or unreasonable. He remembered from reading the proposed bylaws that single- and two-family homes were exempt from the standards in Figure 4-01. He felt it was important for the Planning Commission to agree on when a site plan review was needed.

It appeared that the Planning Commission agreed to apply the dimensional standards of the bylaws as outlined in section 1303 Nonconforming Lots as outlined in Item 1 of Figure 4-01.

In reviewing Item 2 of Figure 4-01, which addresses Performance Standards, the Commission noticed that even applications that did not require a conditional use permit would need to review Figure 4-01 as part of the minor site plan review. Figure 4-01 requires review of the Performance Standards. This is different from the adopted bylaws which only require Performance Standard review for conditional uses. Hugh Quinn said requiring Performance Standard review for more permit applications made sense to him and he was in favor of keeping it.

While discussing the noise standard, Peter Hudkins noted the differences between the adopted and proposed noise standards. The adopted noise standards require decibel levels be below 70 dB from 7:00 AM to 8:00 PM and below 60 dB from 8:00 PM to 7:00 AM. In the proposed bylaws, the decibel level must be below 70 at all times and below 120 dB for impulse or impact noise. Peter Hudkins proposed that no impact noise be allowed at night from 8:00 PM to 7:00 AM. There was general agreement about that change.

The Item 3 in Figure 4-01, safe and adequate circulation was discussed only briefly and no conclusion was reached.

Peter Hudkins felt that calling a process a site plan review implied that a drawing, perhaps done by an engineer, was the central document. He felt that the narrative review of items 1 – 9 in Figure 4-01 should not be labeled site plan review. He suggested that a checklist would be a more appropriate vehicle for evaluating an application for a permit where a narrative is required. He asked if every project being reviewed needed a site plan drawing and if the site plan drawing needed to address every one of items 1 – 9 listed in Figure 4-01. Cathy Hasbrouck pointed out that Section 4302 is where the required documents for a site plan review application were listed.

Peter Hudkins, Barre Pinske and Hugh Quinn discussed the process of having a hearing before the Development Review Board for a project. They thought the applicant frequently felt as if he or she was being grilled by the board.

- They agreed that what was called a site plan review required quite a bit more than a site plan drawing and perhaps calling the process Site Plan Review was misleading to applicants.
- They agreed that helping an applicant avoid a grilling at the hands of the DRB was an

- 1 important goal for the Zoning Administrator.
- 2 • They did not decide whether a checklist should be part of the bylaws or be a document
  - 3 put together by the Zoning Administrator to facilitate the application process.
  - 4 • They agreed that the application process must work for all sizes of projects, from a home
  - 5 business application to an application for a box store like Dollar General. Hugh and
  - 6 Barre agreed that the application process must include a narrative such as a checklist as
  - 7 well as a drawing of the site.

8 During the discussion of the Credit Union project Peter Hudkins also brought up Section 3014,  
9 Grading, Excavation and Fill in the proposed bylaw. The section addressed the work that would  
10 be done to change the traffic flow on the Credit Union lot and seemed to require a zoning permit  
11 for the work. Cathy Hasbrouck wanted to know how an applicant would know that Section 3014  
12 needed to be complied with, as it is not listed in Figure 4-01 as a standard to be met. It appears  
13 that more than one section of Article 3 requires a zoning permit for certain activities and an  
14 applicant must review Article 3 to find those requirements.

15 Peter Hudkins and Barre Pinske discussed the issue of reviewing decisions on the bylaws the  
16 Planning Commission had made in 2018 and 2019. Peter felt that some topics needed to be  
17 revisited and Barre felt that the decisions made in years past should stand. Barre said he was not  
18 interested in spending time changing what he had already approved. Barre also questioned  
19 whether the present Commission members had anything to contribute that was more valuable  
20 than the work the consultant did. Hugh Quinn said he had to figure out what was meaningful and  
21 what was a waste of his time. He addressed Barre's point that a whole bunch of work was done  
22 by some really smart people so why were they questioning it, or if they were going to question it,  
23 to be specific.

24 Barre suggested a subcommittee be formed, review the proposed bylaws, and then bring changes  
25 to the rest of the board for their approval. He said he would be glad to look at the changes the  
26 subcommittee suggested, but he did not want to participate.

27 Hugh Quinn told Barre that he didn't want to put words in his mouth but it sounded like Barre  
28 had been through all this and preferred to have a subcommittee work with Jason Rasmussen to  
29 make changes to the bylaws. Hugh felt Barre had a point about not wanting to rehash everything.

30 Cathy said it was clear all four members present were in favor of a subcommittee. Even if Tim  
31 Roper, who was ill at home was not in favor, this was still a super majority.

32 Barre Pinske moved that a subcommittee of Peter and Cathy be formed to review the bylaws and  
33 present changes they would like. Peter seconded the motion but asked that Hugh be appointed as  
34 an alternate. Cathy said it was a good way to split the work. A vote was taken and the motion  
35 was approved unanimously.

1 **TOWN OF Chester**  
2 **PLANNING COMMISSION**  
3 **June 7, 2021 Draft Minutes**

4 **Commission Members Present:** Peter Hudkins, Hugh Quinn, Barre Pinske, and Cathy  
5 Hasbrouck at Town Hall.

6 **Staff Present:** Preston Bristow, Zoning Administrator; and Susan Bailey Planning Commission  
7 Secretary.

8 **Citizens Present:** Shawn Cunningham, Cheryl Joy Lipton, Lee Gustafson, and Julie Hance via  
9 Zoom.

10 **Call to Order**

11 Chair Cathy Hasbrouck, called the meeting to order at 6:32 p.m. and announced that Tim Roper  
12 was ill with a fever and would not be attending.

13 **Agenda Item 1, Review minutes from May 17, 2021 meeting**

14 Cathy Hasbrouck said the first order of business was to review the minutes of May 17<sup>th</sup>. Peter  
15 Hudkins moved to accept the minutes and Hugh Quinn seconded the motion. There were no  
16 changes or corrections. A vote was taken and the minutes were approved unanimously.

17 **Agenda Item 2, Citizen Comments**

18 Cathy Hasbrouck asked if there were any citizens comments and there were none.

19 (There was a brief interruption to adjust the volume of the speakers as the air conditioning/fans  
20 were making it difficult to hear.)

21 **Agenda Item 3, Follow One Credit Union Parking Lot Change through Adopted and**  
22 **Proposed Bylaws**

23 Cathy Hasbrouck announced the next order of business was the One Credit Union parking lot  
24 change. The packet contained information sent to the Chester Zoning Administrator by One  
25 Credit Union describing how they were going to change their access to Vermont Route 103  
26 South. The members viewed drawings of the existing parking lot and the old parking lot.  
27 Previously there had use a shared driveway to the south of their property. The parking lot was  
28 changed so that the antique center access to Route 103 South was used. In the process, the  
29 driveway was rerouted and resurfaced.

30 The use of the building did not change, nor was any space added; there were changes to the  
31 lights; and the storm water, but since the access already existed and it was not a new curb cut, it  
32 did not require a permit for the change. Cathy was amazed by that. She said if the members were  
33 to look at the One Credit Union parking lot in the terms of a new use, they could use the outline  
34 of the proposed bylaws and follow them through, which they did.

35 During this exercise, Cathy referred to the definition of a structure and concluded, “the rule of  
36 thumb in Chester is that if it’s got a roof, it needs a permit.” Cathy said the proposed bylaws  
37 classify a site plan approval process as minor site plan or major site plan. She referred to the  
38 project as a major site plan and a new conditional use and then read through the criteria in the  
39 proposed bylaws as they applied to the parking lot change. She said whether it was a minor or

1 major site plan, they would need to look at 4304.D or E. The third item in the minor site plan  
2 approval process was that the plan should meet all the applicable criteria in Figure 4-01.

3 Hugh Quinn said the issue of whether or not something required a permit was one issue he  
4 wanted to put aside for a moment. In the past, they had talked about if something required a  
5 permit and required a site plan review, whether major or minor, it would go through a process  
6 outlined in Figure 4-01, which would be more rigorous and lengthier than under the current  
7 bylaws. Cathy agreed. Hugh suggested to assume it would need a permit and require a site plan  
8 review which would drive them into Figure 4-01 and he imagined that is what would create all  
9 the additional process overhead for the applicant that doesn't currently exist. Cathy said in the  
10 adopted bylaws the applicant would have to do some work, but not as much as the proposed  
11 bylaws.

12 Barre Pinske asked if Cathy was using something as an example that did not require such work.  
13 Cathy said she was using a real-world example. Barre asked Cathy if she had just said with both  
14 sets of the bylaws that a permit was not needed. Cathy said yes. Barre questioned why they were  
15 using it as an example and then asked if they were looking at it as if there was a change of use.  
16 Cathy answered yes. Barre asked why she chose it.

17 Cathy explained she chose it because it would walk them through parking regulations in a big  
18 way. She stated the Williams River Inn on Peck Road was another example to use but thought  
19 this would be easier. Cathy said the credit union was a good example because they were doing  
20 more than resurfacing their parking lot. Barre and Cathy discussed the parking lot change at the  
21 credit union and agreed it was a changed shared access from one neighbor to another. Cathy said  
22 it was another interesting wrinkle and it was real-world stuff.

23 Hugh said the example only served one purpose and that was if you took it through the proposed  
24 process: a) was it good or bad; and b) if they thought bad, what were they going to do about it. If  
25 they thought it was terrible, they needed to know why and needed to fix it. Hugh went on to say  
26 if there were things about the new bylaws that they didn't think were necessary, they should skip,  
27 eliminate, or erase them; and things they thought needed to be done, but they didn't think the  
28 implementation was optimal.

29 Peter Hudkins asked for a copy and referred to 3014.E and drainage. Cathy asked how the  
30 permitting process would get to 3014.E. Peter said it would require a permit even if only the  
31 access was changed. Hugh said if they assumed it was true, and then they looked at Figure 4-01,

32 Peter questioned whether the things checked off under site plan review were unreasonable. Hugh  
33 said with the change in the paving and the way the parking lot was laid out, it would change the  
34 drainage; and if it changed the drainage, per the proposed bylaws, it would have required a  
35 permit, so it made a more relevant example.

36 Cathy asked how you would get there. Peter answered it was a general standard of excavation or  
37 fill and they would be excavating and/or filling when they were changing the parking lot. Cathy  
38 asked if that meant someone would be going through all of Section 3 every time they needed a  
39 permit. Peter said he hoped so. He said every time the grading is changed it changed where the  
40 water would run off which usually was a huge problem between neighbors. Peter said once you  
41 said excavation in the new bylaws, you needed a permit.

42 Barre suggested that should be a topic – what they did and the reasons why. Peter said in the new  
43 bylaws it looked to him that it would be required to get a permit to do the work.

1 Hugh suggested they assumed it would be something that needed a permit. He said what he was  
2 interested in was if the 9 things on Figure 4-01 were important or should they be scratched off.  
3 He wanted to get some discussion around whether they were reasonable or unreasonable. He  
4 said if they were unreasonable, then they needed to figure out why and fix them; and if they were  
5 reasonable, they needed to figure out how to get them done. Peter asked if Cathy wanted to go  
6 through the rest of the example and she did. She said there was some discussion about section  
7 3014 Grading, Excavation or Fill in the minutes of December 10, 2018, but that they could come  
8 back to that.

9 Cathy said the first item in the table was the offsite impacts of the proposed development would  
10 not exceed levels established in Section 1303 - non-conforming lots. She referred to the bottom  
11 of page 3 of the proposed bylaw document for the dimensional standards for a mixed-use district.  
12 The lot size required a 1 acre minimum and the lot size in the example was 0.45 acres making it  
13 a non-conforming lot. Barre questioned whether it was applicable because it already existed.  
14 Cathy said that it also did not have as much road frontage as it was supposed to, adding to the  
15 issue of non-conformity. She called attention to Section 1303 on page 4 regarding a landowner  
16 developing a lot that did not meet the lot frontage certain criteria.

17 Cathy referred to Sections 3002 and 3008, which are also mentioned in other places in Figure 4-  
18 01. Hugh called attention to item 1 which he said translated to making sure someone knew what  
19 they were doing so it did not conflict with the non-conforming lot requirement. He wondered if  
20 the planning commission thought it was important to pay attention to item number 1 –  
21 conformance to section 1303 – non-conforming lots and they needed to figure that out.

22 Peter asked if the lot was conforming, did it need to be on a site plan? Hugh said because the  
23 document needed to account for all kinds of different scenarios that they couldn't anticipate, it  
24 was important to get to a point where on a case-by-case basis it was used as a checklist to make  
25 sure the applicant followed the items on the checklist, if applicable. He said if the permit was  
26 going to add a building, expand a building, or change a building, then item number 1 was  
27 important. Barre agreed.

28 Peter asked if it would be required that everyone draw a site plan. He said he would expect if he  
29 were on the DRB that he would be presented with a plan. Hugh suggested a site plan would need  
30 to include all the elements from 1 through 9 and if they didn't believe a site plan needed all those  
31 elements, they needed to discuss it. Hugh said he remembered single family and two-family  
32 dwellings got a pass everywhere and Peter agreed. Hugh said the mixed-use zoning district was a  
33 little different but it sounded like once you passed single and two-family dwellings, everything  
34 else required a site plan. Cathy Hasbrouck said some accessory units didn't.

35 Hugh said if it wasn't ironed out as to when a site plan was and wasn't needed, they should  
36 figure that out. And once that is accomplished, the next thing to tackle was what will be required  
37 in a site plan. Cathy wondered if they were in agreement with the part about non-conforming lots  
38 being in the bylaws.

39 Cathy moved to item 2 – performance standards. In the current bylaws, any conditional use  
40 needs to go through performance standards. The proposed bylaws move the performance  
41 standard check to the site plan review. Hugh said that made total sense to him. Cathy said most  
42 applications go through the site plan review. Hugh added that the performance standard was all  
43 about noise, pollution, and other bad things.

1 Peter asked if they weren't changing the footprint, would a performance standard check be  
2 necessary? Hugh used a hypothetical situation where an applicant was buying a steel crushing  
3 machine. Peter said if the site wasn't changed, it was a home business. Hugh said the way he  
4 thinks about whenever someone was going to do something new or make a change, if it would  
5 violate the performance standard, it should be talked about no matter what the change.

6 Peter said a site plan represents a drawing to him. Hugh said he was not in the same place as  
7 Peter, because he didn't know what the actual documents looked like. He said if he was an  
8 applicant, he would need to write a document, look at number two and start writing paragraphs  
9 explaining he would not make noise, etc. and that was a document, not a drawing.

10 Barre said he had gone through the process for his friend, Rich. His friend bought a house and  
11 went for a home business rather than a home occupation which required more work. He then  
12 came to the planning board unprepared with only a letter. Michael tried to encourage him to do  
13 more, but maybe not enough.

14 Barre said one of his goals getting on the planning board was to try to make sure people were  
15 completely prepared so they didn't waste the time of the DRB showing up with something that  
16 wouldn't be approved. Barre said in helping Rich, he took pictures of businesses and then used a  
17 computer program and took pictures of his building and then used the program to show what it  
18 would look like with a sign and so forth. He said they went down through the list and answered  
19 the questions to the best of their ability. They used examples for the noise because they use  
20 hydraulic chainsaws.

21 Because of the quasi-judicial board, the hearing was like an interrogation and uncomfortable.  
22 Barre said when they went through it with Brandy, he believed part of the goal was to allow  
23 applicants to do it ahead of time and avoid the quasi-judicial board process and only deal with  
24 the Zoning Administrator. Barre shared that his past experience in Cape Cod was similar to the  
25 proposed process and wasn't daunting to him.

26 Peter said he wanted to back up a bit and referred to the blueprint and said he considered that a  
27 site plan and the things that were being talked about were a checklist. Peter said he felt there was  
28 a difference between a site plan and a checklist. Hugh said for him it was semantics and that  
29 terminology could be changed, but what he heard Barre say was that in the past, even though  
30 everything wasn't laid out, they ended up doing it, because they were grilled in front of the DRB.  
31 Barre agreed.

32 Hugh suggested in order to assist the applicant and give them a better chance of getting through  
33 the process without getting grilled by the DRB, it should be written down and they would attest.  
34 Peter said he agreed but that he thought it was more than semantics because when people were  
35 required to come up with a drawing, they talk about coming up with an engineer. Peter said when  
36 it is site plan versus checklist and he comes in for a permit, it looks like they are asking for a lot  
37 more.

38 Barre said that both things are required and the drawing becomes an addition to the site plan.  
39 Barre said what they were doing needs to work for everyone whether it was a Dollar General or  
40 someone like his friend, Rich, who wanted to add a couple parking spots and hang up a sign.  
41 Peter said he understood. Cathy pointed out 4302 is where the requirements were laid out for a  
42 site plan. She suggested if they stuck with 4301, they could come back to 4302.

43 Hugh said he understood and could hear both sides. He said someone who thought they only had

1 to provide a drawing, only to learn they had to provide the drawing plus 47 other things, so if it  
2 was misleading, they needed to fix it. Hugh said they may still have to do the 47 other things.  
3 He said it almost sounded like the goal was to write the requirements down so between the  
4 applicant and zoning administrator they could get more done to avoid getting grilled in front of  
5 the DRB.

6 Barre said the fact that it was a quasi-judicial board required going through those things and it  
7 was a testimony and there was a record, so if they didn't do it, the zoning administrator could say  
8 they were breaking the deal. Barre said a lot of the stuff was like that –the deal that we're trying  
9 to make to have our business in this town and these are the hurdles to jump. Barre said if  
10 someone wasn't smart enough to jump the hurdles or were unable to hire an engineer to make the  
11 drawings, their business probably wasn't going to work.

12 Hugh said they seem to be in some kind of fundamental agreement, in general, and these things  
13 needed to be covered somewhere. Hugh used the example of someone agreeing to keep within  
14 certain noise limits and then a month later violated them, the zoning administrator could be  
15 called to enforce that. Hugh said all it really changed was it a process in front of the DRB or a  
16 process on paper.

17 Barre said he thought if things don't apply – if Preston, the ZA, could look at things and if they  
18 didn't apply, the hurdles weren't that high and they could check them off and off they go. Cathy  
19 said the proposed bylaws allowed for the zoning administrator to say a requirement wasn't  
20 relevant to a project. Barre added if you were going to build a Dollar General, they needed to  
21 jump all the hurdles and someone who was doing something smaller didn't. Barre said that was  
22 why he was struggling with the parking lot example because if they came to Preston and said it  
23 was all good, they wouldn't have to jump those hurdles.

24 Cathy reminded the group they were on performance standards and wondered if they wanted to  
25 review any of them in detail. She didn't see anything missing from the new bylaws. Barre said he  
26 had an issue with the noise, but joked he needed to recuse himself because he was a chainsaw  
27 carver.

28 He said the DRB didn't want to make a judgment on whether or not the manufacturer's  
29 specifications were real and wanted a sound study. Barre said in his opinion, that would be a  
30 burden. He said the other thing they were unwilling to do was have the town have their own  
31 decibel meter they could use, but it wasn't their job to pre-police things.

32 He used the example of him driving a yellow Porsche but not being arrested because they  
33 thought he would drive fast. He said that was the dilemma. He said the decibels didn't seem high  
34 enough. He explained that was the issue with a dog kennel and that one of the neighbors said a  
35 dog barking was as loud as a train whistle.

36 He said there were a lot of interesting things to be heard at a DRB meeting and suggested  
37 attending. Barre said people use arguments to try to keep things from happening. He said when  
38 he drives by the wood processing place in Swanzey or Troy in New Hampshire, they have kilns,  
39 processors, splitters, and he looked at their decibels and he thought it was 90. He wondered if  
40 Chester was trying to be quieter than other towns and wondered what they were comparing it to.

41 Cathy said the proposed bylaw decibel limit was in the same ballpark and the decibel limits were  
42 higher than what Chester had right now, which is 70 decibels in the daytime and 60 at night. She  
43 said the proposed bylaw was 70 all the time and 120 for impulse or impact noise, so a bang here

1 or there could be up to 120.

2 Barre said some of the things were really a challenge. He said whoever was making the decisions  
3 – it wasn't their job as a town when someone has a machine to go out and test it and questioned  
4 whether they trust them when the manufacture's specifications say something.

5 Hugh said what he was thinking based on the conversation – he said they agree performance  
6 standards are important, so it doesn't come off the site plan checklist. He said at some point in  
7 time, see if the section about the performance standards makes sense and that this was just the  
8 gate saying the standards have to be met.

9 Hugh added if the performance standards were completely ridiculous, they needed to solve that  
10 problem; or if the standards were reasonable, for whatever reason they're enforced, if a bad plan  
11 was put into place and couldn't be executed or enforced, he suspected they would get feedback  
12 from the DRB or Zoning Administrator indicating something different needed to be done.

13 Hugh wasn't sure they could solve all the problems of establishing the requirements, unless the  
14 Zoning Administrator and/or the DRB were so in bed with it that it would never work and they  
15 indicated they wanted to talk about it before being committed to.

16 Barre said he recalled the town bringing in a company that sold decibel meters or did testing and  
17 what was discussed was businesses like a factory that has air conditioning units on the roof that  
18 may hum would be something that could irritate neighbors. He said because Chester is a small  
19 town, it may seem like some things were a high hurdle and would not apply. He said for the most  
20 part, the noise issue wouldn't exist, unless something bigger moved in.

21 Peter said that in the previous standard, they had lower decibels at night and the proposal would  
22 allow 70 and 120 impact any time during the day, thereby limiting the police as to what they  
23 could enforce.

24 Barre asked if they felt the sound was too high. Peter said he would like to change the time. The  
25 louder noise being allowed between 7 a.m. and 8 p.m. Hugh agreed. Peter said there was  
26 someone working next to his property that would start at 4 a.m. with his skidder. Barre shared an  
27 experience of a trucker who would warm up his truck at 4 a.m. in Cape Cod that resulted in the  
28 zoning administrator paying him a visit.

29 Peter said the normal noise level during the day is 70 dB. Barre said 70 decibels was not that  
30 high – the human voice at 10 feet. Peter said he would take the impact noise out between 8 p.m.  
31 and 7 a.m.

32 Hugh said what they were doing now was using the table to do two things: they agreed the  
33 performance standards were important and they would either segue into those requirements and  
34 make sure they looked good and fix them as they went, or they would need to loopback.

35 Peter shared when he was chair of the DRB, he had a checklist of everything he had to go  
36 through and it worked really well.

37 Barre said if the board wanted to explore something, that was good, but the difficulty was they  
38 did that and made a decision. He said he understood there were new people. He was also  
39 concerned who was going to do the re-write and how it would happen. He said if there were  
40 specific concerns, people should identify them ahead of time. He said if Peter felt the hours were  
41 important, he should write that down and present it for discussion.



1 Peter said most of the major decisions were made when Brandy was there and two of the people  
2 there during that time were not reappointed. He said there was a problem with continuity of  
3 thought and how those decisions were made. He thought the board needed to look at it as a sign  
4 that the decisions made during that time needed to be reviewed.

5 Barre said from his perspective, Peter's argument may not have been true because ultimately, the  
6 decisions that were made were voted on by the whole board and a minority didn't influence the  
7 whole board. He said they had a 21-year experienced chair in Naomi; a consultant; himself; Tim;  
8 Michael Normyle as Zoning Administrator; and Cathy. He said it wasn't good logic to say a  
9 couple of minority members swayed a whole board and maybe it was for other reasons: they  
10 talked too much like he does; and they made bad analogies.

11 Cathy said she was hearing there was a discussion about it, but there was also a process going  
12 and she felt they were finally getting somewhere. She said looking at real world stuff provided  
13 guidance as to what they wanted and it was happening. Peter said they should continue with the  
14 example. Cathy said that she had hoped when she sent an email out before the meeting to look  
15 over the information because there was a lot there, she had hoped that was what would happen –  
16 like the noise level, it would make it go even better than it was.

17 Barre said at first, he had looked at it and wondered why the hurdles were so big and what could  
18 be changed and why. He said when there was someone hired to help the town understand things  
19 from a larger perspective because they were familiar with the state laws and educated and have a  
20 background in this, more than any of the board, that was a real-world opinion. Barre said to  
21 suggest the consultant is less valuable than any of the members, or less knowledgeable, or  
22 doesn't understand the real world, got back to his argument that Chester is not a snow globe.

23 Cathy interjected that she did not say that. Barre said what he kept hearing was something  
24 special was needed for Chester. Cathy said yes because it was Chester. Barre asked if Chester  
25 needed something different than other places that have zoning all around the world, because it  
26 was Chester. Cathy said it did.

27 Barre asked Cathy if she thought that Chester was more special than other places that it needed  
28 to come up with its own ideas about zoning that are more different than other towns in Vermont  
29 and other states and places. Cathy said not radically different. Barre then asked her if she thought  
30 she had more knowledge about zoning than Brandy. Cathy responded that she thought it was  
31 necessary to have it be Chester zoning and not particularly different from another town but she  
32 felt it was important that it belonged to Chester.

33 Peter asked that they move on with the examples and Barre said he was ready to move on and go  
34 home. Barre said the other members were freaking him out. He was upset that they did not want  
35 to use examples of other places and learn how people did things. He used the analogy if they  
36 were building a new car but didn't care what Mercedes had done and wanted to come up with a  
37 new way of doing it, he did not think they were smart enough to do so.

38 Cathy said they were working with what they got from Brandy and her experience, and they  
39 were working with Preston, and had information from Jason, so why would they not use all the  
40 resources at their disposal. Barre said that was his point. Cathy referred to Item 3 – access, both  
41 access to highways and roads and the standards for driveways. She said it addressed everything  
42 having access to a road whether public or private. Peter said they had talked about conservation  
43 lots that did not have access. Cathy said they had talked about the problem with a private road

1 that did not meet town standards. She did not know the definition of a town road. Cathy said they  
2 had taken the current driveway and road code in the current bylaws and installed them in the  
3 proposed bylaws. She said this highlighted the situation with Logan Drive and other potential  
4 problems.

5 Hugh spoke up and said he had not done his homework before the meeting. He said he had to  
6 figure out what was meaningful and what was a waste of his time. He addressed Barre's point  
7 that a whole bunch of work was done by some really smart people so why were they questioning  
8 it, or if they were going to question it, to be specific. He referred to table items 1 through 9 and  
9 suggested they see if they were important or if any didn't make sense. He said the point was to  
10 get the existing planning commission to function as a group and make decisions.

11 Peter said his issue right now was the definition of site plan, because once that is understood you  
12 create two different things. Peter said a site plan was intimidating for him, but not a checklist.  
13 Cathy pointed out that he created a checklist. She said the new set of bylaws expected someone  
14 to do the same thing, but the board could choose not to do it that way.

15 Barre said it was really the zoning administrator's job to do that and he thought Michael had a  
16 checklist for people that went before the DRB. He said it was the board's job to write the rules  
17 and all the rules were really a checklist. He said if Preston wanted to make a checklist, he could  
18 but that it was the board's job to make the rules.

19 Peter said the checklist checks the rules. Barre said from his perspective he likes what they did  
20 and he's open to change but he doesn't want to be a part of it. He equated it to inviting someone  
21 to their house for dinner and promising not to try to get them to become a Christian but that they  
22 might do it a little bit while they were there. He said someone on this board has an idea that  
23 things should be done differently and his name might be Peter.

24 Barre said he has repeatedly said to write it down and suggested a subcommittee be formed,  
25 review the proposed bylaws, and then bring changes to the rest of the board. He would like to see  
26 it done in six weeks. Peter asked how Barre would feel if Jason and Preston did it and Barre  
27 responded that it wasn't Preston's job, but the DRB's job. Barre said if they wanted, to hire a  
28 consultant. Peter said they didn't have to hire a consultant. He said Regional Planning was free  
29 and so was Preston.

30 Barre proposed they set up a subcommittee to review things and if they wanted to make changes,  
31 they would bring them back to the board in writing and then the board will review those things.  
32 He didn't feel it necessary to go over everything again, because it was already done.

33 Cathy asked Barre if he would like Jason to work with one or two planning board members.  
34 Barre said if it were up to him, he would leave it all up to the subcommittee. If they preferred to  
35 work with Jason, that was alright; or if they chose to do like he did and Google a random city  
36 somewhere in America and compare it; if they wanted to use Londonderry, Springfield, Ludlow,  
37 or any other place; if they wanted to rely on Preston, it didn't matter to him.

38 Barre said he has gone through it for over a year and that he wasn't a bad guy who didn't want to  
39 work together but felt it had already been done. Cathy said Jason had written 6 pages of  
40 observations regarding things that could have been done differently. She said Jason also agreed  
41 with Preston that the bylaws were pretty dense and could be pruned. Cathy suggested that Jason  
42 work with two board members to prune the bylaws.

43 Barre told Cathy that she couldn't make reference to a private conversation and put it before the

1 board as if it were fact. Barre said Cathy was obviously having conversations with Preston about  
2 the proposed bylaws that Cathy was now making part of the record. Cathy asked Barre to let  
3 Preston speak.

4 Preston said he hated to be brand new in town and get in the middle of a conflict. He agreed the  
5 proposed bylaws were pretty dense. He said he was only in his third week and didn't have a list  
6 of the changes he wanted to make, yet. Cathy referenced Hugh's idea to look at the items in  
7 Figure 4-01 and say yes or no to them would be very helpful if they went to Jason and asked for  
8 guidance. She said Jason would like feedback from the board regarding his observations.

9 Peter suggested the board get back to the example. He said Cathy went to a lot of work to do it  
10 and he wanted to finish it. Cathy said people feel highway access is important. She said Peter had  
11 mentioned conservation. Peter said if you subdivided a piece of property off, you were locking it  
12 into a perpetual lease. Cathy said she would hunt that up in the proposed bylaws.

13 Hugh said there were only 10 minutes left and he wanted feedback on Barre's idea – he told  
14 Barre that he didn't want to put words in his mouth but it sounded like Barre had been through  
15 all this and preferred to have a subcommittee work with Jason and go through it and figure out  
16 what they like and don't like. Hugh felt Barre had a point about not wanting to rehash  
17 everything. Hugh asked if they should continue the exercise they were presently doing in the  
18 context of the larger planning board or if they should they break off a subcommittee who would  
19 look at it and bring it back to the board when it was done.

20 Barre said he appreciated that and his intent was not to be a jerk, but he said they had a year  
21 where a lot of things were addressed and nothing was written down. Barre said ultimately, they  
22 were creating a legal document that was required to be written in a certain language which was  
23 understood by the consultant and the previous Chair. He said any changes would require writing  
24 and not just talking. Barre said after a year of hearing what people wanted changed, they had  
25 nothing written.

26 Peter said there were things done during that year and Barre could just read the minutes. Cathy  
27 said if they had more than two board members, it would be a quorum. Peter said if he and Cathy  
28 were on the subcommittee, Barre would be upset. Barre disagreed. He said he has no problem  
29 with making the bylaws the best they can be and if someone wanted to put in the effort because  
30 they thought they had better ideas or it could be better, he was all for it but he just didn't want to  
31 be that person. Barre thought it was great if Peter and Cathy wanted to be on the subcommittee.  
32 He said if the subcommittee brought their suggestions and changes back to the board and the  
33 whole board could vote on it. He said he would be happy to do it that way. He just didn't want to  
34 be convinced something was wrong and have to come up with changes, because he already did  
35 that. Barre said he didn't care how long it took. He believed that most people in town feel the  
36 same.

37 Barre thought Tim had a sense of urgency and Cathy agreed. Cathy said when Tim texted her  
38 that evening that he was ill, she told Tim the board would not make a decision without him but  
39 she felt if four were in favor of a subcommittee and Tim wasn't, that was still a strong motion.

40 Cathy said they could have a motion to have a subcommittee of two and it would be her and  
41 Peter and whoever they wanted to bring into the process. Cathy said she would want Jason  
42 involved and she would be talking to Preston frequently. She asked if that seemed like a  
43 reasonable motion to make and to be voted on that evening. Barre said absolutely. He said he

1 thought Preston may not want to overstep his bounds because it was his first meeting, but he  
2 came with quite a resume and if he would be willing to help, that would be great. Barre felt he  
3 had more experience than any of the board and they should utilize him as a resource. Cathy  
4 agreed. Barre said he just wanted to make sure Preston was speaking for Preston. Preston offered  
5 that he was happy to help. He also added that Jason was more of an expert than he was, but he  
6 had gone through this process before and would be happy to help.

7 Cathy asked if there was a motion. Barre moved that a subcommittee of Peter and Cathy be  
8 formed to review the bylaws and present changes they would like. Peter seconded the motion but  
9 asked that Hugh be an alternate. Cathy said it was a good way to split the work. The motion was  
10 approved unanimously.

11 **Agenda Item 4, Discuss Agenda and Set Date for Next Meeting**

12 Peter made a motion to adjourn the meeting and Hugh seconded it. The meeting was adjourned  
13 at 8:00 p.m.  
14