

**Town of Chester**

**DEVELOPMENT REVIEW BOARD AGENDA**

July 15, 2021

5:30 PM Site Visit 92 Vermont Route 11 West

6:00 PM Hearing at Chester Town Hall and via Zoom

1. Review draft minutes from June 14, 2021 meeting
2. Citizens' comments
3. Conditional Use Review for Farmers' Market (#569) 92 Vermont Route 11 West
4. Deliberative session to review previous or current matters

SEE TOWN'S WEBSITE FOR INSTRUCTIONS TO DIAL INTO PUBLIC HEARING VIA  
ZOOM CONFERENCE

Contact Recording Secretary Cathy Hasbrouck for assistance in attending via Zoom  
[cathy.hasbrouck@chestervt.gov](mailto:cathy.hasbrouck@chestervt.gov), 802.875.2173

**TOWN OF CHESTER**  
**DEVELOPMENT REVIEW BOARD**  
**DRAFT MINUTES**

*June 14, 2021*

**BOARD MEMBERS PRESENT** At Town Hall: Harry Goodell, Gary Coger, Scott MacDonald, Phil Perlah and Robert Greenfield.

**STAFF PRESENT:** Cathy Hasbrouck, Recording Secretary, Preston Bristow, Zoning Administrator.

**CITIZENS PRESENT:** None.

**Call to Order**

Chair Bob Greenfield called the meeting to order at 6:00 PM on the second floor of the Town Hall.

**Agenda Item 1, Review draft minutes from May 24, 2021**

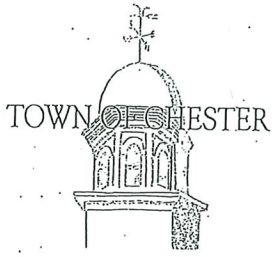
Harry Goodell moved to accept the draft minutes from May 24, 2021. Phil Perlah seconded the motion. One correction was noted on page 1. A vote was taken and the minutes were accepted as corrected.

**Agenda Item 2, Citizen Comments**

There were no citizens present to make comments.

**Agenda Item 3, Deliberative Session to Review Previous or Current Matters**

Harry Goodell moved to enter Deliberative session. Phil Perlah seconded the motion. A vote was taken and the Board entered deliberative session. On returning from deliberative session the meeting was adjourned.



VERMONT

# Application for Hearing before the Development Review Board

Case No: 509

Applicant name: Janice Leary-Jones

Applicant address: Westminster, VT (PO Box 17, Saxton's River 05154)

Applicant email: janicelearyjones@gmail.com Phone: 802-869-8148 land  
802-774-0712 cell

Landowner name (if different): John McLure - Ruth Zezza

Landowner address: Box 41, Chester, VT 05143

Landowner email: none Phone: 802-875-2488

Location of property: 92 VT Rte 11 W Parcel map # 56-50-53

Description of Project: FARMER'S MARKET

### Type of application:

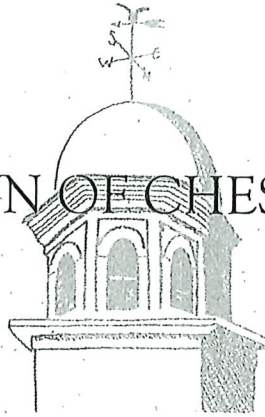
- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Conditional Use Approval        | <input type="checkbox"/> Flood Hazard Area Review |
| <input type="checkbox"/> Boundary Line Adjustment                   | <input type="checkbox"/> Waiver or Variance       |
| <input type="checkbox"/> Subdivision                                | <input type="checkbox"/> Planned Unit Development |
| <input type="checkbox"/> Appeal of decision of Zoning Administrator | <input type="checkbox"/> Other                    |

A copy of the "Checklist" attached to this application must be completed and submitted with this application, along with all required letters.

Applicant Signature [Signature] Date 23<sup>rd</sup> June 2021

Received with \$200 application fee [Signature] Date 6/23/2021  
(Town official)

# TOWN OF CHESTER



556 Elm Street  
P.O. Box 370  
Chester, VT 05143

(802) 875-2173  
Fax (802) 875 2237

June 25, 2021

## TOWN OF CHESTER NOTICE OF PUBLIC HEARING BEFORE THE DEVELOPMENT REVIEW BOARD

The Development Review Board will hold a Site Visit at 5:30 PM on Thursday, July 15, 2021, at 92 VT Route 11 West and a Public Hearing at 6:00 PM on July 15, 2021, at the Chester Town Hall at 556 Elm Street on an Application to operate a seasonal Farmer's Market.

PROPERTY OWNERS: John McLure and Ruth Zezza  
APPLICANT: same  
LOCATION: 92 VT Route 11 West  
DISTRICT: Residential-120

**ACTION REQUESTED:** Approval to operate a seasonal Farmers Market at the former Baba A Louis Restaurant and Bakery property (parcel #56-50-53).

Abutters are hereby notified that further information can be found at the Town Clerk's Office which is open Monday through Friday, 8:00 AM to 4:00 PM. Participation in this hearing is a pre-requisite to the right to take any subsequent appeal.

A link to participate in this hearing via Zoom videoconference will be on the Town of Chester home page: [www.chestervt.gov](http://www.chestervt.gov).

For the Development Review Board

Preston Bristow  
Zoning Administrator  
(802) 875-2173  
[zoning@chestervt.gov](mailto:zoning@chestervt.gov)



Farmers' Market at Baba A Louis Site, 92 VT-11, Chester, Vermont

**Mission:**

A community meeting place for local farmers, food artisans, and makers of local products to bring local farm goods and local products to sell to our local community to further build our local food system.

**Goal:**

The focus of this market is to support local businesses by creating a weekly meeting place for our local foods producers and community members to gather, converse, learn and share, thereby strengthening our community through conversation and commerce. Vendor participants in the market would bring a variety of local foods or products along with all necessary display materials and set up their goods for the duration of Market Hours. During Market Hours, enriching activities may be offered for the benefit of the market-going community--activities such as taste testings, cooking demonstrations, storytime for children, and music provided by local musicians. Another goal of the market would be to stay within the aesthetic of a charming, local foods Farmers' Market while working at meeting the needs of the local community.

**Additional Information:**

As this is a brand new endeavor, the goal is to create a solid, successful experience for both the market-goer and the vendors by beginning with a small market with a diverse variety of goods offered for the benefit of all. If the market is successful, the potential for a pre-holidays market in both November and December exists.

A market in the Chester community would work to support the farms in the area. According to US Census of Agriculture data, farms selling local food through direct-to-consumer marketing channels were more likely to stay in business over 2007-2012 (Farmers' Market Coalition).

In some communities, a Farmers' Market also adds to the downtown business foot traffic. A 2010 study of the Easton Farmers' Market in Pennsylvania showed that 70% of Farmers' Market customers then went on to shop at the local businesses (Farmers' Market Coalition).

## **Farmers Market at Baba-a-Louis Site Conditional Use Application (Staff Report 7/8/21)**

**Property Location: 92 VT RT 11 W**

**DRB Case # 569**

**Requested Use: Farmers' Market**

### **INTRODUCTION**

John McLure and Ruth Zezza purchased the 3.5-acre "Lanza Lot" at 92 VT RT 11 West in 1995 and, with Zoning Board of Adjustment approval for a restaurant/retail store, constructed and operated Baba-a-Louis Bakery and Restaurant on this site for 21 years from 1997 to 2017. Janice Leary-Jones, who has previously managed the Old Rochester Farmers' Market in Mattapoisett, MA and the Greater Falls Farmers' Market in Bellows Falls, VT seeks to establish a farmers' market in Chester on the former Baba-a-Louis Bakery site under an agreement with John McLure and Ruth Zezza.

It is anticipated that the farmers' market would be open on Wednesdays from 3:00 to 6:00 PM beginning immediately and ending in October, with possible weekend Thanksgiving and Pre-Holiday markets in November and December. The number of farm vendors could be as high as 15 but will likely be less, and the number of patrons could be as high as 100 but will likely be less. Acoustic or lightly amplified music may be provided but would be background music as the goal is for patrons to be able to speak with vendors and buy their products. Vendors would set up in the grassy area to the east of the existing building. The existing building would be closed and not used except for bathrooms.

### **ZONING DISTRICT AND ALLOWED USE**

The Baba-a-Louis site at 92 VT RT 11 is located within the Residential 120,000 (R120) District (Section 2.10) where Retail Store is not an allowed use. However, Section 4.4 allows Temporary Uses as follows: "A permit may be issued by the Development Review Board for non-conforming uses, providing that the use demonstrates a unique and special circumstance. It is a requirement of this section, that any permit issued has been reviewed under the conditional use criteria of these regulations. The non-conforming use shall be temporary and shall be discontinued within 6 months from the date of the permit. Such permits may be renewed for two additional periods not to exceed three months each, upon application to the Development Review Board."

### **INTERPRETATION**

It is the Zoning Administrator's interpretation that a seasonal farmers' market fits the definition of a unique and special circumstance under Section 4.4 and is appropriate for consideration under this Section by the Development Review Board.

### **CONDITIONAL USE REVIEW STANDARDS**

1. GENERAL STANDARDS
  - a. The capacity of existing or planned community facilities

**No significant impact on water, sewer, police or fire.**

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

**This purpose of the R120 District is: "To provide lower-density residential neighborhoods with compatible home businesses and working landscape uses that are consistent with the Chester Town Plan." A farmers' market is a working landscape use.**

- c. Traffic on roads and highways in the vicinity

**Vermont Route 11 is designed to accommodate the anticipated traffic. Chester Police Chief Richard Cloud has stated verbally that he does not anticipate any problems.**

- d. Bylaws and ordinances then in effect

**None**

- e. Utilization of renewable energy resources.

**None**

## 2. SPECIFIC STANDARDS

- a. Lot and Yard Requirements under Section 3.14

**Meets requirements.**

- b. Distance from adjacent or nearby uses;

**Vendors would set up on the grassy area east of the existing building which would place them about 100 feet from the adjacent residence to the east. There is also a residence to the south across VT Route 11. Nearby uses include the Chester Dental Center and Chester Town Pool at the Pinnacle Recreation Area.**

- c. Minimum off street parking and loading facilities under Section 3.20

**The 1995 ZBA decision for the original Baba-a-Louis Bakery and Restaurant required 12 parking spaces. Additional parking is available on the level fields that surround the buildings. Although up to 100 patrons are anticipated, most patrons buy their produce and leave and do not stay long.**

- d. Landscaping and fencing under Section 3.13

**No further landscaping is planned beyond the existing shade trees, shrubs and grassed ground cover. [Section 2.10(E)(3) requires landscaping or other screening between incompatible uses or structures; the DRB will have to find this use incompatible to require further landscaping.]**

- e. Design and location of structures and service area

**No new structures or service area is proposed under this application.**

- f. Size, location and design of signs under Section 3.26



***A temporary sign may be placed over the existing Baba-a-Louis free-standing sign and other temporary signs such as an event banner, event flag, sandwich board sign, and off-premise directional signs may be utilized following consultation/permission of the zoning administrator.***

g. Performance Standards under Section 4.9

***Performance Standards regarding air pollution; glare, light or reflection; safety hazards; electromagnetic disturbances; underground storage tanks; or ground/surface water pollution are met by this application.***

***Applicant is aware of and agrees to meet the Performance Standard that noise shall not exceed 70 dB measured at the property line during the day between 7:00 a.m. and 8:00 p.m. Applicant plans no activity between 8:00 p.m. and 7:00 a.m.***

h. Other such factors as these Bylaws may include

***None***

3. SPECIAL CRITERIA

***No special criteria apply to the R120 district.***



# 92 VT Route 11 West

Vermont Agency of Natural Resources

vermont.gov

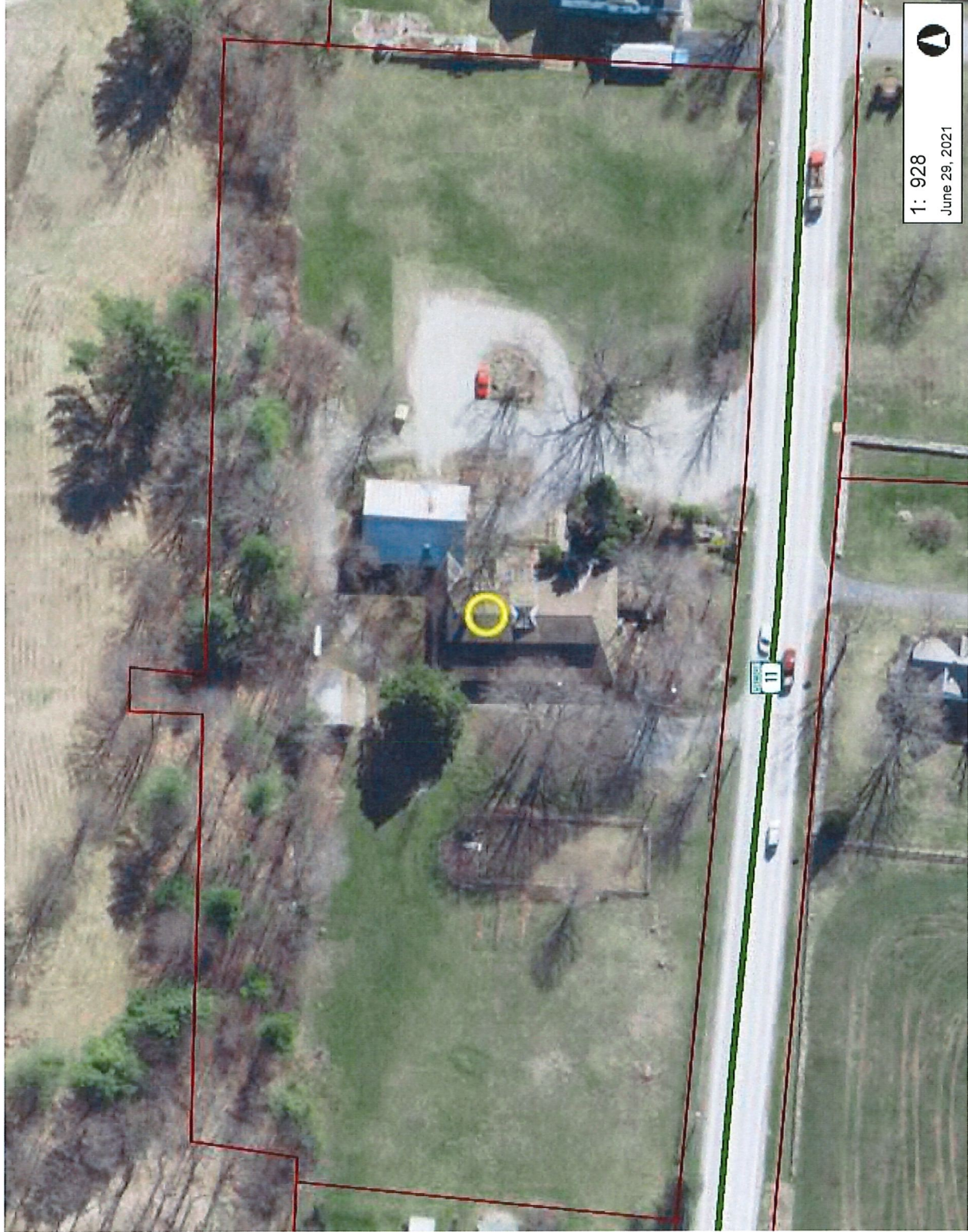


## LEGEND

- Parcels (standardized)
- Roads**
  - Interstate
  - US Highway; 1
  - State Highway
  - Town Highway (Class 1)
  - Town Highway (Class 2,3)
  - Town Highway (Class 4)
  - State Forest Trail
  - National Forest Trail
  - Legal Trail
  - Private Road/Driveway
  - Proposed Roads
- Stream/River**
  - Stream
  - Intermittent Stream
- Town Boundary

## NOTES

Map created using ANR's Natural Resources Atlas



1: 928

June 29, 2021



47.0 0 24.00 47.0 Meters

1" = 77 Ft. 1cm = 9 Meters

THIS MAP IS NOT TO BE USED FOR NAVIGATION

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

© Vermont Agency of Natural Resources

**DISCLAIMER:** This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.