

1 **TOWN OF Chester**
2 **PLANNING COMMISSION**
3 **August 2, 2021 Minutes**

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

6 **Staff Present:** Preston Bristow, Zoning Administrator; and Susan Bailey, Secretary, and Jeffery
7 Holden, Water Superintendent, at Town Hall; and Julie Hance, Town Manager, via Zoom.

8 **Citizens Present:** Bill Lindsay, Nancy Lindsay, Steve Mancuso, Gwen Kerr Mancuso at Town
9 Hall; and Joy Slaughter via Zoom.

10 **Call to Order**

11 Chair Cathy Hasbrouck, called the meeting to order at 6:30 p.m. (6:52 on recording)

12 **Agenda Item 1, Review Minutes from June 21 and July 19**

13 Chair Cathy Hasbrouck announced the minutes would be taken one at a time and would start
14 with the June 21st minutes. Peter Hudkins moved to review the June 21st minutes and Tim Roper
15 seconded the motion.

16 Discussion included:

17 Barre Pinske noted on page 8, line 13, a reference to Tim selling chicken coops was his neighbor,
18 Tim Crosby, and not Tim Roper.

19 Tim Roper questioned references made regarding “the church” in the executive summary and
20 thought it could be misleading. He suggested they read “according to R.J. Dourney, the church
21 would like.” He indicated there were references to “the church” on multiple pages. He was
22 concerned about mention of tiny houses retaining more of their value than mobile homes and
23 could be the beginning of someone building personal wealth. Tim asked if credit could be given
24 to R.J. Dourney for the statement, as it wasn’t supported by any documentation. He also asked if
25 the graph referenced could be noted that it was part of the packet.

26 Barre called attention to page 8 of 15, line 42 that said, “people attended who wanted the forest
27 to blossom” and said it should be corrected to say “wanted forest blocks.”

28 Cathy asked for any other corrections. The minutes, as amended, were approved unanimously.

29 Tim moved to review the July 19 minutes and Peter seconded.

30 Discussion included:

31 Barre said they looked good to him.

32 Tim noted on page 9, line 13, “Tim said the commission was charged with a full re-write of the
33 bylaws.” There was discussion whether it should be committee or commission but was decided it
34 should say “Planning Commission” and should include line 32.

35 The minutes were approved, as corrected, unanimously.

36 **Agenda Item 2, Citizens Comments**

37 6:40 P.M. (16:04) Cathy Hasbrouck asked for citizens comments on anything that was not on the

1 agenda.

2 Steve Mancuso, apparently speaking for himself and others, said they were here as taxpayers and
3 fellow citizens who were concerned about the Planning Commission's plans for their properties,
4 businesses, retirements, freedoms, and quality of life in Chester. He said they were at the
5 meeting because they had sat by and watched them make headlines, disband, regroup, and create
6 divisions amongst themselves. He said they had seen a few Zoning Administrators leave, and
7 then welcomed Zoning Administrator, Preston Bristow, to Chester. Mr. Mancuso also said they
8 had created a dysfunctional and unenforceable piece of regulatory bureaucracy. He said they
9 were there because they sensed some of the members of the Planning Commission had lost sight
10 of what it meant to be a public servant. He said it was important, especially if the taxpayer was
11 demanding clarity and transparency of bureaucracy, they were obligated to meet that demand. He
12 said they had lost the public's trust and asked them to seek remedy of their fellow citizens. He
13 said they wanted to help and were there because they had asked for public input and help. He
14 suggested they offer help in the form of workshops utilizing simulations to prove to them and the
15 DRB they could produce a navigable and functional document that would work for all of
16 Chester's residents. He said they were there because some of the members who agreed with him
17 were held back by those who needed to hear what he had to say. He ended by saying they could
18 be there for as many nights as it took.

19 There were no other citizens comments.

20 **Agenda Item 3, Report from Julie Hance on Municipal Grant Process**

21 6:43 P.M. (18:48) Julie Hance informed the Planning Commission that she would apply, in
22 November, for a municipal planning grant for a housing study to be conducted in Chester. The
23 state has been pushing housing studies due to the anticipated housing crisis. The report generated
24 by the study would come back to the Planning Commission indicating what were determined as
25 the housing needs and would include not only affordable housing, but housing in general. The
26 Commission would use the document during the next round of town-planned upgrades. The town
27 plan may require provisions depending on what type of housing is determined as a need. Nothing
28 was required from the Commission, at this point, unless they wanted to be involved.

29 Julie suggested waiting until the report came back to discuss planning so there wasn't a wasted
30 effort. The state will give guidance on what they're looking for; and Julie will update the
31 Commission as it progresses.

32 Cathy referred to the Better Places document ensuring that the bylaws would support different
33 types of housing. It is important not over imposing standards, like too much parking. They are
34 looking at reviewing the adopted bylaws for compliance with suggestions from the Better Places
35 document. Cathy said the adopted bylaws were looking pretty good; but the proposed bylaws
36 needed work. In 2022, there will be funds but it is too far out to know what Chester may qualify
37 for. Julie agreed and said the housing study was necessary to identify Chester's needs first.

38 Barre told Julie he was glad she was there and said he was confused about the inertia put behind
39 the concept of needing affordable housing. He wondered how money would get disbursed and
40 why. He thought the cost of affordable housing was often supported by non-profits and other
41 entities and had wondered where the direction from the Chair was coming from. He felt Julie
42 answered that. He wanted to go on the record saying it was important the board has clear
43 direction where it is going; and any information received should be clearly written and stated in

1 public comments so they know what they're doing.

2 Hugh asked Julie what the timeframe was for the housing study. She said the municipal planning
3 grant was due November 1st and would be awarded in January, and anticipated having a grant
4 agreement in February or March. Therefore, it would be a 2022 Spring/Summer project.

5 Barre asked what grant was used to hire Brandi to help with the bylaws. Julie said it was a
6 municipal planning grant. Barre asked what the impetus was. Julie said the grant was open every
7 year and the primary purpose was to help towns in planning efforts back when they were starting
8 to make modifications to bylaws. Julie explained they had conducted a zoning audit to identify
9 areas that needed modification. From that, they were able to write the planning grant to get a
10 consultant to help with areas that needed change. Barre suggested a review so they could
11 determine if they had achieved their goals or if it had been a failure. He wasn't saying it wasn't
12 worth doing but wanted a bigger picture. Cathy said she would check with Julie on Monday to
13 see what they needed to conduct a review. Julie said she thought it would be helpful to clarify
14 what the initial objective was. She was hearing from other meetings that what the Planning
15 Commission felt it needed to do and what it was asked to do were not the same thing.

16 Tim asked for clarification about monies related to affordable housing coming from the grant
17 that hasn't been applied for yet and not from ARPA funds. The grant is not connected to ARPA
18 funds but was a municipal planning grant funded through ACCD every year.

19 There was then discussion regarding \$200 million in ARPA money that Vermont would receive
20 to be used for housing projects. It was emphasized that Chester should be ready, as a large pot of
21 ARPA money is coming to the state for housing and development projects and is anticipated in
22 2022. The housing study will: help Chester identify whether the municipality has any projects it
23 wants to do; and help Chester get ready if developers want to come in and develop. The
24 possibility of converting some bigger homes, with one occupant, on Main Street to multiple
25 apartments, thereby creating affordable housing in downtown was mentioned. With potential
26 uses for the ARPA funds, Chester needs to be ready. It will enable developers or citizens and
27 residents of Chester to take advantage by having the housing study for support. \$200 million is
28 coming to Vermont which has to be used for housing projects.

29 It was discussed that Chester's \$900,000 could be used for water and sewer upgrades but Julie
30 pointed out the state would also allot money for that. She would like to get all available money
31 from the state before spending Chester's money. The Select Board will hold a public meeting
32 closer to the end of the year to get input from the community on how to spend the \$900,000.

33 Barre asked Julie what she thought the study would entail. He was concerned about beautiful
34 places inhabited by renters, like in New Bedford, Mass. or Troy, NY and then becoming
35 dilapidated because they were not maintained by the owner. Julie said she writes the scope of
36 work and if there was something specific they wanted from the study, she would include it in the
37 scope. Barre wanted to see results from other areas to help quell fears. Julie said it wasn't just
38 apartments or houses, but did they have places for young families to live and the infrastructure to
39 support that. It will feed the marketing plan.

40 **Agenda Item 4, Report from Jeff Holden**

41 7:05 P.M. (41:15 on recording) Jeff Holden, Water/Wastewater Superintendent presented
42 information to the Commission and answered questions. The primary goal is to maintain a good
43 water system and not overtax it. The current infrastructure won't handle more big businesses like

1 Drew's. Drew's has been a huge asset by employing a lot of people but has also been taxing on
2 the systems. Chester has been trying to get a secondary well installed to have redundancy and
3 backup. The system has a good aquifer so chlorination of the water isn't required; they only have
4 to add soda ash to adjust the pH. The primary well should have full service every 5 to 8 years.
5 Service will require it being out of commission for 5 to 8 days.

6 Drew's has been working with Jeff to try to do things correctly while increasing their production.
7 They will be installing a chiller which will allow them to recycle the water they use. It will save
8 them and the town 20,000 to 30,000 gallons of water a day. It is an investment in future
9 businesses coming to town.

10 Gold River Industrial Park was discussed. They have subdivided and plan on installing a new
11 water main and plan on extending the water main with a loop system; and also extend the
12 wastewater. Currently there is a single pump station which requires upgrading. He said all his
13 pump stations have at least 2 pumps so if one fails, they continue to operate. He said once Gold
14 River upgrades, the town will take it over but currently Gold River has to maintain it.

15 There was discussion about the sewer going the full length of Pleasant Street and Elm Street not
16 having any sewer on the lower end. The 1968/69 map is missing the section on Pleasant Street
17 and the extension south to Drew's and Green Mt. High School. There is a septic system at
18 Benny's and the sewer runs to Baba Louis' old bakery. Some people on Church Street would like
19 to see town wastewater over there because it only goes to the top of the hill.

20 There was discussion about water and sewer residential use compared to factory use. It was
21 mentioned in the past a town manager had wanted to sell bottled water but decided against it
22 because it would be taking away from rest of system residents and businesses in town.

23 It was discussed that certain types of businesses would be helpful to the area, but businesses that
24 require a lot of water would not under the current setup. When a business asks to be part of
25 Chester, approval is required that Chester can handle their wastewater and water usage. Several
26 breweries have expressed interest in establishing in Chester but under current conditions, Chester
27 could probably handle the water usage, but it is the high strength BODs that Chester's little plant
28 cannot handle at this time. They are looking at another upgrade within the next 6 years or so. It is
29 anticipated the state will require a phosphorous removal system in place to keep the phosphates
30 down in the future. Currently, there are 590 services or meters in place which includes apartment
31 houses. There is one service or meter per apartment house.

32 Today, the water system puts out about 200,000 gallons per day pumping 8 to 9 hours per day.
33 The pump is 75 horsepower. They still need to supply residences and businesses and maintain an
34 emergency source for fires, so one-third of the capacity needs to be set aside for emergency
35 situations like a big fire. The limitation is the aquifer and not so much the system. Given the
36 current usage with 2 tanks, they would be unable to have one down because it wouldn't last the 5
37 days needed for service to be completed, bearing no unforeseen issues. The possibility of asking
38 residents to conserve water, as well as the carwash was discussed.

39 The plan to get a secondary well was discussed. A survey was conducted 4 years ago before the
40 new water main and backup tank project. They tested 11 different places in the system and failed
41 to meet fire flows in 9 of them. After the large main was installed, all the fire flows were handled
42 with no problems. Jeff has been working on getting the back-up well for 5 years and has slowly
43 been making headway. They plan to test the Canal Street well. They would like to put the second

1 well in the same aquifer. The capacity of the system needs to be able to handle growth in the
2 town. Although there is plenty of water for residences and small businesses, there is not enough
3 to support a large manufacturer, currently, without stressing the aquifer.

4 The discharge permit for the wastewater plant is 175,000 gallons a day but when there is a lot of
5 rain, it goes over. The flood discharge permit is 500,000 gallons a day.

6 Approximately 20 or 30 consumers are on town water but don't use the wastewater. The other
7 side of Church St. has 10 or 12 residences that have town water but no wastewater.

8 Jeff said there has been discussion for about 10 years regarding the town separating stormwater
9 from sewage. Engineers have mapped out how to do ground water separation.

10 The issue of addressing sump pump drainage and where it should go was discussed. Federal laws
11 prohibit mixing groundwater with wastewater systems.

12 If the drinking water output was increased to 290,000 gallons per day, to handle new growth, it
13 would be necessary to upgrade to handle the increase in wastewater. The bond for the last
14 upgrade is expected to be paid off in 5 or 6 years. The state has new mandates which require new
15 upgrades.

16 If families are drawn to Chester, the small businesses will survive but the Planning Commission
17 needs to figure out what small business are. Breweries, on the other hand, could create a problem
18 given the current system. They will require a pretreatment and those plants don't always work
19 right. If they don't work right, then it comes down to the plant and will be Chester's
20 responsibility to take care of. Chester cannot discharge it to the river. The BODs and the
21 microorganisms that will be discharged from the breweries are 150 times more than what is
22 currently permitted. Almost all breweries are required to have pretreatment.

23 There was discussion about the possibility of a cider brewery on Church Street, which isn't as
24 taxing as a regular brewery. Discussion led to how other towns handle breweries. Jeff said they
25 may have their own pretreatment systems and often ship out their waste in tractor trailers.
26 Drew's has sent their waste out when necessary to avoid having problems. It is trucked to a city
27 sewer plant and oftentimes dewatered and burned, depending on what it is.

28 Jeff said he is against having breweries in Chester, only because of the problems they create. The
29 town has a very good working relationship with Drew's and the current management is working
30 well. At some point, Drew's would like to increase their production.

31 Jeff said converting large homes to apartments would not present any challenges, as household
32 waste is the easiest to treat. The industrial waste is what creates an issue. He said there are many
33 service stubs already in existence making it easier to add service. There was discussion about
34 mapping out where the service stubs are.

35 Barre asked if industry was possible across from behind Benny's and Jeff indicated it is in a
36 flood plain so it wasn't. Flood plains hamper a lot of the area from being developed.

37 **Agenda Item 5, Report by the Bylaw Subcommittee**

38 7:47 P.M. (1:23 recording) There was discussion about Hugh's suggestion to name the
39 subcommittee the Proposed Bylaw Review Subcommittee. Tim thought it was important the
40 name tell the story of what the request of the subcommittee is. Tim moved to name it Proposed
41 Bylaw Review Subcommittee and Barre seconded. The motion was approved unanimously.

1 Cathy said she discussed with Jason Rasmussen zoning in the Village 12 District. Everyone
2 understood there will be stores and restaurants, so a public hearing is not necessary to have a new
3 store going in. It could be accomplished with a site plan review with the Zoning Administrator.
4 Jason is looking at making the site plan review process, major versus minor, less confusing. He
5 is also trying to simplify the formatting of the document. Kennedy Moran, a summer intern, is
6 assisting with that. The subcommittee will meet Wednesday, August 11th.

7 Tim requested that before the subcommittee meeting minutes were finalized, that Jason and
8 Preston were not listed as subcommittee members.

9 After much discussion, it was decided the subcommittee should come up with a list of things that
10 were problematic to the proposed bylaws and then propose potential solutions which would
11 come to the full Planning Commission for a vote. Tim wanted the subcommittee to come back
12 with recommendations the full commission for discussion, authorization, and approval.

13 Tim was under the impression the subcommittee had decided to come back with a whole new set
14 of bylaws. Peter said that would be a much bigger process than they were able to do. It was
15 mentioned that Jason is trying to find an example of site plan review from another town so the
16 subcommittee can bring it back to the Planning Commission.

17 Preston recalled that Barre had been tired of dealing with hypotheticals and wanted to put
18 something in writing.

19 Tim felt like they were finding some common ground to move forward. The subcommittee is not
20 to rewriting a whole set of bylaws.

21 Barre mentioned several people, including Cathy, Michael, Claudia, Cheryl Joy, Barre, Brandi,
22 and Naomi went through a process and created a document (the proposed bylaws). He wanted a
23 clear answer as to what was wrong with it. As a group, Barre said they need to start presenting
24 that they are working together to accomplish something good for the town and have confidence
25 from the community.

26 The possibility of businesses not being compliant under the new bylaws was discussed and
27 whether grandfathering them in was a good strategy or not. There was no decision made about
28 that.

29 It was decided the subcommittee will look at the site plan review process and if changes are
30 needed, they will come back to the Planning Commission with their recommendations. Once the
31 Village Center is completed, they will move on to the next district.

32 Tim acknowledged they were all doing a lot of work and it hadn't been easy and hoped it was the
33 beginning of a more functional Planning Commission.

34 **Agenda Item 6, Discuss Agenda and Set Date for Next Meeting**

35 8:14 P.M. (1:51 on recording) Cathy and Preston discussed a suggestion by DRB member, Scott
36 MacDonald, and Select Board member, Lee Gustafson, that the Planning Commission, the DRB
37 and any number of members of the Select Board meet together.

38 Peter said in the past, the DRB had attended Planning Commission meetings in the audience, and
39 it was helpful. He liked the idea. Cathy agreed. Hugh wondered what the goal of a meeting like
40 that would be. Barre suggested as an agenda item for all the boards for their next meetings they
41 would come up with questions for each of the other boards. Tim said the Planning Commission

1 and the DRB had spoken in the past. He wondered if the DRB position on bylaws had changed
2 since the last time questions were asked.

3 Cathy said the nature of group is quite different now that Carla, who was a pillar, is not part of it.
4 Tim asked if their struggles were different; Cathy said they were. Carla was so well organized
5 and had thought out things so carefully there wasn't much discussion in the DRB meetings. Peter
6 suggested to not make the proposed multi-committee meeting a Planning Board meeting. Hugh
7 was in favor of a meeting, if there was structure. Tim doubted 15 opinionated members could
8 accomplish things in an hour.

9 Cathy said one of primary jobs of the Planning Commission was to listen. She would like
10 Preston to give monthly reports on permits issued, hearings, and other activity so the Planning
11 Commission has a better idea of what's going on in town.

12 Barre wanted to hear the Select Board's perspective. He preferred meeting in person versus
13 communication via email and text. That gives him an opportunity to hear what people have to
14 say.

15 Tim said when first appointed to the Planning Commission, members of the DRB came in and
16 Carla outlined what the DRB would like to see come out of revisions to the bylaws. Tim
17 suggested inviting the Chair of the DRB, Bob Greenfield, to come and outline what they see as
18 the biggest challenges facing the DRB that could be impacted by the work done by the Planning
19 Commission. Tim recalled previously the Select Board did not want to meet with the Planning
20 Commission. He suggested reaching out to the Select Board for their thoughts. He thought one
21 person from each of those boards meeting would be better. Barre said he didn't see a problem.

22 Cathy asked the Commission to spend the next two weeks thinking about communicating with
23 the other boards and to bring their ideas to the next meeting. If she received proposals by the
24 following Tuesday, she could include them in the packet before the next meeting on August 16th.

25 Cathy distributed a list of possible topics for the next meeting. She suggested they review the
26 adopted bylaws for compliance with the Better Places document at the next meeting. Another
27 possible topic was to review all the changes made to the proposed bylaws from June 2019
28 forward. They had eventually been added to the proposed bylaw document but had not been
29 reviewed. Tim said he thought it may be premature to take limited time and review the entirety
30 of the proposed bylaws before the subcommittee came back with recommendations. Cathy
31 agreed.

32 Cathy also noted issues Naomi had put before the Commission that were far from being in the
33 proposed bylaws but were something they should address at some point.

34 Cathy pointed out if it took a while for the subcommittee to come up with a prototype of the
35 Village Green and discussion, they may not need to meet, unless someone had urgent business.

36 Peter said Jeff's sewer map would aid them in the process. Barre said it sounded like Jeff had
37 what they needed on the computer and if Gabe and Jeff could get together, it would be helpful.

38 Barre believes the duty of the Planning Commission in addition to bylaws, helping neighbors be
39 neighbors, ensuring people's rights aren't infringed upon and planning with the direction of the
40 community where they're going. He would like to see more cultural things in town, as some
41 people have expressed to him. He would like them to work on a vision for the town, along with
42 the town plan to include more small businesses and people and help make that happen.

1 Tim said they don't need to work on town plan.
2 Cathy said it was not due for 8 years but that doesn't stop them from working on it.
3 Peter said the housing piece had 20-year-old data and was probably no longer relevant. There
4 was discussion that the demographics had likely changed since the data was provided. Cathy said
5 the information would come from the municipal housing study and they would receive that next
6 year. Barre said the plan could give them a nice vision and could be interesting.
7 Tim asked how the village master plan played into it. Cathy said she would locate it.
8 Barre said Chester lacks a place to gather and a cultural center and would like to spend time
9 including those assets in Chester which would be inviting to more young people and encourage
10 them to move here. He felt it was part of the Planning Commission's job to set a vision for the
11 future that is sustainable and interesting.
12 Cathy referred to Chapter 4 of the Town Plan that talked about cultural resources and historic
13 buildings. When the Police Department leaves the Town Hall, it will permit the Zoning Office to
14 be used for a meeting room and free up the auditorium for cultural events. Discussion followed
15 about culture that has happened in the past and is currently happening, as well as other areas.
16 Tim made a motion to adjourn the meeting and Peter seconded it. The meeting was adjourned at
17 8:41 p.m.