

TOWN OF CHESTER
DEVELOPMENT REVIEW BOARD
DRAFT MINUTES

February 13, 2023

BOARD MEMBERS PRESENT: Harry Goodell, Phil Perlah, Scott MacDonald, Bob Greenfield and Gary Coger at the Town Hall

STAFF PRESENT: Cathy Hasbrouck, Recording Secretary and Preston Bristow Zoning Administrator at the Town Hall

CITIZENS PRESENT: Donald and Stephanie Payne, James Roper, Samantha Martino, Tim Roper, D. Charlea Baker, Michael Brownstein, Charlie Record, and Tonia Fleming.

Call to Order

Bob Greenfield called the meeting to order at 6:01 PM. The group recited the Pledge of Allegiance. Bob introduced the members of the Development Review Board and staff.

Agenda Item 1 Review draft minutes from the January 9, 2023 meeting.

The Board considered the minutes from January 9, 2023. Harry Goodell moved to accept the minutes as written. Gary Coger seconded the motion. There was no discussion. A vote was taken and the minutes were accepted as written.

Agenda Item 3 Subdivision Hearing #587 for 397 River Street, Donald and Stephanie Payne

Bob Greenfield asked if any member of the Development Review Board had any conflict of interest to report. None did. He asked if any member had had any ex-parte communication on these matters. None had. He swore in Donald and Stephanie Payne, James Roper and Samantha Martino to give testimony.

Bob Greenfield, realizing he had not asked for citizen comments, asked if anyone in the audience wanted to discuss anything other than the subdivision hearing. None did.

He then accepted the documents offered as exhibits.

The first document was a Town of Chester Notice of Public Hearing for a Subdivision Permit dated January 19, 2023. Harry Goodell moved to accept the Notice as Exhibit A. Gary Coger seconded the motion. A vote was taken and the Notice was accepted as Exhibit A.

The second document was a Town of Chester Development Review Board Application for a Subdivision. It was dated January 12, 2023. Harry Goodell moved to accept the application as Exhibit B. Gary Coger seconded the motion. A vote was taken and the application was accepted as Exhibit B.

The third exhibit was a portion of the tax map depicting the parcel in question and its abutters. Harry Goodell moved to accept the portion of the tax map as Exhibit C. Gary Coger seconded the motion. A vote was taken and the map was accepted as Exhibit C.

The fourth exhibit was a list of the names and addresses of abutting landowner who were mailed a Notice of Hearing on 1/24/23. Harry Goodell moved to accept the List of Abutters as Exhibit D. Gary Coger seconded the motion. A vote was taken and the list was accepted as Exhibit D.

Bob Greenfield asked James Roper to explain the reasons for the subdivision. James Roper said he and Samantha Martino wanted to buy some land from the Paynes to get more room away from the street for their child to play. They also wanted to have a garden and to prevent further development on the hillside. Bob Greenfield added that financial considerations prevented this action from being a simple boundary adjustment was.

Phil Perlah pointed out that the large map of the subdivision was not entered as an exhibit. Bob Greenfield did so, introducing the map as Exhibit E. Harry Goodell moved to accept the map as Exhibit E. Gary Coger seconded the motion. A vote was taken and the map was accepted as Exhibit E.

Bob Greenfield then addressed the requirements for the plat in Section 4.12

He noted that the application was received and the fee was paid as required in Section 4.12(A)

He then turned to section 4.12(F).

F. Required Submissions

- 1. Preliminary Plat.** The Preliminary Subdivision Plat shall consist of a pdf copy as well as seven (7) copies of one or more maps or drawings which may be printed or reproduced on paper with all dimensions shown in feet or decimals of a foot, drawn to a scale or not more than one hundred (100) feet or more to the inch, showing or accompanied by information on the following points unless waived by the Development Review Board:

- a.** Proposed subdivision name or identifying title and the name of the Town.

This was found in the lower right corner of the map.

- b.** Name and address of record owner, subdivider, and designer of Preliminary Plat.

This was also found in the lower right corner of the map in the title block. Harry Goodell did not see the address of the parcel to be subdivided in the title block.

- c.** Number of acres within the proposed subdivision, location of property lines, existing easements, buildings, water courses, and other essential existing physical features.

Harry Goodell did not see the total acres before subdivision. Phil Perlah pointed it out at the top of the map.

- d.** The names of owners of record of adjacent acreage.

All abutters appeared to have been listed.

- e.** The provisions of the zoning standards applicable to the area to be subdivided and any zoning district boundaries affecting the tract.

Bob Greenfield pointed out the dimensional standards for the R-20 district on right side of the map.

- f.** The location and size of any existing sewer and water mains, culverts, and drains on the property to be subdivided.

Bob said there were none.

- g.** The width and location of any existing roads within the area to be subdivided and the width, location, grades, and road profiles of all roads or other public ways proposed by the Subdivider.

Harry Goodell asked if Putnam Hill Road was a town road. Preston Bristow said it was. Harry Goodell asked that the town road number be added to the section of Putnam Hill Road shown.

- h.** Contour lines at intervals of five (5) feet of existing grades and of proposed finished grades where change of existing ground elevation will be five (5) feet or more.

There were contour lines at 10-foot intervals. The applicant asked that the 5-foot requirement be waived. Harry Goodell moved to accept the 10-foot interval and waive the 5-foot requirement. Gary Coger seconded the motion. A vote was taken and the 5-foot interval requirement was waived.

- i.** Date, true north point, and scale.

All these items were located on the plat.

- j.** Deed description and map of survey of tract boundary made and certified by a licensed land surveyor tied into established reference points, if available.

Harry Goodell said the information is found on the map. He said the only question was about the boundary line between the land of Nigel Conroy and Rosamund Pike and that of Donald and Stephanie Payne. The boundary has a note saying it is subject to a boundary line agreement. Harry asked Donald Payne if there was a chance the issue be resolved. Stephanie Payne said the Conroys did not seem concerned about resolving the issue. Donald Payne clarified that the Paynes only needed to obtain a document showing agreement on a boundary line for the two parties. Preston Bristow agreed to negotiate the unsettled boundary issue with Gary Rapanotti, the surveyor, so the Board members could be certain of what they are approving. Scott MacDonald asked if the boundary line change would affect the acreage of the lot. Harry Goodell confirmed that it would. It was agreed that Preston would check the acreage on the map after the boundary line is decided. It was also thought that no additional hearing would be required to accept the proposed boundary adjustment between Conroy and Pike and Donald and Stephanie Payne. If the parties agreed to the current position of the line on the map, the note could be removed from the map.

- k.** Location of connection with existing water supply or alternative means of providing water supply to the proposed subdivision.

The Board decided there was no water supply on the map. The Development rights for Lot 2 on the map have been waived. Bob Greenfield read the paragraph waiving the development rights of Lot 2 aloud to make it part of the record.

- l.** Location of connection with existing sanitary sewage system or alternative means of treatment and disposal proposed.

There was no existing sanitary sewer system on the map.

- m.** Provisions for collecting and discharging storm drainage, in the form of drainage plan.

Bob Greenfield said this was also not applicable. Harry Goodell asked where the small stream shown on the map went after it left the Payne property. He asked if it

crossed River Street. He felt the path of the stream and the size of the culvert under River Street should be shown. Phil Perlah pointed out that the portion of the stream in question was not part of the property being subdivided. Harry Goodell said now is the time to record the size of the culvert. Scott MacDonald asked why a feature on the Baker and Waldron properties needed to be included in this map of the Payne and Roper-Martino properties. Tim Roper asked if the Town of Chester had a record of the location and size of the culvert. Harry Goodell said they did.

- n. Preliminary designs of any bridges or culverts which may be required.

No culverts or bridges will be required.

- o. The proposed lots with surveyed dimensions, certified by a licensed land surveyor, numbered and showing suggested building locations.

Bob Greenfield said there were no building locations because the subdivided parcel was not going to be developed.

- p. The location of temporary markers adequate to enable the Development Review Board to locate readily and appraise the basic layout of the field. Unless an existing road intersection is shown, the distance along a road from one corner of the property to the nearest existing road intersection shall be shown.

Cathy Hasbrouck pointed out that a street intersection between Mill Street and River Street was pictured on the plat and asked if that would meet the requirement. Harry Goodell said normally the distance along the road to the nearest intersection was included on a plat regardless of whether an intersection was shown. Deborah Baker said the street shown as Mill Street on the map was now known as Waldo Street. She said she was told that an ancient road followed Mill Street, continued across River Street, onto her property and up the hill. She said the plat showed the end of Mill Street in the wrong place. Bob Greenfield said when the distance to the next intersection was added to the plat, the placement of Mill/Waldo Street would be verified.

- q. Locations of all parcels of land proposed to be dedicated to public use and the conditions of such dedication.

Bob Greenfield said there were no parcels dedicated to public use.

- r. Names identifying roads and streets; locations of street name signs and description of design of street name signs.

No new roads needing street signs are being created.

- s. The Preliminary Plat shall be accompanied by:

1. A vicinity map drawn at the scale of not over four hundred (400) to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area. The vicinity map shall show all the area within two thousand (2,000) feet of any property line of the proposed subdivision or any smaller area between the tract and all surrounding existing roads, provided any part of such a road used as part of the perimeter for the vicinity map is at least five hundred (500) feet from any boundary of the proposed subdivision.

Bob Greenfield pointed out the vicinity map in the upper right corner of the map. It was noted that the vicinity map did not have a scale.

2. A list or verification of the applications for all required State permits applied for by the Sub-divider. Approval of the subdivision application by the Development Review Board may be conditioned upon receipt of these permits.

No permits have been applied for as Lot 2 will not be developed.

- t. Endorsement. Every Plat filed with the Town Clerk shall carry the following endorsement:

"Approved by the Development Review Board of the Town of Chester, Vermont as per findings of fact, dated ____ day of _____, ____ subject to all requirements and conditions of said findings.

Signed this ____ day of _____, _____ by

_____, Development Review Board"

Bob Greenfield pointed out the endorsement block in the center of the right side of the map.

Phil Perlah pointed out that a date in Note 4 was incomplete. Bob Greenfield said it would be corrected.

Harry Goodell said he felt that all the information needed to close the meeting had been obtained. He suggested that Preston Bristow would review the corrected plat and forward it to the Board for their signature. A second hearing would not be needed.

There were no questions from the audience or the board members. Harry Goodell moved to close the hearing. Gary Coger seconded the motion. The hearing was closed.

Donald Payne asked if a list of the corrections could be sent to him. Preston Bristow said he had been keeping a list of corrections and would send it to Donald. Members of the audience discussed the logistics of possibly developing the subdivided parcel: what permits would be required, whether an additional DRB hearing would be needed, how the adjoining neighbors would know if a building were to be erected on the parcel.

Agenda Item 5 Deliberative Session to review previous or current matters

All other agenda items being complete, the meeting went into deliberative session and was adjourned at the end of it.