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**TOWN OF CHESTER
PLANNING COMMISSION
February 5, 2024 Minutes**

Commission Members Present: Cathy Hasbrouck, Hugh Quinn, Tim Roper, and Barre Pinske at Town Hall.

Staff Present: Preston Bristow, Zoning Administrator/Town Planner, at Town Hall; Susan Bailey, Recording Secretary, via Zoom.

Citizens Present: Peter Hudkins and Jason Rasmussen, of MARC, at Town Hall; and Steve Mancuso and Joy Slaughter on Zoom.

Call to Order

Chair Hugh Quinn called the meeting to order at 6:33 p.m. and expected that Barre would join them soon.

Agenda Item 1, Review and Approve Minutes from January 8, 2024, meeting

Tim moved and Cathy seconded a motion to review and approve the January 8, 2024, minutes. Tim noted page 4 beginning on line 26 should have read “rather than minimum lot sizes.” Hugh agreed. Tim said page 5 line 38 should have read “Route 11 West” if nobody objected. There were no objections. The motion carried and the minutes were approved, as amended.

Agenda Item 2, Citizen Comments

(Barre joined the meeting during Steve’s comment.)

Steve Mancuso understood there was funding for developmental studies for housing by the old high school and they were state sponsored studies. It was a negative growth state, and this was the state’s response to the housing crisis. He said he knew the Planning Commission had tried to study Chester’s infrastructure. Whatever development happens in Chester, whether legacy, adaptive, mixed-use, or whatever, it always falls back on the infrastructure, and nobody would come to Chester to develop anything unless there was adequate infrastructure, such as water, roads, bridges, and even the internet, so Steve was curious and wondered if part of the studies would focus on infrastructure. Steve wondered how the infrastructure was faring and if the reports would be made public. Hugh thought the work would be driven by the housing commission at this point and was aware of the funding and the project and thought it was another good place to keep in touch with that body of work. Hugh thought it was a good comment to remind them of the infrastructure needs that would be obvious to make any substantial improvements.

Agenda Item 3, Continue discussion on Rural district map and UDB updates.

Hugh said they had an initial meeting with planning and brainstorming and Jason had listened and as a result, was taking a stab at some potential map changes as well as some changes to the

1 language for what they are calling the rural districts.

2
3 Jason said Cathy had pointed out there was a mistake on the map. Jason noted that where it said
4 Residential 3 on the map, it should say Residential 2. Jason said there was draft language and a
5 table that included a summary of uses. They took the remainder of the Residential 40 District,
6 which was roughly 1 acre lots and renamed it Residential 2. It wasn't a concentric circle but a
7 concentric area surrounding the neighborhood and other parts of the village. It would be an outer
8 ring and denser for housing, but generally relied on onsite water and sewer. He was discussing it
9 as a 2-acre district. Preston and Jason looked at the Mixed-Use District and looked at Adaptive 3
10 in more detail. They sketched out what would be a mixed-use district on the south end of Route
11 103. They thought that area and Gassetts may be mixed-use districts in feel but not in land use and
12 dimensional standards and thought it would be a different class like Stone Village and have mixed
13 use for water and sewer. They looked at what is currently Residential 120 and called it Rural 5 and
14 sketched it out differently on the map. What is currently called the Conservation/Residential
15 District, they are now calling Rural 8. They had looked at the larger forest lot maps and wildlife
16 maps and Jason sketched out a larger part of town. There are two spots in town called the Forest
17 District which are unchanged except what he may be calling Conservation. Cathy asked if they
18 ever came up with a reason for changing the minimum lot sizes and rearranging the rural districts.
19 Jason said they began with the infrastructure piece in the Village and vastly increased the density
20 amounts allowed there. When there is on-site water and sewer, there are generally bigger lots and
21 they thought the further out you go, the larger the lot sizes or the lower the density should be. They
22 started initially discussing Residential 1 and Rural 3. Tim liked the illustration showing the
23 difference between minimum lot size and density and asked if the rural district would be either a
24 minimum lot size of 5 acres or a density that aligns with it. Jason said what he was calling
25 Residential 2 was strictly a minimum lot size situation. When they got to the rural districts, Rural
26 5 and Rural 8, he thought minimum lot size went away and was only density standard in those two
27 rural districts. His thought process was it provides more flexibility so someone out there with a
28 10-acre lot may become a Rural 5 District and could make 2 different lots, but it still maintains the
29 overall rural density. Tim asked if a landowner would have a choice of how to divide their lot and
30 Jason said as currently written, they would. Tim liked that. Hugh said density-based zoning would
31 prevent what they call rural sprawl with a ton of 5 acre lots with one house on them. Moving out
32 of Residential 2 into 5 and 8, it provides flexibility to create a compact development if there's
33 enough open space around it and one of the reasons that they started to lean that way.

34
35 Peter Hudkins said as they do that, they would be going down to 1-acre where you needed to make
36 your own sewer and water and it didn't make sense to him because on a 1-acre parcel, they are
37 saying they don't have enough room for water and sewer, so now they would have sewer on
38 another piece of property with an easement and that never goes well. The rule of thumb was 3
39 acres for water and sewer, and he thought getting it on 1-acre was a big stretch. With respect
40 to the map, Peter said Gassetts is usually farther up to where the gas station is and has been industrial
41 since the beginning of flagsmithing and thought it should stay that way. Jason said nothing was
42 written in stone and it was to just get thoughts out. Jason said there was flexibility for lot sizes and
43 could be what the owner wanted but they would still need water and wastewater permits and could
44 make things work and there still needed to be septic easements on someone else's land, but a 1-
45 acre lot was too small. Barre said when he was on Cape Cod, they had municipal water, but
46 everyone had a septic. As Barre goes through the rural areas that are more like neighborhood, he

1 isn't thinking of the lots as a full acre and wondered if they were in most places. He didn't want to
2 question Peter's logic but wondered what had been done. Barre asked what was normal. Barre
3 wondered what they had going on in Killington and if they had water and sewer through there.
4 Preston said Killington had water and sewer, but it was a patchwork of water and sewer including
5 the ski area, the town, and a fire district, but they wish they had more. There are people outside
6 the bounds who want to build things. Barre asked if he knew as a town planner, what was normal
7 and needed for water and sewer. Preston thought Peter was right and if a mound wasn't needed, it
8 could go on a small area but most of Chester isn't like that. Hugh wondered if the notion of
9 community well and septic was something people discuss but don't do and if it was viable. Jason
10 said some people do it and a subdivision may have a septic or water system that serves the entire
11 subdivision but comes with extra stuff and a lot of developers don't want that. Barre said one of
12 his art collectors lived in a place like that in Ludlow where the houses are on the outside of the
13 circle and share water and sewer. Barre noted a lot of people had shared driveways. It would have
14 to be part of the development plans for community water and sewer by the person who subdivided.
15 Preston thought for many small communities, it was too expensive to put in a sewer plant, but the
16 state is pushing neighborhood water and sewer. A typical house is 3-bedroom and a system that
17 can handle 20 or more bedrooms would be a serious septic system. Hugh was hearing it was doable
18 but not practical, and someone must manage a homeowner's association and figure out how to deal
19 with it when something needs to be done. Preston said it was raising a lot of questions he could
20 investigate. Preston said when a system is a certain size even if it's privately owned, it's considered
21 a public system. Barre said the reality is the plan as it's drawn up could work and is about flexibility
22 and to keep as much open space as possible. Preston said it made more sense from a wildlife and
23 forestry point of view to have smaller house lots. Jason heard from Peter that maybe the example
24 drawn wasn't great because it was showing 1 acre lots that maybe should be 2 or 3 acres. Jason
25 said the lot size could be as small as possible based on water and sewer, or they could say they
26 have flexibility but there would be a minimum size. Barre said if it was a collective thing, he
27 wondered if they would want houses closer together if they were going to have shared water and
28 sewer. Barre thought the number of places on a property was more important rather than lot size
29 and Jason agreed. Barre thought if they had water and sewer and were willing to pay to do it, the
30 point was to get as much space as possible and have the limit of the houses. Jason was struggling
31 with what the setbacks should be and how to set one standard that works for everything. Jason
32 wasn't sure he had found the answer yet. He said the UDB excerpts in the Rural 5 District. Hugh
33 said the logic behind R-5 and R-8 in terms of taking the density-based approach and it seemed like
34 it could be good and may not be practical in all cases and they would need to meet their water and
35 sewer requirements so a minimum lot size may be 2 acres, but it didn't seem like there was any
36 good reason not to do it. Before they moved into the language, they had discussed the notion of a
37 wildlife corridor and wondered if R-8 would move the needle in a positive way or if there was
38 some other rationale behind it. Jason said it wasn't perfect but thought it moved the needle in the
39 right direction. Jason mentioned on the map there were two larger wildlife tracks to the north and
40 south of town and a lot of remote larger lots on the west part of town and a lot of those same lots
41 were already in the current use for the Department of Forestry and suggested they encourage them
42 to stay as a working landscape. If they stay large, it enables forestry to happen and maybe farming
43 down the road. They're not preventing development from happening and hopefully there's still
44 intact habitat corridors that connect to the larger areas north and south of town. Jason thought it
45 was a step in the right direction from that vantage point. Tim thought that was a good approach
46 and for a future Planning Commission, if development happened, they may have to keep corridors

1 open for what's left at that point. Tim noted in January they had discussed trying to overlay a map
2 of current use properties over that and wondered if they had done that. Jason said they would, and
3 Tim thought it would help him and others to get a better understanding and hoped it would align
4 well. Hugh said they had mixed-use in Gassetts and 103 South but would do something showing
5 how mixed-use looked in the Village with public services and how mixed-use looked in the rural
6 areas because they were doing their own water and sewer and Jason agreed. Jason said mixed-use
7 in the Village, where there is water and sewer, had 1/5 of an acre minimum lot size. Mixed-use on
8 the outskirts, which is Adaptive 3, the minimum lot size was 3 acres. Jason said they could discuss
9 whether that was the right number but agreed with what Peter had stated earlier for on-site water
10 and sewer and would be a starting point for conversation.

11
12 Hugh wondered if the section of the map that included Marc Drive should be in Residential 2 or
13 become part of neighborhood and couldn't remember and wondered their thoughts about whether
14 it should be Neighborhood. Preston said it had been discussed a lot and because it didn't get put in
15 Neighborhood the last go around, he thought the consensus was that it wouldn't go in
16 Neighborhood. Preston didn't think it was likely to get public sewer. Cathy added it wasn't flat
17 and there were a lot of hills and valleys. Peter said Marc Drive is broken up on the minimum lot
18 and sewer sizes but on the other hand, the problem they were having is you didn't need a backup
19 sewer system, so each lot has a well and sewer on it. Sewer would be hard to get in there but not
20 water, as it goes by on Church Street. The lot sizes are 3 to 5 acres. Tim noted there were a couple
21 smaller ones, but most were 3 acres. Barre wanted to understand what an acre was so he could
22 have an opinion. Cathy said it was 43,565 square feet. Barre wanted to know what the dimensions
23 were if it was a square and Hugh offered 200 x 200. Jason thought 200 x 220 feet. Barre compared
24 it to the size of a football field and Hugh thought 70 yards and Barre thought that was big as a
25 football field was 50 x 100.

26
27 Peter said Gassetts was mixed-use but noted they had auto fuel on there and could see a gas station
28 there but not in a lot of the other areas that were mixed-use. Hugh asked if gas station was left
29 under mixed-use in the Village and Jason said it was conditional use. Barre said it was his idea to
30 have the red on the map different by the Sunoco and Jiffy Mart because of the gas station issue.
31 Barre said they didn't want it across from Town Hall and had thought about it when he was at the
32 Jiffy Mart because anytime a tractor trailer wants to stop for coffee, they park on the side of the
33 road, so, people are driving in the other lane. Barre thought it made sense not to allow a place like
34 that there because of that happening and thought it would have done better where the storage units
35 are because of the room provided for tractor trailers to pull in but was water under the bridge. Barre
36 said there was a place across from the Sunoco for parking where the Welcome to Chester sign is.
37 Hugh thought they would need to revisit the mixed-use uses as they move to rural areas because
38 they may have been focused on the Village areas when they first did it and if necessary, re-visit it
39 and Tim suggested they re-name it. Hugh agreed if there was such a huge use mismatch, they could
40 do that, and Barre agreed. That appealed to Preston by including it in the title.

41
42 Cathy said they would extend some kind of mixed use to Route 103 where Spauldings and Chat
43 and Chew used to be. Jason didn't think the Gassetts district went that far up. Peter said Spauldings
44 were spotted out. Jason said they may have mistakenly omitted one of them but the rest of them
45 were not there. Barre asked about the other side of the road if they were going to make it a business
46 area. Peter said what had been developed there had been broken up into lots. Tim confirmed where

1 the red on the map ended was the Cavendish Gulf Road. Peter pointed out where it flooded
2 including Spauldings and Kim's Car Care. Peter said it was all floodplain that flooded in Irene and
3 ice jams and a ledge that goes across the plain forces the water across the other side. Hugh
4 wondered about it a year ago if they would ever make floodplain or flood fringe in the rural districts
5 part of a variation of open space. Jason said although it wasn't on his radar, they could. Preston
6 said when they first discussed it, he had wanted to stick to other parts of town but now that they
7 were getting there, they could. Peter said there was another federal flood map coming out, so the
8 current flood map is way off, and they needed to wait until they got the new map. Preston agreed
9 and was told the designated floodplain was done by boots on the ground in 1975 and for Gassetts,
10 thought someone drew lines on a map in a basement in Texas and it wasn't accurate. Hugh
11 confirmed there was nothing other than the Spauldings Garage that they needed to consider, and
12 Barre asked if they had to do it or if it was a grandfathered use. Peter said there were a whole lot
13 of uses and they couldn't do, and it had been a restaurant and a gun shop and other commercial
14 uses. It couldn't be expanded because of the river and there were three commercial buildings and
15 two residences on it. Peter said if they decided to do this, it would eliminate all those uses. Peter
16 said it wasn't until 2014 that they put it back into a commercial area and before that it was only
17 holding on by a thread because it had been continually used and once the use went by, it was done.
18 Barre said if they decided not to include it in commercial use, it wouldn't hurt the Spauldings
19 because they could do what they were doing there until they decided to sell it. Peter said it would
20 hurt the Spauldings when they sold it if it was only a residential neighborhood and Hugh
21 questioned if legacy use would apply. Peter said they could to a certain extent. Tim said the use
22 wouldn't be able to be changed from the current one. Barre didn't want to do anything to create a
23 hardship for the Spauldings. Hugh recognized the current zoning map included that spot and was
24 part of the Gassetts Hamlet. Jason said they could put it back in as red and not purple. Tim asked
25 if they should also do that for Kim's Car Care and Peter noted it was in the flood zone and they
26 wouldn't be able to rebuild if it got flooded out. Barre asked if they could fill the floodplain in
27 there and Peter said no that it was frowned upon. Hugh didn't care what color they made it because
28 the flood overlay would drive the ability of what could or could not be done there.

29
30 Barre wondered if the current conservation area was advocated for by the owners and how it was
31 determined, and Tim pointed out that they were Town Forests. Jason agreed that the conservation
32 area was publicly owned land. Barre noted there was a difference between town owned land and
33 town owned forest. Preston said they didn't want to label the town owned land behind the high
34 school as conservation because they wanted to put housing on it. Hugh thought they were feeling
35 good about the maps and recommended they study the bylaw language as homework so they could
36 dive into it at the next meeting and determine if it made sense and give more thought to the Village
37 mixed-uses versus rural mixed-uses and how they would view setbacks in areas where they do
38 density-based zoning. Barre wondered if Jason saw different setbacks for different types of density
39 with respect to the larger land areas, so if the houses were closer, the setbacks would be less or if
40 he had one number for the whole thing and had everything apply to it. Peter thought the idea they
41 needed to consider was that they were dirt roads and if your house was close to one, the windows
42 aren't open, or the house is dusty, and they would want more than a 20-foot setback. Barre was
43 thinking not so much about the front and back setbacks but those between the buildings. Tim
44 wondered why the R-2 setbacks wouldn't work for everything in rural. Hugh said they might and
45 when they were doing the admin updates, they created a rule of thumb that setbacks were some
46 percentage of the lot size, so a more compact development in a rural area could have smaller

1 setbacks but a huge lot in a rural area would have a bigger setback and there would be a formula
2 to allow that. Tim said they were similar through all the rural districts now. They thanked Jason
3 for his work.
4

5 **Agenda Item 4, Review 1st draft of proposed UDB updates to allow LED signs.**
6

7 Preston said there was a booster group that wanted to raise money to erect an LED sign on the
8 front of the high school, which are common. A lot of towns in Vermont have adopted rules that
9 only permit school and municipal properties to have LED signs. Jason had some concern about the
10 legality, but a lot of communities do it. Preston said both Springfield and Burlington bylaws
11 address LEDs and Jason's document was based on Springfield's and Preston's was based on
12 Burlington's. They are similar and neither realized until this meeting that they had duplicated the
13 work, but now the Commission had the benefit of both options. The group probably won't have
14 the money raised for the sign for a year. Barre said he lived in a historic district in Cape Cod that
15 required board approval for painting his house and couldn't appreciate their rules but having
16 moved to Chester which he thought had gotten less charming since he moved here. He saw things
17 like this changing the charm which was part of what people liked about Vermont villages being
18 lost in time, which related to the inability to have different sorts of development unlike big modern
19 thriving cities. Chester is an interesting thriving town but the more character they lose, the more
20 charm they lack. Barre thought the sign would affect the charm and was horrified by the one in
21 Springfield and glad Chester didn't have one. Tim also doesn't like the sign in Springfield but the
22 fact it may not be legal to limit LED signs only to schools and municipal buildings, he wondered
23 if they would open a can of worms by allowing them and providing an opportunity for a business
24 to have one. Tim noticed that Sunoco had recently changed their sign but had previously had a
25 back lit sign and thought it may have been allowed as a legacy use. Preston said he had approved
26 the sign on that basis. Tim wondered if it was an LED sign and Preston said it was. Hugh didn't
27 have a strong position yet but could appreciate the ease of changing the message on the sign and
28 wondered what the objection was. Barre said displaying a price on a sign was one thing but a sign
29 that spins and twirls is different. Tim said that had been covered in A through O. Barre wasn't anti-
30 technology but thought they were bright and didn't like them and thought given social media,
31 weren't necessary, unless you weren't involved in social media. Barre thought it was a difficult
32 decision. Hugh agreed about the brightness and the ability to do animation and graphics so that it
33 didn't look old fashioned but wondered if they would be against one that looked old fashioned.
34 Barre said currently the school doesn't have one right now and they put things out when they have
35 a school play. A store that didn't have an antique sign could put one in a wheelbarrow and put it
36 out daily. Barre thought that living in a charming old-fashioned town to get away from the glitz
37 but suddenly there's something there like that, it wasn't appreciated. Hugh compared it to the
38 charm of the carwash and storage units. Barre recalled when he moved to Chester, there was a
39 white house on the corner where the Jiffy Mart is and no Dollar General, so the charm of the town
40 has shrunk to the Green and Stone Village and referred to his own property with chainsaw carvings
41 and junk in his yard and it wasn't as charming as it once was. Barre thought they needed to decide
42 if they were going to make it more charming and draw a line in the sand somewhere. Peter said an
43 LED sign was bigger than any sign allowed in the town and didn't make sense and shouldn't be
44 bigger than what is currently allowed. Peter said Ludlow doesn't allow LED signs, but Cota &
45 Cota put a special window in for their LED sign inside the store. Barre said that was a loophole
46 and wondered what the benefit of an LED sign was given the gaudy nature of it and suggested

1 using a television in a wooden frame with a picture with an old-fashioned sign. Hugh asked Cathy
2 about her feelings, and she thought it was a strong temptation for someone to not follow the
3 conditions of having one but also saw the benefit, such as announcing snow days and parent-
4 teacher conferences. Cathy said there is a similar sign with plastic lettering in front of the
5 elementary school. Hugh wondered about Facebook or other ways to get the message out. Barre
6 said an LED sign was a lot of money for something they didn't need and suggested a sandwich
7 board. Hugh said they don't get to judge the value as a Planning Commission whether it's needed.
8 Tim thought if it wasn't needed, it took the impetus away of approving it. Hugh questioned if as
9 Planning Commission members if they were qualified to judge the need. Cathy was interested in
10 hearing from the Boosters as to why they wanted it. Hugh said if he were the one asking for a sign,
11 he would question who the Planning Commission was to judge whether they needed it and Tim
12 answered because that was what they do. Barre said he's on the Fall Festival Committee for
13 Chester and Lee Whiting can perform small miracles and gets a giant sign temporarily from the
14 state to promote the festival. Barre sticks out his Big Buzz yard signs and a giant sign out near the
15 road which he said wasn't legal, but they do it as part of the folk culture in the area with signs to
16 promote yard sales and other things. When you want to stay lost in time like Mayberry because
17 it's part of your culture, that's the way Barre views it and thought it affected their charm and
18 defined the character of the town and suggested they should consider a historic district, if
19 necessary. Hugh didn't think there was a lot of support for it and thought if the Booster Club
20 wanted to attend a meeting and convince them otherwise, something may happen but for now, it
21 wouldn't pass. Preston heard that too and would handle it as diplomatically as possible, and
22 someone could meet with the Commission if they wanted. Preston mentioned some towns say sign
23 regulations don't apply to municipal property and Woodstock and Killington are one of those
24 towns. Woodstock's high school has an LED sign which Preston thought was appropriate but
25 didn't like their fire department's sign. Hugh thought there were enough ways to regulate the use
26 so it could work but to Cathy's point, enforcement could be an issue.

27
28 Tim mentioned the town canopy plan, or what he calls street trees, that was created in 2017. It was
29 sitting on the shelf and Tim started seeing pictures posted by Carla Westine in the Historical
30 Society and the beautiful tree-lined roads with the canopy that met over the road, and he
31 remembered the canopy plan and only a few trees were planted. Tim reached out to Julie to see if
32 there was any traction and she put him in touch with some other people, and he's been trying to
33 stir up some interest and it has a full head of steam now and the town was just granted a \$48,000
34 grant with no match to remove some decrepit trees and ash trees in town and start planting trees
35 and getting a watering trailer and things like that. Tim wasn't trying to take credit but mentioned
36 he stepped out at the right moment and there were a lot of people behind it now and the reason he
37 brought it up was one of the areas of interest was the gateway to the village in the southern corridor
38 that doesn't look great right now and is high on their list to get some trees planted to help. Hugh
39 asked where the gateway to the village was, and Tim said where the Legion and carwash are. Peter
40 added there was a link to the plan on the town website and Scott Wunderlee had done a great job
41 years ago when he did it. Tim said Scott had been at a couple meetings and was an amazing guy.

42
43 Barre mentioned short-term rentals being in the news and one of the things they discussed was
44 what they called adventure stays and building specifically for that purpose. Barre had a personal
45 interest and hoped they could include language that allowed it to happen because it wasn't taking
46 an existing house and converting it into a short-term rental but building something unique for

1 short-term rentals and leave more of the homes for others. Hugh thought Barre had a good point
2 and saw it as a niche and not what mainstream regulations were trying to address. Tim thought it
3 could be a use. Hugh said it was in the Selectboard's hands right now and to let them continue to
4 make their decisions regarding regulations. Barre said he may talk to them.

5

6

Agenda Item 5, Adjournment

7

8 Tim moved to adjourn, and Cathy seconded the motion. The motion carried unanimously. The
9 meeting was adjourned at 8:00 p.m.

DRAFT