

1 **TOWN OF CHESTER**
2 **SELECTBOARD MEETING**
3 **February 16, 2022, Draft Minutes**

4 **Board Members Present:** Arne Jonynas, Jeff Holden, Lee Gustafson, Heather Chase, and Leigh
5 Dakin at Town Hall.

6 **Staff Present:** Julie Hance, Town Manager, at Town Hall; and Susan Bailey, Secretary via Zoom.

7 **Visitors Present:** Bill Lindsay and Chester Telegraph at Town Hall; and Linda Diak, Scott Blair,
8 Joy Slaughter, Tim Roper, Andi Goldman, Allison Kenney, and SAPA TV via Zoom.

9 **Call to Order**

10 Chair Arne Jonynas called the meeting to order at 6:00 p.m. with the pledge of allegiance. He
11 welcomed everyone to the meeting.

12
13 **Agenda Item 1, Approve minutes from the January 28, 2022, Special Meeting and the**
14 **February 2, 2022, Meeting**

15 Lee moved and Leigh seconded the motion to approve the January 28, 2022, minutes. A vote was
16 taken, and the motion carried unanimously to approve the minutes. Lee moved and Heather
17 seconded the motion to approve the February 2, 2022, minutes. Leigh called attention to page 1,
18 line 30, “down” was “done.” A vote was taken, and the motion carried unanimously with the noted
19 correction.

20 **Agenda Item 2, Citizens Comments/Answers from Previous Meeting**

21 Linda Diak called attention to the board trying to increase the walkability of the village and she
22 said The Green was not walkable. The walking lane was covered with ice and snow most of the
23 year and had placards in it from the stores. Even if it was cleared, it was dangerous due to ice
24 falling from the roofs. If you are walking in the Green, you are walking in the car lane, so it’s not
25 walkable. She asked if they would take that into consideration if they were making changes to The
26 Green. The board thanked her for the information.

27 **Agenda Item 3, Old Business**

28 Report given by the Town Manager:

29 The Green

30 Mr. Sottovia, a new property owner in Chester, offered to purchase two benches for The Green.
31 Scott of Terrigenous Landscaping, Chester Townscape, Mr. Scottovia, and Julie met to discuss
32 drawings where benches might work for Mr. Sottovia to pick. She and Scott have discussed
33 reworking The Green. It was part of the Village Center Master Plan, but the grass area wasn’t
34 focused on. The green in front of and behind the Academy Building is one unique area. She felt
35 it was time to bring up the discussion. It would need to be community driven. Mr. Sottovia would
36 like to put the benches on the Academy Building side of the property on either side of the walkway
37 enabling people to sit and view the activity on The Green. If there were no objections by the Board,
38 they would move forward with it. The benches are in and waiting to be assembled for the spring.
39 They will go on granite slabs leftover from the pit, like the one in front of the information booth.
40 Leigh thought it sounded nice and was a peaceful place. Leigh thought when they got back to the

1 music series, they would provide a nice place to sit in. Julie said they would place them so they
2 would not be intrusive when the lawn is used for the music series. Leigh thanked Mr. Sottovia for
3 his generosity.

4 Grants

5 One grant was on the agenda and required sign-off by the board. A lot of the grants were related
6 to emergency services and routine equipment.

7 More will be coming on the Better Places grant. She and Deirdre attended a Better Places
8 workshop. Chester has never done anything like this crowdfunding project. The State would have
9 a \$40,000 grant and Chester would crowdfund \$20,000 to get their \$40,000 to make a \$60,000
10 project for Village Center and downtown properties only. The library has some great ideas to create
11 an outdoor space. They have completed the training and will have more conversations and return
12 to the Board with more about it. Leigh asked about their plans. Julie said they wanted to repave
13 the parking and redo the ramp in front, add a patio in the back with possibly a pergola to sit and
14 read and host outside children's programs. They will present more as they go along.

15 They will also have the Large Structures grant for the highway.

16 Arne wanted to echo the thanks to Mr. Sottovia for donating the benches. Julie added that he also
17 would like to donate some trees but is holding off until the long-term plan for The Green is
18 identified.

19 Arne asked if there was any further old business and there was none.

20 **Agenda Item 4, Discussion re Cannabis Opt-In Vote**

21 Arne said the vote would take place on Town Meeting Day on March 1st and the informational
22 meeting would take place on February 28th. It will be by Australian ballot or absentee ballot. There
23 were questions from the last meeting and they got answers to three of the questions. One was
24 concerning the distance that a retail establishment was allowed, and whether it was within 500 feet
25 of a school zone or property.

26 Lee asked for clarification from someone who was part of the Cannabis Control Board because
27 the language said abutter to a school property. He had not heard back on that issue other than it
28 was an abutting property within 500 feet. Arne asked if the 500 feet requirement to an abutting
29 property would apply to a property that was 100 feet across the street, and Lee said that was his
30 understanding. Lee said the language wasn't clear and he was waiting for clarification. Arne
31 thought it was the stricter of the two, an abutting property or within 500 feet. Leigh thought the
32 same. Arne said otherwise, it would not make any sense. Lee said he was still waiting for an answer
33 from the CCB. They hoped to have the clarification for the informational meeting.

34 Arne said another thing that had been discussed was training that police officers can take to detect
35 impaired drivers. There appeared to be two different tiers of training: roadside impairment driving;
36 and drug recognition expert. It seemed like both were in short supply and took a lot of time and
37 energy to complete.

38 Lee talked with Chief Cloud and if there was a DUI stop, and a drug recognition expert was
39 available, the cost was covered by the state and if not, it costs them \$1,000 to have the drug
40 recognition expert come. The internal training to become a drug expert takes a month so it is very
41 costly and time consuming to get the capability in town. Arne thought it would be a good capability
42 to have whether the issue was cannabis or something else. Lee agreed. He said it wasn't just

1 marijuana but a lot of other stuff that they were woefully underfunded and understaffed to keep
2 tables on. Arne said they were understaffed but if an issue came up, they were there, and Lee
3 agreed.

4 Arne said as a liquor control board, they have the authority to ask them to step in and do what is
5 necessary. Arne thought it would be the same for the CCB. He said when that came up, it seemed
6 like they had a lot more power than they did. He didn't think they had that much power if it was
7 the same as the liquor control that they do, it's basically signing off on the permits and asking the
8 police if there have been any problems or nuisances or violations and then they can act. He thought
9 it would be the same for cannabis. He didn't think they had that much power.

10 Jeff said the only power they had was to sign off on licenses. Basically, they needed proof as a
11 reason not to issue a license. Arne thought if a cannabis control commission was established at a
12 town level, the same power would apply as the liquor control commission. He said they had very
13 limited authority. Lee questioned the protocol they would have, and Arne said it was established.
14 Lee said it wasn't clear in his mind.

15 Arne said another question was about pesticides and it was basically the same oversight and
16 regulation used for agriculture in Vermont. Arne didn't see it as a big issue.

17 Lee said they had zero control where a farm would be so if someone wanted to grow pot upstream
18 of the Jeffrey well field and used pesticides, it could cause major issues and they wouldn't have
19 drinking water. Heather said it had nothing to do with the opt-in vote. Lee said it didn't but was
20 just saying with other types of agriculture there were protocols, and he wouldn't have the same
21 comfort level. He thought there was always room for interpretation.

22 Arne thought if Lee was questioning the Department of Agriculture, he was questioning it all and
23 not just cannabis and as Heather had said, it had nothing to do with the decision they would be
24 making for opting in or out for retail. Lee agreed. Arne said if it was true and Lee had a deep
25 concern, it was for all agriculture.

26 Heather heard there was muddying of the waters, so she thought they should be clear the vote was
27 only about opting in for retail sales of cannabis. She thought the other discussion was merited and
28 it concerned her they had zero say in all of it, but it had nothing to do with what they were doing.

29 Lee said to Heather's point, the 30-page document that was handed out regarding regulation of
30 retail cannabis, he didn't think it had been well thought out. Lee said the whole conversation had
31 raised other issues in his mind that may not relate to the retail sales at all but caused him to wonder
32 whether the state is putting into place what is necessary. That was his main concern.

33 Heather agreed with Lee that it was half baked. The fact that some of their questions hadn't been
34 answered made her think it hadn't been well thought out.

35 Lee had come up with 29 questions, some of which related to what they had just discussed. He
36 read from the document about cannabis establishments complying with the inventory tracking
37 system in a manner determined by the board. He wondered if the manner had been determined yet.
38 He felt that was an indication they were getting ahead of themselves.

39 Heather appreciated Lee's and Arne's concerns. She followed everything they needed to do,
40 petitions had been submitted, and it was up to the voters. She felt like they could wait. She heard
41 people say the Selectboard was kicking it down the road. She thought it was unfortunate they didn't
42 understand every nuance. She thought it was sometimes better to let other people make the

1 mistakes and learn from them before doing it.

2 Arne said by the same token, you could reap the benefits by being the first to do it. There were two
3 sides to everything. For everything he's seen, he could go online and find something that refuted
4 it. You need to consider the sources, etc. and could spend two weeks going through one document.
5 It puzzled him that a document from Lee quoted the CDC and he used it as a resource for his
6 argument whereas a month ago, he didn't believe the CDC about anything. It threw into question
7 the whole document. Lee said it wasn't the whole reference he used. He understood Arne's point.
8 As a board, he questioned if they throw up their hands and say whatever the voters want, or do
9 they come out and say they need more time, or the voters should have more information, or they
10 think something should be done because they don't have all the information they need. Lee said
11 he was happy to come up with language for a resolution or statement they could put out as a board
12 if that was the way they wanted to go. If the board wanted to say they were done and wanted to let
13 the voters decide, that was also an option.

14 Heather said there was a lot that had been decided regarding health benefits and health detriments.
15 They could find resources and debate it all day long. The state decriminalized and legalized it,
16 which from her point of view, she was supportive of those decisions. This decision was whether
17 they wanted cannabis to be sold in Chester and that was it. Anyone in Chester could use cannabis
18 and anyone could drive using it but the only thing they were debating was if they wanted it sold in
19 Chester. She wished there was more of the pros and cons of doing it. There was no tax benefit
20 unless they implemented a local option tax, which maybe they needed to look at. She wondered if
21 they voted to opt in, every single retail establishment could sell cannabis. She asked if they had to
22 get a license and was there a limit of licenses that Chester could get. Arne said the Cannabis
23 Commission determines the number of licenses and where they go.

24 Heather heard if they had it, it would be a draw and people would frequent their restaurants. She
25 thought that was hypothetical. She's listened to the pros and cons and it was now up to the voters
26 if they wanted cannabis sold in Chester.

27 Jeff thought the community had been doing well lately and through COVID and didn't see any
28 restaurants or businesses in town that were hurting. He didn't see it as an excuse to vote that way.
29 He said he thought the state sometimes pushed things through. When they legalized it, it was fine
30 and good, but they didn't hand down any specific guidelines to law enforcement how to handle it.
31 He thought it would be nice to be more ready as to what would happen. He has been around it all
32 his life, has friends who smoke it, but he doesn't smoke it or put anything in his lungs that doesn't
33 belong there. He believes, as Americans, they have a right to have choices. It's legal now, you can
34 grow your own and know what you have and it's safer that way. Not long ago, there were 3 deaths
35 in the state from people smoking marijuana that was laced with fentanyl.

36 Heather thought government regulation of cannabis would decrease the chance of death. Jeff said
37 people would still grow it. Lee said in other states where it was legalized, the black market went
38 up and not down. Arne said some studies said the opposite.

39 Arne said they could bring up what's happening all over the country, they could wait until
40 something happens in Vermont, and watch other towns and see what happens with that, but it
41 doesn't mean anything of what's going to happen in Chester. The town would be fine with it. He
42 thought they could handle it. People were used to having it around and growing it. It's allowed.
43 He didn't think it was the government's job to put restrictions on businesses. Once it was legal in
44 the state, he had a hard time as a local government representative saying no that you couldn't do

1 it. He told Lee he was just talking about freedoms. It's legal and people should be free to do what
2 they want. Arne said if they want to sell alcohol, tobacco, chewing tobacco, and all the crap that's
3 on the shelves that we feed our kids, it's just society. There are a lot of things in society that's not
4 good for us. Cannabis is legal now and if it's done the right way, he didn't see a problem with it.
5 It was supposed to be an informational meeting but was turning into a debate. Arne said that was
6 fine because it was different views from different parts of the community that was helpful.

7 Lee said it was the pros and cons and what could they do as leaders of the town to promote business
8 and make sure the community is protected and flourishes. To Arne's point, there may be some
9 benefit to having a retail establishment, but to his point, he didn't see those benefits and saw too
10 many questions. He wondered what it meant for the voters and how they should lead the town in
11 that respect. He wondered if they should put out a statement saying as a board, they don't feel they
12 have enough information and it's not the right time to approve it or do they say nothing. He said
13 they were discussing making a statement about masks and maybe this was their opportunity to do
14 the same thing.

15 Arne said they had trouble getting a mask mandate resolution and it was watered down to a
16 recommendation because they couldn't agree. He saw the same thing with this. He still believes
17 regulating a business that was legal in the state on a local level was not the way to go. He said no
18 matter what Chester did, it would not change one thing in the town. It wouldn't change all the
19 positive or negative things that come with cannabis. He thought the extent of it would be saying
20 we don't sell it in our town. He didn't think it would change anything.

21 Heather didn't understand the regulation for voting. If the vote passed, they are in and if it didn't
22 pass, they weren't. But it didn't mean they couldn't visit it again. The licenses that would have
23 been issued would be grandfathered in or they vote no, and they look at it again next year. Those
24 are the kinds of things as a voter she would want to know. This is what the vote is. It's not can you
25 drive under the influence and it's not is it good or is it bad for you. The only thing they are looking
26 at is are they going to allow it to be sold in Chester.

27 Arne said if it passed, it could be revoked later and if it didn't pass, it could be brought up again
28 to be re-voted.

29 Leigh thought they had been given a lot of information. They had also been giving the rules and
30 regulations for a retailer selling in Chester and it was strict. You follow a very narrow set of rules
31 before it can happen.

32 Jeff pointed out that everyone had a strong opinion, but he had some strong comments made to
33 him that he's against small business because he's not backing it. Just because he has a different
34 opinion than someone else, he's here for the good of the community. He may not share your idea
35 but don't shut down on everything else because we need to work together like a community.

36 Arne agreed with Jeff.

37 Heather said they are always saying two sides. If they come to a conversation saying there are two
38 sides, it polarizes them. She said there are multiple viewpoints, and they shouldn't think of it as
39 them and us. She said there are people in town who want to polarize them. She encouraged them
40 to have dialogue and could learn from it. Lee agreed and it made him happy to be able to have
41 these conversations. At the end of the day, their jobs as leaders of the town were to promote the
42 wellbeing and welfare of the town.

43 Arne said some people were very passionate about it. He said he's concerned and has an opinion,

1 but he wasn't passionate.

2 Bill Lindsay chuckled that they could change it down the road if it passed or didn't pass. It
3 reminded him of a temporary tax and waiting for it to be removed. He thought the current problem
4 was the state hadn't given the local government enough information. He knew of two teachers
5 involved in special education. He asked if there would be a warning on the retail packaging. He
6 was asking it as someone who had smoked tobacco for too many years and had suffered a medical
7 problem. It was his own fault because he read the package and just didn't pay attention. He was
8 concerned they weren't hearing from any of the educators on the issue. He also wondered if there
9 was any effect on young mothers smoking while pregnant. He thought the Department of Health
10 owed some information to the towns about the possible medical effects. He wanted to see some
11 sort of labeling on the packages. He thought the state had jammed it down local government and
12 thought it was unfair. He was glad it was going by ballot. He thought someone from the school
13 should talk about it from an educational point of view. He thought it would be a disservice to the
14 children if that wasn't done.

15 Lee told Bill there would be a warning that would be included, as well as labeling. Read the
16 warning: "This is a cannabis product that has not been analyzed or approved by the Food and Drug
17 Administration. For use by individuals 21 years of age and older or registered qualified patients
18 only. All caps – Keep this product away from children and pets. Do not use if pregnant or breast
19 feeding. Possession or use of this product may carry significant legal penalties in some
20 jurisdictions and under Federal Law. It may not be transported outside the State of Vermont. The
21 effects of edible cannabis may be delayed by two hours or more. Cannabis may be habit forming
22 and can impair concentration, coordination, and judgment. Persons 25 years or younger may be
23 more likely to experience harm to the developing brain. It's against the law to drive or operate
24 machinery when under the influence of this product. And then it gives the National Poison Control
25 Center number." Lee said it was in the 30-page document titled, Rule 2: Regulation of Cannabis
26 Establishment.

27 Bill said his response to that was it was a lot of information put out in that little packet.

28 Linda Diak thought Heather had said it best. Linda's opinion of how to handle it as a Selectboard
29 was to not muddy the waters for the voters. If the Board has issues or questions about the
30 agricultural aspect, the groundwater, etc., it is all valid and could and should be discussed and
31 could and should be lobbied to the state for further clarity, further regulation, etc. But when
32 discussing the retail cannabis vote, the water should not be muddied with other issues. It doesn't
33 benefit the voters to hear questions about aspects the town can't, at this moment in time, control
34 or have say over. She felt no matter whether you were pro or against, it would be helpful to voters
35 to have the conversation kept to the issue at hand. Arne and Leigh thanked Linda for her comments.

36 Arne asked if there was anyone else that wanted to comment or question and there was no response.

37 Arne said one issue they hadn't figured out yet was the 500 foot distance whether it pertained to
38 abutting properties or just 500 feet in general. Arne said when it comes to regulation and retail
39 establishment under their zoning regulations in town, retail is allowed in Village Center, Stone
40 Village, and a Residential 20, but in all those areas, it is a conditional use. It's not automatically
41 granted and must go through the process which addresses, neighbors, traffic, and other
42 performance standards that come up. It is not an automatic given in any of those three locations.
43 The town has some regulation and control as far as where the location might be.

1 Heather said it rests on their zoning. Arne thought it was too bad the state made it impossible to
2 single out cannabis retail and just associated it with all retail. He thought it would have been nice
3 to have some leeway where a town could opt in but had more control where the location may be.
4 State statute doesn't allow that.

5 Leigh thought the 500-foot rule was clear.

6 Scott Blair said he had sent Julie an email and if they were looking for more information directly
7 from the Vermont Cannabis Control Board, every Monday at 11:00 am they have a Zoom meeting
8 open to the public. They discuss a lot of issues. They discussed the 500-foot buffer zone last week.
9 Arne asked if they accepted questions from the public and Scott said they had an opportunity for
10 citizens' comments. Lee asked Scott to provide the link to him. Scott said he would.

11 Arne got an email from Green Peak Alliance, which is an organization associated with the Black
12 River Community Coalition and The Greater Falls Connection, and the Mt. Ascutney Regional
13 Commission, the Springfield School District, and the Vermont Department of Health, and the
14 district offices of White River in Springfield. On Monday, February 21st from 6:30 to 7:30 they
15 will have a Zoom meeting regarding the retail cannabis conversation. It will be a public health
16 perspective. It is open to the public and will take questions ahead of time. Arne didn't know what
17 it would be like or entail other than the fact the organizations associated with it were local and
18 relevant and it seemed like they knew what was going on. He thought it could be a good source of
19 information and a good place to ask questions. Their mission statement is to promote healthy
20 communities and work to prevent substance abuse. He didn't know if it was slanted that way, but
21 they had questions and general observations and recommendations for communities that opted in
22 to navigate the repercussions with youth and folks with substance abuse.

23 Lee got the same email and offered to forward it to anyone that was interested.

24 Arne said it could be some good information. It is supposed to be a general overview of the
25 Cannabis Law Act 164, the most up-to-date decisions from the Vermont CCB, what a local
26 cannabis commission is and what it can do, and suggestions for towns should an opt in vote pass.

27 **Agenda Item 5, ARPA Funds Discussion**

28 Julie mentioned the list of projects in the packet for purposes of beginning discussion. It was
29 projects identified by town department heads and some community members. Not all need ARPA
30 funding. Some are projects they are trying to seek funding elsewhere. She's trying to utilize all
31 funding out there before they touch the ARPA funds. Not everything is fundable with a grant. They
32 are just beginning discussion and not looking for any form of decision making this evening.
33 Heather asked if the costs were estimates and they were. She hadn't added them up, but it was over
34 \$900,000. Julie agreed and said as time went by and things were funded through other sources,
35 things would get checked off the list. Julie thought it would be beneficial to have a public process
36 and community list. She didn't know what they wanted the community engagement to look like,
37 only that it should be a very public process.

38 Heather thought would be nice to ask the public for other ideas. Julie agreed. Julie said she had
39 only received a couple but was sure they had other ideas. Heather thought they would get creative
40 ideas. This was a chunk of change you could put into things. Julie wanted to see it go to one-time
41 purchases and not used to offset other expenses, like fire department gear. She wanted to see it go
42 to something unique and different that would serve as many Chester residents as possible.

43 Leigh knew we were in the middle of winter but last spring they had talked about a dog park. It

1 was something people had contacted her about. It was something she wanted to explore. Julie said
2 there were some people working with Matt exploring town properties and would come back when
3 they had some ideas.

4 Arne asked any citizens to drop a line to Julie if they had suggestions or comments so they could
5 put them on the list and consider when they had time.

6 Heather suggested a meeting in the spring dedicated to this so they could discuss the ideas and
7 bring more people into the discussion.

8 Lee asked if they were prioritized. Julie said she could do that. Heather said if you prioritize too
9 soon, it cuts off the creative process.

10 Arne thought trying to figure out how to spend a few dollars to benefit the townspeople was a good
11 problem to have. Leigh agreed.

12 **Agenda Item 6, Approve Grant Resolution – Wayfinding Grant**

13 The Planning Commission gave their approval so now it was the Selectboard’s turn to approve
14 Julie applying for the funds to implement the Wayfinding plan. She met with Patrick Olstad from
15 SE Group and went through the Wayfinding plan and picked out what they felt were priority signs
16 within the plan. \$200,000 is a big chunk but would not implement the entire plan and she wasn’t
17 sure they would want the entire plan implemented because they wouldn’t want to flood the town
18 with too much signage. The priorities are the Village Gateway sign, signs that direct to the Village
19 Green, and directional signage around town for Cobleigh parking and The Pinnacle and the kiosks
20 for pedestrian direction. Julie said the five signs were the impetus behind the Wayfinding plan and
21 the Master Plan, in general. Those are critical signs. The Village Gateway signs are critical because
22 they announce you’re entering the village but also set the stage that this is what a town sign looks
23 like, so they are noticed. There would be four gateway signs and potentially a fifth. They cut out
24 the one coming from Grafton and if money allows, they will add it. There are five signs that have
25 the shop, dine, stay that directs traffic as it’s turning and gets people in the village. There are three
26 kiosks and several signs that identify parking, the visitor information booth, one at the entrance to
27 The Pinnacle. Kiosks are pedestrian signs: one on the green in the Depot, one in the center of town
28 and if money allows, the third at the Cobleigh Street parking. It would have a directory telling
29 visitors where they are and where shopping and dining are, the swinging bridge, and the Brookside
30 trail, etc.

31 Lee moved and Heather seconded to accept the municipal resolution for downtown transportation
32 fund. The motion carried unanimously. The signs will be slate blue.

33 **Agenda Item 7, New Business/Next Agenda**

34 There are two positions on the Development Review Board and one position on the Planning
35 Commission. They have been advertised.

36 Arne asked for ideas for future agenda items.

37 Julie is watching for energy bills coming through legislation and one could help fund the purchase
38 field. She’s watching it closely. The other gets into providing funding for energy audits for
39 municipal owned buildings and funding to implement fuel switching. Buying the field and
40 switching the fuel sources to some buildings could possibly apply to this funding.

41

1 **Agenda Item 8, Executive Session: Town Manger Review**

2 Heather moved to go into executive session and Leigh seconded. The motion carried unanimously,
3 and they entered executive session at 7:24 p.m.

4 Heather moved to end the executive session and Lee seconded it. The motion carried unanimously,
5 and executive session ended at 7:43 p.m.

6 **Agenda Item 10, Adjourn**

7 A motion was made by Heather and seconded by Leigh to adjourn. The motion carried
8 unanimously, and the meeting was adjourned at 7:44 p.m.