

1 **TOWN OF CHESTER**  
2 **PLANNING COMMISSION**  
3 **July 17, 2023 Minutes**

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5 **Commission Members Present:** Cathy Hasbrouck, Tim Roper, John Cummings, and Barre  
6 Pinske at Town Hall. Absent: Hugh Quinn.

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8 **Staff Present:** Preston Bristow, Zoning Administrator/Town Planner, at Town Hall.  
9

10 **Citizens Present:** Steve Mancuso, Peter Hudkins, Bill Lindsay, and Gwen Kerr Mancuso at Town  
11 Hall; and Jason Rasmussen of MARC via Zoom.

12 **Call to Order**

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14  
15 Vice Chair Tim Roper called the meeting to order at 6:35 p.m. He noted Hugh was on vacation and  
16 had asked him to chair the meeting in his absence.

17  
18 **Agenda Item 1, Review and Approve Minutes from June 16, 2023, meeting**  
19

20 Cathy moved and John seconded a motion to approve the June 16, 2023, minutes. Barre said he  
21 was absent from that meeting but found reading about the discussion on the food truck interesting.  
22 Tim said it was on the agenda. Tim noted on page 6, line 3 and on page 7, line 32 vertical access  
23 wind turbines should be vertical axis and not access. The minutes were approved, as amended.  
24

25 **Agenda Item 2, Citizen Comments**  
26

27 Steve Mancuso, Chester citizen, told the Commission they were making headlines again, referring  
28 to a one about Chester passing a controversial camper ban. He said there was a whole faction of  
29 society that included people living in campers who were under attack, and he didn't understand  
30 why but thought there was a good reason for it. Steve added that because of the flooding, Ludlow's  
31 zoning PC was starting to create flood hazard regulation. He said it could be witnessed on Route  
32 103 with all the campers going north and they were trying to loosen regulations for people flooded  
33 out of their homes having trouble. Campers are a viable choice given inflation and supply of  
34 housing. Steve wondered why they had decided to come down on this section of society, who were  
35 mostly impoverished and living in campers. He said there were campers in town, and they were  
36 either part-time camps or full-time residents. Being in the trades, it was close to the building codes  
37 he is subject to along with the rest of the trades. Steve said there was a state document that provides  
38 guidance related to creating a full-time residence if you have land and an RV on it. Steve provided  
39 the document to Preston. He asked them to explain why they were doing what they were and not  
40 helping people to maintain their residences.  
41

42 Tim said they had spent a ton of time on the topic, which had been discussed in multiple meetings  
43 and voted on twice. All the pros and cons and implications were discussed, and the Commission  
44 found it was the best move forward. Tim added all the discussion could be found in meeting  
45 minutes. It was discussed in-depth at two Selectboard meetings and Tim didn't see a need to rehash

1 it. He added they were empathetic to those who were in a position and forced to live in a camper,  
2 but they felt there were a lot of downsides to that which outweighed an approval of a camper as a  
3 full-time residence. Tim asked if the commissioners had anything to add.

4  
5 Cathy added she had given it a lot of thought and those regulations were developed in 2018 when  
6 life was different and before COVID and before material costs went through the roof, and before  
7 George Floyd was killed, which fortunately changed the way people think about zoning a lot.  
8 Cathy said when they read it in 2019 and discussed it, it didn't seem so outrageous but now it did.  
9 She said when it came up in the hearings, they couldn't think of what to do, the goal, and why they  
10 would want to regulate it. When a camper is abandoned, it's a big hunk of junk and they are  
11 struggling with how to manage junk and the court won't support their junk law so there is no  
12 support when things get out of hand. Cathy thought in 2018 that people thought it was more of a  
13 choice but now realize it's not and they need to come up with some refinements. Septic must  
14 always be dealt with no matter what the building is. If someone wanted to have a party and 9  
15 people brought their campers, they wouldn't be arrested. Cathy is working on a document that  
16 lays it all out and addresses motorized vehicles which require registration, and the definition of an  
17 RV is not the same as a mobile home. Cathy saw it as a lot of pieces and needed to be laid out so  
18 they could come up with an answer. She thought the Planning Commission and Selectboard didn't  
19 think it made any sense now in 2023 but had in 2018. Barre asked for an explanation about what  
20 didn't make sense. Cathy said that you couldn't live in an RV and Barre said they hadn't said that  
21 and that you could if you connected to a septic. Cathy disagreed and said they couldn't live there  
22 for more than 180 days. Barre asked why she was rehashing it. Cathy added even if you were  
23 connected to a septic, you couldn't live there.

24  
25 Tim closed the discussion but if it came up as a future agenda item, that was fine.

### 26 27 **Agenda Item 3, Review the UBD Updates for the Five Chester Center Districts**

28  
29 Tim handed the meeting over to Preston and Jason. Preston said Peter had expressed he was feeling  
30 lost without a map, which was fair to say, so he was going downstairs to locate one for Peter and  
31 asked Jason to lead the discussion.

32  
33 (Brief 4-minute recess.)

34  
35 Jason said the text addressed a few comments since they had last spoken and he had included  
36 something related to the Home Act or Senate Bill 100, that passed. Many of the provisions were  
37 already in effect and pre-empted the zoning and thought they should be included.

38  
39 The districts corresponded with the map before them. Page 2 of the handout had a new section that  
40 Jason included for conversation purposes. The Home Act requires duplexes to meet the same  
41 dimensional standards as a single unit dwelling so Jason thought they may want to clarify that a  
42 principal land use such as a multi-unit dwelling or a house needs to meet the minimum lot size but  
43 didn't need additional space or units. He asked for their thoughts. Tim thought that was where they  
44 were going anyway. Jason agreed but said they could tell him it wasn't necessary or modify the  
45 language if it wasn't clear. Cathy didn't think they had ever had a varying requirement for space  
46 based on a use in a district. Jason said it usually wasn't the use but what typically has happened in

1 other towns was a house needed to meet the minimum lot size but there was a per unit density add-  
2 on so often a larger lot was needed for a duplex. Cathy said they had it over a decade ago but had  
3 been removed in 2014. Jason asked them if it wasn't necessary and was clear as was. Tim recalled  
4 conversations where they discussed multi-family units on the same size lots and smaller lot sizes,  
5 and they were planning to allow it. He asked if they needed it in addition to the language. Jason  
6 asked if they thought it was helpful and if it clarified it. Barre thought it was. Preston said it wasn't  
7 necessary but didn't hurt anything. The law wants people not to add provisions to make it more  
8 difficult to have multiple housing. In the residential/commercial zone, the setbacks are different  
9 for commercial than residential, but that was the only place in the bylaw where there are different  
10 setbacks. Tim asked if each allowed land use was conditional use or permitted use and Preston  
11 clarified it was all land uses. The lot size couldn't be changed but it didn't restrict the setbacks.  
12 Jason said it was specific to lot size. Preston said nothing in the current bylaws required a different  
13 lot size for a different use in the same district. Tim asked if the setback was a dimensional  
14 regulation, and it was. Tim wondered if the title should be changed from dimensional requirements  
15 to minimum lot size guideline. Preston thought that was prudent. Jason thought it was a good  
16 clarification.

17  
18 Jason called attention to page 3, Section 2.3, Village Center. In general, he was going through the  
19 5 districts to ensure they had consistent language. He was using household and dwelling rather  
20 than family to be consistent and hoped he hadn't missed anything. Jason said they weren't  
21 consistent about up to 4-unit multi-family housing as a permanent use and it now relates to the  
22 Home Act, so he had gone through the 5 districts and made that change. Specific to Village Center,  
23 they talked about it in another district and separated it from Arts & Entertainment and included  
24 pub, bar, and club use. If it was a use that didn't belong in the next few districts, Jason suggested  
25 they talk about it. He had also added open market. He asked for any changes. Cathy wondered if  
26 Jason had included a definition for pub, bar, and club. He thought he had but had not and said they  
27 could add one. He modified the arts and entertainment definition by deleting "or dancehalls,  
28 nightclubs, taverns," and added for clarity that it also did not include pubs, bars, or clubs, but had  
29 not added a definition for the new use. Tim thought it would be prudent to have a definition because  
30 club could be construed differently. Preston thought some people considered a club a venue for  
31 exotic dancing. Jason asked if there was a preference for bar club or if it was more of a pub or bar.  
32 Preston thought pub or bar was clear in people's minds, but club was not. Jason wanted to know  
33 if they wanted club and Preston said if they did use it, they wanted to be clear to define it. Barre  
34 asked what the Legion was considered because that may be the term that could go after pub or bar.  
35 Preston thought if they defined club differently, it wouldn't be so bad. Barre thought whatever  
36 definition was for the Legion would be appropriate because they wouldn't want to exclude an  
37 organization like that. Tim asked Jason to research and come up with a good definition for club.

38  
39 Preston said he and Jason trade off responsibilities for writing different sections. Barre noted they  
40 had changed the area by the railroad tracks from white to off-yellow, so the map didn't reflect that,  
41 but he wanted to put it on the record. Their primary reason was they didn't want to provide an  
42 opportunity for a gas station. Preston and Tim said there was a later version of the map and Jason  
43 indicated they would circle back with it.

44  
45 Jason hadn't made any changes to the dimensional standards for Village Center, which made sense  
46 in terms of the Home Act and thought it was the same as they had been viewing for a while.

1 For Village Green, he made some tweaks. They changed mixed-use to multi-purpose. He  
2 discovered they needed to add multi-household dwellings of up to 4 units under permitted uses to  
3 be consistent with what they had been doing over the last few months. Jason asked for comments  
4 on the pub, bar, club item. Tim asked if it was added or changed. Jason had added it to Village  
5 Green. He pulled it out of arts and entertainment and thought a pub may be expected in Village  
6 Green and was consistent with how they had been thinking. Tim thought especially since there  
7 was a pub there it made perfect sense.

8

9 Next on page 8 was the Mixed-Use District where Jason had deleted heavy construction trades  
10 since they were lumping it in with building and construction trades. The thought process had been  
11 they were similar and didn't think calling out heavy construction trades made sense, but the  
12 building and construction trades would include a lot of it. Tim thought it made sense. Peter noted  
13 that they had mixed-use and storage coming into the entrance of Chester. Peter said there were  
14 some storage facilities there and he didn't think that was the attitude they wanted to project and  
15 wondered how they might change that. Peter said when he thinks of mixed-use, it's something that  
16 is compatible, and he didn't think metal storage buildings on 103 was what they were looking for.  
17 Jason asked if the idea was weeding the commercial storage unit. Cathy said it felt like a waste of  
18 good sewer road frontage to put storage units on it and thought if they could stop it here, that would  
19 be good. Preston said there was some fairly widespread frustration by the DRB and some neighbors  
20 about the storage unit going next to Abenague, because the entrance to the village, water, sewer,  
21 and flat ground could be used for so many things but the person who owns it wanted a storage unit  
22 and since it was an allowed conditional use, the DRB could not say no. Preston noted it was the  
23 third one in town but there were people lined up waiting to use it. If they didn't want to allow it,  
24 they should remove it from conditional use. Tim asked if they required any screening. Preston said  
25 the DRB did require some architectural changes, so it didn't look like an aircraft hanger like so  
26 many did. It would have wainscot, fake shutters, a peaked roof, and some landscaping but Preston  
27 didn't think anyone would be fooled into thinking it wasn't a storage facility. Tim asked if storage  
28 facilities were addressed anywhere, and Preston said it was named as a use in some districts. Jason  
29 wondered if it should be deleted from this district. Preston said trends come and go and there was  
30 a time when they thought there were too many restaurants and removed them from some districts  
31 and now there weren't enough. Jason thought it would be nice to see different businesses there,  
32 but it was up to the Commission. Preston said it was the residential/commercial district and  
33 conditional use included storage units. Barre thought the problem was they end up being the tail  
34 wagging the dog and thought that land would have been good for mixed-use where it had some  
35 storage and included some buildings where landscaping could be run out of, or repairs done and  
36 keep stuff behind a fence. Barre thought if it was an industrial park and had rules, but noted it takes  
37 capital and investment to have people do that. Barre saw the town lacking forward thinking to  
38 identify parcels, determine the best future uses, communicate with the landowners and developers,  
39 and help them do these things so they could shape the community. Barre thought it was too late to  
40 remove it and would be unfair to someone who was successful and kept their property looking  
41 good. Tim said the point he kept returning to was septic and wells were a barrier to housing, and  
42 they need to do all they can to remove those barriers and allow housing to be built where there is  
43 sewer and water. Barre didn't disagree. Tim didn't want to call people out by name but said there  
44 were other pieces of land there that could become storage, so he was in favor of removing  
45 commercial storage unit from this mixed-use district. Barre thought the argument that they felt  
46 there was enough of it in the area made sense and allowing it in a place that wasn't a potential

1 housing spot made sense. Tim agreed. Steve said Chester had several empty buildings that could  
2 be put back on the Grand List depending on what the Commission permitted them to do. Tim asked  
3 if anyone else thought it was a good idea to remove commercial storage from the mixed-use  
4 district. Cathy thought so and said it was sad to see that space taken up by storage units. John  
5 agreed with removing it but also had thought 8 years ago when the car wash was erected that  
6 storage units would end up there. John thought the ship had sailed because it was already in motion  
7 and well underway. Barre didn't object and understood and thought a lot of charm had disappeared  
8 since he first lived there. Tim said it has been discussed that it's the gateway to Chester and they  
9 should do a better job promoting it. Gwen Kerr Mancuso asked what happens to the people who  
10 live there and are Chester residents and that they shouldn't be talked about like dogs who they  
11 want off the street because they are unsightly. Barre said he didn't understand her comment. Tim  
12 suggested they remove commercial storage unit from the district. Barre said he didn't like being  
13 scapegoated at for things he says that are taken out of context. Tim directed it not to turn it into a  
14 debate and to move on. If there were no objections, Tim asked Jason to strike commercial storage  
15 unit from the district. Jason said he would.

16  
17 Jason asked if there were any other comments on uses and Cathy said she wasn't certain they  
18 should remove heavy construction trades. She said building and construction covered foundations  
19 so heavy construction covered roads, bridges, and other things. For context, Jason said they  
20 changed the definition of building and construction trades. The definition now said it included but  
21 was not limited to plumbing, electrical, carpentry, painting, masonry, roofing, and then they added  
22 excavation, building foundations, and contractor storage yards. In Jason's mind, they were  
23 consolidating the two uses. Heavy construction trades gave Jason an image of something, and he  
24 questioned if they wanted that in the part of town that has infrastructure. Cathy said she had looked  
25 at the wrong definition and apologized. Preston said heavy construction trades were currently  
26 defined as earth moving, excavation, trucking, and paving. Jason and Preston both thought they  
27 shouldn't encourage heavy construction trade in this district but rather include it in construction  
28 and not carve it out as a special category. Tim recalled the discussion and asked Cathy if she was  
29 satisfied with the new definition. She was.

30  
31 20,000 square feet was the current minimum lot size. With the Home Act, where there is water  
32 and sewer, under state law, it's 1/5 of an acre or 8,712 square feet. Jason thought they should shrink  
33 it but wondered what they thought made the most sense. Tim said they had said at the opening of  
34 the meeting that they can't set different lot sizes for different uses in a district. Jason said he  
35 thought it had already changed and was 8,712 square feet but for residential type uses only. If it  
36 was mixed or commercial, it could be higher. Tim asked for clarification. Jason said for housing,  
37 it was the lower number. Tim said they had discussed they couldn't restrict lot size based upon  
38 use. Jason asked if they were comfortable if he changed it to 1/5 of an acre and added it was state  
39 law but would apply both to residential and non-residential uses and wanted to make sure it was  
40 okay with the Commission. Tim said if someone wanted to put in a construction business, that they  
41 wouldn't necessarily do it on a 1/5 of an acre lot. Cathy agreed. Jason said it was a minimum and  
42 they could do something on a 5-acre lot if they wanted. Cathy asked what the DRB would do if  
43 they received an application for a heavy construction business on 1/5 of an acre. Preston said they  
44 would have to meet setbacks on all the criteria and would need a site plan indicating where they  
45 would park their vehicles. Preston agreed with Tim that it would be self-limiting. Tim wondered  
46 what other members' thoughts were. Cathy said they would have to trust the DRB not to authorize

1 something that wasn't practical. Tim said if they were going to have mixed-use, some of it would  
2 need to be self-regulating. If they wanted people to have housing, they may not have 1/2 acre. Tim  
3 said when he thought about it that way, it was positive. Barre asked if the Home Act wording  
4 separated dwelling from commercial. Tim said the first thing they read from the Home Act was  
5 you can't require different minimum lot size based on use. Barre said it was a use from a duplex.  
6 Tim said it was for any use. Preston thought Jason had written it that way, because the law says if  
7 you have an apartment building, an ADU, a single-family dwelling, a duplex, you can't  
8 discriminate against them on lot size or setbacks. Preston thought that commercial was different  
9 and Barre agreed and didn't think the Home Act applied. Preston noted Jason had written a  
10 sweeping statement but, the Home Act doesn't allow for discrimination against different forms or  
11 types of residential use. Jason agreed and said he had made a sweeping statement to keep it simple  
12 and the Home Act doesn't care about businesses but housing. Tim said legally, they could require  
13 a different lot size for commercial use and Jason agreed. Tim added they could make it for  
14 conditional uses and Preston agreed. Tim wondered if it made sense to add that complexity when  
15 Jason was going for simplicity and what they had just discussed was that it was self-regulating.  
16 Preston said he was comfortable with having everything in the district be 1/5 an acre. Planning  
17 trends come and go but the feeling now was it was a better use of structure and resources to allow  
18 for things to be closer together. Preston had heard pushback that they were all being stacked and  
19 packed into a small space but that was the trend and there was logic to it. Tim agreed there was  
20 strong logic to it. Preston said for a long time, America was a strong car-centric society but now  
21 moving in a different direction. Every foot of sewer and water are costly and if things are spread  
22 out, it costs more to provide services. Cathy thought it would certainly encourage housing  
23 development, because what could be done on a half-acre can be done on a fifth acre. Tim saw the  
24 upside and wasn't hearing the downside. Barre thought they were dealing with two different things  
25 between the housing and commercial but thought they could slip it in for the housing. It seemed  
26 small to him but out of character for the town, but he would go along with Preston's opinion. Cathy  
27 questioned if the switch was from 35% coverage to 70% coverage and noted it wasn't in the same  
28 ratio and wondered if they should bump it to 75. She wondered if there was something special  
29 about 70 that they should know about, and Preston indicated they the numbers out of the air. Jason  
30 said if they reduced it to 1/5 of an acre, 100 feet of frontage didn't make sense. Jason said Preston  
31 also thought 35% coverage was too low, but they needed to make sure that the math made sense.  
32 With 1/5 of an acre, minimum frontage of 75 feet may be more realistic and they could consider if  
33 it effected setbacks. Jason thought the non-residential setbacks may be a little big to do that. Tim  
34 wondered what other thoughts were on lot frontage and coverage. Cathy wanted the frontage  
35 lowered to 75 feet. Cathy noted a residential driveway is 25 feet wide and wondered if a  
36 commercial was 50 feet. Preston said 15 to 18 feet was more common for residential. Cathy  
37 wondered if commercial was 30 to 40. Preston said a lane was 10 to 12 feet so they are talking  
38 about 20 to 25 for travel service with two-way traffic and a stop line. Cathy suggested if they  
39 dropped the frontal coverage to 75, it wouldn't make it outrageously difficult to have a driveway.  
40 Preston agreed. Barre thought if someone developed a small lot like that, they wouldn't have a  
41 parking lot but more like a small density town with a row of shops with a public parking place like  
42 the Green. Tim thought 75 feet made sense. Barre wondered if it was a square, how much frontage  
43 would be on all 4 sides. He thought 203 feet if it was an 8,000 square foot lot. Jason said with 75  
44 feet in the front, it would be roughly 116 feet on the sides and rectangular in shape. Tim pointed  
45 out it would make the lot deeper, which was good. Jason wasn't sure the 30-foot side setback  
46 worked. With 75-foot frontage and 15-foot setbacks on both sides for a residence, and a 45-foot-

1 wide house, for a business, it seemed crazy to be half that size so Jason wondered if they should  
2 make the setback 15 for everyone. Barre wondered if he was the only one that thought residential  
3 and commercial should have different standards. Tim said that was what they had currently, but  
4 Barre said Jason was suggesting making it the same for everyone. A non-residential use in the  
5 district would have 75-foot minimum frontage, with 30 feet on the sides to meet the setbacks would  
6 only allow for a 15-foot-wide building. Jason's point was it wasn't enough space for non-  
7 residential use. Tim said this would self-regulate by keeping the businesses off the small parcels  
8 because they want housing since it was the big crisis and anything they could do, within reason, to  
9 tip the financials in favor of more housing they should do. Barre used his property as an example  
10 and thought if someone had a storefront or studio downstairs and residential upstairs, it would  
11 work in a mixed-use district and solve both issues. Tim said it wouldn't be a conditional use and  
12 the area Barre was describing would be a residence. Preston agreed. Barre said his building was  
13 commercial and used what was formerly the Free Range as an example and asked if they wanted  
14 these types of businesses in this district. Tim didn't think they did but thought it was a question.  
15 Barre asked if they were allowing small lots in this district with the same type of development that  
16 is on the Green. Tim said Barre wouldn't be able to build his building as it currently stood if his  
17 lot was an empty lot under the proposed bylaws due to the setbacks. Barre was saying these small  
18 lots were like what they had downtown if they were putting them in a mixed-use district, so he  
19 saw the business element. Tim's thinking was to try to do what they can to encourage more housing  
20 construction without negative impact to businesses. Because the minimum lot size was 8,712  
21 square feet, it didn't limit someone from building on a larger lot. The idea was to provide the  
22 ability to create smaller lots that were more affordable to build where there was access to water  
23 and sewer and where they wanted people living. Tim wondered if they should keep the setbacks  
24 different between residential and non-residential and if so, should they keep them at 15 and 30 feet  
25 for setbacks on the sides and rear. Barre said they couldn't because it would be too small of a lot.  
26 Tim thought that was good because they wanted it to be self-regulating. Barre disagreed and asked  
27 Steve for his opinion as he was a business enthusiast. Steve said they were symbionts; one didn't  
28 exist without the other. Nobody would move here or build anything without a job. Tim and Steve  
29 agreed they needed to find a balance. Barre asked Jason for his opinion. Jason said the Home Act  
30 had forced their hand some and these five districts were starting to look similar. Jason was  
31 interested in Preston's thoughts but in the general business district more than this one, he almost  
32 wanted to see a different minimum lot size for residential versus non-residential. Preston agreed  
33 and felt like the districts in the village were looking the same. He leaned toward keeping it at 15  
34 and 30 as they had currently or suggested 1/5 of an acre for residential and 2/5 for a business.  
35 Cathy thought keeping 15 and 30 would force businesses out of small lots between 2 houses which  
36 may not be a bad thing. Tim thought from a practical standpoint, a lot of businesses wouldn't want  
37 to build on that size lot which would leave it for residential, which was his whole point. Peter said  
38 for business and commercial, there was no sewer there. Cathy thought that was appropriate for not  
39 having residential there. Tim asked if they all agreed to set the minimum lot frontage at 75 feet.  
40 Everyone agreed.

41  
42 Tim said if all the lots were the same size, the restrictions would be the setbacks which would  
43 encourage most businesses to find a different lot and those lots may be subdivided and create more  
44 housing where there's water and sewer. Barre thought because it was a mixed-use district, it should  
45 have the same value for business and residential. Water and sewer ended near the thrift store. Barre  
46 thought if they permitted an 8,000 square foot lot, it could be split up and turned into small stores

1 and/or housing which was planning. Barre said with the size of the land he was referring to on the  
2 edge of town on Route 103, someone could turn it into a village green and that's what could be  
3 done with lots this size. John said they were doing that in the Burlington area. Barre thought they  
4 would want the setbacks as small as possible to allow for density. Tim agreed for housing they  
5 wanted it and why they were saying 15 feet for housing but 30 feet for non-residential. Tim was  
6 leaning toward it staying that way. Cathy and John agreed. Preston added if they were going to  
7 leave the setbacks as they were, it came down to minimum lot size and Jason said they must do  
8 8,712 for residential so the question was if they do something different for non-residential. Preston  
9 suggested it should be twice that. Tim was in favor of one lot size which would keep it similar and  
10 may allow for businesses with a small footprint. Tim asked if they agreed to leave it at 15 and 30  
11 for side and rear setbacks. They all agreed. Barre said he did have different ideas but wasn't so  
12 passionate to make a big deal and that's why he agreed. Tim appreciated his willingness to agree.  
13

14 Tim questioned if 70% coverage was enough on that small of a lot. Cathy said 70% of 8,712 was  
15 about 6,100 square feet which would be building. They agreed 70% made sense.  
16

17 Tim asked if there was any discussion on the front yard setback of 25 feet. Barre thought it was a  
18 lot. Preston said they measure from the road shoulder and 25 feet was high. Cathy asked if they  
19 were trying to encourage parking to the side, behind, or in front of the building. Preston said for  
20 the Village Green they said parking should be to the side or rear and thought it was the same for  
21 Village Center. Preston noted parking used to always be in front of the building but now the  
22 preference was to the side or behind. Tim said by reducing the front setback, parking would be  
23 encouraged to the side or rear. Cathy asked Jason if there was a trend for where parking should be  
24 located and he said it was to the side or rear, especially along 103 South in terms of the planning  
25 thought process. Cathy thought 15 may not be a bad idea. There were no objections. They agreed  
26 it made sense for a smaller lot and building height was what it was.  
27

28 Jason said in the general business district it was the same question. They deleted heavy  
29 construction trades for the same reasons. In this district, housing was less of a thing and was  
30 currently conditional uses. The question was what to do about the Home Act. Jason thought the  
31 30,000 square feet made some sense and he hated to go smaller. Jason asked Preston if they wanted  
32 to have an exception for housing only here and Preston agreed. Tim said there are some houses in  
33 the district. Cathy said Randy had pointed out if too many houses are allowed in a district like that,  
34 they have the right to object to commercial uses going in, so they don't want to encourage housing  
35 there. Cathy questioned if there was water there. Tim was hearing to keep the minimum lot size  
36 30,000 square feet for anything non-residential and by law, they had to allow 8,712 for dwellings.  
37 Jason clarified that by law, they had to allow it where there was water and sewer. Peter pointed  
38 out there was water but no sewer. Jason said the state provision would not kick in. Tim said they  
39 could keep the minimum lot size at 30,000 or about  $\frac{3}{4}$  of an acre. The others agreed. Tim asked if  
40 it was too big for a general business. Preston said it could be 20,000, but other than that, he was  
41 pleased with what he was hearing. Barre asked how big Benny's, or the phone building were.  
42 Cathy would look at the tax map. Tim pointed out that making it a minimum didn't mean they  
43 couldn't have a bigger lot. Tim questioned if it would allow any type of subdivision that wouldn't  
44 work with 30,000 square feet. There was discussion about some of the lots there and their sizes.  
45 Tim, Barre, and John were leaning toward 20,000 and Cathy was also good with it. They directed  
46 Jason to make that change.



1 Jason asked if there were any other changes for the district. Cathy suggested dropping the lot  
2 frontage and Jason thought they should. Currently it was 120 feet minimum frontage. A 20,000  
3 square-foot minimum with 100 feet of frontage would be 200-foot depth. Jason asked them if that  
4 was good or if they wanted 75 or 85 and indicated that business lots tend to be more wide than  
5 deep. Cathy thought they should leave it at 100. The others agreed. Tim asked if they would keep  
6 the setbacks at 15 and 30. The others agreed.

7  
8 Jason directed them to page 13, Stone Village, where he added multi-household dwellings of up  
9 to four units. Cathy said they were in as a permitted use. Jason thought it was consistent with what  
10 they had been talking about. He had separated pub, bar, and club and added restaurant. It seemed  
11 like a part of town where restaurant made sense. Cathy said when they spoke to Stone Village in  
12 August of 2020, they weren't excited about a restaurant but may have changed their minds since  
13 then. Tim pointed out there were different people there now and they needed to do what made  
14 sense for the short and long term for Chester. Tim had been to several restaurants in old homes,  
15 which were cool. The flip side was it was a home someone could be living in. Cathy said at the  
16 time they spoke to Stone Village; they were concerned about traffic and noise that a restaurant  
17 may generate. Barre pointed out they still would need to go through the DRB for approval. Barre  
18 said they could figure out a way to provide public parking in that area and then people would walk  
19 which is what is done in other places and there was land behind there. Steve asked with respect to  
20 restaurants, if they were thinking formula businesses or no formula business. Tim said that was a  
21 great question. Tim didn't see McDonalds or Burger King coming to Stone Village, but it was  
22 something to consider. Barre said there had been wording in the old bylaws. Cathy and Tim said  
23 they used it for Village Green and had refined it. Barre thought Steve had a good point and they  
24 should include the language there, too. Preston thought it was a great idea. Tim thanked Steve.  
25 Tim wondered if they should remove restaurant. Barre wanted to leave it and thought it probably  
26 wouldn't happen but if it did, it would be a good thing and would probably be a nice restaurant  
27 and not a Taco Bell. There were enough limitations and hurdles that if someone did something, it  
28 would likely be done well. Tim said he kept coming back to housing and Barre said the housing  
29 problem they were having was for people who didn't have money. Stone Village wasn't a place  
30 where someone working for Barre or doing something like that was going to buy a house. Tim  
31 said those homes could potentially be three or four units and Barre commented that it was all they  
32 needed. Cathy said the fact that the restaurant definition allows for a small bar, she suggested they  
33 take out pub, bar, club, and allowed for restaurant. John thought it was a good compromise and  
34 Preston thought it made sense. Preston said Stone Village was one of Chester's special places and  
35 deserved thoughtful consideration. Tim said with restaurant, they would want to include similar  
36 language they used on the Village Green. Preston hoped they could piggyback on the same  
37 language. Tim thought it made a lot of sense to strike pub, bar, club and leave restaurant and  
38 include the language used on the Green. Jason said it sounded good.

39  
40 Jason called their attention to page 14, and with the Home Act, suggested reducing it from 20,000  
41 square feet to 8,712. Tim said there was potential development behind some of those properties.  
42 Preston could say anecdotally that it wasn't so much lot size but some of the buildings in Stone  
43 Village were tight and people want to do things and there's no way with a 40-foot setback, so he  
44 welcomed more flexibility in that district. Jason asked if 80 feet of frontage still worked at that lot  
45 size. Barre didn't like the idea of small lots in Stone Village and didn't think it was appropriate  
46 there and didn't want to see tiny houses moved in. Cathy thought the lot sizes were already small

1 and showed Barre and he agreed they were. Tim asked if the 40 feet came from looking at the  
2 existing buildings there. Cathy looked it up in the minutes and the proposed bylaws from  
3 PlaceSense wanted to measure the setback from the middle of the road and the existing ones don't  
4 so the current 20-foot setback matched the 40-foot setback proposed by PlaceSense because they  
5 also changed where you start measuring. Tim said someone went out and measured. Cathy said  
6 Naomi measured and it came down to 40 feet from the middle of the road or 20 feet from the edge  
7 of the existing building. Tim said 20 feet from the road edge would align with most of the buildings  
8 there today. Cathy agreed. Tim thought that was great. Jason said he and Preston thought 80 feet  
9 of road frontage was a big improvement from the current 120 feet but if they were dropping the  
10 minimum lot size to 1/5 of an acre, 70 or 75 may be a better number for frontage. Barre asked what  
11 most of the lot frontages were currently. Tim thought they were all over 100 feet. Peter didn't think  
12 they were. Tim wondered if it made any difference what they changed it to unless someone  
13 knocked one of the beautiful old stone homes down and divided the lot, it wouldn't come into play.  
14 Barre thought that was forward thinking and a developer seeing the opportunity removes the house  
15 to create the driveway to the land, all of it would come into play. At that point, it comes down to  
16 a matter of taste for the area and would the DRB have enough teeth to do something about it. Barre  
17 questioned whether ending up with tiny homes or a trailer park would be appropriate there, but the  
18 Home Act did not provide a choice. Jason said a lot of the frontages were in the 80 to 90 range but  
19 there were some that were 50 to 55. They decided to use 80 feet.

20

21 Jason said he hadn't made any changes to Neighborhood.

22

23 Barre mentioned that the cornfield behind the public safety building didn't flood, which he found  
24 interesting. The corner of the field on the turnpike road and Route 11 just flooded on the small end  
25 so he didn't think the maps were accurate and suggested they discuss it another time.

26

27 Tim suggested they go through Neighborhood so they could get the package moving to a public  
28 hearing. Cathy and Tim wondered why restaurant wasn't included. Tim said everyone wants more  
29 restaurants, but it seems to be a tough business these days so they're talking about food trucks  
30 because it's an easier way to get prepared food, but without exception, everyone wants to see more  
31 restaurants in town. Tim wondered how they could encourage more restaurants along the main  
32 drag without putting them in someplace like Marcs Drive, which wasn't a visible location and if  
33 they included restaurant, would they be opening the door to someone putting a high-end restaurant  
34 on the first floor of their house with neighbors on both sides. Barre didn't see that happening. Tim  
35 said with conditional use, neighbors get input, so he wondered if it made sense to add restaurant  
36 as a conditional use in Neighborhood because it covered a lot of space. Barre said there would be  
37 zero visibility for someone driving through town and they would be left to rely completely on  
38 marketing promotion, and he didn't see it happening. It would take away from housing, so it was  
39 a bad idea. Cathy said there wasn't a lot of frontage except on Route 103 North. John said  
40 restaurants his wife takes him to are out in the middle of nowhere that he never sees from the road.  
41 Neighborhood included Grafton Street, River Street, and Church Street. John thought someone  
42 may be able to put it off and they could make it conditional. Tim said to Barre's point, most people  
43 wouldn't build a restaurant on a side street, but it was possible. Cathy said a restaurant on Church  
44 Street may encourage people to drive through Chester when leaving the mountain. Tim was open  
45 to either adding or not adding restaurant. Cathy suggested they see what the hearing brought.  
46 Preston was wondering if there was a way to say small restaurant. Cathy suggested seating

1 capacity. Preston said when they first said non-franchise, they were going to say it tenderly, but it  
2 seemed more likeable to people as time went on. Tim thought it was appropriate. Jason pointed  
3 out that a retail store can't exceed 7,000 square feet and wondered if it was the right number for  
4 restaurant, but a similar size limitation could be imposed for restaurant. Preston knew they were  
5 all envisioning a restaurant in someone's house that was a great experience so imposing a size  
6 limit may be appropriate. Barre thought they were losing sight of what they were trying to do with  
7 zoning. The whole town looks similar and it's a small town and they're trying to have it function  
8 with business and having things separated in a small area may not be necessary and difficult. A  
9 restaurant in a neighborhood where there are kids and bikes may not be a good idea due to the  
10 traffic. Barre thought it was an interesting idea but not appropriate and wouldn't happen anyway  
11 because of the cost. Tim was open to either. Cathy thought they should put it out and see the  
12 response at the hearing. John agreed. If there were second thoughts between now and the hearing,  
13 they could change it. Tim agreed as they would discuss it again before sending it to a public  
14 hearing. Cathy asked how food trucks would fit with all of it. Preston said with DRB approval,  
15 you can have a food truck in any neighborhood but if it made a lot of noise, people may not like  
16 that. Tim thought it made sense to add restaurant understanding there would be limitations and  
17 revisit it. Tim did not disagree with Barre's points, which John thought were good. Jason would  
18 play with the colors on the maps. Cathy said the colors were difficult to distinguish when printed  
19 and Tim thought the light blue color was tough for him and for someone who is colorblind it could  
20 be a different story. Preston suggested using light texture to distinguish.

21  
22 Tim asked if they wanted to discuss supplemental standards. Cathy said there is a house on Church  
23 Street that began as a tiny ranch and they added a huge addition that looks nice and noted the  
24 second character of development would not have allowed it. She added that they also could have  
25 built a huge addition that looked awful. Tim said that was subjective and thought the DRB would  
26 have a difficult time using it to limit the way someone builds. Preston said character of  
27 development is very often a feel-good thing that sets the tone for what they wish would be there  
28 and is difficult to put teeth to. Tim said it may persuade some to change their plans but if they  
29 pushed back hard, it may not. Tim suggested they leave it in, and Cathy agreed. Preston was  
30 comfortable leaving it in but didn't see it accomplishing much.

31  
32 **Agenda Item 4, Review Updated Short Term Rental Regulation Options Document**

33  
34 Tim said Hugh had updated it but the only thing that changed was the status of some towns. He  
35 didn't know if Hugh had added any options or regulations because any changes weren't redlined.  
36 Tim had reviewed it earlier and didn't see anything worth discussing and thought it was fine to  
37 forward it to the Selectboard. Tim asked if there was any progress gathering data on STRs. Preston  
38 said it was very frustrating, but they have the raw data and can come up with some facts and not  
39 just anecdotal in time for the Selectboard meeting. The company they hired has finally found a  
40 project manager so they're saying online registration should be ready in November. Considering  
41 they hired them in February is shocking, but Preston is in the mode of getting the job done and not  
42 talking about punitive measures. Tim wondered if they should cancel their contract and look for  
43 another company. Preston said it was more of a Julie question, but he just wanted to get the job  
44 done. The contract is only for a year so they could decide not to continue with them. Preston  
45 thought once it was set up, it wouldn't require a lot of continuing work and thought it would be  
46 more work to research and find another company. Preston noted that Shawn Cunningham has

1 found it his personal passion to search short-term rentals and had told Preston that his data will be  
2 better. Preston sent Shawn the Excel spreadsheet and Shawn thought their data was good, so it  
3 made Preston feel better. Everyone agreed to have Preston forward it to the Selectboard as it was.  
4

#### 5 **Agenda Item 5, Discuss Updated Proposal for Food Trucks**

6

7 No discussion, as they ran out of time.  
8

#### 9 **Agenda Item 6, PC Roundtable**

10

11 Barre thought it would be interesting for them to ride around and recognize what was going on in  
12 the town while the evidence of the recent flooding was so prevalent. Barre had spoken at a previous  
13 meeting about the railroad bridge along the edge of town on Route 103 and the road to the sewage  
14 treatment plant which caused the water to go into that area. Barre thought they had an opportunity  
15 to create a spillway there that would help with flood mitigation, especially if they removed the big  
16 driveway in the small culvert. He didn't know whose job it was to do it and if it fell under planning.  
17 He thought while they had an example of what happens during flooding, they should take a small  
18 tour and document it. He realized they were dealing with the federal government. They didn't think  
19 a 10-passenger van was available and it would be tough to do it as a caravan. Barre wanted to put  
20 it out there and thought if they could get through zoning, they could address planning forward with  
21 land use and property owners and things that matter. He saw flooding as an issue and if there are  
22 parcels that could be helped by creating a spillway, it may be something people in planning could  
23 figure out. It seemed simple. Tim noted on Potash Road during Irene, a 6-foot steel culvert was  
24 plugged with trees and backed the Andover branch up which cut a brand-new channel through the  
25 woods and across the road, so across the road they put in a big box culvert to allow trees to go  
26 through. Tim stood there July 10<sup>th</sup> and watched when a tree got caught and water came over the  
27 road it would snap it in half or shift and the tree would go down. He witnessed dozens of trees go  
28 down the river like that and it was great, but when they got to the Route 11 bridge, they jammed  
29 up and the river cut a new channel across Benton Road and behind a house. Barre said in the  
30 movies they drive cars through spillways in California and when he was a kid, the town he lived  
31 in had terrible flooding, so they put concrete spillways in, and it saved the town. In Chester, it  
32 seemed simple because they had the land along the railroad where the low railroad bridge is, and  
33 everything backed up. If they were able to open it up, it would save the ballfield and water pipe. It  
34 would require a big culvert and new bridge over to the sewage treatment plant, but if the water was  
35 running and there was a deeper reservoir thing in the land owned by the Legion that could hold  
36 water, they could have an impact. Tim said the point he was making was solving the problem  
37 upstream just shifted the problem downstream. Barre said that's why having a spillway and some  
38 place for the water to be contained would let it move. They do it all over the country and it works.  
39

40 Tim said they would discuss the updated proposal for food trucks at the next meeting.  
41

42 Preston said his life as a flood plain administrator only kicks in if any buildings are significantly  
43 damaged which is 50% of their value and he hadn't heard anything, so they dodged the bullet.  
44 Preston said every flood is different and part of it is how long the clouds linger. It stayed longer in  
45 Ludlow, and they were trashed.  
46

**Agenda Item 7, Adjournment**

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- 2
- 3 Cathy moved to adjourn, and Barre seconded the motion. The motion carried unanimously. The
- 4 meeting was adjourned at 8:39 p.m.