

1 **TOWN OF CHESTER**
2 **SELECTBOARD MEETING**

3 **July 5, 2023, Minutes**

4 **Board Members Present:** Arne Jonynas, Lee Gustafson, Peter Hudkins, and Arianna Knapp at
5 Town Hall. Absent: Heather Chase.

6 **Staff Present:** Julie Hance, Town Manager, at Town Hall.

7 **Visitors Present:** Cathy Hasbrouck, Preston Bristow, Hugh Quinn, Lori Quinn, Shawn
8 Cunningham for the Chester Telegraph, Tim Roper, Steve Slivinski, Jerene Slivinski, and Lenny
9 Nukam at Town Hall; and Barre Pinske, Phil Perlah, and SAPA TV via Zoom.

10
11 **Call to Order**

12
13 Chair Arne Jonynas called the meeting to order at 6:30 p.m. with the pledge of allegiance and
14 welcomed everyone.

15
16 **Agenda Item 1, Public Hearing; “Administrative” Amendment to Unified Development**
17 **Bylaws**

18
19 Arne said they had looked at it previously and discussed amending items and that’s why it had
20 been sent back to the Planning Commission who had done their work by making the requested
21 changes. The members of the Commission were present to answer any questions or address any
22 concerns. The Zoning Administrator Preston Bristow was present, as well as members: Hugh
23 Quinn, Tim Roper, Cathy Hasbrouck; and Phil Perlah, of the Development Review Board, was
24 also present via Zoom. Arne turned it over to Hugh.

25
26 Hugh said it was a work in progress since early in the year. They reviewed the proposed changes
27 with the DRB in early January. It first came before the Selectboard on May 3rd and at that meeting
28 they agreed there were some things they wanted to review more closely and iron out. On May 15th,
29 the Commission had a productive meeting and hashed through some of the discussion topics that
30 came out of the first meeting. On June 5th, the Commission unanimously approved resubmission
31 of what was now before the Selectboard for consideration.

32
33 Preston indicated there was information in their packet as to the chronology. The Selectboard had
34 asked the Planning Commission to reconsider 3.22, Renewable Energy Facilities. It had said
35 anything that had a certificate of public good from the Vermont Public Utilities Commission was
36 exempt under state law. Lee, who is in that business, questioned if 95% of the applications were
37 exempt, why should someone who wasn’t net metered be required to go through all the rigmarole.
38 The thought was to broaden the exemption but the more they considered it, there was over a page
39 under Section 3.22 they would need to keep or remove. Preston said it would almost be
40 contradictory to include an exemption but leave that part in. Lee acknowledged that at the meeting.
41 They decided to leave it unchanged but include a note that they addressed it and would look at it
42 again in the future.

43
44 The second one had to do with self-contained travel trailers. There had been a lot of discussion

1 about it and most of the Selectboard members were present during the discussions. In the end, it
2 remained unchanged, limiting it to two campers on a property year-round or more than 180 days.
3 Anything longer would be considered a campground.

4
5 The next item had to do with roads. The previous language had possibly committed the town to
6 maintaining roads to highway road standards. They changed the language to clearly state any new
7 roads from the subdivision process, may be required by the DRB to engage a professional engineer
8 at the sole expense of the applicant to certify that a newly constructed road was designed and
9 constructed in accordance with the town's road and bridge standards. The Commission also
10 discovered in this process that there were conflicts between zoning bylaws and the road and bridge
11 standards. The bylaws said any private drive serving more than one residence was a road and the
12 road and bridge standards said any drive serving more than two residents was a road. They decided
13 the best way was to conform the zoning to the road and bridge standards, which are generated by
14 the state. They changed the definition of road and the description of rights-of-way.

15
16 Finally, there was a provision the Commission suggested that gave the DRB the ability through
17 the subdivision process to permit multiple principal structures on a lot. Currently, the bylaws only
18 allow one per lot. The sense of the Selectboard was because the decision could be made through a
19 planned unit development, they didn't need it. The Commission agreed.

20
21 Arne said they were the four items there were questions about and discussed and asked if there
22 were any questions or concerns from the board. Arne clarified the camper provision allowed two
23 campers on a property for 180 days. Preston agreed it was for occupied campers. Arne would allow
24 for questions from the audience after he addressed the board members' questions.

25
26 Arianna understood the language was the same as when they first saw the document on May 3rd.
27 Arne agreed.

28
29 Lenny Nukam, who lives on Route 10 and is the business owner of Rocker Doctor and a metal
30 fabrication specialist, has more than two campers in his yard, two of which are covered with plastic
31 behind a stockade fence waiting on a deposit to repair their roofs. The third camper is a storage
32 unit that is completely gutted where he stores body panels. It has come to his attention that there
33 is a conflict of interest between Hugh and Lori Quinn and he and his wife with verbal outbreaks
34 across their properties. Lenny has erected stockade fences around part of his property. The police
35 have been called because he stands outside his garage door but not when the jake breaks come
36 over the knoll by the Quinn's home. Lenny has unregistered vehicles in his yard he repairs. Arne
37 was more concerned about his statement with the campers and less about the issues with his
38 neighbors as it wasn't related to the current topic. Lenny felt there was a conflict of interest with
39 Mr. Quinn on the Planning Board and what was permitted on Lenny's property. Lee interjected
40 and said the language they were discussing was related to self-contained travel trailers and campers
41 being stored year-round, but occupancy was limited to not more than 180 days. Lenny said they
42 were not occupied and were without power and Lee said that was his point. Peter said it was storage
43 or occupancy. Lee saw what he was saying. Lenny said that was part of his small business and
44 they weren't occupied. Arne presumed they were there as part of a legal business he was running
45 and didn't see an issue. Arne said it was more about people residing in campers. Arne didn't think
46 when the bylaws were enacted that people would be running around to enforce them and didn't

1 see it happening in a case like this and wasn't the purpose of the Selectboard. Lenny asked if he
2 would be grandfathered as an existing business. Arne didn't know the answer but currently he had
3 a legal business. Lee thought it was the prevue of the Zoning Administrator and suggested he speak
4 with Preston. Preston said he had been there, and it would be ideal if he could conduct business
5 somewhere other than his house and he was looking for something but had not found anything yet.
6 Preston was aware of the campers but hadn't asked about their use. The one being used for storage
7 wasn't a camper anymore and had changed its use. Preston thought the other two were part of his
8 business and didn't foresee it would be a problem for Lenny.

9
10 Arne asked if there were any other questions about the campers and there were none. He asked if
11 there was a consensus by the board that they were okay with it. Peter indicated he would vote
12 against it because of the way it was written.

13
14 Arne announced the next item was whether solar was on or off the grid which would be addressed
15 in the future so there would be no change at this time and asked if the board was agreeable. Arianna
16 asked if it was accurate that there was no change and Preston confirmed. The original submission
17 had a note indicating if it was part of the grid, it was exempt, which was merely informative as it
18 was state law. Preston said Lee made a good point about exempting all, but they weren't ready to
19 remove the whole chapter and would review it again. Arianna understood. Arne said it was better
20 to analyze topics individually rather than addressing the entire document at once. Preston agreed.

21
22 Arne said the next was roads and bridges which had been worked out between Julie and the
23 Commission regarding the details. The standards are state standards and out of their control.

24
25 The last item was the DRB and principal structures and having a second principal structure without
26 having to go through the planned development process. It was left to be one principal structure and
27 a process for more than one. It was the way it was before. Lee asked if there could be more than
28 two or if it was limited to one with a principal structure. Preston noted he had worked for various
29 towns, and some allow for more than one principal structure per lot. Chester has one and Preston
30 wouldn't mind if it allowed more but the Commission wanted to keep it at one. Preston noted there
31 were arguments for both ways. It meant you could have accessory uses but if you had one house
32 on a property, the second house had to be an accessory dwelling unit and had to be smaller. Peter
33 didn't think that was true for a planned development unit. Preston agreed. Peter said with a PDU
34 and the change not requiring separate sewer, you can have more than one principal dwelling on a
35 property. Preston said that was true. Preston said that was the consensus that they didn't need to
36 tinker with it because the PDU afforded that option and noted the PDU required going to the DRB
37 for approval. For affordable housing it happens. He used the example of Pleasant Brook and said
38 there were three pods on one lot, and it would be silly to subdivide when the PDU permits it. Arne
39 thought it wasn't a bad idea to have a second set of eyes on a PDU and they weren't forbidding it
40 but requiring them to go through steps to make it happen. Peter said originally you had to be
41 connected to water and sewer, but the change didn't require that. Arne agreed requiring someone
42 to be on town water and sewer would limit projects. Preston was quite pleased with the change.

43
44 Arne asked if anyone at Town Hall or on Zoom had questions or comments related to the
45 administrative changes to the Unified Development Bylaws. Peter said before the hearing was
46 closed, the Planning Board wasn't aware at the last meeting that they are also bound by the

1 disclosure policy of the town, which was a new step for them. Peter suggested they needed to look
2 at what they were responsible for. Arne asked if Peter was directing it to the Board and Peter said
3 he was. Arne noted Peter's comment. Lee asked if Peter was talking about the conflict-of-interest
4 policy, and he was. Preston said the Selectboard had passed it in 2016 and noted Peter brought it
5 up at their meeting. Preston had reviewed it and said it applied to all boards. Regarding conflict-
6 of-interest, Arne thought they all have an interest because they live in a small town. Everything
7 affects their neighbors and other people and it's difficult to avoid. Arne said the conflict
8 specifically refers to monetary and personal gains and that was difficult to define. It was mostly
9 voluntary for people to speak up when they felt necessary, and Arne thought the Planning
10 Commission did a fantastic job and had no problems nor did he see any conflict-of-interest.

11
12 Arne closed the hearing.
13

14 **Agenda Item 2, Public Hearing: "Open Space" Amendment to Unified Development**
15 **Bylaws**

16 Open Space is a new zoning area of town. This was the first look at it and the Planning Commission
17 was present to assist with the process.
18

19 Hugh said it was a new district of parcels in and around the Village Center but also located in the
20 floodway fringe area. Previously, it was handled under an overlay district, which would still apply
21 but to make it clearer for landowners who have a parcel in this space, they created the district to
22 indicate what they are permitted to do. That was the spirit behind the change. They sent letters to
23 the landowners so they could understand and engage with the Commission if there was anything
24 they wanted to discuss. One landowner, Jeff Holden, attended the first public hearing and was fine
25 with the answers he received. They were now ready to put it before the Selectboard.
26

27 Preston said Peter had initially come up with the idea but envisioned it being a bigger district than
28 the product. Hugh was correct that Chester has a district covering all federally mapped floodplain,
29 which the state required. Because the district is an overlay district, other districts are under it. For
30 the new open space district, the district under the overlay district was a residential district. It is the
31 major lowland along the Williams River from Church Street to Peck Road. Preston wasn't in
32 Chester during Irene but has heard stories about this area filling up like a cauldron swirling with
33 water. He said with respect to flooding, it was a good area for water storage and kept it from wiping
34 out Bellows Falls. Brandy Saxton had taken it out of residential and put it in a general business
35 district. After Peter suggested it, Jason Rasmussen and Preston discussed it, and Jason said it was
36 a good idea and many towns have open space districts. They worked hard to identify the most
37 critical flood storage areas and define the districts so any high ground that rose out of floodplain
38 was excluded, so it was only land in floodplain. Preston said it was still subject to the flood overlay
39 district but was not an appropriate area for construction of homes. They tried hard to make it clear
40 that specific activities could happen there, such as a fair or recreational facilities, a baseball dugout,
41 fence for a back stand, and agricultural and forestry things. Preston noted Cathy had put a fair
42 amount of effort into not only notifying people via letters but providing a map of their property
43 showing where the district was located. Jeff Holden's concern was he wanted to be sure there was
44 high ground across from the treatment plan road where they could put bathroom facilities in the
45 future. Preston said they could do that. That was the only comment they received. Peter asked if
46 they had brought the new concept to the DRB, and they had not. The flood overlay rules don't

1 change, and it was just a change of the name under it. Everything that happens there would be
2 subject to DRB review. Arne asked if many homes were in both districts. It was nice to have
3 districts follow property boundaries. In this case, the district follows flood boundaries, so there
4 were many people who have a house and the backyard slopes into this district and that's where
5 this district is, so it had a lot of properties where the district line ran through them. They have made
6 it clear that the district line and flood boundary were the same. Arne questioned if it affected their
7 ability to build or do things on their property. Preston said you're in floodplain on one part and not
8 the other and there were no setbacks or buffer zone so in theory, you could build within a foot of
9 flood boundary so long as you can document its flood boundary. They are told it may not be best
10 to do it that way, but it can be done legally. Arianna asked before the language existed if she had
11 a property and the backyard was in floodplain, and she wanted to add a gazebo and shed if it had
12 been allowed. Preston said before the change it would be the same as after the change and the DRB
13 would need to review it. He added there was the concept of minor structure, which a gazebo was,
14 and DRB review may require it be anchored. Lee read the purpose/statement: "The district which
15 was entirely in FEMA's map special floods hazard area protects critical resources including
16 wetlands, wildlife, habitat, and natural flood storage which provides erosion control in the event
17 of a flood and limits the uses beyond what is allowed under the flood damage prevention overlay
18 district. Appropriate uses in this district include agricultural, forestry, recreation, civic, cultural,
19 educational, and social events. This district is not appropriate for residential uses." Lee asked how
20 much of the language came directly from the state or FEMA and did they have any ability to
21 modify what they recommended. Preston said the language was creative writing between himself
22 and Jason Rasmussen, so it could be modified if there was anything Lee was uncomfortable with.
23 Lee was surprised the Feds and the state weren't involved. Lee said the purpose of district was
24 well-defined and they had made it clear what was allowed. Preston added while this met the state's
25 goals, it wasn't anything they were directed to do. Arne said some of the maps aided insurance
26 companies in deciding whether to insure a structure located in some of these areas. The overlay
27 district was like this with a little more added protection. Arne questioned what a civic or
28 institutional use was. Preston used the Legion property as an example, who has certain activities
29 in floodplain. He knew Barre's Big Buzz was located there one year and some other things and
30 that's what they were trying to get out. Peter said for him, it's always been deceptive because it's
31 big open land as you come into Chester that appears to be commercial and it's not and said they
32 could label it differently but it's still floodplain so making it open space seemed appropriate. Arne
33 thought there were probably other areas in town that could be included. Peter said it got spotty, but
34 this was big enough that they couldn't say it was spot zoning. Preston thought it could be expanded
35 to other areas in town but to say everything in FEMA's flood district was open space would be too
36 big a step. Arne asked if a lot of the center village was in floodplain according to FEMA map.
37 Preston thought Arne was thinking of the state having the river corridor designation and a lot of
38 the downtown was in river corridor. As a town, they have chosen not to recognize the river corridor
39 and Preston would have a difficult time recommending they recognize it and added any project
40 that goes through Act 250 will consider river corridor. Not too much of the downtown area was in
41 mapped floodplain. Arne asked for any questions and there were none.

42
43 Arne closed the second public hearing. He expected they would use the agenda items to adopt the
44 changes later in the meeting and thanked the Commission and Preston for their hard work.

45
46

1 **Agenda Item 3, Additions or Deletions to the Agenda**

2
3 Naomi Johnson had only today informed Julie there was an amendment to the loan application for
4 the asset management plan. Arne wanted to add it to the agenda after signing loan documents for
5 the secondary well. It was paperwork that would ensure the process continued and the application
6 went forward. Arne asked if everyone agreed to add it to the agenda after item 10 and they did.
7 There were no other additions or deletions to the agenda.
8

9 **Agenda Item 4, Approve minutes from the June 7, 2023, Selectboard Meeting**

10 Lee made a motion and Arianna seconded it to approve the June 7, 2023, minutes. There were no
11 changes. The motion was carried unanimously, and the minutes were approved as written.

12 **Agenda Item 5, Citizens' Comments/Answers from Previous Meeting**

13 None.

14 **Agenda Item 6, Old Business**

15
16 Report given by the Town Manager:

17
18 Water and Sewer Rate Increase

19 Cil and Julie attended a training and are now working through the financials to determine a plan
20 moving forward. It will be on the Board's agenda for August 2nd. It would not go into effect until
21 the bills go out in August.
22

23 Short-term rentals

24 Preston and Hugh have done some training utilizing the limited data from Granicus. Preston is
25 working with them to keep it moving. The Planning Commission will review their
26 recommendation to the Board for the next steps. It will be on the Board's August 2nd agenda.
27

28 General information

29 The packet included spreadsheets and project lists of things going on in town.
30

31 Parking on the Green

32 There has been chatter on Facebook, which Julie wouldn't address except to use the opportunity
33 to address the board and Hugh had also reached out to her. They received a grant for paving the
34 parking lot at Cobleigh to expand and pave it. It is still underway, but they need to clear historic
35 preservation through the state first. It is likely paving will take place in the fall or first thing in the
36 spring. The project will likely be funded separately if they are unable to do the work themselves.
37 Peter and Cathy had started working on finding access from Cobleigh to the Green a few years
38 ago. The town will create a footpath from the parking lot to the Green and are considering a few
39 options. Julie thought this may pacify some of those who were concerned about parking.
40

41 Julian Quarry

42 The public hearing is Monday and Julie was aware some of the Selectboard may attend the site
43 visit. Julie and Preston needed a headcount of who would attend. There are rules that must be
44 followed per Julian Quarry's MSHA and OSHA obligations: they must wear a hardhat, safety
45 glasses, hearing protection, regular shoes, body protection - long sleeves and no shorts, and safety
46 vests. There was discussion about where they would meet for the 3:00 site visit.

1 Peter asked when a better time to comment on the project list was. He said they could petition
2 Route 35 to the state and then the legislature could move for the state to adopt the maintenance of
3 35. He noted there were four towns that go through the legislative district and two senators. Julie
4 noted she had investigated it a few years ago and was told it would be a cold day in hell before the
5 state took over the road. Peter said they could go through the legislature. Julie said they must be
6 willing to look at it and the consensus among the chairs of the different transportation committees
7 is that they aren't willing. Julie added that coincidentally, they seem to receive all the federal
8 funding they need to fix Route 35 and is where a lot of the grant money is coming from to fix 35
9 so they won't need to pave every 3 years. Julie said they could try again and speak with the
10 representative and senators if that is a charge the Selectboard wanted to take. As town manager,
11 she cannot get a bill on the wall. Peter thought they could get Chester, Grafton, Athens, and
12 Newfane to support it. Arne suggested adding it under new business and having more discussion
13 regarding their options.

14 **Agenda Item 5, Adopt "Administrative" Amendment to Unified Development Bylaw**

15 Lee moved and Arianna seconded a motion to adopt the Administrative Amendment to the Unified
16 Development Bylaw. Arianna wanted to comment on record and said as most people are aware,
17 she had concerns about the camper designations in the proposed development bylaw. She shared
18 a brief anecdote. She was in her kitchen recently needing to decide about finding an R.V. for her
19 son and his new wife because they can't find a home. They had new jobs and were just married
20 and moving to the area. She spent 1 ½ hours deciding they needed to move into an R.V. in her
21 driveway before she even recognized it was the topic she had been causing issues for. Campers
22 are associated with the affordable housing crisis. She wasn't going to block it, but they needed to
23 be aware of their fellow citizens and people in need who may need to live in a camper because
24 currently, if you don't have more than \$300,000, you don't have a place to live. Part of Arne's
25 concern was the rules and regulations they adopt but have flexibility. Arne realized it wasn't the
26 best way to go but was part of being the compassionate town they needed to be. If every rule and
27 regulation was enforced to the nines, it would cause havoc and there wouldn't be any society left.
28 Arne understood her point. Arne didn't see the DRB or Zoning Administrator evicting people from
29 properties as they needed a place to live and saw the change as more to prevent misuse. Lee asked
30 Peter for his opinion since he had stated he wouldn't vote for it. Peter said the board had two things
31 they were concerned about and the answer from Planning was they weren't going to change it and
32 just bring it back before the board and Peter saw that as a big disappointment. Peter said it didn't
33 make sense and saw it as targeted toward an individual and picking out specific cases and calling
34 them out. Peter said the housing crisis wouldn't be saved by this. Peter said they were getting the
35 people who paid \$600,000 for a house and it was now \$1.5 million, and their taxes were raised,
36 and they can't rent their house out for an Airbnb and stay in trailer. Arne said it didn't come back
37 because they didn't want to do anything about it. Arne used the energy item as an example of
38 issues they may not agree on all the time. Tim Roper wanted to add some context and said the
39 Commission had discussed the changes at length and there was debate, back and forth. Tim had
40 looked at the minutes because his recall wasn't the best and, in every case, the Commission
41 forwarded to public hearings with unanimous votes and one of the unanimous votes included Peter
42 Hudkins when he was still on the Commission. Tim took exception to the comment that one person
43 was targeted because it was an example, and it was an unfortunate aspect. Tim agreed with Peter
44 that they shouldn't call someone out and it had been corrected. Tim said regarding the discussion
45 about the travel trailers at the Planning Commission meeting that four Selectboard members had
46 attended, his sense at the end of the meeting was they were all in agreement that it wasn't ideal but

1 the best way to move forward. They didn't want Chester to become a place where people set up
2 travel trailers to live and it wasn't a solution to the housing crisis. Tim's bottom line was it had all
3 been discussed, and almost to ad nauseum and the Planning Commission unanimously voted to
4 forward the language they were all discussing. It wasn't some kneejerk decision to ignore the
5 request of the Selectboard, who had input to the discussions before they voted to send it back. Lee
6 knew they had been around the bush a few times regarding it but asked Preston or someone from
7 the Commission to remind him what they were solving with it. Lee knew there was a travel trailer
8 that had been there a long time and was being used to house people who want to live in Chester
9 and asked if it was something they could solve another way or postpone adoption of a particular
10 portion of the bylaws until things settle down some. Lee noted there were properties still available
11 although they were high priced. He wondered if there was a way they could work around and solve
12 it. Preston said he had reviewed the law again and wondered if this provision could be deleted and
13 the rest passed, and he didn't think they could. Preston said it was clear that whoever wrote the
14 law did not want the Selectboard addressing these issues at the last minute. Preston said the other
15 option would be not to adopt it, which would mean they would discuss it again, warn another
16 hearing, and bring it back. Preston knew it was brought up at the Planning Commission level
17 several times to drop it but there were members who didn't want to do it and said it was consistent
18 with the state water quality rules. They had talked a lot about how they don't have to necessarily
19 follow the state water quality rules. Preston noted it wasn't currently a rampant problem. Arne said
20 they had a motion and a second and were discussing it, so they had to have a vote. Arne was against
21 voting it down and sending it back to the Commission given how much work they had put into it
22 with input from the Selectboard and the public and with unanimous decisions to bring it forward.
23 They could revisit in the future, if necessary, but at this point, it wasn't good use of the Commission
24 or the Selectboard's time. Lee said considering it and all the reasons why they should pass it, he
25 was concerned there may be unintended consequences and wondered what it would tell the public
26 if they didn't enforce the rules. Lee wasn't sure what the answer was but wondered how they would
27 deal with that and saw the Housing Commission as a two-to-three-year solution. Lee thought a
28 compromise may be to pass it tonight or pass it with language that it wouldn't go into effect for
29 two to three years which would provide breathing room for other alternatives. Arne thought part
30 of the unintended consequences were the health aspects of living in a travel trailer year-round and
31 permanently, as well as wastewater and water and the other things associated with it. Arne pointed
32 out another unintended consequence without anything on the books was someone parking four or
33 five trailers in their yard and renting them out. Julie agreed. Arne didn't think the neighbors would
34 be thrilled about that. Arne said when he talked about not enforcing it, maybe he shouldn't have
35 put it that way but rather it was a gray area when it came to enforcement and most of the
36 enforcement issues come before the Selectboard because they would involve money and courts so
37 the board would have some say whether it was enforced at the Zoning Administrator level or not
38 because it would eventually come before the Selectboard to allocate money to enforce it. Hugh
39 agreed with Arne and said when they had the joint meeting, they discussed that it may make it
40 tougher for people without housing but at the same time, any lack of regulation was risky. One of
41 the things they had discussed was not thinking about enforcement as binary but thinking about it
42 as enforcement with compassion. If there was a valid scenario because someone had to live in a
43 camper for a period because they couldn't get by any other way, between the Zoning Administrator
44 and the Selectboard, they had the latitude of power to create an enforcement get well plan that
45 would allow people in need to be okay and be whole. At the same time, if there was a blatant
46 violation of the bylaws that wasn't for any reason but a matter of housing someone, they would

1 have a regulation they could use to take corrective action. Cathy Hasbrouck pointed out that
2 currently in the bylaws, a permit is necessary to store a mobile home for six months and it's
3 renewable for six months but that was all they had that addressed mobile homes in the bylaws, so
4 they weren't even acknowledging that people may need to live in them while they're looking for
5 a place to live.

6 A vote was taken. Arne voted yea. Peter voted nay. Lee and Arianna didn't know how to vote. Lee
7 saw the need for the regulation but didn't feel comfortable saying they wouldn't enforce it and
8 wondered how future members would know how to deal with enforcement if it were passed and
9 Arne said that was an issue with all laws. Lee's gut reaction was to pass it and move on, but he
10 was struggling with the fact there was a housing issue. Arne said it wouldn't disallow someone
11 living in a camper for 180 days and Lee said that went by like that (snapping his fingers). Arne
12 said they had to vote. Lee and Arianna both voted yeas. The motion was carried with three yea
13 votes and one nay. Julie was thankful she didn't have to vote but said this needed to be the impetus
14 for the town. She didn't like the idea of kids living in a camper and she knew of some that did. She
15 said the town needs to figure out where their role is. She said it wasn't an easy fix, but the onus
16 was on all of them to figure it out.

17 **Agenda Item 6, Adopt "Open Space" Amendment to Unified Development Bylaws**

18 Arianna moved and Peter seconded a motion to adopt the Open Space Amendment to the Unified
19 Development Bylaws. Lee appreciated the work the Commission had done and thought it was a
20 good step forward. Peter said this would be the first time it was done in the state. Arianna said that
21 was excellent and Arne said they would be looking to Chester as an example. Arne thought the
22 concept made a lot of sense. A vote was taken, and the motion carried unanimously. Arne thanked
23 the Planning Commission and Preston for their hard work.

24 **Agenda Item 7, Housing Commission Bylaw**

25 Arne knew they had discussed it at the last meeting and a few changes were requested. He asked
26 if they had reviewed it and were okay with it now. Lee asked if they had decided between 5 and 9
27 members or if they were going to go with 7. Julie said they had decided to go with between 5 and
28 9 because there could be a lack of interest and it would help with having a quorum. Arne asked
29 what the other change was, and Arianna said it was about being responsible for finding housing
30 for others. Julie said Susan had recommended the HUD mission statement and they had used that.

31 Lee moved and Arianna seconded a motion to approve the Housing Commission Governing
32 Bylaws. A vote was taken, and the motion passed unanimously. Arianna thanked Julie. Julie said
33 there would be interviews and appointments in August.

34 **Agenda Item 8, Use of Economic Development Funds for Electric on The Green**

35 Arne stated there was an accounting statement regarding the fund in the packet. The closing market
36 value as of March 31st was \$425,804.88. The discussion was whether they should use some of the
37 funds for electrical upgrades on the Green. Arne mentioned that there was also a statement
38 regarding the Chester Development Fund. Arne had reviewed it and couldn't find a place where it
39 discussed granting the money as opposed to loaning it. Julie said it talked about loans and there
40 had been previous occasions where they issued loan forgiveness to the town for work on the Green.
41 It was just a matter of the board's willingness to do that again and if they were, they should update
42 the policy. Arne agreed. Lee wanted to make another recommendation if they updated it. Arianna
43 suggested they review the policy and make recommendations for changes. Arne said they could

1 have it as a future agenda item but currently needed to deal with the policy as it stood with the
2 caveat that they had provided loan forgiveness in the past. Peter said once the electricity was
3 installed there, they would have others who would want to use it more than a few days per year so
4 it would pay for itself, and Lee added if they charged money for it. Peter said they wouldn't want
5 to give away free electricity and should charge. Lee agreed but it would require discussion. Peter
6 said Ludlow's Farmers Market was crashing and this spot would provide an opportunity for
7 income. Arne said the last time the funds were used was for paving the Common area and the
8 justification was it helped tourism and businesses, and especially the Village Center which this
9 fund was directed for. Julie added the Fall Festival Committee was donating \$10,000. The high-
10 end price they received was \$30,000 and Steve didn't think it would be anywhere near that. Steve
11 is working with Green Mountain Power to come up with some less expensive and less intrusive
12 ways, but Julie didn't have the numbers yet. The other plan was it would not be in for the Fall
13 Festival this year, as they don't want to rush it or rip up the Green in the summer. After the festival
14 and foliage season in late October or early November, they will dig and lay the conduit and the
15 final part will take place in spring of next year. It will be less intrusive to the flowers and other
16 things. Julie hoped for an okay that she needed to secure people if they were going to start it in late
17 October, but she didn't want to do that without the match from the Economic Development Funds.
18 Arianna asked if Julie wanted them to approve a range of amounts that could be taken from the
19 Economic Development Fund. Julie was asking for a maximum which was no more than \$20,000.
20 If something happened and they hit the maximum of \$30,000 with \$10,000 from the Fall Festival,
21 she would be covered and there was no match. Arianna asked if there was a state fund and there
22 was not. Julie said it would be along the stone wall between the Baptist Church and the Information
23 Booth. There will be a total of four pedestals with power. There will be a pedestal in the corner by
24 the ramp of the Academy Building for concerts. Arne clarified it was not the Green side and Julie
25 agreed and said it was the Information Booth side. Arne said this upgrade would make it easier for
26 the Academy Building to be updated in the future. Lee asked if there would be anything in the
27 green in the turn around in front of the Academy Building and Julie said it would come up
28 alongside where the flower gardens are because they don't want to disrupt any roots and kill any
29 of the trees along the Academy Building. Lee moved to authorize the use of up to \$20,000 from
30 the Economic Development Fund for upgrading electrical on the Green. Peter seconded the
31 motion. A vote was taken, and it was carried unanimously. Julie would add the policy to a future
32 agenda item. She added they would work to keep the cost well below \$20,000.

33 **Agenda Item 8, Set Tax Rate for 2023**

34 They received the education tax rates from the state and the Grand List had been lodged. They are
35 ready to set the tax rate for the year. Municipal only is at .9277, which, as projected during the
36 budget, was a 6-cent increase which was what was anticipated. The local agreement rate stayed
37 relatively the same at .0001. The local agreement rate deals with veteran exemptions and those
38 dollars still need to be raised to pay for the education taxes for the state as they don't exempt those.
39 The education rates, which Chester has nothing to do with but collect the tax, took a hike. The
40 non-residential rate came in at 1.5875, which is an increase of about 7 cents. The residential rate
41 is 1.5330 which is an increase of a little over 7 cents. Combined rates are residential, 2.4652 and
42 non-residential, 2.5197. Peter said it is what it is. Arne said it was a tough year coming on the
43 backside of two years of COVID and the highest inflation rates in a long time at 8%. Every time
44 the town purchases something or tries to get a service, it has increased and not just a little bit. Arne
45 asked for a motion to set the non-residential tax rate at 2.5197 and the residential rate at 2.4652.
46 Peter moved and Arianna seconded the motion. Lee said there were so many things the town is

1 required to do and pay for by the state that it makes him angry. The biggest is education and he
2 knows that's important and to support educators and puts his full support behind them who are
3 dealing with, in many instances, serious breakdown of the family structure, but it also seems that
4 the state is driving the boat with respect to what money is spent and on what and why. It was
5 concerning Lee that the town had no influence over that. On behalf of the taxpayers in Chester,
6 Lee thought it was time to pushback against the state and the requirements dictated by them to the
7 town to come up with this money to educate the kids in ways that may not be the best for the
8 community and kids. He was a huge advocate for local control and, in his opinion, the more they
9 have, the better. Arne wasn't sure how many years ago the law changed but it used to be the town's
10 money as well as the control. Arne thought that's when they lost control. Lee thought it was a
11 discussion for another time and wanted people to understand that while the tax rate is going up,
12 it's not an item they can control. Arne agreed with Lee regarding the decline of family structure
13 but thought it needed definition because it meant different things to different people, and they
14 should be inclusive about the different family structures. Peter noted that people have mentioned
15 to him the number of things raised at town meeting that nobody represented, and he thought as a
16 Selectboard they could require them to be present if they wanted money. Julie said based on things
17 she has been told it would be prudent to obtain financial information from the organizations they
18 give money to. Lee asked if there was a process to get something on the warning. Julie said the
19 board changed it a few years ago when they said if they weren't changing the amount requested,
20 they would have to write a letter. Julie said they could reconsider that policy. She said it had been
21 changed due to COVID, but originally it required 5% of signatures. If they were asking for more,
22 they needed a petition. Lee asked if that gave them the ability to look at their financials. Julie said
23 there was always a brief balance sheet they had to provide but not published, and they had not
24 done that in years. Arne said they were non-profits so it should be public information. Julie wasn't
25 suggesting they publish the information. Lee thought they had the authority to look at it and Julie
26 agreed. Arianna asked for an agenda item to review the policy and if the change was made due to
27 COVID, they revert to the original policy. A vote was taken on the motion on the floor regarding
28 the tax rates and it passed unanimously.

29 **Agenda Item 9, Sign Loan Documents for Secondary Well Project**

30 This was a project the board had previously approved the application for. The loan agreement for
31 \$75,000 had come through. They received a \$21,000 subsidy. This was the loan paperwork that
32 followed the approved application. Julie said it would take a few years before they had to repay it
33 and could roll into a construction project which they often do because the projects get grant funded.
34 This was water so it would not hit the general fund. It had nothing to do with the tax rates just set
35 but the water rates that would be set at the next meeting. Water has a healthy fund balance, a little
36 over \$1 million, so any funds required for this project would come from that fund balance. Peter
37 asked where they would dig. Julie said they would drill at the Jeffrey Well for a secondary source
38 there, as that was their preferred source. The second spot is Jeff Holden's lower field, and they
39 would conduct some test drills there. Arne questioned if they had their Selectboard hats on and
40 this was water and Julie said that was okay. Arne entertained a motion for him, as Chair, to sign
41 the loan agreement for \$75,000 for the Water Fund. Lee moved and Peter seconded. They were
42 just waiting on the dates from the drillers to start the project. Lee asked if the new person from the
43 state agreed with them. Julie said they agreed they would do drilling on the Jeffrey Well site and
44 they need to prove to them that redundancy in that well source is not an issue. They hope the
45 drilling will back up what they expect to be no issues. Arne pointed out the other test site was the
46 same aqueduct source and Julie agreed but indicated they were fine with that. Arne signed the

1 agreement, and the Note and Resolution were also signed.

2 **Agenda Item 10, Amendment to Loan Application to Asset Management Plan**

3 The amendment was just received from Naomi today. She discovered because of the identification
4 of 70 new manholes, they do not have 130 but 200 and that has raised the cost of the work and
5 scoping of the pipes so it has raised the project another \$24,000 but will, in essence, also raise the
6 subsidy received. They need to amend the application requesting an additional \$24,000. Arne
7 noted the discovery of the manholes will be a benefit the town. Peter said the one that crosses the
8 railroad tracks by Erskine's opens the whole hillside and they wouldn't have to deal with the
9 railroad. Lee moved and Peter seconded the motion to amend the loan application. A vote was
10 taken, and the motion carried unanimously. Peter added the additional manholes weren't included
11 on the plan but done on separate sketches so a lot of them were likely known by the original
12 planners 60 years ago and were things that would probably save them money. Arne added the more
13 information they had; the easier things were in the long run.

14 **Agenda Item 11, Sign Cemetery Deed**

15 The members signed the deed.

16 **Agenda Item 12, New Business/Next Agenda**

17 Arne mentioned the policy for the Economic Development Fund.

18 Arianna mentioned Peter's goal to get Route 35 onto the state's agenda. Peter said they could do
19 a road thing because he had been working on one of the projects, he was assigned which was going
20 through the Class 4 roads and to see what they can do with those. Some they can get to pass. He
21 said the highway map is what the state will hold them to. He suggested, at some point, they would
22 want to discuss and look at policy because there were things that aren't used and could be trails
23 but there were some properties where it was the only access. Peter was thinking of a policy
24 statement on Class 4 roads. Julie asked if they were still only going to meet once in August and
25 Peter suggested putting this item off until September because it was turning into quite a quest. Julie
26 agreed. The other members agreed to only one meeting in August.

27 Julie said they have water and sewer rates, the financial update, the short-term rental, M & T Bank
28 will be presenting on the Economic Development Fund, the capital equipment loan for the truck,
29 the Housing Commission interviews and appointments, and potentially an update to the traffic
30 ordinance which could probably get pushed to September. The traffic ordinance hasn't been
31 updated since 1978 and some laws have changed since then. The oversized loads coming through
32 town have specific restrictions on their state permits. Currently, when they are cited by Chester for
33 those restrictions, the money goes to the state. There is a way to modify the language in the traffic
34 ordinance to direct the money to Chester. They will write a new ordinance. It is \$300 per ticket.
35 Arne said every year they have a \$30,000 to \$40,000 income from court fees and Julie said
36 oversized loads are under a different statute. Lee wondered how often they pull them over, and it
37 was often. Arne said it was the hours of operation and being on both sides of the street when kids
38 are leaving school.

39 Arianna asked if they were having a second meeting in July, and they were not. She was good with
40 one meeting in August.

41 Julie had been contacted about the grievance hearing which the grievant did not appear for. She
42 asked if they were available July 16th for only that purpose. The members preferred not to meet

1 then, so it was decided to address it at the first meeting in September.

2 Lee thought they needed to go to Grafton and complain about the state of their road. Julie said
3 before they paved Route 35 when they were waiting for the grant money and bidding and the
4 contractor to have availability, Grafton sent a petition signed by some of their residents, as well as
5 some Chester residents, who insisted Chester do it or they would report them to the state and made
6 a whole to-do. Chester paved theirs and it highlighted how horrible Grafton's road is, and they
7 have done nothing with it. Peter thought it got back to what it would take to walk through it and
8 designate the towns of Chester, Grafton, Athens, and Newfane, and if they wanted to roll it over
9 to the state, how many people would they get to support it. Peter thought they could fill it up at a
10 town meeting.

11 Lee noticed the lights for the school were still flashing and wondered who had jurisdiction or
12 access to the lights as it was annoying that they were still on. Julie would check.

13 They briefly discussed having a future discussion about roads for the meeting in September.

14 **Agenda Item 13, Adjourn**

15 Lee moved, and Arianna seconded a motion to adjourn the meeting. A vote was taken, passed
16 unanimously, and the meeting was adjourned at 8:30 p.m.