



TOWN OF CHESTER

**Town of Chester
DEVELOPMENT REVIEW BOARD AGENDA
March 13, 2023**

5:00 PM Site visit at 1609 Mattson Road

6:00 PM Meeting at Town Hall

The Town Hall is now able to have a combination in-person and Zoom meeting. Please check the chestervt.gov website for a link to the DRB Zoom meeting.

1. Review the minutes from the February 13, 2023 meeting.
2. Citizen comments.
3. Pre-application review of proposed subdivision at 1609 Mattson Road.
4. Deliberative Session to review previous or current matters.

1 **TOWN OF CHESTER**
2 **DEVELOPMENT REVIEW BOARD**
3 **DRAFT MINUTES**
4 *February 13, 2023*

5 **BOARD MEMBERS PRESENT:** Harry Goodell, Phil Perlah, Scott MacDonald, Bob
6 Greenfield and Gary Cogger at the Town Hall

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

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

11 **Call to Order**

12 3:33 Bob Greenfield called the meeting to order at 6:01 PM. The group recited the Pledge of
13 Allegiance. Bob introduced the members of the Development Review Board and staff.

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

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

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

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

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

26 He then accepted the documents offered as exhibits.

27 7:51 The first document was a Town of Chester Notice of Public Hearing for a Subdivision
28 Permit dated January 19, 2023. Harry Goodell moved to accept the Notice as Exhibit A. Gary
29 Cogger seconded the motion. A vote was taken and the Notice was accepted as Exhibit A.

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

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

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

4 10:00Bob Greenfield asked James Roper to explain the reasons for the subdivision. James Roper
5 said he and Samantha Martino wanted to buy some land from the Paynes to get more room away
6 from the street for their child to play. They also wanted to have a garden and to prevent further
7 development on the hillside. Bob Greenfield added that financial considerations prevented this
8 action from being a simple boundary adjustment was.

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

13 12:20Bob Greenfield then addressed the requirements for the plat in Section 4.12

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

15 He then turned to section 4.12(F).

16 **F. Required Submissions**

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

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

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

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

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

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

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

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

32 All abutters appeared to have been listed.

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

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

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

39 Bob said there were none.

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

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

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

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

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

14 All these items were located on the plat.

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

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

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

35 25:27The Board decided there was no water supply on the map. The
36 Development rights for Lot 2 on the map have been waived. Bob Greenfield read
37 the paragraph waiving the development rights of Lot 2 aloud to make it part of the
38 record.

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

41 There was no existing sanitary sewer system on the map.

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

1 Bob Greenfield said this was also not applicable. Harry Goodell asked where the
2 small stream shown on the map went after it left the Payne property. He asked if it
3 crossed River Street. He felt the path of the stream and the size of the culvert
4 under River Street should be shown. Phil Perlah pointed out that the portion of
5 the stream in question was not part of the property being subdivided. Harry
6 Goodell said now is the time to record the size of the culvert. Scott MacDonald
7 asked why a feature on the Baker and Waldron properties needed to be included
8 in this map of the Payne and Roper-Martino properties. Tim Roper asked if the
9 Town of Chester had a record of the location and size of the culvert. Harry
10 Goodell said they did.

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

12 No culverts or bridges will be required.

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

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

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

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

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

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

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

36 No new roads needing street signs are being created.

- 37 **s.** The Preliminary Plat shall be accompanied by:

- 38 1. A vicinity map drawn at the scale of not over four hundred (400) to the inch to show
39 the relation of the proposed subdivision to the adjacent properties and to the
40 general surrounding area. The vicinity map shall show all the area within two
41 thousand (2,000) feet of any property line of the proposed subdivision or any
42 smaller area between the tract and all surrounding existing roads, provided any part

1 of such a road used as part of the perimeter for the vicinity map is at least five
2 hundred (500) feet from any boundary of the proposed subdivision.

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

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

8 No permits have been applied for as Lot 1 will not be developed.

- 9
10 t. Endorsement. Every Plat filed with the Town Clerk shall carry the following
11 endorsement:

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

15 Signed this ____ day of _____, _____ by

16 _____
17 _____, Development Review Board"

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

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

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

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

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

32 **Agenda Item 5 Deliberative Session to review previous or current matters**

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



TOWN OF CHESTER

PLANNING & ZONING
556 Elm Street
P.O. Box 370
Chester, VT 05143

(802) 875-2173 office
(802) 875-2237 fax
zoning@chestervt.gov
www.chestervt.gov

MEMORANDUM

To: Development Review Board
From: Zoning Administrator
Date: March 8, 2023
Re: Pre-application review of proposed subdivision at 1609 Mattson Road

Vicki Beayon owns 10.04 acres of land (parcel #26-20-11.400) at 1609 Mattson Road. The irregularly shaped parcel was created by two subdivisions approved by the Planning Commission in 1988 (decision #167) and in 1993 (decision #239).

For estate planning purposes, it is proposed that the property be divided into a 3-acre parcel with the existing house and a 6-acre future house site accessed by a right-of-way. The 6-acre future house site would be conveyed to Luis Negrón.

The property was previously used as a quarry to remove surface stones as approved by Act 250 (Land Use Permit #2S1121) and the town ZBA (decision #302) in 2000. The stone removal operation ended in 2007. The proposed subdivision would access the 6-acre future house site via a right-of-way some 630 feet in length. The proposed right-of-way was used as a haul road for the previous stone removal operation.

A draft survey showing a proposed right-of-way and proposed subdivision line has been prepared by DiBernardo Associates.

I have suggested this pre-application review because a right-of-way 50 feet in width would impinge on the existing house and an existing pond. I am concerned that the parties do not invest further in surveys and septic design without an indication from the DRB that the proposed subdivision is permissible.

CARL & JUDY SPAULDING
342 DAVIDSON HILL ROAD
CHESTER, VERMONT 05143
PARCEL ID: 232047

ROBERT & HENRYKA DWOKAK
18 FIRENZI LANE
FARMINGTON, CT 06032
PARCEL ID: 232046

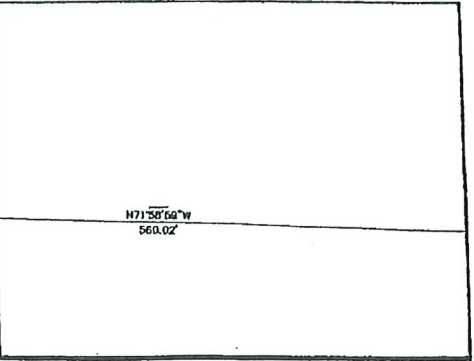
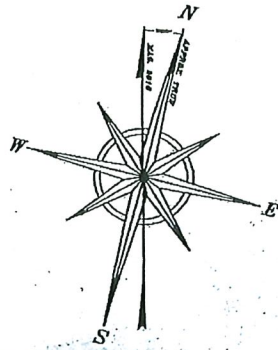
DENIS WALDRON
JAMIE SAVITZKY
154 DELAWARE ROAD
MOHEGAN LAKE, NY 10547
PARCEL ID: 232045

LUKE M. MITCHELL
500 DAVIDSON HILL ROAD
CHESTER, VT 05143
PARCEL ID: 232044

ETHEL RICE
P.O. BOX 212
N. SPRINGFIELD, VT 05150
PARCEL ID: 262011200

WARREN N. WRIGHT, JR.
PATRICIA A. WRIGHT
1807 MATTON ROAD
CHESTER, VT 05143-9424
PARCEL ID: 262011100

ROBERT & DOROTHY STOEISSER
20 CROSS STREET
BELLMONT, MA 02478
PARCEL ID: 282015



~ LOCATION MAP ~

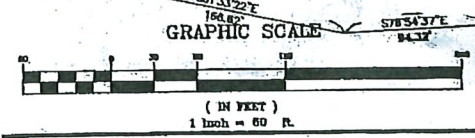
~ LEGEND ~

- PROPERTY LINE
- - - RIGHT OF WAY LINE
- - - OLD PROPERTY LINE
- STONE BOUND FOUND
- CONCRETE BOUND FOUND
- IRON PIN FOUND
- 5/8" # IRON ROD SET
- ⊙ BLAZED TREE
- STONE WALL
- BARBED WIRE FENCE
- STOCK FENCE
- CHAIN LINK FENCE
- ⊙ UTILITY POLE
- OVERHEAD WIRE
- BROOK
- ⊙ TEST PIT
- ⊙ WELL

- ~ NOTES ~
- METHOD OF SURVEY: LEICA TS16 TOTAL STATION AND STONEX S900 GPS.
 - BEARINGS ARE REFERENCED TO THE VERMONT STATE PLANE COORDINATE SYSTEM NORTH AMERICAN DATUM (NAD83) GRID NORTH. ELEVATIONS ARE TIED TO NORTH AMERICAN VERTICAL DATUM (NAVD88).
 - DIBERNARDO ASSOCIATES IS NOT RESPONSIBLE FOR PROPERTY DESCRIPTIONS PREPARED BY OTHER PERSONS FOR CONVEYANCE OF THE PROPERTY SHOWN HEREON.
 - THIS PLAN WAS PREPARED FOR THE SOLE USE OF VICKI L. BEAYON AND IS NOT INTENDED TO BE USED BY ANY OTHER INDIVIDUAL OR BUSINESS WITHOUT THE CONSENT OF SAID PARTIES AND DIBERNARDO ASSOCIATES, LLC.
 - PROPERTY SHOWN HEREON IS LOCATED IN THE RESIDENTIAL 120,000 (R120) DISTRICT. DIMENSIONAL REQUIREMENTS ARE AS FOLLOWS:
 MINIMUM LOT SIZE: 3 ACRES
 MINIMUM LOT FRONTAGE: 200'
 MINIMUM FRONT YARD SETBACK: 50'
 MINIMUM SIDE YARD SETBACK: 50'
 MINIMUM REAR YARD SETBACK: 50'
 MAXIMUM LOT COVERAGE: 10%
 MAXIMUM BUILDING HEIGHT: 35'

- ~ REFERENCE PLANS ~
- PLAN ENTITLED "PROPERTY OF WARREN N. & PATRICIA A. WRIGHT CHESTER, VERMONT" PREPARED BY SOUTHERN VERMONT SURVEYS ON JULY 29, 1988. DRAWING NUMBER 3945-08.

- ~ REFERENCE DEEDS ~
- RECORDED AT TOWN OF CHESTER LAND RECORDS
- DEED FROM RONALD E. BROWN AND GREGORY R. BROWN TO STEPHEN C. BEAYON AND VICKI L. BEAYON, RECORDED IN BOOK 60 AT PAGE 108 ON APRIL 16, 2003.
 - DEED FROM STEPHEN C. BEAYON AND VICKI L. BEAYON TO VICKI L. BEAYON, RECORDED IN BOOK 69 AT PAGE 156 ON JUNE 29, 2009.



PLAN SHOWING SUBDIVISION OF PROPERTY OF

VICKI L. BEAYON
1809 MATTON ROAD
CHESTER, VT 05143
PARCEL ID: 262011400

MATTON ROAD ~ WINDSOR COUNTY ~ CHESTER, VERMONT

DIBERNARDO ASSOCIATES, LLC
VT 101
LICENSED LAND SURVEYORS
P.O. BOX 82
ROSELAND VILLAGE, VT 05608
802-483-3031 • 802-368-6508

DATE: JANUARY 30, 2023 SCALE: 1"=60'
 DRAWN BY: JW CK'D BY: JAD
 SURVEYED BY: BG
 DWO NO. 300X © COPYRIGHT 2023 DIBERNARDO ASSOCIATES, LLC.