

1 **TOWN OF Chester**
2 **PLANNING COMMISSION**

3 **November 1, 2021 Draft Minutes**

4 **Commission Members Present:** Peter Hudkins, Barre Pinske, Hugh Quinn, and Cathy Hasbrouck
5 at Town Hall; and Tim Roper via Zoom

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

8 **Citizens Present:** Bill Lindsay at Town Hall; and Steve Mancuso and Cheryl Joy Lipton via Zoom.

9 **Call to Order**

10 Chair Cathy Hasbrouck called the meeting to order at 6:33 p.m. (1:21 on recording)

11 **Agenda Item 1, Review Minutes from October 18, 2021 and October 25, 2021 Meetings**

12 Cathy asked for a motion to review both the minutes from October 18th and October 25th. Peter
13 Hudkins moved to review the October 18th minutes and Hugh Quinn seconded the motion.

14 Tim Roper added for a point of clarification, although he was not present for the October 18th
15 meeting, that his notes were discussed, and he felt there was confusion about his intent. Tim said
16 there was a question about his meaning to wanting at least two town officials to sign off on the
17 administrative review process. Tim said it was his intent that it would be the Zoning Administrator
18 and someone else either from the Planning Commission or the DRB.

19 Cathy said the referenced discussion began on page 6, line 39, where she had started reading from
20 Tim's statement. She had one correction on line 41. The quote from Tim's statement should end
21 before the word "Hugh." She also referred to line 42 which read: "Cathy said Tim also asked that
22 the responsible officials reasoning" officials should be possessive and read "official's." She asked
23 Tim if that was where he wanted clarification. Tim said it was in that meeting, but he didn't
24 remember where. Hugh remembered the question and said they assumed Tim had meant the ZA
25 and one other person. Hugh said they had attempted to clarify it in Tim's absence, but Tim had
26 clarified it now, so they were good. Tim didn't think the minutes needed to be adjusted. Cathy
27 asked if all were in favor of accepting the minutes as slightly amended and the minutes were
28 approved unanimously, as amended.

29 Cathy asked for a motion to review the October 25th minutes. A motion was made by Peter and
30 seconded by Tim.

31 Barre called attention to Scott MacDonald having referred to a permit for a specific use for a new
32 business in town. Tim said it was located on page 2, line 21. Preston commented that he also had
33 the same reaction and thought it wasn't wise to refer to specific businesses in the minutes. Cathy
34 suggested removing it for posterity. Barre said it was important to have members of the DRB
35 understand their role. Barre said they're not a private club and can't tell certain businesses they
36 can't exist in Chester. Barre asked for the context.

37 Preston said when a business is started that is a continuing use, a permit isn't required, but if the
38 use is changed, a permit is required. The property Barre was referring to had been a hardware store,
39 a legion hall, and then an art gallery that served refreshments. Preston didn't think the new business
40 was a change of use, but a couple DRB members thought it was and that Preston had acted

1 inappropriately in his decision. Preston said that was why Scott had used it as an example as there
2 being times when a zoning administrator is given too much latitude.

3 Barre said he didn't bring it up to get Preston in trouble and apologized. Preston joked they had
4 parted friends, but Scott brought it up again. Barre said he wanted to be clear about it. Barre
5 referred to a DRB member having asked why they were redoing the zoning. Considering they have
6 been asked by the state to do it and have been in the process for a long time, Barre did not
7 appreciate the question. He felt they have put in a lot of effort and if they had people that didn't
8 want them to do it, it seemed odd to him.

9 Tim thought it was handled well. He agreed with Barre it was out of context, but after the statement
10 was made, they moved on and let it lie and Tim thought that was appropriate.

11 Cathy said if there were no changes, they would accept the minutes as they were and they were
12 unanimously approved.

13 **Agenda Item 3, Approve Cathy Hasbrouck as the Signatory for the Bylaw Modernization**
14 **Grant Resolution**

15 (10:38 on recording) Cathy said the next item on the agenda was to appoint the Chair of the
16 Planning Commission to be able to sign the municipal resolution for Bylaw Modernization so they
17 could get money for Chester to pay Jason Rasmussen. Cathy asked if something specific to say
18 was necessary and Tim said he thought they only needed a motion. Julie said they just needed a
19 motion to authorize Cathy to sign the municipal resolution to the Bylaw Modernization Grant. Tim
20 moved and Peter seconded the motion to authorize Cathy to sign the resolution.

21 Preston said the grant didn't say the Regional Planning Commission so Julie would advertise it.
22 Julie said the grant requires if it is an amount over \$10,000, there would be a formal bid process.
23 They hope that Regional Planning is the one that helps with the modernization of the bylaws. Julie
24 said there is a request for qualification that would happen if they got awarded.

25 Cathy said the amount was \$24,894.00 and Julie said the money was a grant that would allow
26 Chester to hire a consultant to come in and review housing that would be mostly focused on the
27 Village Center and how those housing needs fit with zoning, uses, parking, and the whole
28 pedestrian friendliness of Chester. It would take a deep dive and look at it and would offer
29 recommendations to adjust the zoning regulations to meet the housing needs that are determined.
30 It isn't an enormous project but will be an undertaking and a consultant familiar with Chester
31 would be brought in to help.

32 Cathy said she had sent everyone a notice of three webinars that take place on Wednesday
33 afternoons at 5:30. One was last Wednesday, one in November, and one in early December. The
34 first one talked about where to get money and how projects like this are funded. There are a lot of
35 agencies that offer services and funding and there is a lot to learn. She said they said projects with
36 20 to 30 units were the most successful and that seemed big for Chester. There is also a program
37 that offers \$30,000 to rehabilitate a vacant dwelling unit and get it back online. That seemed more
38 appropriate for Chester. Julie added that once they get to that place there would be funding sources
39 to help them. Cathy said the grant would help them learn all about these different things and inform
40 them so they could make better choices.

41 Julie said it would help them identify what the housing needs were and what opportunities they
42 have. Julie said it would tell them if the zoning aligned to allow for different housing opportunities
43 that are needed in the village. She said that was the big part of it.

1 Preston said there has been a seismic change over the past two years regarding housing. He said it
2 wasn't just housing projects but the idea that since zoning came into being in the 1930s, the highest
3 and best goal has been to have single family housing and now they are saying it's not affordable
4 and should not be the highest and best goal. It brings a lot of questions into play about why there
5 are 3-, 4-, and 5-acre districts and why they only allow one- and two-family dwellings in those
6 districts. Accessory dwelling units are also an issue. The bylaws allow for them but maybe they
7 should not be limited to one bedroom. Preston said there was a lot of stuff out there on the national
8 scene that Vermont was reflecting.

9 Hugh asked if as part of the project, they would have to go out for bid.

10 Julie said what they allow is Request for Proposal or Request for Qualifications. Julie often leans
11 towards request for qualifications because she doesn't always want the best price, but the best
12 qualified person. So, they will do a request for qualifications. Because they are over \$10,000 on
13 the project, they will be required to do that.

14 Hugh asked if the requests for qualifications typically describe the expectations of the consultant.
15 Julie said it will include a scope of work that will follow the grant. She said she would welcome
16 input from the Planning Commission before she put the scope of work out. The detailed scope of
17 work of what they are looking for from a consultant and they respond with their qualifications for
18 the project and what specialties they would bring to the table.

19 Barre thought it was good. He said when he first moved there everything was for sale and
20 inexpensively. The Lindsays' house took a long time to sell and that always bothered Barre because
21 he knew they had their dream house started on the hill and he wanted to see them up there, but it
22 was economics. He often sees government trying to respond to challenges that arise and often they
23 don't get to the fire before the house has burned to the foundation. Barre thought part of the housing
24 problem was reflective of COVID and people moving to Chester. He doesn't know what will
25 happen with the cities open. He wondered if the same issue would still exist in a couple of years.
26 Barre said another thing unique to Chester was the tourism. He said if they created opportunities
27 for more housing, they should add stipulations that they can't be used as Airbnbs. He wasn't at all
28 opposed to Airbnbs, in general, but the idea of creating housing for local people with regular jobs
29 and people building in-law apartments under the rules they create to allow the housing and then
30 they rent it out as an Airbnb instead of the people they were being built for, the problem wouldn't
31 be solved. He said it was a concern they needed to pay attention to, but also questioned how they
32 would enforce it. He added that they haven't really brought anything to the Select Board to have
33 it put through and now they will spend more grant money, have more meetings, and do more things
34 and not have something they can put through. Barre said he was as frustrated as he could get about
35 that. He said grant money doesn't seem like it's our money but ultimately it comes from someone's
36 tax dollars somewhere. Barre opined that he thought they seemed to be able to spend grant money
37 very well but didn't get any results from it.

38 Julie said Chester gets a lot of results from grant money. Barre agreed they did in different ways
39 and said it wasn't a true statement about not getting any results and apologized. Julie said the
40 housing prices existed long before COVID and was something that had been developing in the
41 area for the past ten years. She said COVID enhanced it and took it out of control. COVID put it
42 at a crisis level, but housing shortages have been a problem. Part of it is because Vermont isn't
43 necessarily considered an affordable place to live. Young families moving up can't afford to buy
44 a home and need to be able to rent. And an elderly person like Grandma living in an enormous

1 house can't maintain it and wants to move into the village and there's no place for Grandma to
2 move into the village. A lot of that has been going on over the years and COVID just pushed it to
3 the top. Julie said part of the grant would help them to resolve some of the Village Center stuff
4 they are currently working on and help put it all together, including the housing component. The
5 grant would help them with some of the stuff they are struggling with.

6 Barre said they're getting the ball pitched to them, they're getting money for it, help with it. He
7 said it would just be nice to get a homerun or at least get on base. Julie responded that 98% of the
8 time they do. Barre hoped. Julie reminded him that zoning, and planning are a process that takes
9 time to be done well and right and in a way that they are comfortable with.

10 Cathy reminded the members they had a motion and a second to allow the resolution to be signed
11 by the Chair. She asked if there was any more discussion.

12 They voted and the motion passed unanimously, and Cathy signed the resolution.

13 Barre joked if there was going to be cake and a ceremony and Preston said the cake would be if
14 they got the grant.

15 **Agenda Item 2, Citizens Comments**

16 (25:02 on recording) Cathy asked for citizens comments from the three in attendance. There were
17 none.

18 **Agenda Item 4, Discuss the History of the Item That Was Presented in the Packet for**
19 **October 25, 2021**

20 (25:23 on recording) Cathy asked to discuss Item 5 before Item 4, as she didn't intentionally put
21 them in their current order. Tim objected and wanted to keep them in the order they were, as he
22 expected the discussion to be brief and pertinent.

23 Cathy noted that Tim had some concern about the document they had presented last week, which
24 was in the last part of the current packet. Cathy marked it up in pencil with the changes from the
25 last meeting. There had been a long discussion about it on October 18th.

26 Tim pointed out that he was absent from the October 18th meeting but that he saw nothing in the
27 minutes assigning responsibility for the drafting of the document. The document was presented as
28 if it was a proposal from the Planning Commission, yet the Planning Commission never discussed
29 the document or voted on it before it was presented. The document was dated the date of the
30 meeting but clearly it wasn't written that day. It should have been a draft document. Tim said it
31 was points of order with him. Because the commission is a government body, it is very important,
32 even though they are annoying at times, that they follow the correct process in anything that they
33 do. There was no authorship on the document other than the Planning Commission. Tim asked if
34 they were going to present a document as coming from the Planning Commission, if he was not
35 right that the Planning Commission should discuss and vote on the document before it can be a
36 proposal from the Planning Commission.

37 Cathy said the current document was labeled at the top as "Draft Revisions" and was dated October
38 13th. She did not have the packet from the meeting on the 25th. In the minutes of the 18th, they had
39 discussed the document quite a bit, and at the end of the meeting they decided not to vote on it and
40 would discuss it with the DRB. So, they did not make a motion to accept the document, which had
41 come from the subcommittee and Jason Rasmussen. That was her recollection, but she was unable
42 to say in the minutes where it was.

1 Tim said he had reviewed the minutes and didn't see it. He said he didn't object to the document
2 when he saw it in the packet which is why he hadn't said anything ahead of the meeting. He thought
3 it was a good document but done improperly. Tim wanted them to be sticklers about adhering to
4 correct process. Cathy said if Tim could point out where the correct process was, it might help.
5 Tim said if the Planning Commission presents a document to anyone, the document should be
6 reviewed and voted on by the Planning Commission and that hadn't happened. He said he didn't
7 want to point fingers or make a big deal about it but thought that it was the third time, in his mind,
8 that something has happened that felt like it was not approved by the full Planning Commission.
9 He said he just wanted to stop it from happening again, and that they could stop talking about it,
10 but to please make note. Cathy agreed.

11 **Agenda Item 5, Discuss Possible Configurations for Administrative Review That Would**
12 **Include DRB Approval**

13 Cathy said what they were at this meeting to discuss was looking at adding a district to the adopted
14 bylaws. The district is just the one side of Main Street between School and Cobleigh. They had
15 initial coding from Jason about the Village-12 District, and they got into discussion about
16 administrative review which is a feature in the proposed bylaws. They felt that since it would or
17 could involve the DRB, they needed to discuss it with the DRB and that's what they had done last
18 Monday at their meeting. They came away with feedback from the DRB, which was helpful, as
19 the DRB is essential to the process. She said if the town isn't behind the bylaws, they won't have
20 met their mission very well. Cathy said Preston had asked her if she could do a decision table and
21 give her all the permutations of suggestions they had at the last meeting, and she did. It was the
22 document she sent labeled "Possible Configuration for Administrative Review" and she was going
23 to let Preston take over the discussion.

24 Preston said he and Cathy tried their best to come up with seven possible responses they could
25 have to the input they got from the DRB. He came into the process thinking administrative review
26 is a useful tool and is one he has used in other towns he has worked for. He is somewhat of the
27 opinion currently that if it is just going to put him in the position of the DRB not trusting what he
28 does with his power, then he would rather not have it. That is just sort of where his thoughts have
29 gone. He did find it fascinating that in this district, if the DRB seemed open to the idea that
30 restaurant and retail uses could be permitted uses, then suddenly all his issues go away because
31 those are the predominance of the requests that they get. He didn't want to veto this discussion but
32 thought they had tried their best to say at what levels they could accommodate or not accommodate
33 administrative review. Other than that, he didn't think it would make sense for him to read all
34 seven and thought they could just open it up for discussion.

35 Tim said he would start with one of the focuses. They were working on the daft proposed bylaws
36 to increase the number of permitted uses for the very reason of streamlining the approval process.
37 Tim thought if Preston was saying that adding a couple more permitted uses eliminated the need
38 to even discuss administrative review, then maybe that made sense. He also liked where the
39 meeting went and thought it was a good meeting with good discussion. Tim wondered about the
40 idea of a fast-track, which he thought he had brought up when they first started discussing it, if
41 there would be a way to fast-track the DRB process when appropriate and then either Harry or Bob
42 from the DRB suggested item #5 on this list to call a meeting and not a hearing of the DRB, where
43 they could make a quick decision and thereby taking the responsibility and any ramifications down
44 the road off of the back of the ZA and the one other person, which is what they had envisioned.
45 Tim asked Preston if he was saying he would rather not have any administrative review process at

1 this point and wondered if the single meeting idea was a viable idea for fast-tracking for businesses.
2 Tim thought they could all agree they would like the ability to fast-track business approvals.

3 Preston said he was looking at it with the blinders of just the Village Green District and thinking
4 that #2, which was to drop administrative review and expand the list of permitted uses would be
5 enough. Preston continued that while he had some misgivings how item #5 would work; he had
6 seen language for that where towns have done it that way before and he was open to having that
7 as an option.

8 Cathy asked if any of them wound up in court and Preston said not to his knowledge.

9 (37:40 on recording) Preston said what could happen is if they went through a fast-track review of
10 a property next door to someone and the DRB said they liked Preston's explanation and granted
11 the permit and then the neighbor found out a permit has been granted, they could be upset. That is
12 what the full process is meant for to bend over backwards to provide due process: mail to the
13 neighbors, post in the newspaper, put a sign in your yard, post on the town bulletin board. It is
14 done to make the process as well-known and transparent as possible. With fast-track, you must
15 know there may be some feeling the DRB got to weigh into it without that comment. He said with
16 a permitted use you have no comment at all, and Preston makes the decision. The posting states
17 you can appeal it, but it doesn't say you have any input at all. He thought he may be over-worrying
18 about nothing, but they should know that any fast-track will reduce the amount of due process.

19 Barre said there were two things that were important to him. The rules were put in for a reason and
20 he felt quite strongly it is as important for the neighbors to know what's going on in some of these
21 cases as it is for the person trying to do something. It seemed to him many of the zoning laws are
22 meant to keep the peace and stability and have neighbors be neighbors. In other cases, he didn't
23 think it was worth notifying the neighbors because there isn't the level of impact and that's why
24 in the draft bylaws, they had those checks and balances. Barre said initially the idea was to have
25 the administrative review and then they got the idea they should involve the DRB and let them
26 know what they were considering. Barre said he hadn't attended the meeting but from reading the
27 minutes it sounded like they didn't get it, or they wanted more input. He wondered why they would
28 stand in the way of what they are trying to do. Barre felt they were the ones throwing the party
29 who get to make the decision and they reached out to the DRB to be involved and he didn't feel
30 they responded in a good way. He didn't think it was all about fast-track and speed but what was
31 necessary. Barre didn't think a zoning administrator takes a job like that because they want to have
32 power but are at a job to help people and help the town function. Barre thought that sometimes
33 personal opinions of the members of the DRB get involved and they may not like someone and
34 may not want something. That's not good, but he wasn't saying that was the case. Barre thought
35 they should get back to their plan and define the rules so that Preston or any zoning administrator
36 they have could do the administrative review because that was their goal, and they should make it
37 happen. Barre didn't think they needed to include a second member from the DRB to do that
38 because they are in the position, they can make the decision.

39 Preston said it was made clear to the DRB that they were merely asking their input as a courtesy,
40 but they also don't want them to show up at the first town meeting when they present a change to
41 the bylaws and say they don't like it. Preston said the presumption is everyone has the right to
42 have a house on their land and that's the lowest level of approval and Preston can approve it and
43 the same with a duplex. He said a home occupation is a presumed right, so again, it takes no review.
44 If it grows to a home business where you're hiring employees, it must go to the DRB. Preston said

1 he thinks for the Village Green that all those buildings have at one time, or another, been retail or
2 restaurants and those are presumed rights in that district. Cathy added that they also included
3 residences and Preston agreed. Preston said if they are going one district at a time, maybe they
4 don't need administrative review. He said maybe the thing he gets asked the most - apartments,
5 restaurants, or retail should be made the presumed use in that district and it becomes a permitted
6 use.

7 Hugh said he totally agreed with Preston that if there are uses that make sense, they should be
8 moved into permitted and make everyone's life easier. It is a good thing, and they should do it.
9 Hugh said trying to do something that is talked about in item #2, to expand the list of permitted
10 uses, it made sense to him. As far as the administrative review process, when he looked at #5,
11 which is what the DRB alluded to that they would be the most comfortable with, he could think of
12 a couple of reasons why they might do that. They may not be the best reasons but are reasons.
13 Hugh thought on the one hand, they could probably rest assured that the volume of things that
14 happen in the Village Green are so small that the process would probably not get invoked heavily.
15 Number two would be the optics of having an administrative review process and having the DRB
16 and Planning Commission unified behind that approach which would be good. It would be an
17 example of town government functions collaborating for the good of the town. It would also set a
18 precedence for the administrative review concept which they may need to consider for other
19 districts that they just haven't gotten to yet. Those would be the reasons for Hugh to do #5 if the
20 process wasn't a burden.

21 (46:41 on recording) Tim appreciated what Hugh said and thought there was good insight and
22 reasoning. Tim said there are residences within that district and wondered if they decided to go
23 with somewhat of a #2 approach and added restaurant as a permitted use, and the single-family
24 home decided to become a restaurant without any neighbor input, would that create an issue. Tim
25 asked if people would object to it since historically that was what is in the district. He thought
26 there may have even been a restaurant in that home at one point.

27 Barre said they were talking about more than the Green and asked if there were houses down the
28 road. Tim said there was a multi-family and a single-family and inns and businesses coming from
29 Cobleigh Street that will fall into the V-12 District or the Village Green or whatever they end up
30 naming it. Tim wondered if he was a next-door neighbor to a building currently residential and a
31 new owner took over and decided to put in a restaurant downstairs and live upstairs, and it was a
32 permitted use, would it create an issue for him and other people in district. He didn't think it
33 seemed like it would.

34 Cathy couldn't imagine how someone could move into or buy a property in that district and expect
35 that nothing would change around them. She thought it was an unrealistic expectation. She said
36 339 Main St. which is the white house between the corner of Cobleigh and the Inn Victoria had
37 quite the history of possible configurations. Cathy said when she lived beside it there was a
38 dwelling unit upstairs with kitchen and the downstairs was retail. She thought there were
39 applications for two apartments there. There have been quite a variety of setups that have passed
40 through on that property. She added even the house on the corner of Cobleigh had a home
41 occupation and various numbers of apartments throughout its history.

42 Tim said the whole district is a business district and Cathy agreed. Tim liked the idea of the DRB
43 meeting rather than a hearing. He didn't know that it was necessary in V-12, though to Hugh's
44 point, it may well turn out to be a useful tool in other districts as they move along. Tim thought

1 the question regarding the two options was whether there was benefit to setting the process up as
2 they go through V-12, or not enough to go through the motions of doing that since it is already a
3 business district, and they could just add the uses that are appropriate. The uses would be
4 restaurant, professional offices, including medical facility, but Tim wasn't sure medical facility
5 needed to be defined, to him it would be a doctor or dentist, which would make sense there, as
6 well. Preston said a professional office could include a doctor, dentist, lawyer, or real estate. Tim
7 added anyone who has a license. Preston said he had been contacted by someone who wants to
8 have one of the apartments be his physical therapy office. Preston agreed it could be anyone with
9 a license. Tim continued it would not be a medical facility like a hospital or a rehab center which
10 is what came to mind when he saw the term medical facility, which would not be appropriate there,
11 but a professional office would be. If medical facility encompasses a doctor, dentist, physical
12 therapist, which in his mind, it could, they include that in the definition.

13 Barre suggested one way to make it work, which he saw the biggest issue as parking, would be to
14 include in the questions asked at an administrative review or meeting or whatever they decide to
15 call it, was the number of parking spots they would require. Barre didn't see several restaurants
16 surviving because they just don't have the people. He questioned if a restaurant was put on the
17 available land, where they would park. If it was a podiatrist and they're doing their own thing and
18 they would have a limited number of patients at one time and their office help can park someplace
19 else, there would be several cars at any given time and that would be the jump off point whether
20 you need to bring it before the DRB.

21 Preston thought the proposed bylaws stated they don't have a parking requirement for businesses
22 in that district simply because if there was one, they can't meet it. He thought the proposed bylaws
23 had a one parking space per apartment requirement. Preston said it was a unique district and
24 wouldn't be asking for such a thing otherwise, nor would he think the proposed bylaws would state
25 no parking requirement, except for the fact that none of the buildings come with their own parking.

26 Barre said it was one thing if it was a coffee shop on The Green where the parking is, and you
27 don't want to pick on someone on the edge of the area and not allow them to do something. If
28 someone wants to open a restaurant where they're going to get some traffic, but it doesn't fit so
29 well. At that point, you go before the DRB and let them know you want the businesses in the area.
30 Those are the struggles in this unique area.

31 Cathy asked if Barre was talking about the space between the Episcopal Church and the corner of
32 Cobleigh.

33 Barre said he was completely in favor of doing business down there and enriching the town and
34 didn't want to cause problems and is in favor of administrative review. As an example, if someone
35 took the last building on the roadway before Cobleigh or the next building in and decided they
36 were going to open a nice restaurant that seated 40 people and try to pack it, there would be the
37 issue of where all those people were going to park. If they allow restaurants anywhere, and
38 someone wanted to do that, there would be no place for them to park. That's why the DRB exists,
39 not to create problems for people but to state there isn't enough parking for the employees and
40 patrons. Barre didn't think it would happen anyway, but that was the problem.

41 Preston agreed and thought personally the town should be looking into provide parking but thought
42 it would be hard to force it through the zoning bylaws.

43 Tim did a quick measurement on Google and said there was 280 feet from the corner of Cobleigh

1 Street to the Meditrina. So, using 9 feet for parking spaces would allow 31 parking spaces that
2 could be marked there. Presently, there's no marking but there is room to park all along there.

3 Cathy thought the corner of Cobleigh St. house had a driveway and access to the street from the
4 back of the house, but 339 Main and the Inn Victoria both have driveways that open out, so you
5 would need to subtract some and a fire hydrant.

6 Tim said 25 cars were a lot of cars and would be a big restaurant.

7 (58:11) Cathy said the Main Street Parking Association is behind and to the south of Meditrina
8 and has a sidewalk that seems hidden and remote that brings you out in front of the Episcopal
9 Church and provides space for 18 cars there. Cathy said there was a little more parking than people
10 imagine. Cathy was at the Inn Victoria from 1995 to 1999 and Cobleigh Field was not very
11 developed at the time. Now there are baseball diamonds and soccer nets, and it has turned into
12 quite an athletic facility, so it's not as readily available for parking as it used to be.

13 Hugh said the discussion reinforced a couple of things. He said you can't predict the future, but
14 they could make some educated guesses about things that may move into permitted uses to make
15 things easier in the Village but now he was feeling even more committed to the fact that they
16 should add this lightweight administrative review process in the form of something like #5. At the
17 end of the day, if something goes back from permitted back to some other use, they will have a
18 process they might be able to rely on that would be the fast-track and not a full DRB hearing. If
19 the volume is low and the DRB is comfortable with the process, he felt it was a great opportunity
20 to implement it. Even if they don't need it today, they may tomorrow either in the Village, because
21 some other use changes from permitted to something else or vice versa; or they decide they can
22 leverage it in some other district they haven't looked at yet.

23 Cathy said if they didn't put it in V-12, it doesn't mean they can't add it later, so they wouldn't be
24 excluding it. She thought she had read that 339 Main had a coffee shop allowed or asked for one
25 at some point.

26 Peter agreed with Hugh that the optics of bringing the DRB in helps push it through and gives
27 them 3 channels and provides a middle step. They saw it when they had the meeting with the Stone
28 Village. There were things they thought should have been permitted and they were totally outside
29 against it. He thought having a center place to put things would make people more comfortable.
30 Peter didn't see professional broadcasting happening. He also saw things getting shipped up more
31 into permitted uses. He has talked to Cathy since probably June about doing a parking study there,
32 but they've never gotten down there to count the spaces. He thinks there's way more than 18 spaces
33 in the Parking Association. Peter thought in that lot that the answer may be to tell the Select Board
34 it was a piece of ground they should lease. The town should take it over and make it municipal
35 parking which would help the businesses and alleviate the parking issue there because there would
36 be a lot right behind the church and off The Green. Right now, it's a private parking association
37 but back in the day when there was a restaurant there, Peter and others would park there all the
38 time.

39 Cathy said the Association formed in 1977. Peter said the Association formed there because there
40 is a problem with off-street parking. Cathy agreed. Peter said the only true parking issue he saw
41 there was if you have an apartment, you need to provide it with a winter parking space. He said
42 regarding the 12 spots, they took density right off the map and that's what they want to increase
43 there, but the only parking issue he saw was winter and snow. If you have a dwelling or an

1 accessory dwelling, you need to have the winter parking space for it. He thought they should
2 consider the timing of things: when someone is in a restaurant, they're not in the bookstore, so
3 there's a flow of when things happen. If you're in a professional office when the restaurant is open,
4 there probably isn't anyone parked there. He said there was a chart in the proposed bylaws
5 reflecting that.

6 Preston said he was coming around to #5 being labeled as their form of administrative review. The
7 proposed bylaw has four village districts if you count the Stone Village, so even though it's easy
8 to put on blinders and say they're only talking about Village Green, it may be time to come forward
9 with how they see all four villages working.

10 Peter said they needed to buff it out. They have an idea, and it was time to buff the rest of way out
11 and see how it works.

12 Cathy asked if they wanted to vote and say they were going to go with some version of #5.

13 Tim asked what the next step would be if they agreed, and it sounded like they had just gotten
14 there, and wanted to create some version of #5. He didn't know if it was up to them to draft it or
15 if it was up to the DRB.

16 Cathy said she would like to turn the drafting over to Jason telling him what they wanted and
17 asking him to put it into language that wouldn't get them into trouble. Tim thought that was great.
18 So, if they want option #5, they will tell him they want option #5. They could also give Jason
19 feedback about parking to make sure people have overnight off-street parking in the winter for
20 their tenants.

21 Tim asked if people had that now and Cathy said yes. He said there were apartments on The Green
22 and asked where they currently park. Cathy said the Inn Victoria's guests park in the Main Street
23 Parking Association and she assumed The Fullerton did the same. That's how they clear out so it
24 can be plowed.

25 Tim said there are apartments all along The Green. Cathy said there was space behind the
26 buildings, behind Free Range, and behind the multi-business building next to it. She said there was
27 quite a bit of space behind Barret and Valley's office. There is also some space behind Southern
28 Pie Cafe. She said there was no space around 23 School Street. Peter said there was none behind
29 Southern Pie.

30 Peter said the easiest answer was to do legwork and go knock on doors and find out where everyone
31 is at. Tim questioned whether they should put in a requirement that they had to have winter parking
32 or was it just up to the tenants to figure out how to deal with the plows when they're out. Peter
33 said there was no on-street parking in the winter so it wasn't a matter of figuring out where you
34 could park on the street, because you just can't. He said it wasn't like a city where you can move
35 to alternate sides. It doesn't exist in the town of Chester – you can't park legally on the road. Tim
36 suggested rethinking how they allow for parking and handle snow removal in the winter because
37 parking comes up in every conversation about anything to do with the Village District. He didn't
38 think it was up to the Planning Commission, but more of a Select Board decision.

39 Barre said it would become more important, especially when trying to increase density. He said
40 the more people they put in, the more parking they will need, so it would be something to consider.

41 Peter said the Master Plan didn't really address it, but the obvious answer is you have to develop
42 parking. And the obvious answer to the parking – and you have a parking association already – is

1 to say work it out and it becomes a municipal lot. If you want to generate this type of business and
2 eliminate parking problem, that's really what you must do.

3 Barre said you would probably need more than that if it's only 18 cars and already being used. He
4 suggested getting into Cobleigh and behind the Academy building too.

5 Peter said it should be measured out and he thought there was more space than 18 cars there. Barre
6 asked if the Association currently owned it. Cathy said she thought so and the Association was 3
7 or 4 people in 1977. Barre asked if it was a non-profit, if they paid property taxes on it, and if there
8 were annual meetings and minutes. Cathy thought it was an LLC but wasn't certain.

9 Hugh said to Tim's point, as a Planning Commission, they can't solve the parking problems right
10 now. Nothing they do in the bylaws will magically produce more spaces or do anything like that.
11 He agreed they should work with the Select Board to figure out how to go about solving the parking
12 problem. As far as the topic of administrative review, the subcommittee will take the language for
13 #5 and craft it into an updated version of the Village-12 content they've been working on. Hugh
14 thought it would be this is what Village-12 looks like and this is what the administrative review
15 process will look like in Village-12. He asked if he was hearing that correctly.

16 Cathy said tonight they were talking about putting it in the adopted bylaws and then taking that
17 concept into the proposed.

18 Hugh said the administrative review process was going to be put forth as part of the Village Green
19 updates. Cathy agreed that it would be to the adopted bylaws.

20 Hugh said regardless of where it went, he wanted to be able to see from the subcommittee their
21 latest and greatest Village-12 zone recommendations along with the administrative review process
22 that looks like #5. Cathy agreed.

23 Barre asked if it would be an addendum and added to and not part of it. Cathy asked what it would
24 be an addendum to. Barre answered the V-12 District – the administrative review. Hugh said it
25 would be embedded in V-12. Cathy said some of the uses would require administrative review as
26 opposed to their permitted uses or they require conditional use review.

27 Preston could see Jason coming up with different scenarios, so he suggested not locking them into
28 one approach.

29 Barre thought it would be better as an addendum because it would be its own thing that could be
30 adjusted without the V-12 being adjusted at the same time.

31 Preston said there was a section in the bylaws that's administration – how you administer the
32 bylaws. He suggested it could go in there and state for the districts that allow it, this is available.

33 Cathy agreed and said that was why it was marked XX and not a number because it belongs in its
34 own section.

35 Preston said that's kind of what they were thinking. In the same section that tells what the powers
36 of the ZA are and what the powers of the DRB are, that would go in there. Hugh said that made
37 sense. Preston said there was one other thing the subcommittee had brought up regarding the
38 performance standards. The standards town-wide state the quiet hour begins at 8 p.m. and he
39 suggested in this district it could start at 10 p.m. Tim asked if it was a Planning Commission item.
40 Someone suggested an ordinance. Cathy said it was not an ordinance but the performance
41 standards. Tim thought there was a noise ordinance under the Select Board. Preston said they had

1 not adopted one.

2 Hugh couldn't find a noise ordinance. Preston said the police can enforce a rather vague state law
3 that doesn't allow excessive noise after dark, but the Select Board has not chosen to pass a noise
4 ordinance.

5 Tim wanted to go back to parking since there had been a long discussion about it. He said there
6 was some discussion not long ago from Julie about finding some grant money to have a
7 professional parking study done for the downtown area. Tim said maybe this was an opportunity
8 for them to advance that thought, as there seemed to be a lot of grant money available that they
9 could certainly use.

10 Barre asked if it was part of the current grant she was trying to obtain. Peter and Tim said the grant
11 was just housing. Barre thought it should be part of that. Preston said it was possible they could
12 build it in because you can't have housing without parking. The last thing Barre said he wanted to
13 do was stand in the way of anything happening. Barre said in cities they build parking garages and
14 underground parking because it's necessary and Chester is not a bustling city, and they were
15 talking about a lot of things that may not happen. He thought there was probably more parking
16 there than he was aware of. Preston said it was possible to do a parking inventory to count them
17 out because the problem needs to be identified before it can be fixed. Preston thought it would be
18 possible with the grant.

19 Barre said a successful restaurant would create the most traffic but having a successful restaurant
20 in our community is hard to do. So, it was more than likely that the existing structures that are
21 intended for restaurants now are probably going to be used before someone does one farther out
22 on the edge of The Green, so it may not be anything they needed to worry about in those instances.

23 Preston said there is a strange phenomenon in his hometown of Woodstock that identified there
24 are too few restaurants. The owners have said they can't get the help and several restaurants have
25 closed. The tour buses come and there aren't enough restaurants. Preston said it was a real problem
26 now.

27 Barre said when people ask how things work around Chester and why they work and don't work,
28 he talks about when he stood in line at his hometown restaurant as a kid and on Sundays, the family
29 would chip in to help make it happen. He said we aren't like that anymore and it's difficult to make
30 these restaurants work when you need more employees on the weekends. There are real challenges
31 in Chester because we are a resort area and there are hurdles and challenges that are hard to jump
32 without having relatives around who know to show up and help. He didn't know how you solve
33 that problem. He thought it was a tough place to run a business, unless you carve wooden bears.

34 Preston said there wasn't a lot of margins in the restaurant business currently because food costs
35 are high. Woodstock has another problem because rents are too high.

36 Cathy asked if they wanted a motion to adopt option #5 for administrative review.

37 Barre moved and Tim asked to have the motion defined.

38 Cathy said a motion for #5 to adopt administrative review and they may consider a separate motion
39 to change the quiet hours in the Village District from 10 p.m. to 7 a.m.

40 Preston said it could be a motion to delegate to the subcommittee or send to Jason to come back
41 with language for administrative review like #5. Tim said asking Jason to draft language which
42 would be legal under state statute, and then come back for further discussion with the full Planning

1 Commission.

2 Cathy said they want option #5 and quiet hours starting at 10 p.m. And Tim said they were just
3 talking about option #5.

4 Peter moved to accept what Tim had clarified, asking Jason to draft language which would be legal
5 under state statute, and then come back for further discussion with the full Planning Commission,
6 and Tim seconded the motion. There was no further discussion, and the motion was approved
7 unanimously.

8 Cathy will send Jason a list of things and he will start working on it and then give the commission
9 an estimate of when he will get back to them.

10 Hugh said the only other thing he had a question about that they had spent a lot of time
11 discussing prior to #5 was whether they would be asking Jason to shuffle permitted uses around a
12 little bit, because the subcommittee was authorizing updates to V-12/The Village Green. He
13 asked if they would be shuffling retail and restaurant into permitted uses. Tim asked if they
14 needed to do both of those things. Barre thought it was something they could do.

15 Cathy said she was thinking about looking at the list of uses in the bylaws for the Village Center
16 and if they agreed they wanted administrative review, they could mark off the uses that would
17 not be in the conditional use list that could now be administrative review.

18 Tim said it made sense to him.

19 Cathy said then they wouldn't get into a hassle about defined uses because they have been defined.

20 Hugh said in the current Village Center proposal, a restaurant is not a permitted use. Cathy agreed.
21 Hugh said they had talked about making it a permitted use. He wondered if Jason would, as part
22 of the work that the subcommittee is doing to update the Village Green proposal, move restaurant
23 and retail into permitted uses.

24 Tim didn't think they would want to do that because the discussion surrounding it was questions
25 about parking, notifications, fill-in-the blank. He thought if they were able to implement a fast-
26 track administrative review involving the full DRB, then that would fall under that.

27 Cathy said she was thinking of using the list of uses and categories from Village Center and go to
28 the conditional uses and mark off the ones that should be administrative review. And then have
29 Jason take a stab at it and they could work with that. Tim added and then they would come back
30 for discussion, and everyone agreed.

31 Cathy asked if there was anything else on that list of things to consider. Preston said he and Cathy
32 had discussed parking regarding adding restaurant and retail to permitted uses, and light industry
33 as either a conditional or administrative review. He didn't want to get into a long discussion but
34 said there were certain light industry things that would make sense in this district, so he didn't
35 want to rule it out. The other thing was the question about quiet hours, whether 8 p.m. was too
36 early in a commercial district.

37 Cathy said they would turn the information over to Jason. She wasn't sure whether he would have
38 anything before their next meeting, but it was possible. She asked if there was anything else they
39 would like to bring up at the next meeting, and if Jason had not gotten feedback ready, did they
40 want to wait until he had.

41 Tim asked if it made sense to have some discussion about – he said it seemed to be implied they

1 agreed that they would propose a revised Village-12 District be added to the existing bylaws. Cathy
2 clarified the adopted bylaws. He wondered if it made sense to dig into it a little bit and make sure
3 what they were doing made sense. He said even though he was on record as being opposed, he
4 liked the idea and was coming around. He wanted to make sure they weren't missing anything
5 with it. He asked if they were redefining the geography of that district at the same time. Cathy
6 agreed. She said it would be a small chunk out of the current Village Center District. Tim agreed.
7 He said if they could make it work there then perhaps, they could make the same thing work with
8 the other districts. He said it gets a little convoluted in his head if you take someone from the
9 current district and you change the boundary, some people will be in limbo for a while until they
10 get through the whole town. He asked what the process would look like and could they make it
11 work logistically.

12 Preston said they could discuss it at the next meeting. In his mind, he was thinking that Jason will
13 create a document to include the changes they are going to make, and it would be a template to be
14 used for each district. They will discuss it at the next meeting without having seen the template,
15 but Preston thought he may be able to express it a little better at that time, as to what it would look
16 like.

17 Tim said there was a mapping aspect of it and Preston agreed. Tim said that was where he gets
18 confused. Tim said it needs to be an impressionistic map.

19 Barre said it was a concern that wherever the change is taking place how does it affect the thing
20 next to it and do they have to redefine that along with what they're changing to make it work.

21 Tim didn't think they would want to have a discussion now, but thought it was a topic they really
22 should dig into.

23 Barre said he didn't think it would be difficult to figure out.

24 Tim thought it was primarily a mapping issue.

25 Cathy said as an aside, she knew Inn Victoria would be very grateful for new dimensional
26 standards. Looking through the folder, they've been before the ZA many times looking to change
27 and add things, but the dimensional standards wouldn't allow it. So, this will allow that piece of
28 property to be developed a little bit more.

29 **Agenda Item 6, Discuss the Agenda and Set the Date for the Next Meeting**

30 Tim made a motion to adjourn the meeting and Hugh seconded it. It passed unanimously and the
31 meeting was adjourned at 8:05 p.m.