

1 **TOWN OF CHESTER**
2 **SELECTBOARD MEETING**
3 **September 21, 2022, Minutes**

4 **Board Members Present:** Arne Jonynas, Ben Whalen, and Lee Gustafson at Town Hall; and Leigh
5 Dakin via Zoom.

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

8 **Visitors Present:** Steve Mancuso, Shawn Cunningham, Preston Bristow, Cathy Hasbrouck, Peter
9 Hudkins, Robert Mancuso, Roy Spaulding, Kelly Spaulding, Tim Roper, Jim Baker, Richard
10 Cloud, Tom Williams, Adam Woodell, Bill Lindsay at Town Hall; and SAPA TV, Chester
11 Telegraph, Susan Goodfellow, Adrienne Williams, Joy Slaughter, Jana Aldrich via Zoom.

12 **Call to Order**

13
14
15 Chair Arne Jonynas called the meeting to order at 6:30 p.m. with the pledge of allegiance. He
16 welcomed everyone to the meeting. Heather Chase was absent from the meeting, and Leigh Dakin
17 joined later via Zoom.

18
19 **PUBLIC HEARING RE AMENDMENT TO UNIFIED DEVELOPMENT BYLAWS**

20
21 Arne announced members from the Planning Commission were present to give a brief overview
22 on the changes and the amendment as written. They would give some history on its importance
23 and the what the changes are.

24
25 Peter Hudkins said there were two conditional use changes, and a lot of people don't understand
26 what a conditional use is. They were special conditions permitted by approval of the Development
27 Review Board providing that general and specific performance standard criteria are met. Peter said
28 what they were offering would be good in all districts. The general standards include capacity of
29 existing or planned facilities; the character of the area; traffic on roads; bylaws or ordinances in
30 effect; and utilization of energy resources. Specific standards include minimum lot size, distance
31 from adjacent or nearby uses; minimum off-street parking; landscaping and fencing; design and
32 location of structures and service area; size, location, and design of signs; and a whole list of
33 performance standards that included noise, air pollution, glare, light or reflection, safety hazards,
34 electromagnetic disturbances, underground storage tanks, and ground/surface water pollution. He
35 said it was a condition that legacy uses must meet. In the current bylaw, a non-conforming use is
36 not allowed after 2 years of non-use. An example was Baba Louis. They are attempting to allow
37 things that previously happened that have a historical value in town or were non-benign to happen
38 again with legacy uses and re-adaptive uses. Legacy use is when the DRB may determine that a
39 past or present non-conforming use by virtue of its benign history, so nobody is offended, it goes
40 through a DRB review, and everyone is notified. A legacy use is therefore deemed allowed and
41 conforming conditional use in the district in which it is located. The applicant shall demonstrate a
42 past, or present non-conforming use was sufficiently benign in cultural heritage to Chester to be
43 determined a legacy use. Determining a legacy use is indefinite in duration but a legacy may be
44 re-established, expanded, extended, or enlarged following by conditional use review as approved
45 by the DRB and Zoning Administrator. Peter said it was the trigger that would protect any

1 landowner or abutter. If there was a problem before, they have a chance to step up and go through
2 it. A use could be brought back in, and Baba Louis was an example of that. He said the Chat and
3 Chew was something that could also be back.

4 Peter said the purpose of adaptive reuse was to encourage and continue viability of older special
5 use buildings that had outlived their original function by allowing for a variety of possible new
6 uses established within an existing building in a manner compatible with the character of the area
7 for the district in which it's located. He used Steve Mancuso's favorite, which was Jeffrey Barn.
8 Peter said it would never be used as a barn but could be used for something else. Baba Louis was
9 another existing structure. If it hadn't been changed and they decided to make it a retail store
10 instead of a bakery, that would be an adaptive reuse of the building that would be allowed in that
11 district. Peter thought the old auction hall on Route 10 could be used again with adaptive reuse.
12 Lee asked how far back historical use went. He was thinking about long ago when sawmills were
13 located almost anywhere and mining operations and wondered how far back they could go before
14 they reconsidered. Peter said that was the point of conditional use which wouldn't have a time
15 limit. He said it would be a tool for the DRB to use and would need to consider what was best for
16 the town. The Commission didn't put an end date on it, but it would require satisfying the DRB
17 for the conditional use. They expect the DRB to consider the best interest of the town, which is
18 their job.

19 Arne asked for clarification on legacy uses. Peter said uses that were legacy was one thing
20 completely by itself. The property on Route 11 where log cabins were built but no longer has any
21 buildings on it would be a property where building log cabins would be a legacy use because
22 there's no building. He said the legacy use follows the parcel. Peter said adaptive reuse was about
23 buildings. They were two separate things. Legacy use requires no building and is about a use.
24 Adaptive reuse was a building. Arne was stuck on legacy use because no matter what was done 50
25 years ago, it could be carried on again. Peter said only if you could meet the conditional uses by
26 the DRB and it requires a DRB review which was crucial. Arne thought it opened a big door for
27 adaptive reuse because of what may have been on the property over the years. Peter said it came
28 back to if they trusted the DRB. It was a tool for the DRB to use. Arne trusted them but thought it
29 helped for them to have rules and regulations to assist with their decisions. Peter pointed out that
30 they could say it wasn't an allowable condition and refuse the permit. Cathy said if it didn't meet
31 the standard for noise, or there was a glare in light, or it pollutes the groundwater, it could stop it
32 in its track. It wasn't a free pass, and they must undergo the same scrutiny that any use would as a
33 conditional use and all abutters have to be notified at least 2 weeks prior to the public hearing.
34 They can come and speak against or for it, but it allows public input. And if the public isn't notified,
35 the hearing is invalid. Arne understood but said it wasn't just reuse of buildings but now reuse of
36 land. Peter said each one would stand alone as a separate change. Arne asked once a legacy use
37 gets approved, could they build on it with that in mind. Peter said they could build on it if they
38 went through a DRB hearing. Arne pointed out they would be able to put up a building and have
39 that use even though it's no longer allowed. Peter agreed. Arne said they used to keep the barndoor
40 closed a little bit, but it seemed like they were swinging it wide open. Peter didn't think the
41 barndoor was that wide open because of the controls, the expense, and the intimidation of a DRB
42 review. Arne said specific examples may make it cost prohibitive but there may be instances where
43 everything is right, and you would have a reuse in an area that isn't allowed. Peter said the keyword
44 was if the use was benign. Arne said benign was a subjective phrase and their decision could still
45 be against what most people want. They have leeway in their interpretation of the law.

1 Peter said if they decide they don't want to do the legacy use, they could and only do the adaptive
2 reuse because they're independent of each other. Arne understood adaptive because it was a
3 building and more straightforward. He was concerned about legacy with quarries and old mines
4 all over Chester. He said the neighbors may approve of a quarry but is it right for the town? Arne
5 thought there were a lot of things to decide on that aren't spelled out. Peter thought they were
6 spelled out in the general conditions and the public notice. He said it wouldn't get you out of Act
7 250 or any other state permits needed. Arne realized there were still a lot of conditions that would
8 go with it and the regulation would make it right for the town, but it did leave leeway for more
9 things to come rolling around. Peter said they used to have big business next door and industry
10 that would take care of them. They must be able to open the doors to a small business because
11 that's who the employers are. They must consider how to keep people employed here. He said they
12 could have buildings and put an apartment in them, and it might not be an allowable use for multi-
13 family, but it is needed and should be allowed in the district if it's not going to affect everyone?
14 Adaptive reuse would open the door to those possibilities. Small business must be able to survive
15 in Chester because it's what will employ our town. Arne agreed with the adaptive reuse but had
16 some hesitancy on the legacy use.

17 Lee asked Peter regarding the legacy use, if the DRB would have the major control of all of it. Lee
18 said they couldn't take people off the DRB without just cause. They have a responsibility to make
19 sure the DRB is doing what's good for the town. He wondered if there were any specific language
20 that could be added that would control it other than the general use conditions or specific conditions
21 that are applied or would they just have to depend on the DRB to make sure it is interpreted as
22 something that is best for the town? Peter thought the biggest problem with zoning, which was
23 mentioned in a book put out by the State, was it's been so restrictive that it doesn't support mixed
24 use and business. It would take them a while to change every district. By doing this, they would
25 be giving leeway for those things to happen. Peter noted there was a large change in the
26 Development Review Board after the decision for Dollar General. People resigned and weren't
27 reappointed and that was all under the control of the Selectboard. Preston added that, although they
28 don't exercise this right often, the Selectboard can be an interested party in a DRB hearing. Arne
29 asked how that would work. Preston said the definition of an interested person under Vermont
30 statute includes the Town of Chester or an adjoining municipality and includes a person owning
31 or occupying property in the immediate neighborhood and any department of the State of Vermont.
32 Even though it does not happen often, it's part of statute.

33 Ben thought Peter hit well on the use of restrictive and the changes would give people an
34 opportunity. He thanked the Commission for thinking outside of the box and coming up with some
35 dynamic ideas and trying to bring the town further with creative thinking. Peter responded they
36 were trying to put things in the toolbox that could be used.

37 Lee thought it made sense to make things easier for a small business to expand or come into town.
38 Although there were concerns, the current DRB had the best interests of the town was willing to
39 listen to neighbors and others. He agreed it was a tool that would help them as a town maintain
40 where they are or grow. Ben said it created an opportunity to come to the table and talk where it
41 may not have existed before. Arne agreed.

42 Peter said a building originally built for purposes not currently allowed in the zoning district where
43 it's located, the building by nature of its size, construction, method, or location on the parcel does
44 not meet regulation including dimensional standards for zoning for which it is located. It was more
45 about a parcel that got cut up and doesn't meet the current zoning setbacks which stop it from

1 being a use so here it would be allowed to be under a conditional use, of which the Selectboard
2 can be an interested party, you can decide if it will be a problem or not.

3 Lee asked in eligible building criteria, it stated adaptive re-use provision applied to any proposed
4 building which made it sound like it was something that could be built but should it read as an
5 existing building for which a proposed use is being submitted. Peter thought Lee was correct and
6 the word use was missing. It should have read any proposed use for an existing building.

7 Peter noted they could have more than one use assigned to a property. The other was any
8 rehabilitation or restoration associated with adaptive use so not to significantly alter the façade or
9 historical character of the structure. Any proposed exterior restorations shall conform to the
10 guidelines set forth by the most recent addition of the U.S. Secretary of the Interior standards for
11 rehabilitation and guidelines for rehabilitation of historical buildings whether the building qualifies
12 as a historic building. Lee asked if they had one or more uses but only one was permitted if they
13 would need to go back to the DRB to get the other use permitted and Peter agreed because it was
14 a different use.

15 Arne thought they overlapped because legacy use worked for the land but adaptive worked for the
16 building. If the building wasn't there, you would go to legacy use. Peter said if he had a building
17 that was always a farm building and there was never a legacy use for it to be used for anything
18 other than a farm building, it would be adaptive reuse to turn it into something it had never been
19 before. Arne said it may take a while for him to fully understand this because he was still stuck on
20 the legacy use. It almost seemed like you could have a legacy use on the land and could build
21 whatever was needed to match the legacy use. The adaptive reuse had to be specific because you
22 couldn't change the building and it was a little more restrictive and he understood that. For legacy
23 use, you could build it. Peter said the DRB could require site plans and drainage plans. Arne
24 realized there was a review but there was the chance it would make it through because at one time,
25 it was allowed on the property. Lee said it came down to how much faith they put into the DRB to
26 do their job in the best interest of the town. Arne agreed and said he didn't want the Selectboard
27 to be involved in the DRB. It seemed too confrontational. By the time it made it to the DRB, the
28 rules and regulations would support the vision of the Selectboard and the Town from the beginning
29 and not having to fight rules and regulations in place. Peter said the DRB is looking at the town
30 plan and zoning and considering the whole picture.

31 Tim Roper said the Planning Commission voted unanimously to bring the changes to the
32 Selectboard for approval. Listening to the discussion got Tim's wheels turning. He was wondering
33 if there was legacy use and years ago there was a pub on the edge of town and the building was
34 long gone and someone wanted to bring back a tavern there. If there wasn't a conditional use for
35 a tavern in the Unified Development Bylaws, the applicant could apply under legacy use with the
36 DRB to build a new tavern. If they could meet all the criteria, the DRB would have to approve it
37 if neighbors didn't object. He hadn't considered that and wanted to put it out there. There was no
38 question about adaptive reuse in his mind and Baba Louis was a perfect example. The Jeffrey Barn
39 and Auction House were other specialty buildings that would apply. If someone wanted to adapt
40 it to reuse, it made a lot of sense, and they would have to go to the DRB and meet all the criteria.
41 He trusted the DRB. On the legacy use side, the fact it could apply to an empty parcel, could be a
42 flag.

43 Shawn Cunningham asked if the uses would go back all the way to the 1700s and they would.

44 Steve Mancuso was having a hard time understanding what was so bad about parcels that were
45 structures or businesses assuming a business again. He wondered what was so bad for Chester for

1 the empty buildings that used to be businesses being businesses again. Arne said he didn't think
2 anyone had a problem with reusing buildings. The part Arne was having a little trouble with was
3 reuse of a lot where buildings are gone. He understood and totally agreed with the adaptive reuse
4 of buildings. He had a problem with a property that had a business on it 100 years ago and a
5 building built on it again, to meet that need, even though the current zoning bylaws don't allow it.
6 Steve said not every business requires a structure, such as wood processing. Arne said that may be
7 fine.

8 Tim said the Planning Commission's would revisit all districts and define the permitted uses where
9 they could come to the Zoning Administrator and get a permit. They would also look at what
10 conditional uses they think are appropriate for each district, in which case, they would have to go
11 to the DRB and show they meet all the criteria for conditional use. As they went through it, they
12 would consider conditional uses and determine what's appropriate. It seemed to him the legacy
13 use would undermine that work by creating the ability to bring in a conditional use that the
14 Planning Commission thought wasn't appropriate for that district.

15 Lee asked if the Commission could give an example of the process if he wanted to operate a
16 sawmill on his property or extract gravel or talc. Preston asked if he was thinking about legacy use
17 or just saying he wanted to do that. Lee asked if he could demonstrate there was legacy use of his
18 property, how could he go about getting permission to do it again. Preston didn't have the bylaws
19 in front of him but if quarrying was one of the permitted uses in that district, it would be the same
20 process of going to the DRB with a plan for the area, and if it was on a parcel of less than 10 acres,
21 it wouldn't trigger Act 250 and would be solely a town decision. The neighbors would be
22 contacted, and he would have to say how many times a day trucks would come and go, and what
23 hours it would happen, and when he was blasting and whatever else. Preston looked and said that
24 district does allow a sawmill and extraction operations as permitted uses. Preston said currently,
25 in the largest district in town, you can come to the DRB with a quarry option. You must satisfy all
26 criteria and respond to the neighborhood complaints.

27 Lee asked if he wanted to open a tavern, whether it was conditional or permitted. Preston said that
28 was the issue in R-120, the biggest district, a restaurant is not a use and that's where Baba Louis
29 was a problem. Lee asked if the house he used to own may have been used as an inn and asked if
30 that would be allowed. Preston said the interesting thing was lodging was permitted but not
31 restaurant.

32 Cathy added on Route 103 South it was the former site of The Spaghetti House and people of a
33 certain age remember it fondly and theoretically, the people who own the land could ask for a
34 legacy use to open a restaurant and some people would be happy to have The Spaghetti House
35 back. Preston added the state planning goals are to have compact village centers surrounded by
36 rural land. He thought some of the uses they talk about have zoning yanked out from under them
37 because of that push. Two current properties for sale are the country store by Silvan Lane and the
38 Chat and Chew and he is asked by people all the time what can be done with the properties. And
39 currently, they are only zoned residential and that was the genesis of where the idea of legacy use
40 was. It is difficult to rezone those two properties, so it was a way to get around it. Preston has
41 opinions but tries to be a technician who does what the Planning Commission asks him to do in
42 terms of drafting and researching and thought it was sounding like there were changes they want
43 made.

44 Ben wasn't looking for change to what was presented. To build on the legacy use, if he wanted to
45 put a blacksmith shop in his field and could find pieces of history out of the ground to show there

1 was a blacksmith shop there, and someone says he's going to make too much noise and the DRB
2 tells him the same thing, he can't do it. He wondered why be that restrictive if they must follow
3 the same process but are given the same opportunity as the other districts. He wondered what the
4 issue was and if the problem was that they didn't trust the DRB, why have a DRB.

5 Julie wondered how often it would come up and all the stars would align. She saw it as another
6 tool available to promote business in the town and the Selectboard had been taking steps to build
7 the economy in Chester and grow businesses here and it would just be one step to allow the DRB
8 the option. She said if it was something egregious, they would have the option to be an opponent
9 in the DRB hearing. Ben said if the general store or Chat and Chew burned down and time went
10 by without having the option, they couldn't be used for it. Arne said they would be reviewing all
11 the options and allowable uses for the future for all those districts, in which case they could be put
12 in.

13 Peter said they would not be able to infinitely design zones and would need to draw the line
14 somewhere. They couldn't make both sides of 103 commercial because they would say they were
15 stripping. Instead, they take away an individual's right. Peter said Spaulding's Garage was
16 removed completely and put in a residential zone. It was only in 2014 that it was put back in as
17 commercial. Peter said the State could go to that site, which is surrounded by water on 3 sides on
18 Route 103 and not allow it because it's spot zoning. Legacy use would carry through that. Thinking
19 you can have a finite line through town and allow one thing on one side of the street and something
20 on the other is not as easy as that when you start considering the people who live there. Arne
21 thought legacy use sounded like spot zoning with a rule that allows you to do it. Peter agreed but
22 it had to be historically there. It wasn't a new use. Arne thought if you went back 300 years, you
23 could probably find a lot of uses. Peter said he had spent time in the town vault, and it wasn't as
24 good as you might think. Even since stuff has been digitized, it's not as good. He said he had to
25 take allergy pills to work on a deed from 1798. The new look at zoning is there are not any cookie
26 cutter parcels to lay out. Arne understood and the purpose of the hearing was to discuss it. He
27 appreciated all the information they were getting and was all for 90% of it. He said he may even
28 be for legacy use, but it could take a little while.

29 Steve Mancuso wanted to applaud the Commission for their work and thought they were two good
30 instruments to maintain businesses in town or bring them back, which constituted much of the
31 Grand List. Steve said the Town is the owner of the most parcels and empty buildings, one of
32 which was Jeffrey Barn. He understood they were waiting for it to fall over, and the State would
33 clean it up. He said a lot of contractors had been there and it would cost a lot and he understood
34 that the Town didn't want to invest in it. He asked them if they had heard about the Dollar Solution.
35 It wasn't his idea and suggested they Google it. A property like that would be offered by the Town
36 with stipulations for \$1.00. They would stipulate that it was brought up to certain standards. Once
37 they do so, they are given the deed and it's back on the Grand List. It would supplement their tax
38 dollars. It was a good out for that building under the tools the Commission had presented.

39 Arne noted there was a small change under eligible building criteria, "shall apply to any proposed
40 building use" under 3(c). Arne said that was the minor change that would trigger a 14-day waiting
41 period and a second public hearing. Julie didn't view it as a minor change but as a grammatical
42 change but that was up to the Selectboard. Arne thought the reason to trigger it might be that there
43 would be more of a response because of a little bit of the controversy with legacy use. He asked
44 how the rest of the Board felt. Ben said he was fine with the change and voting on it tonight. Lee
45 saw it as a clarification and not an edit or change because the section dealt specifically with existing

1 buildings. Leigh agreed with Arne and Lee. If it wouldn't trigger another public hearing, they
2 would have the authority to vote today. Arne wanted more time to think about it and get input from
3 others. Lee asked if Arne would be okay with voting on the adaptive reuse, which they could vote
4 on because they were two separate modifications. Lee was willing to wait on legacy use.

5 Julie suggested if they left the hearing open and recess to the next meeting. It would allow them to
6 adopt adaptive reuse and leave the hearing open for legacy use. Preston agreed they could do it
7 that way.

8 Arne totally agreed with adaptive reuse but wanted to make sure people had the option to voice
9 their opinions about legacy use.

10 The hearing was recessed until the next Selectboard meeting on October 5th.

11 (Regular Meeting Resumes)

12

13 Arne noted the Chester Community Greenhouse and Gardens would be removed from the agenda
14 because they would not be there.

15

16 Ben asked if it was worth moving Item 7 to Item 2. Arne didn't think it would make that much of
17 a difference so the agenda order would remain.

18

19 **Agenda Item 2, Approve minutes from the September 7, 2022, Selectboard Meeting**

20 Ben moved and Lee seconded a motion to approve the September 7th minutes. There were no
21 changes. A vote was taken, and the minutes were approved.

22

Agenda Item 3, Citizens Comments/Answers from Previous Meeting

23 Arne asked for any comments and there were none.

24

Agenda Item 4, Old Business

25 Report given by the Town Manager:

26

27 Thompson Road Bridge Project

28 Project is funded through the federal money received by the State. The Town's portion has been
29 significantly reduced and is 2.5% of design work only. All construction is 100% funded, which
30 has saved Chester a couple hundred thousand dollars. It's in final design and they will meet with
31 property owners to finalize right-of-way in the next couple weeks. The project is moving along
32 and slated for construction in 2025. It could move up to 2024 but is unlikely.

33

34 Dispatching

35 Chester Police Department is switching to dispatching with Harford, who Fire and Ambulance
36 dispatch through. The State Police are getting out of dispatching and small towns are being
37 required to seek dispatching elsewhere. Staying with the State Police for dispatching is extremely
38 expensive. Since Fire and Ambulance are already with Hartford, it made sense to switch there.
39 Hartford has applied for some dispatching funding and is seeking a grant which would offset the
40 Town's expense by \$10,000 the first two years. Hartford has agreed to phase Chester in over three
41 years. Year three and on would be \$40,000, which just adds police. The total for all services would
42 be \$67,000 which is much less than any others received.

43

44

1 Popple Dungeon Bridge
2 It's now open and the final walkthrough will be October 6th. The bridge came in on budget.

3
4 Tanker Truck
5 The Town was awarded the Assistance to Firefighters Grant a little over \$450,000 for the new
6 tanker. It's a national grant and is highly competitive. Matt and Ben are working together with
7 some of the officers on building a truck and going to bid. They need a minimum of three bids and
8 are looking at four or five. They are doing what they can to keep the cost within budget.

9
10 Health Order
11 Mr. Hennessey signed off and gave them permission to board up and block the property, which
12 saved them from going to court to obtain an injunction. Police, Highway, Water and Sewer got the
13 jersey barriers in place and all access points to the home have been boarded up and the Health
14 Order has been posted. She reminded everyone that although it was a huge step, it was the first
15 step of many. They will proceed over time on how to clean up the property. For now, it's boarded
16 up and not inhabitable.

17
18 Fall Festival
19 Rave reviews were received that it was one of the best ones Chester has had. It was very well
20 attended, and Julie wanted to publicly thank the committee. Tons of work went into it, and all was
21 from a volunteer committee. Arne also wanted to thank the committee for a job well done.

22
23 Old Buried Oil Tank
24 Behind the highway garage there was an old, buried oil tank they decided to remove before they
25 paved. As suspected, there was oil in the ground. There was a spill, and they pulled the soil out
26 and tested and there were no contaminants in any other soil or surface waters. Pollution is not
27 covered by the Town's insurance. They used Absolute Spill Solutions who came in and removed
28 the tank and tested. There is a \$10,000 deductible the Town will cover. They are eligible for the
29 State petroleum removal program to cover the rest.

30
31 Greenhouse Survey
32 Julie put it out to the Town Managers Group. A lot of them have gardens and a lot aren't on town
33 land. The ones that are, some have a lease, and some don't, and some had issues so now they're
34 managed by the Recreation Department. Arne said they could discuss it more in depth when it's
35 an agenda item. Gary Rapanotti will complete the survey this fall.

36
37 Arne asked if there was anyone who had any old business and there was none.

38
39 **Agenda Item 5, Police Department Assessment Review; Col. Jim Baker**

40 Colonel Jim Baker introduced himself as owner/operator of J.W. Leadership Consulting, having
41 worked in criminal justice for almost 50 years, many of those years with the Vermont State Police
42 where he began as trooper and retired as colonel in 2009. He ran the Police Academy in 2010 and
43 2011, was Police Chief in Rutland for 3 years, and worked in Washington, D.C. for 3 years at the
44 International Association of Chiefs of Police, and recently finished a stint as Interim Commissioner
45 of Corrections in Vermont working for Governor Scott.

1 He gave a presentation of the Police Department Assessment he recently conducted. Chester has
2 made a significant investment over the years in the Police Department. He said Chester was very
3 safe and crime was very low. The Police Department is well run and efficient. He would make
4 recommendations to them to improve the quality of what the citizens of Chester pay for. The issues
5 were like those other communities have. There are underlying addiction, mental health, and
6 quality of life issues.

7 The challenges include lots of activity in town, including a high school and grade school, and four
8 major State highways that pass through the area which create a lot of traffic. Although good for
9 commerce, it creates safety issues. It creates a need for a focus on traffic safety, protection of
10 citizens, and those who travel through the community.

11 There is some slippage of trust from citizens who feel like their voices aren't heard. He said it is a
12 challenging profession and there was a clear undercurrent for some of the staff that they want their
13 voices heard. He thought since they voted to unionize, they will have more conversations with
14 leadership of the town. They want to pay attention to how officers are thinking and feeling. It
15 didn't mean they wouldn't be held accountable. Their wellness is as important as the citizens they
16 are protecting.

17 The Town of Chester owns the department and things they expect and want because of their
18 investment in the department. The 21st Century Taskforce Report is a very clear document that's
19 easy to follow and he measures a department against that guidance. As he went through the process,
20 he met with the Town Manager and the Chief and spoke with everyone in the department. All were
21 professional and candid about their takes of the Police Department. They interviewed other leaders
22 in town government, first responders, school officials, the Department of Corrections, and the
23 Department of Children and Family Services. They mentioned the working relationship with the
24 PD was very good. They spoke with citizens and businesses in town and reviewed the call for
25 services that went into the department. They looked at policies and they were at the standard they
26 should be. He did a ride along and reviewed newspaper articles, the Human Rights Commission
27 Report, and the Town's response to it.

28 Col. Baker walked through the findings of the report. Most calls for service are non-criminal in
29 nature. They center around traffic, complaints of speeding, and those types of things. If the staff
30 needed something, the Chief would get them what they needed. According to members of the
31 Department, there is a lack of effective communication. The community feels like they don't have
32 effective communication with the Police Department. Some citizens complained they didn't
33 receive return phone calls. Some people in the focus group didn't even know the names of the
34 officers in the Police Department.

35 Their morale overall was decent but there are some underlying currents. If folks don't feel like
36 they're being treated with dignity and respect, they can drive 10 miles and sign a \$10,000 sign-on
37 bonus and become a Springfield Police Officer. He wasn't saying they felt that way, but they didn't
38 want that slippage, so they needed to pay attention. There is no strategic approach to training staff,
39 which isn't unusual for a small department. Policy and training can slip easily when running a
40 small department.

41 From what he observed, the Chester Police Department doesn't embrace the 21st Century model
42 of community policing. He would describe them at times to be reactive and not proactive. People
43 were talking about how they were becoming more proactive and he encouraged them to continue.

1 He suggested as they move toward a new chief, they need to be a working chief. He told Julie
2 maintaining a lieutenant rank would be a wise move to have someone at that rank as the number
3 two person because it would give more flexibility. He also recommended the detective position
4 become a hybrid full-time position and a 6th position to the department. He didn't think the
5 detective position was fully utilized. He said the day he was interviewing inside the police
6 department was when the complaint came in about a teacher involved in voyeurism, which requires
7 a special level of investigative skills and that's why he came to that conclusion. The Chief provided
8 him with the 2013 Vermont League of Cities and Towns' assessment of the police department and
9 many of the recommendations from the report were never followed through.

10 His recommendations included the practices of the Police Department need to be aligned with the
11 policies that have been updated. He said the complaint process needs to be cleaned up when a
12 citizen has a complaint against the department. The Town's web page doesn't align with the policy
13 in the manual, so for citizens looking in, that is what can cause trust slip. Officers don't need the
14 stress of not knowing what will happen if a complaint is made against them. More trust needs to
15 be built in the community. He recommended they explore potentially putting in place a police
16 community advisory board. The data from the speed signs that were installed could be used to
17 figure out when the best time to deploy speed patrols. He knew the schedule had been adjusted
18 since he started the assessment, and the feedback was a better schedule. He recommended the
19 mission vision and value statement be updated and creation of a training strategy for the
20 Department and a training coordinator. He recommended it because there was a mix of younger
21 and older officers and to figure out how to grow them. He recommended opening communications
22 externally and internally and adding a 6th officer. He recommended VLCT's 2013 assessment be
23 reviewed and figure out what fell off the table that could help them raise the quality of service.

24 He would help with the selection process for the Chief of Police. Arne thanked him for his work
25 and the report, which provided so much information and was important that they used it in a
26 positive way going forward. As a community, they were looking for improvement and a
27 relationship with the Police Department. Arne was curious which he would recommend, an
28 oversight or advisory committee and for what reasons. The Colonel wasn't a fan of oversight but
29 believed the citizens owned the police department. An advisory board would provide people to
30 have a say about what happens in the department but not to run it. He was talking about policy and
31 running a mission vision and value statement. They meet occasionally to be briefed on what's
32 going on and are provided with statistics. They come forward because a citizen may be afraid to
33 come to the department, so they go through them. He is a big fan of advisory boards. Arne thought
34 a big part was the communication between the public and the police department. The more
35 communication and interaction, the less chance for misjudgments and issues. He thought they had
36 come a long way. What bothered him was people in the department felt psychologically unsafe
37 and that was a tough place to be in and they needed to do something to change it. He wasn't saying
38 they give anyone a pass on accountability. When people say they support the police or military,
39 and it was easy to say, but the police officers want their voices heard. He referenced the fatal
40 accident a few months ago where the Chief went out of his way to get psychological support for
41 the officers but it's the everyday stress of the business that can wear people down.

42 Lee asked how he would recommend increasing external and internal communication with the
43 police department. The open house nights. Don't expect the people who don't trust the police to
44 attend the open house. They need to go to them. He suggested walking up and down the Green at
45 the festival. A well-run social media can open the lines of communication. True communication

1 at a community meeting is a listening session to let people talk to the police department. Arne
2 asked if the training at the police academy reflected the social work, which was the harder part
3 trying to solve problems of everyday life all the time. Jim thought the academy was working more
4 with that. Communication is a big piece of an effective organization. He thought it was time for
5 Vermont to start having conversations about regionalization. Arne hoped the document would
6 open the door for the direction the town wanted to go, which was a better relationship with the
7 department, community, and town.

8 Shawn Cunningham asked about page 10, co-production of safety involves a greater level of
9 influence and involvement. He wondered what expectations they would have. Jim was concerned
10 about the addiction issue which is not the police department's sole problem to solve by arresting
11 their way out of someone who is dealing drugs. It's a community issue which requires a community
12 response.

13 The board thanked Jim for his presentation and work.

14 **Agenda Item 6, Chester Community Greenhouse and Garden Update**

15 Removed from the agenda.

16 **Agenda Item 7, Adopt Amendment to Unified Development Bylaws**

17 Lee moved to adopt amendment relative to Part 3, Adaptive Reuse as slightly modified, and Ben
18 seconded. Arne thanked the Planning Commission for their work. Peter said they are trying to
19 bring it to the Selectboard in smaller pieces. Arne agreed with him on the process. A vote was
20 taken, and the motion carried.

21 **Agenda Item 8, Errors and Omission**

22 A value changed on a property that required the signing of documents, which the members signed.
23 No vote was necessary.

24 **Agenda Item 9, New Business/Next Agenda**

25 Short-term rental ordinance will be discussed at the next meeting. Legacy Use would also be
26 discussed. Possibly the greenhouse would be discussed.

27 **Agenda Item 10, Executive Session: Review of Police Union Bargaining Agreement**

28 Ben moved to go into executive session and Leigh seconded the motion. A vote was taken, and
29 the motion carried.

30 (8:35 – Board enters Executive Session)

31 Lee moved and Ben seconded a motion to enter executive session. A vote was taken, and the
32 motion carried.

33 Lee moved to exit executive session and Ben seconded the motion. A vote was taken, and the
34 motion carried.

35 (9:14 – Board exits Executive Session)

36 **Agenda Item 11, Adjourn**

37 Lee moved to adjourn, and Leigh seconded. A vote was taken, the motion passed, and the meeting
38 was adjourned at 9:14 p.m.