

**TOWN OF CHESTER
PLANNING COMMISSION**

January 26, 2019 Minutes

Commission Members Present: Naomi Johnson, Claudio Veliz, Barre Pinske, Tim Roper, and Cheryl Joy Lipton.

Staff Present: Cathy Hasbrouck, Recording Secretary.

Citizens Present: Brandy Saxton.

Call to Order

The meeting was called to order at 9:05 AM by Chair Naomi Johnson.

Agenda Item 1 Review minutes from January 14, 2019.

Tim Roper moved to accept the minutes from January 14, 2019. Claudio Veliz seconded the motion. There was no discussion. A vote was taken and the minutes were accepted as written.

Agenda Item 2, Citizen Comments

There were no citizen comments.

Agenda Item 3 Continue Work Shop on proposed changes to the Unified Development By-Laws

The discussion began at Sub-Section 3107.Q, Internally Illuminated Signs. Tim Roper asked about paragraph 3107.Q(8). He did not understand why only 30% of the sign was allowed to advertise a product. Brandy Saxton said it regulated the content of distributor signs. She gave the example of a beer company providing a sign with the business' name and the beer company logo on the sign. The logo is not allowed to take up more than 30% of the sign.

It was noted that internally illuminated signs are currently banned in Chester. Claudio Veliz said he didn't think internally illuminated signs supported the character of the community as established by the Planning Commission's work with signs over the past 4 or 5 years. Naomi Johnson said that some people who participated in those discussions did favor internally illuminated signs.

Cheryl Joy Lipton didn't want internally illuminated signs for various reasons. Barre Pinske said he thought requiring natural materials for signs would be appropriate for some districts. He felt Lisai's internally illuminated sign is a symbol of Chester's past and shouldn't be banned. He liked backlit signs. He felt that signs lit by lights shining from above or below (externally lit signs) require maintenance and light can escape from them as easily as it does with internally illuminated or backlit signs. The majority of the Commission wanted to continue the ban on internally illuminated signs. Brandy Saxton said she would remove Sub-Section 3107.Q and add

internally illuminated signs to the list of prohibited signs. She said the next version of the proposed bylaws will have illustrations of types of signs, including backlit signs.

There was further discussion of types of signs and the amount of light escaping upward from different types. Naomi Johnson reviewed the proposed bylaw so far. Sub-section 3107.F, wall signs allowed externally illuminated and backlit wall signs. Claudio Veliz opposed allowing backlit signs because they allowed too much light to escape and he felt they did not support the character of the community. Cheryl Joy Lipton also was opposed to them. Tim Roper was not opposed to them, and wanted to regulate these by district. Barre Pinske was in favor of them. He felt they gave an area charm. Seeing the Commission split on this issue, Naomi Johnson suggested that the Commissioners consult Illuminating Engineering Society Manual TM-15 which gives guidance on levels of backlight, upright and glare (BUG) for different sign configurations. The Commissioners agreed to this. Brandy Saxton will leave the backlit sign language in place with a note that the subject will be revisited after the Commissioners look at the manual.

Sub-Section 3107.R, Temporary Signs, addresses a recurring problem in many towns: a proliferation of temporary signs which advertise openings, sales and special events. The sub-section as proposed requires a license and fee for temporary signs. Brandy Saxton said Chester currently allows one temporary sign for a limited number of days. The Commissioners agreed that it was difficult to count the number of days a sign was displayed. Cheryl Joy Lipton asked if temporary signs follow the same regulations as permanent signs. Brandy Saxton said they did not follow many of the permanent sign regulations. Cheryl Joy Lipton was in favor of the regulation if it required natural materials and forbid continuous energy use, among other things. Tim Roper was opposed to the proposed regulation of temporary signs when he first read it but he was more in favor of it after discussing it. Barre Pinske was in favor of the regulation without the fees. Claudio Veliz was in favor of the proposal. He did not want to allow inflatable devices. Brandy Saxton said she could include language similar to 3107.D(10) which excluded “signs that move or incorporate any pennant, ribbon, streamer, spinner, balloon, inflatable or other similar moving, fluttering or revolving device, including, but not limited to feather or whip signs”.

The next Sub-Section discussed was 3107.S, Sign Area, which discussed how the square footage of a non-rectangular sign would be calculated. No one requested changes to this sub-section.

Sub-Section 3107.T discussed sign removal. Claudio Veliz asked what the current bylaws require, but no one could find anything about this in section 3-26 Signs. Barre Pinske asked how sign removal was enforced. Brandy Saxton said it is a zoning violation which has financial penalties and could result in a lien against the property if the penalties go unpaid. The Commissioners agreed to keep the sub-section as written.

Sub-section 3107.U, Non-conforming Signs, allows existing signs which will not meet new regulation to be grandfathered for a period of time. Claudio Veliz said he thought that some communities will not grandfather signs because they are not a huge expense and the expense is depreciated over time until its value is zero. Cathy Hasbrouck brought up the possibility that a new business which would have to conform to the new sign regulations would find itself at a

disadvantage in regard to existing businesses with more brightly lit signs. Many Commissioners agreed that this could appear to be unfair and not welcoming to new businesses. Claudio Veliz suggested it could cause resentment. The Commission considered the possibility of requiring signs to come into conformance within a period of years. Brandy Saxton said she has never seen a regulation like that in Vermont though she has seen it in New York State. She suggested that a Vermont lawyer be consulted before this is added to the bylaws. The Commission decided to require replacement within 5 years and to consult the town attorney.

Sub-Section 3108, Trash, Composting and Recycling Storage Areas, was discussed next. Tim Roper questioned how 3108.A(5), “Enclosures must be constructed of the same exterior materials as the buildings they are intended to serve” would work in the Stone Village, where many of the buildings are made of fieldstone. He didn’t think the trash enclosure should also be made of fieldstone. Brandy Saxton agreed to change the wording to “the same exterior material or visually compatible material with equivalent durability”. Brandy Saxton also agreed to move 3108.A(8), “No provision of this section will be interpreted to apply to areas or containers used to compost waste generated on site” to the beginning of the section to make it clear that this sub-section addresses storage only, not actually composting waste. Cathy Hasbrouck asked whether an example of this requirement would be an enclosure at the multi-family building across the street that looked like the building, with clapboarded side. Brandy Saxton said yes, that was true. Some type of screen around the dumpster was needed. It could be stockade fencing. Claudio Veliz asked if it could be a hedge. Brandy Saxton said it could, but she was hesitant to allow a hedge because hedges often died. She agreed to cross-reference this sub-section with Sub-Section 3106, Screening.

Section 320, Specific Use Standards was taken up. Brandy Saxton addressed comments on Section 320 sent in by Michael Normyle. She said these are the standards that will apply if someone comes in for a permit for a specific use, such as extraction, not to a situation where someone removes soil from their property to create a driveway or other landscaping. She will add language to Sub-Section 3201 Applicability to make this clearer.

Brandy Saxton said she chose the standard of 5 dwelling units to require a permit for a multi-family dwelling because, in many building codes, a building is considered commercial when it has 5 or more units. This is a change from the limit of 3 units in the current bylaws. Brandy Saxton said the requirements in Sub-Section 3201 are designed to create quality housing situations for people and to address neighborhood issues which come up, such as storage of trash and belongings.

Tim Roper said the requirement in 3202.B(2), “At least 50% of the units must include a private or semi-private outdoor living space (ex. Patio, courtyard, porch, balcony) to be accessed from the dwelling unit for the exclusive use of unit residents that is at least 60 square feet in area. . .” could be a burden to someone converting one of the large older houses in Chester. Brandy Saxton agreed that it could be a challenge when converting a large single-family home, and it was intentional to some extent. She said cramming too many dwelling units into an existing single-family building could run into problems with parking on small lots. She said sometimes Victorian homes had balconies and porches that help meet these requirements. Claudio Veliz

said too many small units in a building made it difficult for the Fire Department to rescue people in the event of a fire. The corridors leading to the units can be very confusing and people get lost in the smoke.

Tim Roper asked about the requirement for bulk storage in Sub-Section 3202.C. He wanted to know what the precedent for requiring bulk storage was. Brandy Saxton said tenants space need to store things such as snow tires, bicycles, outdoor furniture, and Christmas decorations. She said many complaints center on this.

Cheryl Joy Lipton asked about requiring bike racks for commercial multi-family uses. The parking section, 3104, has been amended to include requirements for bike racks for non-residential uses. The Commission decided to require bike racks for residential uses, and to include bike parking for visitors at the same rate as vehicle visitor parking is required. Cheryl Joy Lipton also asked that sidewalk access to bike parking be added to the requirements.

Claudio Veliz and Tim Roper asked about the definition of sound proofing for 3202.F. Tim Roper asked if there was an industry standard that could be used. Brandy Saxton said she thought there was a standard in the building code and she would look that up. Claudio Veliz also was concerned about how to interpret minimizing impact on building residents of service and waste collection. Brandy Saxton said it was difficult to define a standard as each case is unique. She cited the opportunity to appeal rulings as a way to work out a disagreement on the level of disturbance. Brandy Saxton also addressed Michael Normyle's concern about not allowing commercial enterprises on a floor above a residence. She said that noise may not be a factor, but the disturbance of people going in and out of the business all day long could be. Putting the residence on the floor above minimizes that type of traffic. She said that apartments are sometimes put in on the first floor in the back of a building. Tim Roper pointed out that people who work nights need to sleep in the daytime and quiet can be essential in the daytime as well.

In Sub-Section 3203, Accessory Dwelling, Claudio Veliz asked for clarification about the meaning of "associated" in paragraph 3203.A(1). (An accessory dwelling unit must be located within or associated with an owner-occupied, single-family dwelling) Brandy Saxton said this bylaw was derived from a statute and the word used in the statute was appurtenant. She gave the example of a carriage house next to a house. An accessory dwelling could be in the carriage house. Claudio Veliz gave the example of a very large parcel and asked whether any building on the large parcel could be called an accessory dwelling, even if they were a mile apart. Brandy Saxton said the requirement of the two buildings sharing the same driveway addressed this issue. If the buildings aren't sharing the same driveway there is no accessory dwelling unit. She noted that the proposed bylaw allows more square footage for the accessory dwelling than the current bylaw. The current bylaw requires that the accessory dwelling unit be no bigger than 30% of the primary dwelling unit. If the primary dwelling unit is small, the accessory dwelling unit would be very small. The proposal allows up to 900 square feet as an accessory dwelling unit. No changes were proposed to Sub-Section 3203.

Sub-Section 3204, Home Occupation was discussed. Claudio Veliz asked why the hours of operation were limited to 7:00 AM – 7:00 PM Monday – Friday and 9:00 AM – 5:00 PM

Saturday and Sunday. He asked whether an architect working from 2:00 AM – 6:00 AM in his home office was violating those rules. Brandy Saxton said working in his home office between those hours did not violate the hours of operation. It would be a problem if employees were coming in at those hours to work. She said the hours were set to minimize loud disturbances and traffic in and out of the property. Claudio Veliz asked if hours of operation could be limited by the extent it disturbs the neighbors. Brandy Saxton said it would be hard to define and quantify what disturbs neighbors. Tim Roper asked if the words “does not have an adverse negative effect on the character of the area” would be an appropriate way to limit hours of operation. Brandy Saxton said she had added a definition of “character of the area” to Section 5 to help the DRB in its work with conditional uses. It might be considered in this instance as well.

Tim Roper asked what happens if someone uses the first floor of their barn for a home occupation and the area it takes up is 1,700 square feet. This exceeds the home occupation limit of 1,000 square feet. Brandy Saxton said the home occupation would then become a home business. She said the home occupation language was written with a village setting in mind. It applies to all districts, but it is possible that a town might want to regulate rural districts differently from village districts. She reminded the Commission that Home Occupation is an accessory use and is required by state statute within the framework as shown in the proposed bylaw. A person does not have to own his or her residence to have a Home Occupation, as long as it takes place within his or her residence. Home Businesses are not accessory uses and require a site plan review. They must be located at the residence owned by the business owner.

Claudio Veliz asked why the number of non-resident employees is limited to 2. Brandy Saxton said the statute did not require that any non-resident employees be allowed. She said she chose the number of 2 arbitrarily, but she has seen up to 4 non-resident employees being allowed. The Commission discussed the number of non-resident employees which could be allowed. They agreed that a limit of 2 non-resident employees was appropriate. Cheryl Joy Lipton brought up the issue of bike parking. She felt there should be a bicycle parking space for each employee as well as a vehicle parking space. Brandy Saxton said the proposed parking bylaw as written requires a bike rack. Cheryl Joy Lipton said a secure area for a bicycle would be sufficient. Barre Pinske was concerned that a bicycle rack would be a burden to a small business owner and he would rather encourage bicycle racks instead of require them. The Commission decided to require a secure area for bicycles.

Tim Roper asked for a definition of the term heavy vehicle or equipment used in paragraph 3204.A(10) “not have any outdoor storage or use areas, including product display or parking of heavy vehicles or equipment outside an enclosed structure.” He also wondered if it would apply to every district. He was thinking of a small landscaping business as a home occupation. Brandy Saxton said a landscaping business could not be a home occupation. It would need at least a permit for a home business. She said a definition of heavy vehicle would be added to Section 5.

Cheryl Joy Lipton suggested that signs for home occupation and home business be limited to the 6 square feet they are currently allowed. The other Commission members agreed. Naomi

Johnson noted that there was no prohibition in Section 3107, Signs, against fluorescent colors on signs. Brandy Saxton agreed to add that prohibition to the Sub-Section.

The Commission moved on to 3205, Home Business. Claudio Veliz suggested that the limitations on Home Businesses should be tied to the zoning district. Naomi Johnson said an important consideration would be traffic. Claudio Veliz said twelve cars per day visiting a home business in the center of town would hardly be noticed, but twelve cars on a rural road would have some impact on neighbors. Tim Roper asked if a parking lot for a home business would require the 20-foot aisle mentioned in the parking sub-section. Brandy Saxton said the aisle would be triggered by the number of spaces in the parking lot. She said Home Businesses undergo site plan review and parking is regulated by Sub-Section 3107. Barre Pinske asked if a Home Business can have off-site or public parking. Brandy Saxton said those provisions are already in the parking sub-section and the DRB is allowed to reduce the parking requirements. No changes were requested to this sub-section.

Sub-Section 3206, Family Childcare Home is an accessory use that does not require a site plan review. Brandy Saxton said this use is required by that state statute. The requirements of the sub-section were mainly dictated by state statute. The standard for counting a full-time child comes from the state statute. The childcare must be registered with the state. Facilities that exceed these headcounts are a daycare use. Brandy Saxton noted that the Family Childcare use does not require owner occupancy. A person who rents their home may have a Family Childcare in that home. No changes were requested to this sub-section.

Sub-Section 3207, Residential Care or Group Home is another use that is mandated and controlled by the state. It is to be treated the same as a single-family dwelling by the town. No changes were requested to this sub-section.

Sub-Section 3208, Bed and Breakfast, is an accessory use for a single-family home. Brandy Saxton said this use does not require a site plan review. The Commission discussed the number of rooms that should be allowed and decided to leave it at 5. This use will fall under the parking requirements which includes bike racks. No changes were requested to this sub-section.

Sub-Section 3209, Inn is a use that requires site plan approval. Tim Roper questioned the parking requirement, 3209.C. Brandy Saxton said she would be revising the wording on this in light of the changes made to the parking sub-section. No other changes were requested to this sub-section.

Sub-Section 3210, Rooming and Boarding House. Brandy Saxton said the difference between a rooming and boarding house and a bed and breakfast is the length of stay. Bed and breakfasts are for transient guests and rooming and boarding houses are for longer stays. If each room in a rooming and boarding house has its own bathroom and kitchen facilities it becomes a multi-family home. Brandy Saxton said that paragraphs 3210.A(4) and (5), "Provide all tenants with a private, secured bedroom for their exclusive use; Not house more than two unrelated adults per rental room;" will not allow sleeping in hallways and sitting areas, which has been a problem in neighboring towns. No changes were requested for this sub-section.

Sub-Section 3211, Short-Term Rental addresses Air B & B issues. Brandy Saxton gave an example of a short-term rental as a vacation home that is used by the owner for a few weeks a year and rented out at other times. The rental is often managed by a management company. Tim Roper asked whether the language Brandy Saxton wrote for this is similar to language in other resort communities. Brandy Saxton said this type of language is starting to show up in Vermont. She said the question before the Commission is whether it wants to prevent properties with non-resident owners or caretakers from being frequently rented on a short-term basis. Barre Pinske said he noticed many older, attractive properties in town which are clearly very expensive to maintain and he felt that short-term rentals were one way to help pay for their maintenance. Those renters also ate in restaurants, and shopped in the area. He was in favor of allowing these buildings to be rented on a short-term basis. Tim Roper said that he was concerned about the effect a large number of Air B&B rentals could have on existing lodging businesses. Brandy Saxton said it affected the long-term rental market as well. An owner can get more money as a short-term rental than for a long-term rental. After some discussion, the owner occupation requirement was reduced from 180 days per year to 48 days per year, which was two weekends per month and the maximum number of guests was changed to three times the number of bedrooms in the dwelling. Brandy Saxton suggested seeking public feedback on how many days a year the owner must be present.

Sub-Section 3212, Hotel or Motel. Brandy Saxton explained that this sub-section was intended to prevent the conversions of hotel and motel rooms into individual dwelling units which are inadequate, unsanitary and unsafe. No changes were requested to this sub-section.

Sub-Section 3213, Sales Lot was discussed. Tim Roper asked about paragraph 3213.B(4), "Screen display or storage areas that are located within 20 feet of a property line with a residential lot with a fence/berm and vegetated buffer in accordance with Section 3106". He wanted to know if both the fence/berm and vegetated buffer were required or if it could be a fence/berm OR a vegetated buffer. Brandy Saxton said it meant there had to be a fence with a vegetated buffer or a berm with a vegetated buffer. She referred him to the screening section 3106 and agreed to change the language to make it clearer. She also agreed to clarify the language in 3106 with regard to the public or "good" side of a fence and the side on which to plant the vegetative buffer. Tim Roper also asked how the vegetative buffer would be maintained if the fence was allowed to be on the property line. Someone would have to go on the neighbor's property to care for the buffer. Brandy Saxton said she would think about that and come up with new language.

Barre Pinske said he really liked the sight of a four-wheel drive truck parked on a mound of dirt and wanted to allow mounds. Unfortunately, no one agreed with him and the text of paragraph 3213.B(5) which excluded mounds was not changed.

Cheryl Joy Lipton discussed paragraph 3213.B(6) which addressed the landscaping of the buffer between the street right of way and the sales lot. She said she was not comfortable with using EPU (Equivalent Planting Unit) as a standard for landscaping density and wondered why Brandy Saxton favored it. She also felt the suggested landscaping for the buffer between the right of way and the sales lot was inadequate. Brandy Saxton said she felt the EPU encouraged creativity

by not making it easy for a landscape architect to simply rubber stamp trees onto a buffer. She agreed to prepare some drawings to illustrate the use of EPU's and show what the buffer under discussion would look like with more EPU's.

Barre Pinske wanted to know how much the landscaping would cost and wanted the landscaping to be suggestions and not requirements. He didn't want to place an undue burden on the business owner. Naomi Johnson asked if Barre Pinske would like to see illustrations of what the bylaw was requiring before making up his mind. Barre Pinske agreed to look at illustrations of the proposal. He said the people he spoke to in the community felt that suggestions for things such as landscaping were positive, but requirements were a burden. Brandy Saxton explained that a bylaw cannot be a suggestion because it is a regulation. She said that other documents could offer suggestions. This concluded the discussion of paragraph 3213.B(6).

Brandy Saxton discussed sub-sections 3213.C and D. She explained that the display area, whether paved or not, would count as impervious surface because the traffic in a display area would compact the soil, making it unable to absorb any water. She noted the sub-sections allowed the DRB to grant an exception if the area was being maintained as a pervious surface for green stormwater management. Tim Roper asked about a definition of "pave" and Brandy Saxton read the definition from Section 5, "to cover the ground with asphalt, concrete, stones, gravel, brick, tile wood and other impervious materials. . .". No changes were requested for these two sub-sections.

Sub-Section 3213.G discussed bringing existing sales lots into compliance with these new rules. Three issues are addressed: curb cuts and traffic safety, stormwater management and buffers and landscaping. The sub-section requires that these issues be addressed when an existing display area is modified for any reason. The issue of requiring compliance with new regulation when an existing business applies for a change is similar to the issue the Commission discussed in the Signs section. Is it fair to force a new business to meet standards that could put it at a disadvantage when compared to how an existing business is laid out?

Tim Roper was concerned that the requirements would be burden to existing businesses. Barre Pinske asked if the DRB was qualified to judge whether the redesign of a sales lot adversely affects traffic circulation or if the stormwater fix is the best available solution or if the change to the display area would adversely affect business. Brandy Saxton said the burden of proof is on the applicant. They would have to show why they cannot meet the full requirement. Tim Roper asked if a definition could be written to describe what it would take to prove an applicant can't meet the requirement. Cheryl Joy Lipton brought up the Chester Post Office as an example of a stormwater failure and asked how this would be presented to the DRB if it were a sales lot which wanted to expand. Brandy Saxton said the applicant would explain what would be required to fix the problem and give reasons why it would not be possible to make those changes. A possible reason would be that there is not enough space to manage the stormwater on site. Naomi Johnson said she thought the DRB had the expertise to make these decisions. Barre Pinske said perhaps the DRB could hire a consulting engineer if the issues were very complex.

Brandy Saxton said the issue of curb cuts was a safety issue, the issue of stormwater was an environmental issue and the landscaping was primarily aesthetic. Cheryl Joy Lipton objected to characterizing landscaping as primarily aesthetic. She said that is was, among other things, partly a climate issue. Brandy Saxton said some town will choose to concentrate on one of these issues. For example, she worked with Brattleboro and that town decided to make managing stormwater a priority and not require resources be spent on aesthetics or curb cuts.

Cheryl Joy Lipton asked how the zoning regulations could address issues such as the Post Office parking lot. Brandy Saxton said zoning regulations only came into play when an application for a changed is filed. If no application for a change is filed, the zoning regulations don't have a role. On the whole the Commission was satisfied with this section. The only sales lot currently in operation in Chester which would be affected by bylaw is Dennis Allard's property on Route 103 South. No changes were requested for this section.

Sub-Section 3214, Repair Service. Claudio Veliz questioned the requirement that all work be done indoors. He asked how often service activities occur outside and wondered how often that outdoor work bothers neighbors. There was concern among the Commissioners that requiring existing businesses to erect a building would be burdensome to those businesses. Brandy Saxton said 3214.A(1), "Carry out all repair or service activities within an enclosed building" could be changed to allow the DRB some discretion in the matter. The applicant could ask for permission to change tires, for instance, outside. Barre Pinske suggested that the word "major" be added to paragraph 3214.A(1). "Carry out *major* repair or service activities within an enclosed building". It was agreed that some accommodation for working outside would be added to the paragraph.

Cheryl Joy Lipton discussed parking and storing vehicles within the district setbacks (3214.B). She felt the area for storage and parking should be marked on the ground. Brandy Saxton said that the proposed bylaws will address this concern for new businesses because curb cuts will be required and there will be defined, limited access to the street from the front of the lot. She said repair services are almost always an ongoing enforcement issue and this will give Chester's Zoning Administrator support for addressing violations.

Tim Roper asked if outdoor storage mentioned in 3214.C included vehicles awaiting repair. Cheryl Joy Lipton said those vehicles are mentioned in 3214.B. Tim Roper noted that 3214.B is discussing vehicles parking within setbacks and he is asking whether "storage" in 3214.C includes vehicles or is only about parts and supplies. Brandy Saxton said a vehicle would be included if it was there for more than 24 hours. Turning to paragraphs 3103.B(4), 3106.E and 3106.G, Brandy Saxton said the fence and vegetative buffer are needed only when the storage area is within 20 feet of a residence.

Sub-Section 3215, Fueling Station was addressed. Tim Roper asked about paragraph 3215.B(4), "not locate fuel pumps and islands between the frontline of the principal building and the road." He thought most existing fueling stations had their pumps and islands between the building and the road and thought this requirement would be a burden if an existing station wanted to expand or change their pump configuration. Brandy Saxton agreed that pumps are currently typically placed between the building and the street, but they could be located behind or beside the

building. Cathy Hasbrouck asked if the Sunoco station would be forced to move the pumps if they asked for changes to their permit. Brandy Saxton said the pumps will not have to move if they are not asking to change the location or number of the fuel pumps or tanks. The Commission was concerned about the cost to an existing business of moving the pumps to the side of the building if they wanted to change something about the pumps or the tanks. The Commission noted that gasoline was probably going to be replaced in the next twenty years or so by electricity as an automotive fuel and fuel stations infrastructure will be changing as well. Brandy Saxton said she could add language that would not require existing fuel stations to move their pumps. Tim Roper asked if the Jiffy Mart across from the Sunoco station complied with this proposed language. Brandy Saxton said it did not. In order for it to comply the building would have to be moved to the corner of the lot nearest the corner of Routes 11 and 103. The pumps would be in line with the building on one of the sides. She said the reason for this proposed configuration is to make it more pedestrian friendly, by placing the building close to the sidewalk.

Naomi Johnson said the Commission agrees that the change should not apply to existing fuel stations. After polling the Commission about the proposal that required the pumps to be put to the side or behind the building for a new station, it was agreed to leave that in place.

Tim Roper asked why there was a requirement of 500 feet of separation between fuel stations. Brandy Saxton said this was an effort to prevent the traffic congestion that occurs when two stations are close together. Brandy Saxton said the regulation about canopies was there to make the canopy blend in better with the building and prevent excessive display of corporate logos. Cathy Hasbrouck verified that the fueling station for snowmobiles which is an accessory use, is not affected by this sub-section. Brandy Saxton said it was not affected.

Cheryl Joy Lipton asked about the electric car charge station paragraph. Could the statement about electric vehicle charging be made to apply to more than the fueling station? Brandy Saxton said the paragraph was added to make it clear that charging stations could be placed in parking lots and not only in fueling stations. She noted that the parking sub-section of the proposed bylaws allows EV charging stations. Claudio Veliz asked if the state of Vermont has building code for charging stations. Brandy Saxton said she hadn't heard of any building code yet. Cheryl Joy Lipton asked if somewhere in the zoning bylaws, charging stations could be required in order to make them more available and encourage electric vehicles. Brandy Saxton said Act 250 requires a charging station based on the size of the parking lot. A large employer could have a parking lot big enough to trigger the charging station requirement. Brandy Saxton said she thought charging stations in private parking lots are a stop-gap measure and will soon be replaced by commercial installations. She said she could add a requirement to the parking sub-section for a charging station that would mirror the Act 250 requirement. Naomi Johnson said Chester has pursued grants to set up a charging station. Tim Roper said the quick charging stations can cost \$30,000 each. Claudio Veliz asked Tim Roper if he thought the price of a charging station will drop significantly over time. Tim Roper said the cost of the charging station could drop, but there would be costs to bring in the electricity. Each charging station uses 80 amps. It would require 200-amp service to service three or four vehicles. He said solar

energy cannot directly supply that energy. Barre Pinske said he didn't think it was a good idea to write regulations that pushed the envelope of technology prematurely. He said appropriate services will soon be available. Cheryl Joy Lipton said having some type of requirement was an encouragement that she felt was important. Naomi Johnson asked Brandy Saxton to look up the Act 250 trigger for a charging station and the Commission would discuss this further.

Sub-Section 3216, Carwash was the last sub-section to be discussed at the meeting. Tim Roper asked about the provision for recycling water in paragraph 3216.B(6). Brandy Saxton said this is a state requirement that has been in effect for some time. Claudio Veliz asked why Chester needed carwash regulations. Why didn't it just defer to the state regulations? Brandy Saxton said the state doesn't issue car wash permits, it was only regulating waste water issues. Tim Roper asked about the hours of operation listed in paragraph 3216.B(2). He said the sole carwash in Chester was so far from its neighbors that no one would be bothered if it was used in the middle of the night. Brandy Saxton said she could add language to allow the DRB to override the hours of operation. She said she added hours of operation because carwashes are very noisy. No other changes were requested to the sub-section.

The next meeting of the Planning Commission will be Monday February 4, 2019 from 6:00 – 9:00 PM. It is an extended meeting to give more time for reviewing the bylaws. The Commission hopes to finish Section 3 at that meeting and then resume discussion of Section 2, zoning districts.

Claudio Veliz moved to adjourn the meeting, Naomi Johnson seconded the motion. A vote was taken and the meeting was adjourned.