TOWN OF CHESTER
SELECT BOARD MEETING
November 19, 2025, Minutes

Board Members Present: Lee Gustafson, Arne Jonynas, Peter Hudkins, Arianna Knapp, and Tim Roper at Town Hall.

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

Visitors Present: (See attached sign-in sheet), Damon Tyler, Gary King, Mike Westine, Kirk MacGinnis, Bill Lindsay, Derek Suursoo, Ken Walker, Mary Adams, Doug Adams, Frank Kelly, Steve Vertefeulle, Matt McCarthy, Rob Wye, and Wayne Cooley at Town Hall; and Adrienne (last name unknown), Sharon Jonynas, Crystal MacGinnis, Ashlynn Ramirez, John Velit, Chester Telegraph, Lyndsay (no last name), Hugh Quinn, and SAPA TV, via Zoom.

Call to Order

Chair Lee Gustafson called the meeting to order at 6:30 p.m. and thanked everyone for attending. He led with the Pledge of Allegiance.

Agenda Item 1 Approval of Minutes from the Select Board Meeting dated November 5, 2025

Tim moved, and Arianna seconded a motion to approve the minutes. There were no corrections. The motion carried and the minutes were unanimously approved, as written.

Agenda Item 2, Citizen's Comments

Kirk MacGinnis read a written statement concerning document conduct and interactions with the town office and presented the same to the board and requested it be entered into the minutes. Said statement is attached to and made part of these minutes.

Agenda Item 3, Old Business

Report by Town Manager:

Policies

There are five that they will begin working on over the winter months, once the budget wraps up: modifications to the traffic ordinance; work on the use of town property ordinance; a public records requests policy; looking at the Chester Development Funds for multiple potential uses, including Cypress Minerals money, coming into that; and updating the financial policy.

Bailey Hill Road

Julie spoke with Jim and he promised this is next on his list. Julie should have something by the end of this week or beginning of the next week. She emailed Mr. Bidgood and let him know.

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Peter asked about the development committee. Julie said they advertised for letters of interest and they had until the end of month to submit and the board would review them at the second meeting in December.

Town Moderator

Julie said she had two letters of interest and they would interview and hopefully appoint someone at the December 3 meeting. There had been three, initially, but one person withdrew.

Agenda Item 4, Review Discontinuance/Reclassification of Roads Process

Lee noted the members had an 11-page document about the discontinuance process. Lee asked for their thoughts. Arianna knew they requested it to be on the agenda for clarity to be better versed but wondered if it was also encapsulated in the Class IV road policy conversation. Julie said not to the same level of detail and that's why it was on the agenda. It was included because there was the process and the policy. Lee saw this as the background for the policy. Peter said they have a lot of Class IV roads which meet adjoining towns so the adjoining town had to have a public meeting and notice. Peter said they have a Class IV road that goes by a chalet, that's on Route 11, and goes to Andover, and stops. There is no road on the other side of Andover, but you would still have to notify Andover that you would discontinue that road. Julie told Peter it was Section 771. Arne thought all the information they had provided gave the exact process of how everything happened and thought the policy was more a guidance document, so that people knew, basically, how the steps were. Arne said they should finish that before adding another thing to their plate and adopting a policy would not affect any considerations for the town for Class IV roads that are out there, and whether we discontinue them or not, or whether they review it to see what's happening. Arne thought having the policy in place could be helpful and said when he looked at the roads on the map, they were separate and all had different circumstances surrounding them. Arne would want more history about the road before even considering changing the classification. It was for transparency and benefitted the people on the roads and the town. Arne said the purpose of starting the discussion was to be sure that people were aware what was happening and wasn't to slide anything by but for transparency. Arne recommended they proceed with that and finish the policy as they were 95% there. They were limited because of a court case to specific areas but not the remaining ones. Lee was listening to what the board had to say. Tim heard it mentioned that they can't restrict vehicular traffic on Class IV roads and a goal of the policy was for the town to control what happens on them. Julie thought if it was reclassified to a trail or by ordinance, they could. She will research and could get a legal opinion from Jim, if needed. Arianna said all this policy does is aggregates all the information that's out there in various policies and books, and puts them all in one place, but doesn't change anything. If it actually doesn't change anything and they can't currently restrict anything, the policy doesn't change anything. Arianna wanted clarity. If the policy would allow them to make restrictions, it is new. Tim said they had authority to pent a road and restrict vehicular traffic so that may be where it falls. Julie would talk to Jim and confirm. Arne said it had been vetted and listed what it allowed them to do but agreed they should verify it with Jim. Julie said Jim Carrol had not vetted it but it was written by VLCT, who has a team of attorneys. Arne hoped their attorneys would not be mistaken. Julie said past boards had not wanted to pay Jim to vet policies provided by VLCT. Julie will check with VLCT for clarification for which there is no cost. Arianna confirmed they were still on Agenda Item 4, as Peter needed to recuse

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himself for Agenda Item 5. Lee wanted to make sure that we are all understanding the history, the background of how they would go about doing this, and as it relates to the policy, but didn't want to get into the policy per se. Arianna noted that everything provided she had read through said similar or same things, repeatedly, and wasn't countered by the policy they were considering. Julie and Lee agreed. Julie said there were feelings that discontinuance was easy and she wanted the board to be aware it was a lengthy legal process. Arianna said with the discontinuance process, they didn't have much latitude and had to do it by the steps which took a long time and had nothing to do with if the board was in a good mood or not. Arne said it really only started where it said the select board shall promptly appoint. Arne remembered Quarry Road took three or four months because of all the steps they had to take, including notices out to all the landowners and abutters. If it goes to another town, they have a say in it, and it gets to the point you have to notify the Department of Forest Parks and Recreation, because they have a say in what happens to a road, whether it goes discontinuance. A lot of it's related to state roads, state forests and things like that. There are also other parts they look at with some other criteria. When Arne asked that question of the state, they brought that up about the state, forests, and access.

Peter said in 2016 when each town declared their ancient roads, it wasn't coordinated between towns and the public process wasn't done. Peter said if they looked at the list he gave them, that he did a couple years ago, there are Class III roads that meet trails, and there are Class IV roads that meet Class III roads and the public hearing process wasn't done. On the Chester map, Peter said they needed to look at what the roads connect to on the other side in other towns. There are parcels that are different parcels, if a Class IV road, if it connects to another town, and what the road is in the other town. Peter went through all of them and said there was a lot of information. There are three kinds of recusals. For the policy, Peter asked that if they had a specific case they wanted to bring up, to please wait until he was back in the room as he was going to recuse himself.

Mike Westine asked about wheeled vehicles and motorized vehicles. Julie will research it.

Damon Tyler asked if the documents mentioned were easily available. Julie said the 111 page complaint was not public and was a lawsuit against the town and would not be public yet but thought Mr. MacGinnis would share it with him. Julie could provide him with the discontinuance information. Damon wondered about the rest of the documents and Peter said he could access them in the packet.

Gary King of Chester has been in Chester for 20 years and was instrumental in building out several trails and all the feedback he's received from users is incredible and they are assets for the town. Gary said it fully supports it and asked the board to look at it because it benefits everyone. When company comes to town, he takes them to the trails and it is an incredible resource. He supported how the board was going about it, carefully, and establishing a policy.

Agenda Item 5, Class IV Roads Policy Discussion

(Peter recused himself.)

Arne said he had given his thoughts during the last agenda item and apologized. Lee understood

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because they were similar. Tim said at the last meeting it was stated the policy didn't change anything and then they heard citizens' comments and potentially are requiring somebody to get a permit to repair their driveway. Tim's thoughts were they could exempt from the permitting process any and all sections currently used for driveways but not for alterations to the road. For altering or maintaining a road that's not a driveway, Tim would advocate for no fee or a very low fee for applying for that permit, and streamlining the process. Tim said they didn't need to define that stuff now, but a lot of things can be done with roads with a call, or like a burn permit and making a call to Jeff Holden. Tim suggested doing something similar with repairs or maintenance. Tim said they couldn't make people jump through hoops to repair their driveways.

Lee said because the town owns the road, theoretically, if somebody's using it for a driveway, that's a permitted use and the board was not trying to take that away. Lee wanted to make sure they distinguished between a Class IV road that came to a dead end in someone's driveway versus a Class IV road that went to another town, as they were different circumstances. As they look at Class IV roads, Lee wanted to take them on a case by case basis. The intent of the policy was to give the community an awareness of how Class IV roads are dealt with. Lee noted the roads were an asset and wondered how they could use them appropriately and maintain them and keep them so that the town can enjoy them without annoying people. Tim noted people would always be annoyed. Lee understood. Arianna had been giving them a great deal of thought and believed the policy was a tool to allow the board to consider the wide variety of issues brought before them in the past two years. There are conversations that require different considerations. Arianna thought if the board was to assist the town with how they work with the Class IV roads, the policy was only a small set of guardrails to begin considering all the different issues. Arianna said if they move forward without a policy, they will have to look at all the different statutes for each consideration every time. Arianna was inclined to move forward with the policy because they will need a reference in one place of all the different ways the roads are dealt with. Arianna knew there were issues and knew they didn't agree as a community how to resolve them. Lee said there were three different sections, including maintenance by the town, maintenance and right-of-way access of Class IV highways, and control, which are the things that will impact the town and the users of the roads. The town will not do any summer or winter maintenance, so it limits the town's obligation of spending money on a Class IV road. The town has jurisdiction over how the roads are used with respect to plowing. Arne said it left the door open because it said to the extent required by necessity and the public good and conveyance of its inhabitants. Sometimes that's a big issue, because the road is actually used. Other times, it's not an issue at all, because it's not really used for motor vehicle traffic. Arne said each one was an individual situation. Arne wondered what control the town had besides the classification, which was governed by state statute; once they add on any of the other items, if allowed, it would be a big deciding factor and provide a toolbox giving the town a few more options. Lee said if they needed to do some things on the road for the public good or convenience of the inhabitants, they could, but they weren't obligated to. Lee thought they were limiting their obligation but not eliminating it. Arianna confirmed that none of it had changed from the existing situation. Tim said they would need very specific language discussions.

Tim started with plowing and wondered if his driveway was a Class IV road, if he needed to get a permit from the town to plow it. Lee said they would need to modify it. Arne wondered about state regulations for Class IV roads and thought they involved drainage and culverts and

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requirements to maintain them. Julie said erosion had to be maintained. Arne said if a Class IV road was going to be an issue regarding erosion and clean waters if they didn't put it up to a trail, the responsibility went away. If the Class IV road was a person's access to their property, they could maintain it. Julie said a trail would eliminate any motorized vehicle, so it was an important distinction. Tim wondered what would happen at a future date if they wanted to reclassify it as a road and Julie said it would be difficult.

Section 4, Maintenance and Right-of-Way to Class IV Highways, Lee noted it required a permit and Tim said he would want language added about existing sections being used as driveways because he wouldn't want to make someone jump through hoops to repair their driveway. Arianna said Tim was requesting carveout language and she hoped VLCT had been asked about this before. Lee wondered if they could include it so it didn't have to be defined in each section. Arne said they would need a definition for each road and Julie asked Tim what he was trying to accomplish. Tim was trying to make sure people who use a Class IV road as their driveway wouldn't have to get a permit for maintenance. Julie suggested they address it in maintenance rather than alteration so it would apply universally. Julie would take a stab at modifying the language. Lee wondered when someone puts money into the road and it gets ruined, who paid for it. There was discussion about requiring a permit to be pulled.

Section 5 was for alterations and not only maintenance. Tim gave the example of a logging company upgrading a road but a forester and landowner were also involved and wondered who would apply for the permit and be responsible. Lee said it would depend on the circumstances and would probably fall on the person doing the work. Julie suggested they leave the language as it was. If anyone was concerned about access to the their Class IV property, Tim suggesting penting as a solution. Arne added it was by state statute. but assumed they could or VLCT would not have included it in the policy. Derek Suursoo thought a pent road didn't stop a vehicle but agreed with Tim that it would probably help.

They agreed for Sections 6 and 7, there wasn't much that could be changed because it fell under state statute.

Derek Suursoo said the second paragraph of the policy talked about greenways and seemed pro use of the roads and noted he had spoken about it in September. After seeing the struggles, thoughts, and considerations, he thought it should be changed to reflect the reality of the feedback received. Derek thought it would be nice to have a history and capture the comments.

Frank Kelley, member of Chester Conservation Committee, and has lived in Chester longer than any other place. Frank had the pleasure of traveling many of the Class IV roads by foot or mountain bike and had an appreciation for them. Frank found it admirable the board was taking the policy on. It was clear to Frank that the community members present wanted something to protect their rights. The policy sets guidelines and the board was doing their due diligence combing through it and one size would not fit all. The policy was written to be vague but specific enough to address all of their concerns. Without a policy, someone could access one of the roads that is a driveway and maintained by someone else. And without a policy, anything goes. And the policy provides the framework. As a resident, he was glad they were looking at it.

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Damon Tyler voiced his opinion that he wasn't happy with some of the policy language but appreciated the challenge to please everyone. Just because a statute existed, didn't mean it was right or well thought-out. He cautioned what went into the policy because he saw it as leverage by the government as a tool. He said the policy was favorable toward ecotourism and wasn't sure that was the original purpose. The policy seemed to be very favorable to the town and citizens regarding benefits but lenient regarding obligations. Damon thought the policy seemed litigious and controversial. Damon said the state has no funding and no money to pay people and were considering charging to use public land via licensing to kayak and hike, which Tyler was happy to do. Damon thought the board should be concerned that they don't know what the future holds. Lee wondered if Damon would send something to Julie in writing regarding his concerns. Damon asked about their discussions and Lee said it had to be done in public. Damon said that it was obvious.

Mike Adams said there weren't many farms left and he was one of the few and it was different if you owned the property. They had mentioned cars coming and he had people drive through a seeded piece. He's ready to have a fistfight. Damon interjected that there was more traffic lately because of the board discussions. Lee said he had feared that would happen.

Lee appreciated their comments and said they would continue to consider it and it would be for a while.

(Lee called a 5 minute recess.)

Agenda Item 6, Snowmobile Club

Mr. Cooley presented some landowner permission forms to the board. Lee said the roads were Smokeshire Road past the fourth bridge - 150 yards to the snowmobile bridge on the left; Blue Hill Road - 150 yards from Kensinger's Field over the bridge to Vale's Field; 100 feet of Ethan Allen Road; all of Williams Road; Rolling Acres from cul-de-sac at far end - 600 yards where the trail turns right; and the town turnaround across from Old Forge Road - 50 to 70 feet. Arianna asked if the inventory had changed from last year and it had not. Tim moved and Arianna seconded a motion to use the roads referenced. They realized they only needed a motion to allow the Chair to sign the form - Tim moved and Arianna seconded the motion. The motion carried, unanimously.

Agenda Item 7, 2025 Budget Discussion - Recreation and Facilities Departments

The recreation budget has increased $5,500 primarily due to payroll and benefits. Facilities had a few changes. Overall, facilities had increased to $59,000, depending on what the board wanted to do. Library and Town Hall have decreased: repairs and maintenance have dropped because a lot of the work being done in the two buildings in 2026 is being funded through the MERP Grant. They are going to complete the MERP grant before doing other work. Julie heard from the library, who will be at the December 3 meeting and are presenting a flat budget and not asking for an increase. Peter wanted the pothole filled in the parking lot and joked that he hears about the issue regularly from his wife. $10,000 this year for Yosemite Firehouse as the interior door needs work done and that is the rough estimate for now. They are leaving the budget line at

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$25,000. Steve is working on quotes to begin painting Yosemite. The Chester Events under revitalization - Julie added money for the volunteer recognition picnic which they want to do annually and money for National Night Out, which is widely popular and successful. Pool improvement includes money for painting to the changing rooms and adding picnic tables and umbrellas to the pool deck. Matt would like to add split rail fencing to the parking spots and remove the posts that are rotted. It would be by the pickleball court, the pool house, and the baseball field. It would make the facility much nicer. The big piece to the facilities budget is they've added a part-time position, which is Wayne. Wayne is using his own vehicle and they will pay him mileage. It will cost $40,000 to replace the shed/Matt's office by the baseball field. Matt has found a very nice shed from the facility in White River Junction with a concrete slab and stone for the foundation. It is a little money to fix a long-term problem and installation can be done inhouse. Steve Vertefeulle, Facility Director, said the Yosemite building clapboards are not the standard and taper from the bottom of the building to nothing at the top. Vermont Hardwood Flooring could provide the replacement clapboarding. It will be an interesting project. He thought it was pine and was old and weathered and wafer thin. Steve has never seen clapboard that thin. Tim asked about lead paint and it had not been tested. Arne thought it was painted 25 years ago. They will need to replicate the clapboard. Steve hoped they would give them leniency regarding replicating what is there, but they could put the same clapboard on and get the same life. Julie was told it has to be replaced with the same material. Lee wondered if it could be thicker and they would try. Steve wanted a thicker top edge so it would be thicker than what it currently is. Arne asked about the walls underneath and Steve said it seemed to be structurally sound and had been leaning for years. Julie said they can't get grants to paint but possibly could for the clapboard replacement. Steve said they could do one side of the building a year and Julie agreed. Steve said they won't know how much needs to be replaced until they get physically up there. Steve wanted to get a price for replacing the clapboard for the whole building. For Matt's shed, Steve wanted to incorporate items pulled from the house that was dismantled, if feasible, including solar. The building will replace the current one. It would be 14 x 20 with a loft. Putting the building on a slab would protect it if the brook ever spilled over. Lee said GMP is no longer allowing group net metering. Matt wasn't sure if the solar panels fit in at the park. They discussed putting the panels on the roof of the building. Lee thought it was a good use of the space and shows the community they care about saving money and doing the right thing. Arne said the boiler that came out of the house may use more energy to operate and suggested a heat pump as a better alternative. There was more discussion about what the fence would look like.

Those are the highlights for the two departments with the shed and the half position.

Arne wondered if the $4,500 from Andover was a set amount and Julie said it's annual. Arne wondered if there was a formula to increase it given the rising costs. Matt said it was raised not too long ago. Julie said usage was a challenge because anyone can come use the pool.

Agenda Item 8, Q3 Financials Review

Peter questioned highway and sand costs being up and it was because of the sand they removed. They are in the process of making gravel. Peter asked about the federal audit. Julie said the grants trigger the federal audit and are required by expenditures of more than $750,000. The July

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2023 storm is considered grant funds because they were federal dollars from FEMA. Depot Street is a $2 million sidewalk project with federal funds. Tim asked about Select Board being 282% over and wondered what it was. Peter said the details make more sense. Julie said it was a consultant they were required to do and she would let them know what it was as she couldn't remember off the top of her head. The item had not been budgeted so they had to have a number there.

Agenda Item 9, Liquor Licenses:
One Time Occasion Permit: Fischer Arts

Lee asked if the police were okay and Julie said there were no issues. Tim moved and Arne seconded the motion to approve the permit. The motion carried, unanimously.

Agenda Item 10, New Business/Next Agenda

- Budget - admin, zoning, listers, and library.
- Moderator interviews.
- Businesses will be present for the local options tax.
- CEDC interviews will be bumped to December 17.
- Dec. 17 - Highway budget and Water/Sewer budget. Possibly the first draft of the Public Records Request.
- Class IV Road Policy - Julie will edit the policy with the changes discussed, including the definition language that needs to be reworked. Julie wasn't sure it would be ready by the next meeting. Lee thought it would be interesting to see written comments from those who spoke.
- Lee asked about the Fall Festival Committee being moved to the Legion. Julie said she is no longer on the Committee because a town manager can't be on a committee that's a non-town committee. There has been conversation about moving the festival and reasons behind it. Julie doesn't agree with it and has stated that to them but understood their concerns. Julie is concerned if it moves, it will just be another fair in a field and they will lose the event. There is a meeting on December 2nd at 6 pm upstairs at Town Hall. Julie can't stop them from moving it but encourages people to come out to the meeting.

Agenda Item 11, Executive Session: Discussion re: Purchase & Sale Agreement for Purchase of Solar Field pursuant to 1 VSA § 313 (1)(F)

Lee entertained a motion to go into executive session for the purpose of discussing the purchase and sales agreement for the solar field pursuant to 1 VSA § 313 (1)(F) inviting in the town manager. Arianna moved and Tim seconded the motion. The motion carried, unanimously. Lee noted that no action would be taken.

(Executive Session entered at 8:23 p.m.)

Tim moved and Arne seconded a motion to exit executive session. The motion carried, unanimously. There was no action taken.

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(Executive Session exited at 8:51 p.m.)

Agenda Item 12, Adjourn

Arne moved to adjourn, and Peter seconded the motion. The motion carried, unanimously. The meeting was adjourned at 8:51 p.m.

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Public Comment for the Record:
"Good evening. My name is Kirk MacGinnis, abutting landowner at 1039 Wyman's Falls Road. I am requesting that this entire statement be entered into the minute's verbatim.

On Friday, I filed a formal 101-page petition with the **Windsor Superior Court** requesting discontinuance of the Class 4 road segment that runs directly through my driveway and yard. The Superior Court accepted the filing, stamped it, and assigned it a case number.

On Monday, I delivered a second hard copy to the Chester Town Manager. That service was audio-recorded and documented, and a certificate of service has been mailed to the Superior Court.

Because this matter is now before the **Windsor Superior Court**, I respectfully ask the Selectboard to pause all Class 4 activity on the Wyman's Falls segment until the Superior Court issues a ruling. This includes any construction, policy votes, or alterations that affect that corridor.

I also need to place several concerns on the public record:

1. **Town-related building materials**, including lumber staged for two proposed bridges, have been placed along the Class 4 segment on my private property. These materials appear to be in preparation for expanded public access through my yard, even though a judicial petition is pending.
2. Selectboard Assistant Chair and Chester Conservation Committee leader **Arūnas Jonynas** has visited my property unannounced on multiple occasions, has allowed his dogs to run freely through my private property, and has repeatedly stated to me, *"Once a Class 4 road, always a Class 4 road."*
   His dual role, combined with direct involvement in this corridor, raises legitimate questions about **conflict of interest and impartiality** in any Town decisions affecting my property.

For the sake of safety, liability, and public transparency, I am requesting that the Town **remove the staged building materials from my property** until the Superior Court has ruled on the discontinuance petition.

These issues are being documented tonight to ensure an accurate public record and to prevent any unintentional interference with an active judicial matter.

I appreciate the Board entering this statement into the Selectboard meeting minutes verbatim — **not summarized** — for transparency and for the benefit of any future reviewer."

"Because this matter is active before the Superior Court, I am not asking the Board to deliberate tonight — only to enter this statement verbatim into the public record."

* My written statement to the Chester Selectboard and Town: Kirk A MacGinnis, Nov 19th, 2025