

**TOWN OF CHESTER  
PLANNING COMMISSION**

**October 15, 2018 Minutes**

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

**Staff Present:** Cathy Hasbrouck, Recording Secretary, Michael Normyle, Zoning Administrator.

**Citizens Present:** Richard Farnsworth and Scott Wunderle.

**Call to Order**

The meeting was called to order at 7:00 PM by Chair Naomi Johnson.

**Agenda Item 1 Review minutes from October 1, 2018.**

Tim Roper moved to moved to accept the minutes. Cheryl Joy Lipton seconded the motion. Tim Roper noted that his name was missing from the list of members present. He asked about the second paragraph on page 3 which ended with the question, "Was there any point in tearing down the housing complex to make way for new or expanding businesses?". He felt the question wouldn't make sense to someone who had not been present at the meeting. It was decided to change the question to, "Someone wondered if this would lead to tearing down the housing complex to make way for new or expanding businesses?" Tim pointed out a typo on page 5 where the word "hate" should be "that". Tim also asked to change the last paragraph in Agenda Item 3 on page 5 to say, "further south on route 103". He agreed that the actual compass direction was east, but the road was labeled a north-south road, and the area in question was in the direction labeled south. Cheryl Joy Lipton pointed out a misspelling of Pleasant Brook on page 3. She asked about the last sentence on page 3, which began, "Other Commission members disagreed,". She wanted to know if all other members had disagreed. It was resolved to change the sentence to "Some other Commission members disagreed,". Barre Pinske had no changes. He said, "Whoever the Barre Pinske guy is, he sounds smart in these minutes." Claudio Veliz was attending to a family emergency and was not present for this portion of the meeting.

A vote on the motion to accept the minutes as amended was taken and the motion passed.

**Agenda Item 2 Citizen Comments**

There were no citizen comments.

**Agenda Item 3 Finalize Town Plan amendments and Reporting Form**

The Commission examined the most recent version of the amendments to the Town Plan that will be submitted on Friday to the Regional Planning Commission and the Planning Commissions of towns abutting Chester as part of the adoption process. Naomi Johnson said the packet will also be posted at 3 locations in Chester on Friday. She said the public hearing will be held November 19, 2018 at the regularly scheduled Planning Commission meeting. Any changes proposed during that hearing will be made to the document at the conclusion of the

hearing. After that, the Selectboard will hold a public hearing on the proposed amendments. Changes proposed during that hearing will also be added. Naomi Johnson reviewed the proposed changes to the four chapters with the Commission. Barre Pinske asked whether the Commission had had any further thoughts on hiring a writer to improve the quality of the Town Plan. Naomi Johnson then distributed an excerpt from the Middlebury Town Plan which she brought to the meeting as an example of good writing. She said she thought the Planning Commission could consider hiring a writer to improve the Town Plan after the new bylaws were adopted in May 2019.

Naomi Johnson then discussed the Planning Commission schedule for the November. She said the first scheduled meeting for the Commission is Monday November 5<sup>th</sup>. Brandy Saxton would attend that meeting and the Commission would focus on the bylaws. The following meeting on November 19<sup>th</sup> (the Monday of Thanksgiving week) would be the public hearing on the Town Plan amendments, if the Commission agreed. There was time to send out the required notices for that hearing. Michael Normyle suggested that the public hearing begin at 6:00 PM and the Commission agreed.

The Commission took a final look at the amended Town Plan chapters. Naomi Johnson asked to remove the draft date from the top of the page. She also asked if the numbering of paragraphs in chapter 6 could be removed as the other chapters did not have numbered paragraphs.

The Commission decided to include the list of resources for homeschooling families submitted by Cheryl Joy Lipton in addition to the basic discussion of the homeschool process. The list of resources had not been included in part because no information had been received from the schools about programs and resources they offered, despite repeated requests. The Commission felt the purpose of the Town Plan was to promote interest in the town and offer as much information about Chester as possible. It was not reasonable to leave out information provided by one party because another organization failed to respond to the Commission's request. The Commission acknowledged that the resulting chapter could appear to be emphasizing homeschooling. It was hoped that the public hearings might prompt organizations to provide more information about Chester schools.

The Solid Waste section had been added to Chapter 3. The Commission looked at and accepted the goals and priorities for actions. No more changes will be made to the Town Plan until the public hearing process begins on November 19, 2018.

#### **Agenda Item 4 Review Bylaw Proposed District Boundaries and uses**

The Commission brought out the maps and other documentation that support the proposed districts and uses. Richard Farnsworth asked about the list of industrial uses available in R2. Cathy Hasbrouck gave him a copy of the district and use table proposed by Brandy Saxton. Naomi Johnson explained that there are no commercial uses allowed in the R2 district. Barre Pinske said the Committee had discussed changing the area along Talc Mill Road to V5 from R2. Richard Farnsworth said he was concerned about placing a communication antenna or tower in the R2 district. Tim Roper said that a communication antenna was permitted and a

communication tower was not allowed in the R2 district. A communication antenna could be contained in a structure such as a church steeple.

The Commission looked at the area along Route 103 south of the junction with Route 11. The area south of the junction along Route 103 to the Jacques Diner property and the Stone House Antiques center is designated R2. From the Diner property and Antiques Center south, the lots along Route 103 are designated General Business. Barre Pinske asked if the east side of Route 103 from the river to the Breezy Lane area needed to be R2. It was noted that some of the housing there was removed after Tropical Storm Irene, that the area could be in a flood plain and the Bittner property had an antiques business on their property as well as their residence. Barre Pinske proposed making the area part of the V5. Naomi Johnson read the description of the V5 and R2 districts aloud. Cheryl Joy Lipton said the purpose of the V5 was to preserve the look and feel of the village and she felt V5 would allow the same village character to develop in this area. Barre Pinske said he wanted to allow mixed use in the area and suggested that V3 might work. Naomi Johnson read the V3 description and the Commission agreed that it fit the area on the east side of Route 103. It would allow people to set up small businesses easily, as Barre Pinske was eager to do, and it would allow the Bittner antiques business to expand if it wanted to.

Naomi Johnson pointed out that the Green Mountain Union High School is in the R2 district, where schools are not allowed. The Committee discussed the issue. Cheryl Joy Lipton did not want to put the GMUHS property in the General Business District. She didn't want her daughter attending school next to some of the businesses allowed in the General Business district. Barre Pinske suggested a separate education district could be created. The discussion was tabled until Brandy Saxton could contribute.

Naomi Johnson also brought up the issue of lots existing in two different zoning districts in the proposed layout. This happens particularly to large tracts of land in the rural districts. A lot could be in the R3 or R6 district by the road but some distance from the road the lot is part of the R18 district. Naomi cited her family's historic property as an example of this. She noted that only an acre of an R18 lot may be cleared in addition to the 1 acre that may be cleared for a house site, The exception is to this limit is acreage cleared for agricultural uses.

Barre Pinske mentioned the Benson property, an 8-acre piece on Route 103 north of Chester. He wondered what would happen if an art or sculpture park was set up on this property. He wondered if the fact that the property is in two different zoning districts would prevent the development of a sculpture park. Naomi Johnson urged the Commission members to study the maps and definitions of the zoning districts to get a clearer understanding of what is being proposed.

Barre Pinske said he found pull-behind campers stored on lots in the village to be unsightly and wondered if anything could be done about them in the new bylaws. Naomi Johnson said the issue would be mentioned in the minutes and would be taken up during one of the longer working sessions with Brandy.

The Commission then worked to familiarize themselves with the districts and uses by choosing a few uses at random and seeing how they are addressed in the proposed districts. The first use to be looked at was bowling, which was classified as indoor recreation. The table showed that indoor recreation was permitted in all of the village districts and the General Business district. It is a conditional use in the R3 district up to 3,000 square feet. Naomi read the definition of indoor recreation. Claudio Veliz asked if the 3,000 square feet was a total for all the structures or a size limit for one structure. Cheryl Joy Lipton said she was concerned that the higher density districts were clustered in a strip along the highways that connect the small village centers. She felt that contributed to sprawl, instead of filling in spaces available in the village centers. Michael Normyle said there were existing buildings in the rural districts which would not be able to be adapted or used under the proposed limits. A former auction barn on Route 10, for instance, couldn't be used for indoor recreation under this rule because it is greater than 3,000 square feet. Claudio Veliz said other towns have created incentives to make it feasible to repurpose existing buildings instead of leaving them empty. Naomi asked the Commission if they are in favor of allowing indoor recreation in R3. The Commission concluded it was highly questionable.

The next random use chosen was a restaurant. The proposed bylaws recognized the difference between a sit-down restaurant and a take-out restaurant. The sit-down restaurant is permitted in the Village districts and the General Business district. The sit-down restaurant is a conditional use in the R3 district. Take-out restaurants are conditional uses in the R3, V5 and V10 districts and permitted in the General Business district.

The next random use chosen was wood processing. It is categorized under Natural Resource-based uses and called firewood processing. It is permitted in the General Business district, prohibited in the village districts and R2, and conditional in the R3, R6 and R18.

The last random use chosen was studio. It is categorized under Arts Entertainment and Recreational uses and called Artist gallery or studio. There are two sizes listed, up to 3,000 square feet and over 3,000 square feet. The smaller studio is permitted in the Village districts, and the General Business district and is a conditional use in the R2 and R3 districts. Tim Roper asked if the square footage standard was the footprint of the building and not the total interior square footage. Naomi Johnson did not know the answer to that and assumed it was discussed somewhere in the document. A studio greater than 3,000 square feet was a conditional use in the V10, and V5 districts and a permitted use in the General Business district.

Barre Pinske said the recent trend in gallery and studio space is an incubator organization made up of many small spaces in one building. He wondered if the dimensional standards for buildings in various districts made sense for studios. He felt the bylaws should support incubators because they could generate jobs. Naomi asked Cheryl Joy whether the large studios should be allowed in R6 and R18 districts. She said they should not be allowed. Naomi Johnson summarized by saying the Commission in general thought that studios should be allowed everywhere and Cheryl Joy did not want them to be in the R6 or R18 districts. Claudio said they should be a conditional use in the R6 and R18.

Barre Pinske said he felt the stretch of Route 10 between Chester and Springfield, which is all in the R3 district, has potential for commercial development such as light industry, and that commercial development should be allowed there.

**Agenda Item 5 Set schedule for future meetings related to Bylaw changes**

The Commission then discussed the schedule. Naomi said Brandy Saxton was willing to have a 4 to 5 hour meeting some time after the November 5, 2018 meeting with her. The Commission agreed to meet with her on Saturday November 10, 2018 from 9:00 AM to 1:00 PM. The next extended meeting will probably take place in January.

**Agenda Item 6 Set date for next meeting**

The next meeting will be Monday November 5, 2018 at 7:00 PM.

Barre Pinske moved to adjourn the meeting. Tim Roper seconded the motion. A vote was taken and the motion passed.