

**TOWN OF CHESTER**  
**DEVELOPMENT REVIEW BOARD**  
**MINUTES**

*January 27, 2020*

**BOARD MEMBERS PRESENT:** Carla Westine, Gary Coger, Phil Perlah, Larry Semones and Robert Greenfield.

**STAFF PRESENT:** Michael Normyle, Zoning Administrator, Cathy Hasbrouck, Recording Secretary.

**CITIZENS PRESENT:** Rick Cloud, Nicolette Beach, Brian Stepelevich, David Pisha, Kirby Putnam, Daniel Cook, Scott Wunderle, Matt Wilson, Kevin Racek, Brian Lane-Karnas, Craig Jennings, and A. Lee Gustafson.

**Call to Order**

Chair Carla Westine called the meeting to order shortly after 6:00 PM upstairs at the town hall. She introduced the members of the Development Review Board and staff and read the meeting's agenda. She then explained that the audio recording of the meeting is the official record and the equipment in the room was for recording, not amplifying sound. All present were invited to recite the Pledge of Allegiance. Carla Westine noted that a site visit had taken place at 4:00 PM that afternoon at 130 Pleasant Street.

**Agenda Item 1, Review draft minutes from January 13, 2020**

Gary Coger moved to accept the draft minutes from January 13, 2020. Phil Perlah seconded the motion. No changes were requested. A vote was taken and the minutes were accepted as written.

**Agenda Item 2, Citizen Comments**

No citizens had any comments to make about topics other than the hearing scheduled.

**Agenda Item 3 Conditional Use Application (#545) by Town of Chester for a new  
Emergency Services Building**

Carla Westine asked the Board members if they had any ex-parte communication or any conflict of interest to report. No one did.

The following documents were entered into evidence. The first document was a Town of Chester Application for a Conditional Use before the Development Review Board. Carla Westine read some items aloud. The Appellant name was Town of Chester, the location of the property is 130 Pleasant Street, the type of application was Conditional Use approval. The description of the project was, "The project is the construction of an approximately 15,00 sf new emergency services building to house the Chester Police and Fire Departments and Ambulance Service with associated drive, parking and sidewalks." The application was signed by David Pisha and Michael Normyle on December 17, 2019. Gary Coger moved to accept the application as Exhibit A. Phil Perlah seconded the motion. A vote was taken and the application was accepted as Exhibit A.

The second document was a Town of Chester Notice of Public Hearing before the Development Review Board dated December 17, 2019. It gave the date and time of the site visit and hearing. The property owner was listed as Town of Chester, the applicant was David Pisha, the location was 130 Pleasant Street. The zoning district was R20. The action requested was, "the project is the construction of an approximately 15,000 sf new emergency serviced building. This will house the Chester Police and Fire Departments, along with the Ambulance Service with associated drive, parking and sidewalks." The notice was signed by Michael Normyle. Gary Coger moved to accept the notice as Exhibit B. Phil Perlah seconded the motion. A vote was taken and the notice was accepted as Exhibit B.

The third document presented was an e-mail from Brian Lane-Karnas to Michael Normyle dated January 16, 2020. Carla Westine read the e-mail aloud. The e-mail gave the expected frequency of calls and a short discussion of siren use. Gary Coger moved to accept the e-mail as Exhibit C. Phil Perlah seconded the motion. A vote was taken and the motion passed.

The fourth document was a 4-page letter from Brian Lane-Karnas of DeWolfe Engineering dated January 14, 2020, revised January 16, 2020 and addressed to Michael Normyle, Zoning Administrator. Carla Westine did not read the letter aloud, saying the letter contained replies to sections of the bylaw and would be read by Brian Lane-Karnas when those sections of the bylaws were covered. Gary Coger moved to accept the letter as Exhibit D. Phil Perlah seconded the motion. A vote was taken and the letter was accepted as Exhibit D.

The fifth document presented was a collection of comments made in e-mails on January 14, 2020 from Police Chief Richard Cloud, Ambulance Service Coordinator Dan Cook and Fire Chief Matt Wilson regarding siren use when answering calls. Carla Westine read the letter aloud. Michael Normyle explained that the single sheet was attached to the letter from DeWolfe Engineering and Brian Lane-Karnas. Gary Coger moved to accept the document as Exhibit E. Phil Perlah seconded the motion. A vote was taken and the document was accepted as Exhibit E.

The sixth document presented was a letter on Town of Chester stationery from Police Chief Richard Cloud dated January 14, 2020, addressed to the Development Review Board. Carla Westine read the letter aloud. In the letter, Rick Cloud said he did not think traffic safety would be an issue for the Emergency Services Building project. Gary Coger moved to accept the letter as Exhibit F. Phil Perlah seconded the motion. A vote was taken and the letter was accepted as Exhibit F.

The seventh document presented was a letter on Town of Chester Fire Department stationery from Chester Fire Chief Matt Wilson dated January 14, 2020 and addressed to DeWolfe Engineering. Carla Westine read the letter aloud. The letter requests two yellow diamond warning signs indicating a fire department ahead be installed on Pleasant Street east and west of the facility. It also states that all state fire regulations need to be followed during the construction of the building. Gary Coger moved to accept the letter as Exhibit G. Phil Perlah seconded the motion. A vote was taken and the letter was accepted as Exhibit G.

The eighth document presented was a one-page letter from Brian Lane-Karnas of DeWolfe Engineering dated January 8, 2020 and addressed to Jeff Holden, Water Superintendent. Carla Westine read the letter aloud. The letter gives the water-wastewater maximum flow requirement for the Emergency Services building and requests the allocation. It also describes the planned trench drains with oil and grit separators. Gary Coger moved to accept the letter as Exhibit H. Phil Perlah seconded the motion. A vote was taken and the letter was accepted as Exhibit H.

The ninth document presented was a one-page letter from Jeff Holden dated January 21, 2020 addressed to the Development Review Board. Carla Westine read the letter aloud. In the letter Jeff Holden said he had not yet received an official letter with projected use levels, but he assumed the levels would be no different in the new location than they were in the old, and he knew the town could accommodate them. He asked that, if the use level was projected to change in the new building, he could review and discuss the change. Gary Coger moved to accept the letter as Exhibit I. Phil Perlah seconded the motion. A vote was taken and the letter was accepted as Exhibit I.

The tenth document presented was a Department of Environmental Conservation Project Review Sheet, dated January 7, 2020. The project name was Chester Emergency Services Building. Carla Westine read some parts of the document aloud. The project description was, "The project is the construction of an approximately 15,000 sf new emergency services building to house the Chester Police and Fire Departments and Ambulance Service with associated drive, parking and sidewalks. The building is designed to serve 31 police and fire staff. The fire department is volunteer and the building does not include facilities for overnight shifts. The building will be served by municipal water and sewer with an onsite grit/oil separator and sewer pump station, and will have access onto State Route 11. The parcel is 2.96 ± acre. Disturbance and new impervious will be over 1 acre but less than two." An Act 250 permit will not be required. The basis for not requiring the permit was given as, "An Act 250 permit is not required because the proposed project is for a municipal purpose and will physically impact fewer than 10 acres of land." The sheet indicated that a wastewater system and potable water supply permit will be required. All the agencies listed in the Agency of Natural Resources section on page 2 were marked as needing to be consulted. The project review sheet was signed by Stephanie Gile, Terrence Shearer and John Fay. Gary Coger moved to accept the Project Review Sheet as Exhibit J. Phil Perlah seconded the motion. A vote was taken and the Project Review Sheet was accepted as Exhibit J.

The eleventh document presented was 5 pages of light fixture specifications on 3 sheets of paper. The type A lights shown on the site plan were detailed on the first sheet, the types B and C lights were detailed on the second sheet and the lights to be used in the canopy were shown on the third sheet. Gary Coger moved to accept the sheets as Exhibit K. Phil Perlah seconded the motion. A vote was taken and the sheets were accepted as Exhibit K.

The twelfth document presented was a 3-page e-mail thread between Brian Lane-Karnas of DeWolfe Engineering and Brian McAvoy of the Vermont Agency of Transportation. The thread discusses the curb cut that will be needed for the project site. Carla Westine read the text aloud. Brian McAvoy said he thought VTrans would allow the wide curb cut in this case. Gary Coger moved to accept the e-mail thread as Exhibit L. Phil Perlah seconded the motion. A vote was taken and the motion passed.

The thirteenth document presented was an e-mail exchange between Brian McAvoy and Brian Lane-Karnas dated January 27, 2020, received the day of the hearing, and not distributed in the packet. Brian Lane-Karnas asks Brian McAvoy for an opinion on the likelihood that a 1111 permit for the driveway will be granted. Brian McAvoy said it was likely to be granted and asked for an application, full set of plans and the application fee. Gary Coger moved to accept the e-mail exchange as Exhibit M. Phil Perlah seconded the motion. A vote was taken and the e-mail exchange was accepted as Exhibit M.

The fourteenth document presented was an 11x17 map from the Vermont Natural Resources Atlas website showing the intersection of Vermont Routes 11 and 103 and the proposed site of the EMS building. Carla Westine noted that some of the land on the parcel was in the AE 1% annual chance flood zone, and some was in the DFIRM floodway, but none of the improvement to the property were on that part of the parcel. Gary Coger moved to accept the map as Exhibit N. Phil Perlah seconded the motion. A vote was taken and the map was accepted as Exhibit N.

The last document presented was a 3-page site plan for the emergency services building prepared by Russell Construction. The pages were numbered A-201, C1.03 and C1.04. Page A-201 showed the south and west proposed elevations. Pages C1.03 and C1.04 were the site plan showing grading, a proposed apron onto Vermont Route 11, the building, sidewalks and proposed parking. Gary Coger moved to accept the site plan as Exhibit O. Phil Perlah seconded the motion. A vote was taken and the motion passed.

Carla Westine swore in those present who wanted to give testimony during the hearing. They included Rick Cloud, Nicolette Beach, Brian Stepelevich, David Pisha, Kirby Putnam, Daniel Cook, Scott Wunderle, Matt Wilson, Kevin Racek, Brian Lane-Karnas, Craig Jennings, and A. Lee Gustafson.

Carla Westine began the discussion by asking for a history of the project. Brian Lane-Karnas from DeWolfe Engineering, the civil site engineer for the project volunteered. Michael Normyle displayed the site plan on sheet C1.03 on the screen. Brian Lane-Karnas said the new building would have doors facing Pleasant Street/Vermont Route 11 for each department housed in it, the Police and Fire Departments and the Ambulance Service. The building is not closely oriented to the four compass points. For the purposes of discussion Brian explained that the north side of the building will be considered the side that faces Springfield, the south side will be considered side that faces the Pleasant Brook Apartments side, the east side faces toward the river and the agricultural fields beyond, the west side faces Pleasant Street/Route 11.

The Police Department has a personnel door facing Vermont Route 11, the Ambulance Service will have one vehicle bay door and one personnel door facing Vermont Route 11 and the Fire Department will have four bay doors facing Vermont Route 11. There will be one very long curb cut at the edge of Route 11 so that every fire and ambulance vehicle may drive straight out of the bay onto Route 11. There will be about seven parking spaces on the north side of the building, outside the Police Department and about 26 spaces on the south side of the building, outside the Fire Department. There will be two visitor parking spaces on the north side of the lot facing Vermont Route 11.

Michael Normyle said he received the application on December 10, 2019. The application was considered final on December 17, 2019. The Notice of Public Hearing was posted around town, sent to the applicant and the Vermont Journal, the newspaper of record, for publication on that day. Notices were sent to abutters on January 7, 2020. There was no response from the abutters until the site visit and hearing. Two abutters attended the site visit and were present at the hearing.

Carla Westine explained the process to be followed in the hearing. She will read down the list of criteria for a conditional use. The applicant will have a chance to respond. The DRB members will have a chance to ask questions of the applicant and then the audience will have a chance to ask questions about the proceeding of the Board. She then turned to Section 4.8 of the Chester Unified Development Bylaws and read the opening paragraphs up to item 1a.

#### 4.8 CONDITIONAL USES

Specific conditional uses are permitted only by approval of the Development Review Board, providing that General standards, Specific Standards, Performance Standards and Special Criteria, as herein provided are met, and further provided that:

##### 1. General Standards

These general standards shall require that any conditional use proposed for any district created under these Bylaws shall not result in an undue adverse effect to:

a. **The capacity of existing or planned community facilities;**

Carla Westine said that the Fire, Police and Water and Sewer Departments had all sent letters saying the project would not adversely affect the capacity of their departments. She turned to Brian Lane-Karnas and asked for his input. Brian read from his letter as follows, “The project is intended to improve the capacity of the Chester Police, Fire and Ambulance services by providing an upgraded facility that will meet their current and future facility needs. The project will be served by municipal water and sewer. We have requested allocation from the Town for the anticipated water and sewer demands. Since this is a relocation of existing facilities, there will be no increase in traffic on Town roadways as a result.”

Brian Lane-Karnas went on to apologize for the failure of his letter to Jeff Holden giving water and sewer allocations to be delivered and said he did not know what had happened. He said the project is relocating activity to a new point on the municipal water and sewer system and does not represent an increase in demand.

There were no questions from the Board or the audience.

b. **The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located;**

Carla Westine read the purpose of the R20 district from the bylaws: **To provide higher-density residential neighborhoods with a mix of housing types and compatible commercial and civic uses that are consistent with the Chester Town Plan.**

Brian Lane-Karnas read the relevant portion of his response in the letter, “Page 25 of the Chester Town Plan specifically references the need for new and expanded facilities for both the Police and Fire departments, which this project is designed to address. The Town Plan also specifically mentions the proposed site for the Emergency Services Building. The references in the Town Plan shows that the project is in line with the community needs and

desires and is therefore consistent with the character of the area as defined in the Bylaws.”

There were no questions from the Board or the audience.

**c. Traffic on roads and highways in the vicinity;**

Brian Lane-Karnas read the following from his letter, “Except for training events and emergencies, the facility will be occupied only by Police Department staff. Since there will be only five Police Department staff, the project will not have an adverse effect on traffic congestion. Emergency vehicles may cause temporary traffic disruption when leaving the site, however this is a necessary function of providing emergency services to the community. Visual inspection indicates more than adequate sight distances in both directions along Route 11 from the center of the proposed apron (estimated to be at least 460 feet).”

Phil Perlah asked if the Fire Department staff was present on a daily basis. Fire Chief Matt Wilson said Fire Department members sometimes spend time at the firehouse on their day off. Phil Perlah asked where Matt Wilson works now. Matt said he actually works mainly out of his house. He said he would likely spend more time at the new facility than he currently spends at the Town Garage now because he would have an actual office in the new building.

Carla Westine quoted from Exhibit F, the letter from Police Chief Rick Cloud, which said, “Should the Town of Chester be granted the necessary permits from the Development Review Board, it is my opinion that traffic safety will not be an issue.”

Dan Cook said the Ambulance Service has a full-time person on duty during the day Monday through Friday.

There were no further questions from the Board or the audience.

**d. Bylaws and ordinances then in effect; and,**

Carla Westine said that page 17 of the Chester Unified Development Bylaws showed Civic/Institutional was a conditional use in the R20 district.

She then turned to the Dimensional Standards for the R20. She noted the parcel is served by municipal water and sewer so the parcel would be in Class 1. The minimum lot size for a class 1 parcel is 20,000 square feet. Brian Lane-Karnak said the parcel in question has 176, 000 square feet. Carla Westine read the minimum lot frontage requirement as 120 feet. Brian said the frontage on the parcel in question was 294 feet. Carla Westine read the minimum front setback as 25 feet. Brian said the front setback for the project was 115 feet. Carla read the minimum side and rear setbacks as 20 feet. Brian said the side setback was 112 feet and the rear setback was 275 feet.

Carla Westine read the maximum lot coverage was 20%. Brian verified that only the building square footage was included in the calculation and said the lot coverage for the project as 8.5 %. Carla read the maximum building height was 35 feet. Brian said the building height was 20 feet 8 inches.

Carla Westine then read the supplemental standards for the R20 zoning district: **New development in this District shall be consistent with residential neighborhoods that are within walking distance of the village, and should be compatible with a circulation system to accommodate pedestrians and other non-motorized travel.**

Carla Westine noted that at the site visit she observed there was a sidewalk on the opposite side of the street. Brian Lane-Karnas said from a safety standpoint it would be better to keep pedestrian traffic away from the facility and the existing sidewalk is sufficient.

There were no questions from the Board or the audience.

**e. Utilization of renewable energy resources.**

Brian Lane-Karnas said there were no renewable energy resources planned for the project. He said it did not affect the use of renewable energy resources by adjacent property owners.

Carla Westine asked about the energy efficiency of the planned lighting and heating systems. Brian Lane-Karnas said all the lighting would be efficient LEDs and the building will meet the Vermont base energy code, which is a robust set of standards, resulting in an efficient building. Phil Perlah asked about the possibility of adding solar panels in the future. Kevin Racek, the architect for the project, said there would be space in the mechanicals area to mount an inverter on the wall and that the roof is designed to support solar panels, but there is not yet a solar design in place.

There were no further questions from the Board or the audience.

## **2. Specific Standards**

**Specific standards will include consideration with respect to:**

**a. Minimum lot size;**

Carla Westine said the Board had just determined that the lot is well in excess of the 20,000 square-foot minimum.

**b. Distance from adjacent or nearby uses;**

Carla Westine asked Brian Lane-Karnas about adjacent uses. He read from the letter as follows, “The proposed EMS building exceeds all yard and setback requirements of the Bylaws. The nearest neighbors to the project are

residences. The nearest residence is across Pleasant Street from the project, approximately 130 feet from the building. The project will have little impact on the surrounding residences except for the use of sirens when responding to emergencies. As noted above, the project location was selected through a longstanding public process and is identified in the town Plan as the site for the Emergency Services Building.”

There were no questions from the Board or the audience.

**c. Minimum off-street parking and loading facilities;**

Brian Lane-Karnas read from the letter as follows, making a couple of corrections as he went. “Per Section 3.20 of the Bylaws, the minimum required parking for Civic uses is to be determined by the DRB on a case-by-case basis. There are 32 parking spaces proposed for the Emergency Services Building. This number is selected to balance the volunteer nature of most of the Fire and Ambulance Departments with the need for adequate parking during an emergency response. There are 52 total members of the Police, Fire and Ambulance Departments, however only 5 will work at the building full time. Not all members will be called out in an emergency. There are no deliveries other than UPS or FedEx expected at the facility. No dedicated loading spaces are proposed. A 105.5’ apron is proposed for access to Route 11 for fire trucks and the ambulance. The proposed curb cut has been preliminarily reviewed by the VTrans regional Permit Coordinator, see attached e-mail correspondence.”

Carla Westine asked how the dumpster will be emptied. Brian Lane-Karnas said he thinks the truck that empties the dumpster will be backing up to the dumpster to empty it. In the case of an emergency, the truck will stay out of the way until the emergency vehicles leave.

Carla Westine asked if any department had deliveries of large amounts of product. Brian Lane-Karnas said his understanding is that all deliveries are small enough to be made by UPS and FedEx.

Brian Stepelevich, a Pleasant Street resident, asked if the dumpster will be covered and kept out of sight in some way. Carla Westine asked Brian Lane-Karnas if the dumpster was going to be fenced in any way. Brian Lane-Karnas said the dumpster would be fenced on four sides. It was placed at the front of the building in part to make it easy for people to bring trash to it. In addition, there is no road around the building to make it easy for a truck to drive to the back of the building to reach it. The fencing is likely to be chain link with privacy slats. Carla Westine said she didn’t see any landscaping around the dumpster to screen it on the site plan. Brian Lane-Karnas said only existing trees and shrubs were drawn on the site plan. There was no landscaping budget planned as yet. The town will be working with a landscape architect and screening for the dumpster will be considered. Carla Westine offered to donate some lilacs because they are overrunning her yard.



**d. Landscaping and fencing;**

Brian Lane-Karnas read from the letter as follows, “The Town plans to work with Scott Wunderle of Terrigenous Landscape architecture to design and install landscaping at the project site. Space is reserved on the site for future landscaping such as a meeting space outside of the police station (between the 6-space parking area and the sally port hammerhead), parking lot islands and the space between the parking areas and the Route 11 right-of-way.”

Brian Lane-Karnas corrected the statement about the meeting space outside the police station. Public access cannot extend east beyond the 6-space parking lot due to security concerns for the sally port. The meeting space will have to be somewhere else.

Kevin Racek said he intends to hire a landscape architect once the building is near completion. His intention is to provide the infrastructure for landscaping, to make it as easy as possible to install landscaping. Budget concerns require them to be sure the building itself will be completely functional before landscaping is considered.

Carla Westine explained that the Civic / Institutional use was considered incompatible with the residential uses surrounding the parcel, and incompatible uses require screening. She said landscaping is frequently a way to provide screening and that landscaping need not be formal plantings. Wild plants and brush allowed to grow at the edge of the property will be sufficient. She asked that as few trees and brushy areas as possible near the property boundaries be cleared during construction. Larry Semones noted that there are trees along the northern borders now.

Brian Lane-Karnas referred to drawing C1.04 and pointed out that grading for the parking lot would result in a steep drop off at the edge of the parking lot near the northern property line on the Springfield side. He said the trees will be left in place and the slope will be allowed to re-vegetate naturally. It will not be mowed. The same was true for the southern side of the property.

**e. Design and location of structures and service area;**

Carla Westine said the dumpster had already been mentioned and parking is visible on the site plan. She asked whether the short driveway at the back of the building is meant to access anything specific. Brian Lane-Karnas said the door near the end of the driveway is to the mechanical room. The driveway is meant to serve as a way for fire trucks to access the area behind the building for training.

Carla Westine asked where the training would take place. Brian Lane-Karnas said he thought it would be in the field east of the back of the building.

Phil Perlah asked what kind of training would be taking place. Matt Wilson said the training would include things such as pumping operations, hose advances, and setting up landing zones. Phil Perlah asked if burning would

take place. Matt said if burning was done, they would use metal cans holding flammable liquids.

Carla Westine asked when the training is conducted. Matt Wilson said training sessions were held on weekdays between 6:00 and 8:30 PM. An occasional longer training may take until 9:30 PM. On weekends the training happens during the day.

Lee Gustafson asked if the training referred to always happens outdoors or indoors. Carla Westine said she intended to ask about the training happening outdoors in the area behind the building. Matt Wilson said not all the training is done outside. Brian Lane-Karnas said the area where training would take place is behind the building and not visible from the road. It is also tucked in a low spot behind trees to the south.

**f. Size, location and design of signs;**

Carla Westine invited Brian Lane-Karnas to read the paragraph in his letter about signs. Brian read as follows, "A sign reading "Town of Chester" is proposed to be located on a canopy above the fire bay doors, see attached elevation drawing. The sign is composed of single cut aluminum letter sand will be silver in color Per §3.26.D.23 of the Bylaws, signs erected by the Town of Chester do not require a permit and are permitted in all districts. We believe that the proposed signage is the minimum necessary to easily identify the building to members of the public, particularly if identification is needed quickly in an emergency. No sign lighting is proposed."

Carla Westine asked if there would be signs for the individual departments. Brian Lane-Karnas said there would be small identification signs mounted on the building. He said there is an existing free-standing granite sign in storage that may be erected somewhere on the lot.

There will be lights in the canopies that will illuminate all the doors and a decorative pole light that will highlight

Carla Westine said the special criteria do not apply in this district and proceeded to Section 4.9, Performance Standards

**g. Performance Standards under Section 4.9 and,**

**h. Other such factors as these Bylaws may include.**

Carla Westine turned to Section 4.9, Performance Standards and read the first few paragraphs.

A. Noise: noise volume shall be limited to the specified decibel levels listed below measured at the property line. (The sidebar is shown only as a reference to illustrate the decibel levels of typical activities.) Noise levels or frequencies which are not customary in the district or neighborhood or which represent a repeated disturbance to others shall not be permitted. Limited exceptions are allowed for incidental and customary activities, such as the occasional use of lawn mowers and snow blowers for regular property maintenance.

1. Noise shall not exceed 60 dB between 8:00 p.m. and 7 a.m.;
2. Noise shall not exceed 70 dB during the day between 7 a.m. and 8:00 p.m.

Carla Westine pointed out the example of 60-decibel noise, normal conversation and 70 decibel noise, TV audio, human voice at 10 feet. She invited Brian Lane-Karnas to read the response in the letter.

Brian Lane-Karnas read the following, “The project will not create significant noise impacts, except for vehicle sirens during emergency responses. We believe that sirens are “incidental and customary” for an emergency services building. He then recapped the testimony about the frequency of calls received from the chiefs of the department. The Police Department stated that most calls are answered by them when they are already on the road patrolling. The Fire Department answers less than one call per day and use the siren during the day when they enter a road. They limit siren use late at night when possible. The Ambulance Service may run the siren on occasion when leaving the station, but for no longer than needed.”

\In summary, Brian Lane-Karnas said siren use would be as limited as safety allows.

Carla Westine asked about the noise level during training sessions. Matt Wilson said there would be vehicles running, people talking and occasional chain saws, but he said there wasn’t much work that could be done on that property with a chain saw.

Carla Westine asked if Matt thought the noise standard of 70 dB during the day at the property line would be met during the training exercises. Matt Wilson said they would be working in the field well away from the property line.

Carla Westine asked if Matt thought the noise standard of 60 dB during the night (8:00 PM to 7:00 AM) would be met during the outdoor training exercises. Matt Wilson said they would be met the majority of the time. He said some outdoor training will be done during the summer months when there would be more daylight in the evening hours. He said the Fire Department wasn’t planning on plowing the field, so it wouldn’t be used in the winter.

Brian Stepelevich asked how the volunteers were summoned to the Fire Department to answer a fire call. Matt Wilson said the volunteers were summoned by electronic pagers. No siren is used.

Decibel (dB) Levels:
10 dB = normal breathing
30 dB = soft whisper
40 dB = quiet residential area, library
60 dB = normal conversation
70 dB = TV audio, human voice at 10 feet
80 dB = doorbell, machine tools, car at 10 feet
90 dB = lawn mower, tractor, blender
100 dB = snowmobile, factory machinery,
110 dB = leaf blower, power saw, nightclub band
120 dB = chain saw, rock concert, pain threshold

Carla Westine reminded the audience that the decibel limits on noise defined in the bylaws are tied to the time of day, not daylight and darkness. She said that some projects in Chester have had to take steps to mitigate the noise they create. She acknowledged that the Fire Department is not constantly running a machine for 8 hours a day. The noise from training is infrequent, varied in nature, and difficult to measure. She said the Board will accept Matt Wilson's testimony that the Fire Department can meet those levels. She said that if someone appealed to the town about the noise, the Zoning Administrator would have to measure the noise with his decibel meter at the property line. If the level is exceeded, there are steps that can be taken to mitigate the noise.

Phil Perlah said he wasn't bothered by the idea of noise from training sessions, but he did think that the sirens will exceed the bylaw levels by a large margin. He said he thought the Board would have to come to grips on how to deal with that. He noted that the sirens will not be continuous, as a sawmill or stone crusher would be.

Larry Semones said the town needed the Emergency Services Building to be in the village. He said there will be 10 – 20 people training at times. Those people will be yelling at each other. He said the Fire Department needed to have training exercises. He didn't think it was reasonable to hold them to a standard of 70 decibels at the property line.

Carla Westine said she thought training during the daytime was not much of a problem on that parcel. There was a lot of other activity in the area and the noise from the training would not be noticeable. She said she was concerned about noise from training at 9:30 PM. She agreed with Larry Semones when he suggested that the Fire Department will need to use discretion.

Matt Wilson pointed out that the department is made up of volunteers who mainly work during the day. Evenings are about the only time they can gather for training.

Michael Normyle suggested that town officials might send a letter to the Planning Commission which is working on a new edition of the bylaws. The letter could suggest that Emergency Services training be exempt from the Performance Standard Noise limits. He also pointed out that the Fire Department is training in the center of town now. The noise is simply moving from one location to another.

Carla Westine said that the Board is accepting Matt Wilson's testimony that he can meet the noise standards. She urged the Fire Department to use discretion when planning their training. She suggested that practicing with the jaws of life would best be done early in the training session and a quieter activity, such as practicing with fire extinguishers could be done later in the evening.

**B. Air Pollution: no use shall create emissions, such as dust, fly ash, fumes, vapors, gases and other forms of air pollution, which:**

- 1. Constitute a nuisance to other landowners, businesses or residents;**
- 2. Endanger or adversely affect public health, safety or welfare;**
- 3. Cause damage to property or vegetation; or,**
- 4. Are offensive or uncharacteristic of the area.**

**Outdoor wood-fired boilers are exempt from this provision.**

Brian Lane-Karnas said there would be no air pollution beyond exhaust from the heating system and exhaust from vehicle motors. He noted that Route 11 already has a significant amount of vehicle traffic.

Carla Westine recalled that Phil Perlah asked if anything would be burned on the property and Matt Wilson had answered that burning would only be done with flammable liquids in containers. She asked if that burning could ever spread or explode. Matt Wilson shook his head no, and Carla Westine noted that aloud for the tape recording.

**C. Glare, Light or Reflection: illumination from lighting fixtures or other light sources shall be shielded or of such low intensity as not to cause undue glare, reflected glare, sky glow or a nuisance to traffic or abutting properties. Lights used to illuminate parking areas and drives shall be so arranged and designed as to deflect light downward and away from adjacent residential areas and public highways. Lights shall be of a "down shield luminaire" type where the light source is not visible from any public highway or from adjacent properties. Only fixtures which are shielded to not expose a light source, and which do not allow light to "flood" the property, are permitted to be attached to buildings. Searchlights are not permitted. The Development Review Board may require a lighting plan under conditional use or planned unit development review procedures.**

Carla Westine took out exhibit K, which gave specifications for the exterior lights that will be used and suggested that Brian Lane-Karnas read the portion of his letter that addresses light and glare. Brian read as follows, "The site lighting has been designed to provide sufficient lighting for safety and security without excessive light levels. The drives and parking areas are lit with three pole lights and four building-mounted lights (type A) and one decorative pole light at the police entrance (type B) mounted at 14' above grade. Main public door entrances have wall-mounted sconces (type C) and other entrances are lit with surface-mounted lights under canopies. All site lights will be fully downcast with cutoff optics. The site lighting will be controlled with photocells and a programmable timeclock. To reduce lighting impacts, type A pole lights will be reduced to 50% power output after four hours of use. These fixtures will also be equipped with motion sensors to bring the light level to 100% output when the site is occupied. See attached site plans and cut sheets for details."

Brian Lane-Karnas pointed out the locations of the different types of lights on the site plan projected on the screen.

Carla Westine asked about the back of the building where training will take place. Brian Lane-Karnas said there were no lights planned for that side. Carla asked Matt Wilson if the training taking place at night would be lit and how they would do it. Matt Wilson said they would be using the lights on the fire trucks. Carla asked if the lights would be shining toward the center of the field. Matt Wilson said there were enough lights on the trucks to light up the whole field if necessary. He needed to have the discretion to do that when he believed it to be appropriate. Carla Westine said the bylaws do not allow light to spill onto neighboring properties and she thought that could be achieved if the Fire Department took that into consideration when setting up the exercise.

Brian Stepelevich asked why the type A pole lights would remain on at full power for four hours after being turned on. Could it be reduced to only two hours? Brian Lane-Karnas said the four

hours was an arbitrary standard figure. The lights were turned on by photocells at dark. The system was programmable and could be changed. It could be set to change to 50% at a specific hour, such as 9:00 PM. Carla Westine said the lighting plan was intended to limit the light to the property and not spill out onto the roadway or neighboring properties.

**D. Safety Hazards: Fire, explosive and similar safety hazards which would substantially increase the risk to an abutting property, or which would place an unreasonable burden on the Fire Department, shall be prohibited.**

Brian Lane-Karnas said he wasn't aware of any hazardous materials which would be stored on the premises. He didn't expect the Fire Department to burden themselves by unsafe storage of materials.

**E. Electromagnetic disturbances: any electromagnetic disturbances or electronic emissions or signals which will repeatedly and substantially interfere with the reception of radio, television, or other electronic signals, or which are otherwise detrimental to the public health, safety and welfare, beyond the property lines of the property on which it is located, except as specifically licensed and regulated through the Federal Communications Commission.**

Brian Lane-Karnas said there would be radio use, which is licensed by the FCC, but there were no electromagnetic disturbances.

**F. Underground Storage Tanks, Ground/Surface Water Pollution: No use shall result in burying or seepage into the ground of material which endangers the health, comfort, safety or welfare of any person, or which has a tendency to cause injury or damage to property, plants or animals. Commercial, industrial or institutional facilities having underground fuel storage shall maintain all tanks and related equipment with leak detection and spill control systems incorporating the best available safety practices and technology, consistent with government and industry standards.**

Brian Lane-Karnas said there would be underground propane tanks on the northeast corner of the site that will not require leak guard because propane evaporates if it escapes from the tank. There is an oil and grit separator associated with the drainage system. The tank that separates and catches the oil will be tested for leakage when installed according to state standards. Carla Westine asked if the tanks are pumped out. Brian said they are pumped when they are full. How often they are pumped depends on the amount of usage.

Phil Perlah asked how the fire trucks are fueled. Matt Wilson said they will be fueled from tanks at the town garage.

Scott Wunderle asked where the roof will be draining rainwater. Brian Lane-Karnas said the roof will be internally drained. The drain will be connected to the underground draining system that opens onto the ground on the southeast corner of the south parking lot with a stone level spreader. He said it is similar to the outlet from the Pleasant Brook Apartments to the east. Carla Westine said she heard at the site visit that a substantial amount of fill would be brought onto the front of the lot where the buildings would be and that there would be retaining walls on the east, or rear, and the north sides of the building. There would be quite a slope in some places where the fill leaves off. She asked if all the drainage would be flowing to the east side of the lot

and into the river. Brian Lane Karnas they had tried to split the drainage. There would be some sheet draining across some of the parking areas, but all the water was eventually going to end up in the river.

Phil Perlah asked how the parking lots will be paved. Brian Lane-Karnas said they will be covered with asphalt.

There being no further questions, Gary Coger moved to close the hearing. Phil Perlah seconded the motion. A vote was taken and the hearing was closed.

Carla Westine recapped the process that follows the hearing. She said the Development Review Board has 45 days to deliver its findings, conclusions and order with conditions. She said the document will be mailed to the Town of Chester and other meeting participants as appropriate. Michael Normyle said he normally only sends it to those people who testified. He is obliged to send one certified paper copy to the applicant. Lee Gustafson asked if he could have a copy e-mailed to him. Carla Westine said there is a 30-day appeal period after the document is signed when the participants may register an appeal.

Carla Westine thanked the participants for being well prepared.

#### **Agenda Item 4 Set the next meeting date**

Michael Normyle said there is no hearing scheduled for February 10, 2020. The next hearing will be February 24, 2020. No hearings are scheduled after that.

#### **Agenda Item 5 Deliberative session to review current or previous matters**

The Board went into deliberative session. The meeting was adjourned at the end of it.