

TOWN OF Chester
PLANNING COMMISSION
May 25, 2020 Minutes

Commission Members Present: Naomi Johnson, Cheryl Joy Lipton and Peter Hudkins via video conference. Barre Pinske via video conference from a hilltop near Castleton.

Staff Present: Michael Normyle, Zoning Administrator, at the Town Hall. Cathy Hasbrouck, Recording Secretary via video conference.

Citizens Present: none.

Call to Order

Chair Peter Hudkins called the meeting to order at 6:30 PM.

Agenda Item 1 Review minutes from May 4, 2020 meeting

Naomi Johnson moved to accept the minutes from the May 4, 2020 meeting. Barry Pinske seconded the motion. Barre Pinske pointed out a typo on page 4 of the minutes. The word “trick” should be “truck”. A vote was taken and the minutes were accepted as amended.

Agenda Item 2, Citizen Comments

No citizen had any comments to make. Michael Normyle said he had heard from Ed Grossman, who asked when the Stone Village issues would be discussed. Michael said he told Ed the issue would not be taken up until an in-person meeting could be held. Peter Hudkins reminded the committee that they had planned to measure the actual front setbacks in the Stone Village. He made it an action item. It was settled that Cheryl Joy Lipton and Michael Normyle would do it on Tuesday, May 26 using the town’s measuring tape.

- ❖ The existing front setbacks in the Stone Village will be measured.

Agenda Item 3 Progress Report from Cheryl Joy Lipton on wildlife map.

Cheryl Joy Lipton said she had had some difficulties reaching members of the Fish and Wildlife Department because they have been working from home. She said she has come to realize the town needs more than a map of forest connectivity blocks. It also needs a contour map showing steep slopes and a hydrology map showing permanent and intermittent streams. The maps would be helpful for the Town Plan. She said she was having difficulty working with the small computer screen she had. She asked if there was a bigger screen available at the Town Hall. Michael Normyle said he would check to see if there was anything left at Julie Hance’ former workstation. Peter Hudkins asked Cheryl Joy to give Recording Secretary Cathy Hasbrouck a list of the maps she was gathering.

Cheryl Joy Lipton asked the Committee what they plan to do with the information from the maps. Peter Hudkins said he hoped the maps would make it clearer what size riparian buffers each stream needed. Cheryl Joy said different species required different size buffers. She said she expected to discuss this as part of the River Corridor discussion. Peter Hudkins said he wanted to address this separately from the River Corridor.

Agenda Item 4 Proposed road and driveway standards for new bylaw.

Naomi Johnson had studied the current and proposed road and driveway standards and produced documents showing the current bylaw text and the proposed bylaw text marked up to meet the current standards. Cathy Hasbrouck had produced a version of the proposed bylaw text with Naomi's changes. These documents were distributed in the packet.

Peter Hudkins cited Chester Fire Chief Matt Wilson's e-mail which arrived after the week's packet had been prepared. This e-mail had been scanned and sent to the Commission members via e-mail as a .pdf. The e-mail from Matt Wilson said a driveway should always be 12 feet wide. Matt said the line of sight should govern where the pull-offs need to be. Ladder trucks are 13.5 feet tall, so overhead clearance needs to be at least 13.5 feet. A pull-off should be at least 8 feet wide and 32 feet long.

An extensive discussion ensued concerning when to require that a driveway meet road standards, and how to ensure that a driveway has pull-offs for two tankers to pass each other when needed. The following are points made during the discussion:

- Michael Normyle suggested that the pull-off language say the minimum size for a pull-off is 8 feet by 32 feet, subject to Fire Chief's review by property. He felt that would give clear standards and flexibility.
- Peter Hudkins pointed out that the standard originally in the proposed bylaws, (3008.D.5) requires a pull-off every 300 feet, but if there is a line of sight exceeding 300 feet, the pull-off is not necessary. The line of sight standard suggested by the Fire Chief is more appropriate.
- Cheryl Joy Lipton was in favor of having a pull-off every 300 feet.
- Naomi Johnson asked if a pull-off requirement would need to be in the Chester Road and Bridge Specification document. Peter Hudkins agreed that such a change should be in the Road and Bridge document.
- Barre Pinske said he thought that there should be a driveway length minimum before the Fire Chief needs to come and check the line of sight, otherwise the Fire Chief would need to check every new driveway, which would waste time and could make getting a permit more difficult. Cathy Hasbrouck said the Fire Chief has to be consulted for a conditional use permit now.
- The Commissioners discussed the situation of a parcel having frontage on a road (as opposed to a driveway/right of way), but access to the lot is not from the frontage area because the terrain between the buildings and the road frontage is not suitable for a driveway. In that case, access is often via a right of way across another parcel. The current and proposed bylaws did not address the level of traffic the right of way driveway would have if it served multiple lots which had road frontage. The fact that road frontage was present for some of the lots exempted the developer from building an access road to road standards. Cathy Hasbrouck and Peter Hudkins gave examples of this.
- Peter Hudkins noted that the current bylaws have a definition for Frontage, but the proposed bylaws do not. Peter Hudkins asked that an action item be made to
 - ❖ list any definitions in the current bylaws that are not in the proposed bylaws.

Naomi Johnson addressed the Engineering Requirements in Section 3305.C which proposed that an engineer certify the design and construction of all new or extended roads, utilities and other

improvements. She didn't feel that every project required an engineer. The Commission agreed to require an engineer for public roads only. Naomi noted that the Ludlow bylaws required a professional engineer should certify the design of any improvements to be taken over by the town. The Commission concluded the following wording will work for Section 3305.C:

Engineering Requirements. A professional engineer must certify that all new or extended public roads, utilities and other improvements were designed and constructed in accordance with all applicable public works specifications, provisions of this bylaw and any conditions of approval prior to the Zoning Administrator granting a final certificate of compliance.

Naomi also thought that the General Standards for roads within a sub-division, 3305.D(2) were mostly vague, aspirational ideas, not concrete standards which may be measured and determined to be met or not. After some discussion the Commission agreed that the aspirational language was not needed or helpful, and the section should be removed. They felt such language belonged in the town plan. They noted that detailed specifications for items such as sidewalks are found elsewhere in the bylaw document and the Chester Road and Bridge Standards. 3305.A, Public Works Specifications, and 3305.D, Roads, directs applicants to the appropriate standards in the bylaws.

Peter Hudkins moved to strike the General Standards (Section 3305.D(2)). Naomi Johnson seconded the motion. Barre Pinske supported the motion because it made the standards to be met clearer. Cheryl Joy Lipton felt someone should verify that all the items listed in the General Standards are addressed elsewhere in the proposed bylaw document. Peter Hudkins added an action item to the motion,

- ❖ that someone verify that each issue was addressed somewhere in the document.

Cheryl Joy seconded the amendment. A vote was taken and the motion passed as amended.

In examining the proposed Connectivity section, another action item was listed:

- ❖ the Commission asked to have the diagrams for hammer head and cul-de sac turn arounds in the current bylaws added to the proposed bylaws.

Naomi Johnson noted that the sight distance standard in 3305.D(4)(a), Access Management, was in conflict with regulations, and she had removed it as part of her work in combining the current and proposed driveway and road standards.

Similarly, paragraph 3305.D(5), Design Speed, which required that new roads be designed for 25 miles per hour speeds or less, was thought too specific to be useful and the Commissioners removed it. The Commission did not want to regulate speed limits. The 25 miles per hour limit appeared to fast for some roads and inappropriately slow for others. Banking on turns is determined by the expected vehicle speed. Using the 25 MPH standard could result in poorly engineered roads.

The Commission discussed the Right-of-Way section (3305.D(5)). The Commission agreed that road frontage should not be the reason to require specific standards for a driveway. Michael Normyle suggested that the bylaw should require that two or more lots accessed by a shared right-of-way should have a driveway that meets the road standard. He and Peter Hudkins

avored the word access instead of frontage. Barre Pinske said road frontage accessibility would need to be defined if that was chosen as the standard.

Naomi Johnson read the Road Applicability paragraph, 3305.D(1), which states, “Any vehicular way that will be used to provide access to more than 1 lot or principal building will be considered a road and must conform to the standards of this section irrespective of whether the road will be public or private.” Given that, the last two sentences of the right-of-way paragraph, 3305.D(5) could be removed. Naomi Johnson pointed out that the applicability paragraph was Brandy Saxton’s original applicability paragraph, adjusted by the Commission from 3 or more lots to more than 1 lot.

The Commission discussed ways to safely accommodate everyone from the Stone Village who would like to attend a discussion of setback standards in person. It was resolved to see what the Governor decides in the next few weeks about the size of gatherings. An outdoor gathering with social distancing was considered, if a sound system could be arranged. Peter Hudkins said he thought it would be helpful to produce a packet with a complete proposal for the Stone Village residents to consider in advance of the meeting. He hoped that the packet will help focus discussion.

Agenda Item 7 Discuss date and agenda for next meeting.

It being nearly 8:00 PM, the Planning Commission chose Monday June 1, their next regularly scheduled meeting as their next meeting date and agreed to take up item 5 of the current agenda at that meeting. Cheryl Joy Lipton moved to adjourn the meeting. Barre Pinske seconded the motion. A vote was taken and the motion passed.

Action Item Summary

- ❖ The existing front setbacks in the Stone Village will be measured.
- ❖ list any definitions in the current bylaws that are not in the proposed bylaws.
- ❖ that someone verify that each issue listed in the General Standards paragraph 3305.D(2) was addressed somewhere in the document.
- ❖ the Commission asked to have the diagrams in the current bylaws added to the proposed bylaws.