

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

*September 14, 2020*

**BOARD MEMBERS PRESENT:** Harry Goodell, Robert Greenfield, Gary Coger, and Phil Perlah via Zoom teleconference. Carla Westine via Zoom conference at the Town Hall.

**STAFF PRESENT:** Cathy Hasbrouck, Interim Zoning Administrator and Recording Secretary via Zoom conference at the Town Hall.

**CITIZENS PRESENT:** William and Cindy Cole via Zoom teleconference at the Town Hall and Ed Whelan via Zoom teleconference.

**Call to Order**

Carla Westine called the meeting to order at 6:00 PM via Zoom conference. She noted that a site visit had taken place at 814 Dodge Road at 5:15 PM that evening.

**Agenda Item 1 Review draft minutes from the August 10th, 2020 meeting.**

Harry Goodell moved to accept the minutes from the August 10, 2020 meeting. Phil Perlah seconded the motion. There was no discussion. A vote was taken and the minutes were accepted as written.

**Agenda Item 2 Citizen comments.**

No citizen had any comments about any subject other than the subdivision hearing.

**Agenda Item 3 Cole Preliminary Plat Review Hearing (#557)**

Carla Westine began by asking if any member of the Development Review Board had any conflict of interest to report. None did. She asked if any member had had any ex-parte communication on the matter. None did. She then accepted the documents offered as exhibits.

The first document was a Town of Chester Development Review Board Preliminary Application for Sub-Division. Carla Westine read the following items aloud. The applicant name was William R. Cole, the location of the property was 814 Dodge Road. The parcel map number was 42-50-5 and the Zoning District was R-120. The total acreage before division was 12.42±. The number of lots after division was 2. The new acreage after subdivision was Lot 1 4± acres and lot 2 8± acres. The application was signed by William R. Cole and by Zoning Administrator Michael Normyle on August 4, 2020. Harry Goodell moved to accept the application as Exhibit A. Gary Coger 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 dated August 11, 2020. Carla Westine read the following items aloud. The site visit was announced for September 14, 2020 at 5:15 PM. The property owner and applicant were William and Cindy Cole. The location was 814 Dodge Road, and the district was Residential 120. The action requested was, "Subdivide one parcel (12.4± acres) into two lots (#1 = 4± and #2 = 8± acres)." Harry Goodell 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 was an e-mail from Cindy Cole to Michael Normyle dated September 8, 2020 that explained the reason for the subdivision. Carla Westine read the e-mail aloud. Harry Goodell moved to accept the narrative as Exhibit C. Phil Perlah seconded the motion. A vote was taken and the e-mail was accepted as Exhibit C.

The fourth exhibit was a letter from Terri McMahon of the Department of Environmental Conservation to William & Cindy Cole dated September 4, 2020. The letter was in regard to WW-2-6202, Proposed 2-Lot Subdivision. Carla Westine read the first paragraph of the letter aloud. The letter stated that a complete application had been received on August 31, 2020 and was assigned to Terry Shearer for technical review. Harry Goodell 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 exhibit was a site plan titled Sub-Division Plan William Rosewell Cole, V Cindy Cole. The site plan was created by Gary Rapanotti, L.S. and stamped Preliminary. Harry Goodell moved to accept the letter as Exhibit E. Phil Perlah seconded the motion. A vote was taken and the site plan was accepted as Exhibit E.

The sixth exhibit was a 2-page septic design titled Overall Site Plan drawn by Rapanotti Septic Design dated August 26, 2020 and signed by Brian Rapanotti. The site plan gave soil test results for the parcel in question and specifications for the proposed septic system. The septic design was handed in at the hearing and had not been part of the packet. Harry Goodell moved to accept the septic design as Exhibit F. Bob Greenfield seconded the motion. A vote was taken and the septic design was accepted as Exhibit F.

Carla Westine then read paragraph 4.12(A)2 (Subdivision Review Procedures, Preliminary Plat Review, Study of Preliminary Plat) aloud:

- 2. Study of Preliminary Plat.** The Development Review Board shall study the practicability of the Preliminary Plat in relation to the requirements of Section 4.12(F). Particular attention shall be given to the arrangement, location, and width of roads, their relation to the topography of the land, water supply, sewage disposal, drainage, lot sizes, and arrangement, the impact on adjoining lands, and the General Standards in Article 3. The Subdivider, or his duly authorized representative, shall attend meetings of the Development Review Board to discuss these issues. Notice of such subdivision shall be sent by the Development Review Board to all adjoining landowners.

She then addressed the requirements for the plat in Section 4.12(F)

#### **F. Required Submissions**

- 1. Preliminary Plat.** The Preliminary Subdivision Plat shall consist of a pdf copy as well as seven (7) copies of one or more maps or drawings which may be printed or reproduced on paper with all dimensions shown in feet or decimals of a foot, drawn to a scale or not more than one hundred (100) feet or more to the inch, showing or accompanied by information on the following points unless waived by the Development Review Board:
  - a.** Proposed subdivision name or identifying title and the name of the Town.  
This was found in the lower right corner of the plat.
  - b.** Name and address of record owner, subdivider, and designer of Preliminary Plat.  
This was also found in the lower right corner of the plat.

- c. Number of acres within the proposed subdivision, location of property lines, existing easements, buildings, water courses, and other essential existing physical features.

Carla Westine noted the total acreage for the original lot was shown in the upper left corner of the plat and the acreage for the individual lots was shown below each lot's title. She could not find any easements shown on the plat or in the Notes. She listed the existing buildings and pond shown on Lot 1. William Cole said the pond is fed by a pond on Ed Whelan's abutting property. Ed Whelan agreed that he did have a pond on his property. The plat also showed the line between the forest and open land on the lots.

- d. The names of owners of record of adjacent acreage.

Carla Westine read the names of abutters as shown on the map. All abutters were listed.

- e. The provisions of the zoning standards applicable to the area to be subdivided and any zoning district boundaries affecting the tract.

Carla Westine pointed out the dimensional standards for the R-120 district in the middle of the right side of the map.

- f. The location and size of any existing sewer and water mains, culverts, and drains on the property to be subdivided.

Carla Westine noted the existing septic system on Lot 1 and the proposed septic system on Lot 2. She asked William Cole if there were any culverts on the property. Mr. and Mrs. Cole said there was a culvert under the driveway which drains the pond and empties onto their property. Carla Westine asked if the pond ever flooded. William Cole said it did not.

- g. The width and location of any existing roads within the area to be subdivided and the width, location, grades, and road profiles of all roads or other public ways proposed by the Subdivider.

The plat did not show any roads on either parcel. Lot 2 will have its own driveway.

- h. Contour lines at intervals of five (5) feet of existing grades and of proposed finished grades where change of existing ground elevation will be five (5) feet or more.

Contour lines were found at an interval of 20 feet. Carla Westine noted that the grade on the lot is not significantly steep. William Cole asked that the 5-foot contour requirement be waived. Harry Goodell moved to waive the 5-foot contour line interval requirement for a 20-foot interval. Phil Perlah seconded the motion. A vote was taken and the 5-foot contour line interval was waived.

- i. Date, true north point, and scale.

Carla Westine said a north arrow was found in the lower left corner. The scale and date were found in the lower right corner the plat.

- j. Deed description and map of survey of tract boundary made and certified by a licensed land surveyor tied into established reference points, if available.

Carla Westine said deed descriptions and reference plans are found in the Notes in center of the lower half of the plat.

- k. Location of connection with existing water supply or alternative means of providing water supply to the proposed subdivision.

Carla Westine pointed out the drilled well drawn on Lot 1 and a proposed well drawn on Lot 2.

- l. Location of connection with existing sanitary sewage system or alternative means of treatment and disposal proposed.

Carla Westine said the existing septic system is drawn on Lot 1 and that Exhibit F shows the details of the proposed septic system for Lot 2. She asked William Cole if the septic plans had been submitted to the state. He said that they had.

- m. Provisions for collecting and discharging storm drainage, in the form of drainage plan.

Carla Westine asked William Cole if any changes were proposed for the contours of the land. William Cole said the only changes planned were the new house and driveway. Harry Goodell moved to waive the drainage plan requirement. Phil Perlah seconded the motion. A vote was taken and the drainage plan was waived.

- n. Preliminary designs of any bridges or culverts which may be required.

William Cole said a culvert would be needed for the Lot 2 driveway. Carla Westine asked to have that culvert and the culvert under the driveway in Lot 1 added to the plat.

- o. The proposed lots with surveyed dimensions, certified by a licensed land surveyor, numbered and showing suggested building locations.

Carla Westine said she could see the two lots with their acreage noted.

- p. The location of temporary markers adequate to enable the Development Review Board to locate readily and appraise the basic layout of the field. Unless an existing road intersection is shown, the distance along a road from one corner of the property to the nearest existing road intersection shall be shown.

Carla Westine said the Board observed ribbons at the site visit marking the pins for the new property lines. The distance to the intersection between Dodge Road and High Street is shown on the rightmost part of Dodge Road drawn on the plat.

- q. Locations of all parcels of land proposed to be dedicated to public use and the conditions of such dedication.

Carla Westine said she saw no parcels dedicated to public use.

- r. Names identifying roads and streets; locations of street name signs and description of design of street name signs.

William Cole said no new roads or streets, are proposed.

- s. The Preliminary Plat shall be accompanied by:

1. A vicinity map drawn at the scale of not over four hundred (400) to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area. The vicinity map shall show all the area within two thousand (2,000) feet of any property line of the proposed subdivision or any smaller area between the tract and all surrounding existing roads, provided any part of such a road used as part of the perimeter for the vicinity map is at least five hundred (500) feet from any boundary of the proposed subdivision.

Carla Westine pointed out the location map in the upper right corner of the plat.

2. A list or verification of the applications for all required State permits applied for by the Sub-divider. Approval of the subdivision application by the Development Review Board may be conditioned upon receipt of these permits.

Carla Westine asked that the number of the Wastewater System and Potable Water Supply permit applied for be listed on the plat.

- t. Endorsement. Every Plat filed with the Town Clerk shall carry the following endorsement:

"Approved by the Development Review Board of the Town of Chester, Vermont as per findings of fact, dated \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ subject to all requirements and conditions of said findings.

Signed this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by

\_\_\_\_\_

\_\_\_\_\_, Development Review Board"

Carla Westine pointed out the endorsement block found in the upper left corner of the plat.

This concluded the review of the requirements in Section 4.12(F). Cindy Cole said she wanted to complete the subdivision as quickly as possible. Carla Westine explained the remaining steps of the subdivision process. The preliminary hearing would be closed, a Findings and Conclusions document would be written and approved and a Final Plat Hearing scheduled.

Carla Westine asked Ed Whelan, an abutter, if he had any questions on the hearing. He did not. Harry Goodell said he noted two utility poles at the site visit and did not see them on the plat. He said it was likely there was an easement for the utility lines which ran along the property. Zoning Administrator Cathy Hasbrouck said there was no culvert shown where the pond drains under the driveway on Lot 1. Carla Westine said the utility poles, potential easement, culvert for the pond and culvert for the proposed driveway on Lot 2 should be added to the plat.

Cindy Cole asked if it seemed likely the subdivision would be approved. An informal poll of the board showed the board members were ready to approve it.

Phil Perlah moved to close the hearing. Harry Goodell seconded the motion. A vote was taken and the hearing was closed.

#### **Agenda Item 4 Deliberative Session to review previous or current matters**

All other agenda items being complete, the meeting went into deliberative session and was adjourned at the end of it.