

1 **TOWN OF CHESTER**  
2 **DEVELOPMENT REVIEW BOARD**  
3 **MINUTES**

4 *December 27, 2021*

5 **BOARD MEMBERS PRESENT:** Harry Goodell, Scott MacDonald, Bob Greenfield, Larry  
6 Semones, and Phil Perlah, all at the Town Hall.

7 **STAFF PRESENT:** Zoning Administrator Preston Bristow and Recording Secretary Cathy  
8 Hasbrouck, at the Town Hall.

9 **CITIZENS PRESENT:** Jill and Scott McNally via Zoom, Michael Marquise and Steve Garvey  
10 at the Town Hall.

11 **Call to Order**

12 Bob Greenfield called the meeting to order at 6:00 PM. He led the group in the Pledge of  
13 Allegiance and introduced the members of the Development Review Board and staff.

14 **Agenda Item 1 Review minutes of the November 29, 2021 meeting**

15 Harry Goodell moved to accept the minutes of the November 29, 2021 meeting. Phil Perlah  
16 seconded the motion. There was no discussion. A vote was taken and the minutes were  
17 accepted as written.

18 **Agenda Item 2 Citizen's comments**

19 There were no citizen comments.

20 **Agenda Item 3 Subdivision hearing 228 VT Route 11 West**

21 Bob Greenfield recused himself from the hearing. Vice chair Phil Perlah took over as chair.

22 The following exhibits were entered into evidence.

23 The first document to be considered was an application for a Subdivision before the  
24 Development Review Board. The applicant was Stephen Garvey and the property location was  
25 228 VT Route 11 West. Harry Goodell moved to accept the application as Exhibit A. Larry  
26 Semones seconded the motion. A vote was taken and the application was accepted as Exhibit A.

27 The second document presented was a Town of Chester Notice of Hearing for Subdivision  
28 Permit issued by Preston Bristow on behalf of the Town of Chester dated December 6, 2021.  
29 Harry Goodell moved to accept the notice as Exhibit B. Larry Semones seconded the motion. A  
30 vote was taken and the notice was accepted as Exhibit B.

31 The third document was a letter from Michael Marquise, PE, to Steve Garner discussing soil  
32 tests done on the property at 228 Vermont Route 11 W, with 2 pages of test data. Harry Goodell  
33 moved to accept the map as Exhibit C. Larry Semones seconded the motion. A vote was taken  
34 and the letter and report were accepted as Exhibit C.

35 The fourth document was plat of the property in question, prepared by DBS Surveys, Inc. dated  
36 12/24/2021. Harry Goodell moved to accept the plat as Exhibit D. Larry Semones seconded the  
37 motion. A vote was taken and the plat was accepted as Exhibit D.

1 The fifth document was a portion of the Chester Tax map showing the parcel in question and  
2 other parcels in the vicinity owned by the applicant. Harry Goodell moved to accept the portion  
3 of the tax map as Exhibit E. Larry Semones seconded the motion. A vote was taken and the  
4 document was accepted as exhibit E.

5 Phil Perlah asked if any board members had a conflict of interest in this hearing or had had any  
6 ex-parte communication about the application. None had.

7 Phil Perlah swore in Michael Marquise and Stephen Garvey to give testimony.

8 Phil Perlah addressed the requirements for the survey in Section 4.12(F) on page 81.

9 **F. Required Submissions**

10 **1. Preliminary Plat.** The Preliminary Subdivision Plat shall consist of a pdf copy as well as seven (7)  
11 copies of one or more maps or drawings which may be printed or reproduced on paper with all  
12 dimensions shown in feet or decimals of a foot, drawn to a scale or not more than one hundred  
13 (100) feet or more to the inch, showing or accompanied by information on the following points  
14 unless waived by the Development Review Board:

15 **a.** Proposed subdivision name or identifying title and the name of the Town.

16 This was found in the lower right corner of the map.

17 **b.** Name and address of record owner, subdivider, and designer of Preliminary Plat.

18 The applicant's name was found in the lower right corner of the map in the title  
19 block, but no address for the property was given. The Board requested that an  
20 address for the property be added to the title block.

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

23 The acreage for each lot was shown near the lot title. The total acreage was found  
24 in Note 7. The utility easements were listed in Note 6. There were no buildings  
25 on the parcel and no water courses.

26 **d.** The names of owners of record of adjacent acreage.

27 All abutters appeared to be listed.

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

30 Phil Perlah pointed out the dimensional standards for the R-120 district in the  
31 lower right quadrant of the map above the legend.

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

34 Phil Perlah and Harry Goodell pointed out 2 18" culverts that ran under Route 11  
35 and a 15" culvert that ran across the end of the woods road that served as access  
36 to the property.

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

1 All existing roads were shown. No new roads were proposed for the subdivision.  
2 Phil Perlah requested that the label Woods Road which applied to the road that  
3 appeared to serve as a woods management road for the parcel be changed to Trail.

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

6 The contour lines on the map were at 10-foot intervals. Phil Perlah moved to  
7 waive the 5-foot requirement. Harry Goodell seconded the motion. A vote was  
8 taken and the 5-foot requirement was waived.

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

10 The date was found in the title box. True north was in the upper right quadrant.  
11 The scale was just above the title block.

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

14 Deed information was shown in Notes 1, and 2. Preston Bristow explained that  
15 the information on the map was sufficient for an attorney to write a deed  
16 description with metes and bounds.

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

19 There are currently no connections to any existing water supply.

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

22 The site of two test pits for creating a septic system are shown on the map.  
23 Michael Marquise, the engineer confirmed that the septic system he discussed in  
24 his letter to the applicant was a mound system.

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

26 Harry Goodell moved to waive the drainage plan requirement. Larry Semones  
27 seconded the motion. A vote was taken and the requirement was waived.

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

29 No culverts or bridges will be required.

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

32 As no septic plan was proposed, no location for a house could be designated.

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

37 The intersection of Blue Hills Road with Vermont Route 11 W was shown on the  
38 map. The Board requested that the distance to the intersection be shown.

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

1 Phil Perlah said there were no parcels dedicated to public use.

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

4 Vermont Route 11 and Blue Hills Road were identified on the map.

- 5 s. The Preliminary Plat shall be accompanied by:

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

13 Phil Perlah pointed out the vicinity map in the upper right corner of the map.

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

17 No permits have been applied for.

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

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

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

24 \_\_\_\_\_

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

26 Phil Perlah pointed out the endorsement block found in the loser left corner of the  
27 map.

28 Phil Perlah noted 3 items that would need to be changed on the map: the address of the property  
29 needed to be added, the name of Wood Road needed to be changed to Trail and the distance to  
30 the intersection of Blue Hills Road and Route 11 be added.

31 Scott McNally asked what would happen next. He expressed concern about possible impacts to  
32 his property if the subdivided parcel were to be developed. Phil Perlah explained that no house  
33 could be built until a septic permit was obtained from the state. Michael Marquise pointed out  
34 the site of the test pits on the survey and said the house would have to be built somewhere near  
35 the test pits. Jill McNally asked if the new owner would connect to the municipal water system.  
36 Phil Perlah explained that was up to the owner. Preston Bristow said a permit to build a house  
37 was required and he would be asking for a wastewater and potable water supply permit before  
38 the building permit could be issued.

39 Scott MacDonald asked what would happen if a seasonal stream was on the lot and not shown on  
40 the survey map. Harry Goodell said the engineer in charge of building the house would address  
41 that issue. He said he didn't see any ice that would indicate the presence of a seasonal stream.

1 Preston Bristow said all buildings have to be set back 25 feet from a stream. That issue would be  
2 addressed when a building permit for the house was applied for.

3 The slope of the driveway was discussed. This is addressed in Chapter 5 of the bylaws. The  
4 slope may not be greater than 15%. Michael Marquise said he had not measured the Woods  
5 Road, but he thought the slope was greater than 15% and less than 20%. He thought it would be  
6 difficult to reduce the slope. The DRB decided the slope issue fell under the jurisdiction of the  
7 Zoning Administrator as part of the building permit. The access permit for Route 11 would  
8 come from the state, which has some driveway requirements of its own, such as a transition area  
9 between the slope and the road.

10 It was agreed that the Zoning Administrator, Preston Bristow, would coordinate the changes  
11 requested with the surveyor. Harry Goodell verified that the Findings and Conclusions  
12 document and the plat would be read and signed by a quorum of the DRB members who  
13 attended the hearing.

14 Harry Goodell moved to close the hearing. Larry Semones seconded the motion. A vote was  
15 taken and the hearing was closed.

16 **Agenda Item 4 Discuss Upcoming meetings.**

17 The DRB was invited to meet with the Planning Commission on Monday January 10<sup>th</sup> to discuss  
18 the proposed changes to the bylaws for the Village Green district. There would be meeting on  
19 January 24<sup>th</sup> for a hearing on a small addition to Gussie's Place on Elm Street.

20 **Agenda Item 5 Deliberative Session to discuss previous or current matters.**

21 The Board then went into Deliberative Session. The meeting was adjourned at the end of it.