

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

3 November 14, 2022

4 **BOARD MEMBERS PRESENT:** Harry Goodell, Bob Greenfield, Scott MacDonald, Gary
5 Coger and Phil Perlah, at the Town Hall.

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

8 **CITIZENS PRESENT:** Stanton Scott, Liza Sargent, Arne Jonynas, Joel Zalagens, and Shawn
9 Blanchard at the Town Hall.

10 **Call to Order**

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

13 **Agenda Item 1 Review minutes of the October 24, 2022 meeting**

14 Harry Goodell moved to accept the minutes as written. Gary Coger seconded the motion. There
15 was no discussion. A vote was taken, and the minutes were accepted as written.

16 Bob Greenfield noted that the Board had approved permit #582 at the October 24, 2022 meeting
17 as a subdivision. Subsequent discussion in deliberative session made it clear that the applicant
18 was actually seeking a boundary adjustment. The Board approved the findings document as a
19 boundary adjustment. Harry Goodell moved to enter the decision to approve application #582 as
20 a boundary adjustment into the minutes of the meeting. Gary Coger seconded the motion. A
21 vote was taken, and the motion passed unanimously.

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

23
24 Bob Greenfield swore in all citizens present to give testimony in the hearings. He then asked for
25 citizen comments on topics not included in the agenda. There were none.

26 **Agenda Item 3 Conditional Use Hearing #583 Burtco Self Storage**

27 The following exhibits were entered in evidence:

28 The first document was a Notice of Hearing dated October 20, 2022 for a Conditional Use
29 Permit #583 on November 14, 2022. The application is for three self-storage buildings and a
30 garage. Harry Goodell moved to accept the Notice as Exhibit A. Phil Perlah seconded the
31 motion. A vote was taken, and the Notice was accepted as Exhibit A.

32 The second document was a list of eight 100-foot abutters of 786 Vermont Route 103 south who
33 were notified of the hearing via mail on October 25, 2022. Harry Goodell moved to accept the
34 list as Exhibit B. Gary Coger seconded the motion. A vote was taken, and the list was accepted
35 as Exhibit B.

36 The third document was an Application for Hearing before the Development Review Board for
37 three self-storage buildings, and a 40' x 40' garage. The application was dated 10/3/22, signed
38 by the applicant Stanton Scott and initialed by Zoning Administrator Preston Bristow. Harry

1 Goodell moved to accept the Application as Exhibit C. Gary Coger seconded the motion. A
2 vote was taken, and the Application was accepted as Exhibit C.

3 The fourth document was a packet of large format plans. There were 8 pages of site, lighting and
4 landscape plans and construction details. Harry Goodell moved to accept the plans as Exhibit E.
5 Gary Coger seconded the motion. A vote was taken, and the plans were accepted as Exhibit E.

6 The fifth document was four 11 x 17 pages of elevation drawings dated 11/5/22. Harry Goodell
7 moved to accept the elevations as Exhibit F. Gary Coger seconded the motion. A vote was
8 taken, and the elevations were accepted as Exhibit F.

9 The sixth document was an 11 x 17 version of the site plan with a correction for a manhole
10 location. Harry Goodell moved to accept the site plan as Exhibit G. Gary Coger seconded the
11 motion. A vote was taken, and the document was accepted as Exhibit G.

12 Liza Sargent from SVE Associates gave a presentation about the project. She said the existing
13 curb cut on Route 103 that currently serves the car wash will also serve the self-storage facility.
14 She said the proposed project is in the Residential Commercial zoning district. The lot is 5.3
15 acres and has 673 feet of road frontage.

16 Liza described the project in more detail. She said the three storage buildings would be
17 perpendicular to Route 103. The proposed garage will be used for storage. It will have a
18 bathroom for employees only. The sewer will tie into the existing manhole next to the driveway.
19 The storage buildings only require electricity for lighting. The storm water will go to infiltration
20 basins: a small one in the front, one in the middle and a vegetative buffer to the south. The side
21 facing 103 will have groups of arbor vitae and hydrangea as landscaping. There will be a
22 stockade fence parallel to 103 and a split rail fence along the driveway to divide the storage units
23 from the car wash. The gable ends of the storage buildings face Route 103 and have a 6 – 12
24 pitched roof. Liza presented 3 options for the siding and windows of the storage buildings. The
25 colors will match the carwash, a dark green for the trim and a beige called sandstone for the
26 body.

27 The Board discussed the window and siding options presented and agreed on Option B. They
28 chose not to make a formal motion to that effect. Bob Greenfield asked Liza Sargent if she had
29 finished her presentation. She said she had and sat down. Bob said the Board needed to go
30 through a number of items to be sure everything fit.

31 Bob Greenfield said the drawings addressed the Residential-Commercial standards. He said the
32 narrative he read addressed the Specific standards, but the Board would go through them and get
33 them entered into the record. He said Section 3.14 Lot and Yard requirements, and 3.14.C
34 Setbacks, were clear. He said Section 4.8 Conditional Uses, C. Specific Standards b. Distance
35 from adjacent or nearby uses was self-explanatory. He said there were no off-street parking and
36 loading facilities. He noted that Liza had discussed landscaping and fencing in her presentation.
37 The Performance Standards only needed confirmation that the outdoor lights would not glare
38 into the eyes of drivers on Route 103.

39 Bob Greenfield asked Preston Bristow about sidewalks. Preston said he couldn't see a practical
40 reason to require sidewalks. While it is true the area was planned to be a walkable neighborhood,
41 it is unlikely that anyone would walk to a storage unit to drop off or pick up items. Preston said
42 it was possible to reserve a place for a sidewalk for the future. The logical place for a sidewalk

1 was actually in the state right of way. The board characterized a potential sidewalk in that
2 location as a “sidewalk to nowhere” given the present lack of development in the area.

3 Harry Goodell said the applicant had fulfilled their commitments on previous projects and could
4 be trusted to do what they proposed. There being no further questions, Harry moved to close the
5 hearing. Gary Coger seconded the motion. A vote was taken, and the hearing was closed.

6 **Agenda Item 4 Conditional Use Hearing #584 Jackie’s Bake Shop**

7 Bob Greenfield entered the following exhibits into evidence:

8 The first document was a Notice of Hearing dated October 20, 2022 for Conditional Use Permit
9 #584 on November 14, 2022. The application is for a retail bakery. Harry Goodell moved to
10 accept the Notice as Exhibit A. Phil Perlah seconded the motion. A vote was taken, and the
11 Notice was accepted as Exhibit A.

12 The second document was a list of four 100-foot abutters of 244 Main Street who were notified
13 of the hearing via mail on October 25, 2022. Harry Goodell asked about the abutters across Main
14 Street. Preston Bristow said he treated the Green itself as the abutter and not the stores on the
15 other side of the Green. Bob Greenfield offered that the occupants on Common Street could be
16 notified now. Phil Perlah asked if the stores were 100 feet from the boundary of 244 Main
17 Street. Scott MacDonald pointed out that the stores on Common Street were across two streets
18 from 244 Main Street, both Main and Common Street. He wondered if they were considered
19 abutters in view of the two intervening streets. Harry Goodell said it wouldn’t be necessary to
20 send notices to the stores on Common Street. Harry Goodell moved to accept the list as Exhibit
21 B. Gary Coger seconded the motion. A vote was taken, and the list was accepted as Exhibit B.

22 The third document was an Application for Hearing before the Development Review Board for a
23 retail bakery. The case number was 584. The application was dated 10/19/22 and signed by Joel
24 Zalagens and Zoning Administrator Preston Bristow. Harry Goodell moved to accept the
25 Application as Exhibit C. Gary Coger seconded the motion. A vote was taken, and the
26 Application was accepted as Exhibit C.

27 The fourth document was a plan of the Hadley and School lots in Chester Vermont dated
28 February, 1956. Harry Goodell moved to accept the plan as Exhibit D. Gary Coger seconded the
29 motion. A vote was taken, and the plan was accepted as Exhibit D.

30 The fifth document was a tax map of parcel 60-51-03, the parcel in question. Harry Goodell
31 moved to accept the map as Exhibit E. Gary Coger seconded the motion. A vote was taken, and
32 the map was accepted as Exhibit E.

33 Bob Greenfield asked if any member had had any ex-parte communication about the hearing.
34 None had. He asked if any member had any conflicts of interest to report. None did.

35 The applicant Joel Zalagens gave a short history of the project. He said he has had a 20-year
36 career baking and decorating cakes and he wanted to set up a store front to sell them. Preston
37 Bristow confirmed that the project was located in the Village Center district. Bob Greenfield
38 noted that the lot was an existing lot. The setbacks were not in question. Preston Bristow said
39 parking could still be discussed. He confirmed that the Jackie in Jackie’s Bake Shop referred to
40 Joel and not another person.

41 Bob Greenfield began looking at the conditional use requirements listed in section 4.8 of the
42 bylaws. Joel Zalagens said he would add a sign for the bakeshop to the signpost at the front of

1 the property and would like to mount a wall sign over the door to the bake shop. Harry Goodell
2 said Joel needed to apply for a sign permit which was separate from the conditional use hearing.

3 Bob Greenfield asked Joel about the Performance Standard requirements. Joel said there would
4 be no noise and he was not changing the lighting already present. Bob Greenfield asked if there
5 were any reports from the Chester Police about traffic or the Chester Fire Department concerning
6 fire safety with regard to the proposed bakery use. Joel said he had contacted the state Fire
7 Marshall, but the representative has not visited the property yet. Bob Greenfield verified there
8 would be no change in traffic. Scott MacDonald asked about supply deliveries. Joel said he
9 brought in his supplies himself in his car. Phil Perlah asked about trash removal. Joel said there
10 was a trash bin which was picked up regularly. He said eventually the inn may need a dumpster
11 and he would put his trash in there.

12 Bob Greenfield confirmed that the purpose of the hearing was to review the bakery use and not
13 the B&B. Preston Bristow agreed. Bob reviewed the Performance Standards and did not hear
14 anything of concern. Phil Perlah asked whether state permits for food preparation were needed.
15 Joel said he will have to deal with the state for that permit.

16 Harry Goodell said the biggest issue in the hearing was about the right of way near the edge of
17 the Sorenson property next to the Chester Academy property. Harry said the town hoped no one
18 would be parking in that area, only passing through. He wondered whether the SelectBoard
19 would allow anyone to park near the Academy building. Harry said there was parking available
20 on Main Street in front of the inn and off the driveway at the back of the building. Joel said there
21 were at least 10 spaces on Main Street and 7 spaces at the back of the inn building. Harry asked
22 about handicapped spaces. Joel said none were designated as handicapped spaces. Harry said a
23 space would have to be designated for handicapped parking. Scott MacDonald and Phil Perlah
24 reviewed the overnight parking needs: 6 guest rooms and a space for the long-term tenant in the
25 apartment. They agreed there were seven spaces at the back of the building to cover those needs.
26 Phil said there would be inn guests coming and going during the day which would free up spots
27 for the bakery. The seven on-site spaces, which would be free at least part of the time, are
28 augmented by on-street parking. Phil said he didn't see a problem with parking. Gary Coger
29 agreed. He said it was similar to the way the Teddy Bear Shop worked. Phil pointed out that
30 there was likely to be more overlap between the inn guests and the bakery shop customers
31 because the bakery would open earlier. He still thought the on-street parking would meet the
32 needs of the bakery. Scott MacDonald agreed.

33 Harry Goodell reminded the applicants that their personal vehicles would need to be parked on
34 the subject property at the rear. He asked Arne Jonynas, whether he had any concerns. Arne, as
35 chair of the SelectBoard represented the Town of Chester at the hearing. The Town of Chester is
36 the owner of the abutting property. Arne said in the past the occupants of the house at the rear of
37 the inn property drove to the back and parked to the side of the house. Arne was not sure of the
38 legal requirements and said he believed the SelectBoard as a whole would have to decide the
39 issue. He could not make a decision for the SelectBoard on his own. Bob Greenfield asked with
40 whom the town would make an agreement. Arne said he thought the agreement on parking
41 would have to be with the owner of the property. Harry Goodell asked how long ago the pig
42 house was converted to a dwelling. Cathy Hasbrouck said she had spoken to someone who lived
43 in the building while the pig house was being converted and they had confirmed that the
44 conversion took place in 1996. Scott MacDonald speculated that more foot traffic will be
45 passing by the buildings to get to the new bridge over Lover's Lane Brook. This could lead to

1 more cars parked behind the Academy building. Arne said he hoped the bakery succeeds, but if
2 that resulted in a lot of parking on the Academy grounds, the town needed to be protected from
3 that. He hoped signage would make it clear that people should park on the street. He was sure
4 some agreement could be worked out.

5 Preston Bristow said he had confirmed with the property owners, the Sorensens, that they were
6 aware of the application for the bakery. He also spoke to them about the parking situation. They
7 said they hoped the present arrangement would continue.

8 The Board discussed conditions for the permit. They decided letters from the Division of Fire
9 and Safety confirming an appointment for an inspection, from the Chief of Police evaluating the
10 impact of 20 visitors to the bakery a day, and from the Water and Wastewater superintendent
11 confirming that the town had the capacity to support the application were needed. Arne Jonynas
12 said that the state will get involved when a new business opens. The Health Department will
13 require hand washing sinks, for instance. He said it would be good to get Jeff Holden, the water
14 and wastewater superintendent, into the loop to settle any issue about wastewater. It didn't
15 sound like the application would have difficulties. Arne thought the biggest issues would be
16 with the Fire Marshall and Health Department.

17 There being no further questions from the board or audience, Harry Goodell moved to close the
18 hearing. Phil Perlah seconded the motion. A vote was taken, and the hearing was closed.

19 The Board then went into deliberative session at 6:51 They returned from deliberation at 7:10
20 and meeting was adjourned at the end of it.