

1 **TOWN OF CHESTER**  
2 **DEVELOPMENT REVIEW BOARD**  
3 **DRAFT MINUTES**  
4 *November 2, 2023*  
5

6 **BOARD MEMBERS PRESENT:** Robert Greenfield, Phil Perlah, Harry Goodell, and Larry  
7 Semones all at the Town Hall.

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

10 **CITIZENS PRESENT:** Julie Hance at Town Hall.

11 Chair Bob Greenfield called the meeting to order at 6:00 PM. He led the group in the Pledge of  
12 Allegiance.

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

14 There were no citizen comments.

15 **Agenda Item 1 Review minutes of the October 23, 2023 meeting.**

16 Harry Goodell moved to accept the minutes of the October 23, 2023 meeting. Scott MacDonald  
17 seconded the motion. There was no discussion. A vote was taken, and the minutes were  
18 accepted as written with one abstention by Larry Semones, who was not present on October 23,  
19 2023.

20 **Agenda Item 3 Subdivision Permit Hearing 466 Sugarbush Road. DRB Case #599**

21 Bob Greenfield opened the hearing and swore Julie Hance in to give testimony. He asked the  
22 board members if they had any conflict of interest to report or any ex-parte communication with  
23 the applicant. None had.

24 Bob Greenfield entered the documents submitted as exhibits into evidence:

25 The first document was an application for Hearing before the Development Review Board dated  
26 October 16, 2023. Harry Goodell moved to accept the application as Exhibit A. Phil Perlah  
27 seconded the motion. A vote was taken, and the motion passed unanimously.

28 The second document was a Town of Chester Notice of Hearing for a Conditional Use Permit  
29 dated October 12, 2023. Harry Goodell moved to accept the Notice as Exhibit B. Phil Perlah  
30 seconded the motion. A vote was taken, and the motion passed unanimously.

31 The third document was a portion of the Chester Tax Map showing the parcel in question  
32 outlined in red and all abutters within 100 feet of the parcel. Harry Goodell moved to accept the  
33 map as Exhibit C. Phil Perlah seconded the motion. A vote was taken, and the motion passed  
34 unanimously.

1 The fourth document was a list of all abutters within 100 feet of the parcel. Notices were mailed  
2 to the abutters on October 16, 2023. Harry Goodell moved to accept the list as Exhibit D. Phil  
3 Perlah seconded the motion. A vote was taken, and the motion passed unanimously.

4 The fifth document was a narrative giving the history and advantages, written by Chester Police  
5 Chief Tom Williams, of the donated carport. Harry Goodell moved to accept the narrative as  
6 Exhibit E. Phil Perlah seconded the motion. A vote was taken, and the motion passed  
7 unanimously.

8 The sixth document was a plan of the existing parcel showing driveways, parking areas,  
9 buildings, fences, and property boundaries. The proposed location of the carport was drawn in.  
10 Since the proposed location of the carport was revised during the site visit, Phil Perlah proposed  
11 not accepting this exhibit. Harry Goodell said all the other information on the plan was accurate  
12 and there would be testimony during the hearing about where the final location would be. Phil  
13 agreed to accept the plan and moved to accept the Plan as Exhibit F. Harry Goodell seconded  
14 the motion. A vote was taken, and the motion passed unanimously.

15 The seventh document was 6 pages of drawings and plans and a quote for the proposed carport.  
16 Harry Goodell moved to accept the quote as Exhibit G. Phil Perlah seconded the motion. A vote  
17 was taken, and the motion passed unanimously.

18 Phil Perlah asked to examine Exhibit A because the dimensions of the carport listed there will  
19 change. Bob Greenfield asked Julie Hance if the carport company could build a 65- or 60-foot  
20 carport as had been discussed during the site visit. Julie said she thought that was possible. The  
21 Board discussed whether the application should be amended to reflect the proposed change or  
22 not. It was resolved not to amend the application. Julie would testify to the proposed  
23 dimensions during the hearing. Preston Bristow agreed that Julie's testimony would satisfy the  
24 need to document the proposed changes.

25 Julie Hance then explained that the carport had been donated by a citizen who had recently lost  
26 his wife and brother. The town wanted to take advantage of the gift soon. There are 4 police  
27 cruisers and one detective's car which would park under the canopy. The cruisers would not  
28 have to be left idling in bad weather if they were sheltered, and the vehicles would not have to be  
29 cleared of snow or frost at the beginning of the shift. Julie said the application mentions a 25' x  
30 70' carport. After discussing the dimensions at the site visit, she now thinks an ideal size would  
31 be 25' x 65' and the front of the carport would be pushed back from the road until it was even  
32 with the front of the building. The carport height would match the height of the front left corner  
33 of the building. Sixty-five feet would be long enough to cover all five vehicles. Julie hopes the  
34 carport manufacturer can make that adjustment. Julie also noted that moving the carport away  
35 from the road and a bit further from the eastern boundary of the property will resolve the  
36 encroachment issue present in the initial location.

37 Bob Greenfield verified with Preston Bristow that changing the location will resolve the  
38 encroachment. Preston said the new location did not encroach on the setback. Bob Greenfield  
39 asked if all the requirements needed review. Preston said there was very little interest in the  
40 issue. Julie Hance said she had discussed the project with Michael Kennedy the abutter to the  
41 east who was closest to the carport. Michael had no objections. Cathy Hasbrouck is the abutter

1 across the street. She was present at the hearing, and she had no objections. Larry Semones said  
2 he noticed in the drawings that the roof trusses were 4 feet on-center, which might make a 66-  
3 foot structure likely. He asked if the permit could have some flexibility about the final length of  
4 the carport. Harry Goodell agreed flexibility was necessary. Bob Greenfield suggested the  
5 approval could say, “Up to 70 feet”. Julie Hance said 70 feet would fit. It would bring the  
6 structure up to the bollards protecting the propane tank. Preston agreed that the words, “up to 70  
7 feet” would work.

8 Bob Greenfield said there wouldn’t be any safety hazards or underground storage tanks. He  
9 asked about lighting. Julie Hance said there would be downward facing lights inside the canopy  
10 for officer safety and the canopy structure would shield the fixture from view of the road. Bob  
11 Greenfield said noise would not be a problem.

12 Harry Goodell moved to close the hearing. Phil Perlah seconded the motion. A vote was taken,  
13 and the hearing was closed. Julie Hance thanked the Board for their time.  
14

15 The Board went into deliberative session at 6:17 PM and returned at 6:24 PM. The Board had  
16 discussed a subdivision application for a 10,000 square foot 99-year lease for a cell tower in the  
17 Conservation-Residential district. That application by Industrial Tower and Wireless LLC,  
18 hearing #599, was closed on October 5, 2023. The subdivision application was withdrawn after  
19 the hearing was closed and the applicant indicated that an easement, rather than a lease, enabling  
20 construction of the tower would be used instead. Phil Perlah asked the minutes to show that the  
21 applicant’s attorney withdrew the application via email. Preston said he would issue a  
22 determination as zoning administrator that the use of an easement to grant the rights to build the  
23 tower did not require a subdivision permit. Phil Perlah agreed, saying an easement is not a  
24 subdivision, so there is nothing for the Board to act on. Harry Goodell noted that there is not a  
25 quorum of members present who participated in the cell tower hearing. Phil Perlah said that  
26 didn’t matter, that there is a quorum of members present to hold a meeting tonight, therefore the  
27 Board can agree tonight that the application is withdrawn and there is nothing for the Board to  
28 act on. The Board concluded that application #599 had been withdrawn, that there was nothing  
29 for the Board to act upon, and that Preston Bristow as zoning administrator would provide  
30 written determination that an easement did not require subdivision approval.

31 Phil Perlah moved to adjourn the meeting. Harry Goodell did as well. Bob said Harry moved  
32 and Phil seconded to adjourn the meeting. A vote was taken and the meeting adjourned.