

RE: Traffic at 76 Goldthwaite Road

Williams, Thomas <Thomas.E.Williams@vermont.gov>

Mon 2/5/2024 3:46 PM

To: Zoning <zoning@chestervt.gov>

Preston,

I have looked at this location. If I recall I saw parking out into a field next to the residence. I do not know what that field will hold for parking or what they will be permitted for, but it seems adequate for a larger number of vehicles. As for issues on Goldthwaite road itself, there should and will not be any parking out onto the roadway for the reasons stated by the neighbors. Any vehicles left or placed into the travel portion of the roadway will be ticketed and towed, and depending on the circumstance can fall under a criminal arrest for blocking the public highway. If the landowner/business is aware I don't see an issue, there. The roadway being narrow and unfamiliar persons will be driving them.....welcome to Vermont. There is approximately 160 meters of travel on that roadway to the open field for parking, which is not much, and I do not have an issue with that part. Guests drinking and leaving would and is a police department priority for enforcement. But the fact that they could.....does not mean that they will, and we can't operate off that premise. If someone drinks, drives, and gets caught, they will face the consequences that go with that. The noise in the nighttime statute covers unreasonable noise usually from 10pm thru 6 am. Daytime noise is normally not covered under state statute. The violation of the noise can have both the persons causing the noise and the venue that is running it cited criminally if that becomes an issue.

I totally understand where their concerns are coming from. I also understand the want/need for the small business to operate. Is there stipulations that can be put into the permit that state if a known problem is brought forward and substantiated then the permit can be suspended or revoked? That might be a way to give a couple test runs for all parties involved.

Let me know if you have any other questions.

Thanks,
Tom

From: Zoning <zoning@chestervt.gov>

Sent: Tuesday, January 23, 2024 1:39 PM

To: Williams, Thomas <Thomas.E.Williams@vermont.gov>

Subject: Traffic at 76 Goldthwaite Road

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Tom,

The DRB has an application for Tourist Lodging (4 bedrooms) and Wedding Venue (up to 120 guests) at 76 Goldthwaite Road. The DRB held a hearing on November 20 that was suspended; then an amended application was submitted, and the hearing is being reopened next Monday.

Neighbors have submitted an affidavit with the following concerns:

We are concerned about traffic and the safety of wedding guests that may be unfamiliar with driving on a one and a half lane wide road with deep storm drains on both sides. There are no lights on the road and the tree cover on the road makes it quite dark. Trees and rocks are obstacles that may pose a hazard to those unfamiliar driving our roads. This concern is heightened, especially after the wedding when guests have been drinking. Although not

particularly high traffic, the turn onto Route 11 in both directions poses a concern with safety when not familiar with the road.

We are concerned that if parking for guests, catering, and entertainment is not adequate, cars, trucks, vans, etc. may park on Goldthwaite Road or in neighboring driveways affecting safety and potential access to emergency vehicles.

Despite the comprehensive DRB Bylaw, we have concerns with their enforcement and compliance. When noise or other issues occur and pose a problem for neighbors, it will be too late to enforce the Bylaws. We have concern with the authority and diligence of the event coordinator to enforce compliance with the noise standards listed in the Bylaws.

Could you please take a look at 76 Goldthwaite Road (there is a red "P" sign at the mailbox) and give your comments to the DRB about these or any other concerns? Thank you!

Preston Bristow

Town Planner and

Zoning Administrator

Town of Chester

Office: 802-875-2173

Cell: 603-359-5243

Email: zoning@chestervt.gov

556 Elm Street, P.O. Box 370

Chester, VT 05143

www.chestervt.gov

RE: Junction Goldthwaite Road with VT-11, Chester

Pickering, Marc <Marc.Pickering@vermont.gov>

Thu 2/8/2024 7:32 AM

To:Zoning <zoning@chestervt.gov>

Preston,

After consulting with our Traffic Operations team, VTrans does not have any issue with the periodic increased travel as it relates to the intersection of VT 11 and Goldthwaite Rd. in Chester.

Regards,

Marc Pickering | District Project Manager

District 2/Southeast Region

District Maintenance and Fleet Division

Vermont Agency of Transportation

870 US-5 | Dummerston, VT 05301

802-380-0190 phone | marc.pickering@vermont.gov

<http://vtrans.vermont.gov>



From: Zoning <zoning@chestervt.gov>

Sent: Monday, February 5, 2024 3:45 PM

To: Pickering, Marc <Marc.Pickering@vermont.gov>

Subject: Junction Goldthwaite Road with VT-11, Chester

You don't often get email from zoning@chestervt.gov. [Learn why this is important](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Marc,

We have a DRB hearing in progress (between recessed and reconvened hearings) where the owner of 76 Goldthwaite Road in Chester is seeking approval for a wedding venue with weddings of up to 120 guests. There are neighbors that are opposed who have asked for an evaluation by VTrans of whether the junction of Goldthwaite Road and VT-11 is suitable for that level of use. Does VTrans make those kinds of reviews, and who would I ask?

Preston Bristow

Town Planner

February 8, 2024

RE: 76 Goldthwaite Road
Chester, VT 05143

Dear Chester Development Review Board,

This letter is in regards to my application dated October 18, 2023 and my amended application dated November 28, 2023.

I have applied for Tourist Lodging and to host weddings. There has been debate amongst the neighbors of whether this is allowed. But the facts below are clear that Tourist Lodging and hosting weddings is an allowed use as described below:

Section 2.10 of the Town of Chester Bylaws state:

2.10 Residential 120,000 (R120) District

- A. Purpose: To provide lower density residential neighborhoods with compatible home businesses and working landscape uses that are consistent with the Chester Town Plan.
- C. Conditional Uses, Item 16 is Tourist Lodging.

Previous Decisions by the Development Review Board

There have been two previous approvals of Conditional Use Permits for Tourist Lodging and hosting of weddings within the same R120 District:

- 397 Peck Road - Issued on May 25, 2021
- 665 Vermont Route 10 - Issued October 25, 2023

To add further to any question my neighbors have about weddings being allowed as per my application, I am referencing the Findings of Fact, Conclusions of Law, and Order in regards to the 665 Vermont Route 10 Decision, in which the Development Review Board concluded:

- Under Findings of Fact, Page 4, Item 10 states:

“Hosting weddings is an activity that falls under tourist lodging use.”

It is clear that my application falls within the parameters of the two properties that have already been granted a Conditional Use Permit.

Amplified Music

I would also like to address the issue of amplified music and noise that has come up the last two meetings. At the last meeting on January 29, a Development Review Board member incorrectly stated a cutoff for amplified music in the Peck Road decision was 8:00 pm. This was incorrect information and caused a bit of a fuss at the meeting. I request the Development Review Board address this at the beginning of the upcoming meeting.

Noise is addressed in Section 4.9 Performance Standards and there is no mention of amplified music. Performance Standards are very clear on noise levels:

1. Noise shall not exceed 60dB between 8:00 PM and 7 AM
2. Noise shall not exceed 70dB during the day between 7:00 AM and 8 PM

Again, there is no mention of an amplified music cut off time as incorrectly reported by a Board Member and neighbors at the meeting on January 29th.

In both the Peck Road and 665 Vermont Route 10, both applicants were asked to agree to a 10:00 pm amplified music cutoff and both agreed to that. That is reflected in the Peck Road decision dated May 25, 2021, Page 4 and the Vermont Route 10 decision dated October 25, 2023, Page 4.

I would agree to adhere to the noise levels outlined in the Performance Standards as well as agree to a 10:00 pm cutoff for amplified music, just as the two previous applicants have done.

Ownership Presence during Weddings

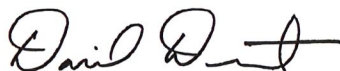
I understand this has been an ongoing concern of the neighbors. I will have Ownership on site, the day before, the day of, the night of, and the day after any weddings.

It is my understanding that one of my neighbors, Lynn Russell will be requesting the Development Review Board have an inspection of the inside of my home. I strongly disagree if that request comes before the Board on Monday. I have already obtained Conditional Occupancy up to 8 from Assistant State Fire Marshall Ben Whalen and have included his report dated 1.16.24 with this letter.

Based on the facts presented in this letter and my previous letters to the Board dated October 18, 2023 and November 28, 2023, as well as my application being similar in nature to the Peck Road application and Vermont Route 10 application, I request the Development Review Board to grant my application for a Conditional Use Permit once everything has been reviewed and deliberation has been completed.

Thank you for your time in consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "David Doucette". The signature is fluid and cursive, with a large initial "D" and a stylized "A".

David Doucette, Architect



Vermont Department of Public Safety
DIVISION OF FIRE SAFETY
Office of the State Fire Marshal, State Fire Academy and State Haz-Mat Team
firesafety.vermont.gov

Exhibit T
VERMONT

☐ Waterbury Regional Office
45 State Drive
Waterbury, VT 05671-8200
[phone] 802-479-4434
[fax] 802-479-4446

☐ Rutland Regional Office
56 Howe Street, Building A, Suite 200
Rutland, VT 05701-3449
[phone] 802-786-5867
[fax] 802-786-5872

☐ Williston Regional Office
380 Hurricane Lane, Suite 101
Williston, VT 05495-2080
[phone] 802-879-2300
[fax] 802-879-2312

☒ Springfield Regional Office
100 Mineral Street, Suite 307
Springfield, VT 05156-3168
[phone] 802-216-0500
[fax] 802-216-0511

FIRE INSPECTION RESULTS

Site Id: 108139

Structure Information

Name: 76 Goldthwaite Rd
Structure Id: 108139

Address: 76 Goldthwaite Rd
CHESTER, VT 05143

Business Owner

Name: David Doucette (BO 120130)
eMail: david@sceprep.com

Address: 8720 Rocky Ave
Las Vegas, NV 89143

Building Description

Risk Index: M1	Smoke Det: AC/DC	Occupants: 8	Units: 1
Const Type: VB	CO Detect: AC/DC	Stand Pipe:	Floors:
Occ Type: R3	Fire Alarm:	Sprinkler:	Sq Feet:

Project Description

Name: Change of Use / Owner
Type: Building Project Received: 10/25/2023 Workitem Id: 496332

Inspection Detail

Insp Date: 01/03/2024	Insp Type: Occupancy	Violations:
Comply By: 02/16/2024	Occ Granted: No	Hazard Index: Level 3
Inspector: Ben Whalen (S 117920)		

Violations and Notes

I met with Carl (Owner Rep) at this property for an inspection on January 3rd, 2024.

This inspection was to determine the compliance with NFPA 101 Life Safety Code Chapter 24 1-2 Family & Vermont Fire and Building Safety Code-2015.

The following violations and items were noted:

1. Occupancy is currently eight (8) and in compliance with NFPA 101 chapter 24 which specifies an occupancy of eight (8) or less. Occupancy is determined by beds and their size.

To allow for an occupancy of no more than ten (10) the following condition shall be met:

A commercially listed automatic fire alarm system shall be installed in accordance with NFPA 72. The fire alarm system shall be an automatic alarm installed per NFPA 101: 9.6.2 and with the following requirements: (1) provide occupant notification throughout the building, (2) emergency force notification in accordance with NFPA 101 9.6.4. Fire alarm systems are required to be installed by Vermont certified contractors who obtain their required permits. Final acceptance test of systems will be required after installation. NFPA 101: 26.3.4 & NFPA 1: 1.4.2.

2. NFPA 1: 11.1.5.6 Extension cords shall not be used as a substitute for permanent wiring.

A follow up inspection is required to be scheduled within 30 days . All violations shall be corrected. Please note that correction of violations involving smoke alarms, carbon monoxide alarms, and electrical related violations should be given the highest priorities. Please call me to schedule an inspection by on Friday, February 16, 2024 If you are unable to correct the violations listed on the inspection report within the time frame given, please contact me for an extension.

Inspection Status: Open

Occupancy status: Conditional Occupancy Granted to no more than 8.

****Note**** This report is for Division of Fire Safety requirements. It is the responsibility of the owner or applicant to check with the Town/ City to ensure all other Local and State agencies requirements are met**

Feel free to contact me with any questions.

For the Division of Fire Safety,



Vermont Department of Public Safety
DIVISION OF FIRE SAFETY
Office of the State Fire Marshal, State Fire Academy and State Haz-Mat Team
firesafety.vermont.gov



☐ Waterbury Regional Office
45 State Drive
Waterbury, VT 05671-8200
[phone] 802-479-4434
[fax] 802-479-4446

☐ Rutland Regional Office
56 Howe Street, Building A, Suite 200
Rutland, VT 05701-3449
[phone] 802-786-5867
[fax] 802-786-5872

☐ Williston Regional Office
380 Hurricane Lane, Suite 101
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[fax] 802-879-2312

☒ Springfield Regional Office
100 Mineral Street, Suite 307
Springfield, VT 05156-3168
[phone] 802-216-0500
[fax] 802-216-0511

FIRE INSPECTION RESULTS

Site Id: 108139

Ben Whalen
802-376-6939
Ben.Whalen@Vermont.Gov

NOTE All electrical work should be completed by licensed electrician (except 1 and 2 family) and after they obtain an electrical work notice from this Office.

NOTE All Smoke alarms installed anywhere in the building are required to be Photoelectric.

NOTE Smoke alarms Must Be Replaced When 10 Years Old, Co alarms 5 yrs. or according to manufacturer instructions.