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**TOWN OF CHESTER
SELECTBOARD MEETING
June 19, 2024, Minutes**

Board Members Present: Lee Gustafson, Arianna Knapp, Tim Roper, and Peter Hudkins at Town Hall; and Arne Jonynas via Zoom.

Staff Present: Julie Hance, Town Manager, and Preston Bristow, Zoning Administrator / Town Planner, at Town Hall; and Susan Bailey, Recording Secretary, via Zoom.

Visitors Present: Shawn Cunningham of The Chester Telegraph, Paul Bidgood, Ian Montgomery, and Polly Montgomery, at Town Hall; and Joy Slaughter, Robert Nied, Garrison Smith, Ginger Roper, and Steve Mancuso via Zoom.

Call to Order

Vice Chair Lee Gustafson called the meeting to order at 6:30 p.m. with the Pledge of Allegiance and thanked everyone for attending and asked that they sign the attendance sheet. He also asked those on Zoom to identify themselves.

Agenda Item 1, Additions or Deletions to the Agenda

There were no changes to the agenda.

Agenda Item 2, Approve Minutes from the June 5, 2024, Selectboard Meeting

Tim moved to approve the minutes of June 5, 2024, and Arianna seconded the motion. There were no changes. The minutes were approved, as written.

Agenda Item 3, Citizens Comments/Answers from Previous Meeting

Paul Bidgood asked for an update on the Bailey Hill Road matter, and Peter offered to answer. Peter said Peter Farrar was in the hospital and had just returned home and hadn't gotten on his feet yet, so his health issue was delaying it. Paul wondered if the attorney had a date when he would submit the report. Julie said they were waiting for some information from Peter and Peter Farrar and once they had it, Jim would issue his opinion. Paul thanked the board and Lee thanked Paul for his patience.

Agenda Item 4, Old Business

Report given by the Town Manager, Julie Hance:

Board Retreat

The retreat is planned for July 29th from 8 am to 3 pm at the Stone Hearth.

1 Solar

2 The NDA for the solar field is signed and Julie should receive the suite of documents from
3 Greenbacker soon. Once received she and reviews it, they can start a true negotiation. They are
4 also drafting a purchase and sales agreement so they can start the conversation.

5

6 FEMA Events

7 The December storm has been assigned a project manager. The December storm was small enough
8 that they're able to do one project for all damages, so it should move through quickly. There was
9 about \$200,000 in damage.

10

11 For the July storm, they are plugging along. Everything has been slow moving across the state.
12 Interest that is accruing on the current expense note can be submitted to FEMA and get the larger
13 portion reimbursed, which is a new change, but good news.

14

15 Housing Commission

16 The Housing Commission will come before the board in August with an update. There is a lot of
17 good work taking place and they will provide some things to begin thinking about such as housing
18 trust funds and similar things.

19

20 Bailey Hill Road

21 Julie noted it had just been discussed during Citizens Comments.

22

23 Grants

24 Julie included updates about their grants in the memo to the board. They were awarded the Better
25 Back Roads Grant for Roach Road and the paving in Andover had officially been completed. The
26 Land and Water Conservation Fund will open in October, a large grant through the Department of
27 Forest and Parks and only opens every few years. They are pulling ideas together and it could be
28 a good grant to redo the pool house, which will need significant repair in the next few years. They
29 are pulling numbers together and will be discussing it.

30

31 **Agenda Item 5, Short Term Rental Ordinance**

32

33 Lee said they should have received a document with the changes made and an email from Polly
34 Montgomery that had information from the Vermont Short Term Rental Association. Lee was
35 looking for comments or thoughts relative to the two documents. Tim said the email Polly
36 Montgomery forwarded was interesting and he thought it was important to take context into
37 account in a situation like this where there will always be people on either side of the direction
38 they're taking, some pros and some cons. Tim's feeling about the email from Vermont Short Term
39 Rental Association, who is a trade organization representing people who rent their homes short-
40 term, from that perspective, they would be pushing back on the ordinance as written. Tim didn't
41 see anything that would give him pause moving forward on the ordinance as currently written,
42 except possibly it was pointed out the Department of Fire and Safety and the Department of Tax
43 do not issue licenses or registrations and the document refers to licenses. The Department of Fire
44 and Safety issues certificates for units over 8. Tim was concerned that the ordinance refers to a
45 license and wasn't sure if it would be a legal issue down the road. Peter asked Preston Bristow, the
46 Zoning Administrator / Town Planner / Short-Term Rental Registration Administrator for his

1 thoughts. Preston said the comments brought up were all ones they were familiar with, and they
2 are aware there is always the possibility of lawsuits and claims that some things may be arbitrary.
3 Preston said item 8, regarding licensing, was boilerplate that Jim Carroll, as an attorney, wanted
4 in there: proof, satisfactory to the town, that the operator has maintained and performed all
5 necessary licensing and registrations with the Department of Health, the Department of Fire Safety,
6 and the Department of Taxes. The Department of Health is not currently regulating short-term
7 rentals and the Department of Taxes is generally working with short-term rentals through the host
8 platforms directly and deduct the taxes when the stays are paid. For The Division of Fire Safety,
9 it doesn't inspect all short-term rentals and doesn't have the resources to do that, but they do inspect
10 rentals with more than 8 and there are not many in Chester. Preston said they could quibble about
11 the term, but he thought licensing was boilerplate to protect them. Arianna asked if the sentence
12 remained in the ordinance and there were currently no licensing requirements, it didn't matter,
13 because it said to fulfill any required, so if none were required, they had fulfilled them and if some
14 were added, they already would have the language in the ordinance. Preston agreed and said that's
15 how things are often written and was what boilerplate language did.

16
17 Arne apologized for not being in person but said he had been under the weather. Arne said the
18 ordinance, as written, had new parts but was basically the same ordinance in place since December
19 21, 2022. The only new parts were the one year waiting time, the registration cap, the two units,
20 and some fee changes as opposed to the current ordinance that had been in place for about 2 years.
21 Arne noted there are ways for people to register legally so when it comes into play, it won't change
22 anything drastically. The only thing they had going on when they started the discussion was the 6-
23 month moratorium but that had since passed. Arne said a lot had already been discussed at length
24 and had been approved before in an ordinance that was similar and this just added a few
25 stipulations they felt were important to the town to help regulate it. And, like all documents they
26 have, it can be tweaked or changed in the future if necessary.

27
28 Ian Montgomery of North Street has a hosted short-term rental and was going through the list from
29 the Vermont Short-Term Rental Association. He apologized for being late. Ian wondered if it was
30 confusing and daunting to people if it included a regulation that couldn't be applied regarding
31 licensing and registration. He questioned including it if they can't do it. It felt more heavy-handed
32 to him and suggested they strike it. His neighbor, who has been a long-term second homeowner in
33 Chester and contributes a lot, has rented out his house for years, which has several beds. His
34 neighbor contacted the fire marshal who insisted on a sprinkler system and alarm directly
35 connected to the fire station. If there are no regulations, Ian wondered why it was stipulated on his
36 inspection. He has since cut down the size of his Airbnb so it's 8 beds and fits under the smaller
37 category. Ian said he received an unbelievably expensive set of requirements and there was nothing
38 in the Vermont code, from what he could see, that required someone doing this in their own home
39 to have to comply with such an onerous set of requirements. Peter said the building code refers to
40 the national code, NFPA, and was where it all came from. Peter said when the fire marshal inspects,
41 they are going from the NFPA code and noted it had not been enforced in Vermont well for
42 decades. Julie added it was the state fire marshal and not Chester. Peter said the state of Vermont
43 uses the federal code, which is what the state fire marshal was inspecting and added the code didn't
44 only apply to short-term rentals but any rental and any commercial building. In Peter's short-term
45 rental, they had to change windows and they have 10. If they had gone over 8, they would have
46 had to have a sprinkler system, which being on a well, would have been interesting. Having worked

1 for a forensic insurance company, Peter said Vermont is just starting to touch the code they should
2 have done in the last 50 years and were just starting enforcement.

3
4 Ian said it made sense but should also say somewhere that they will be following the federal
5 guidelines. Peter said they were following the state guidelines, and the state is using the federal
6 guidelines. Ian hoped they could be helpful to people who wanted to get into having a short-term
7 rental or those who already had one and were unaware if it could be stated what the requirements
8 were would be helpful rather than shooting from the hip. Peter replied it was 24 volumes. Ian said
9 if people were expected to comply, they need to know where to access it and they couldn't blind
10 them with a regulation they hadn't mentioned before. Lee said they can't provide a comprehensive
11 list of everything that has to be followed and part of it fell on the short-term rental operator to
12 figure out what requirements they need to follow and the document they were discussing talked
13 about the Division of Fire Safety. Lee said if they went to them, they would be able to find out
14 they were the ones following the NFPA. Lee understood Ian's point but questioned whether adding
15 more to the document would clarify it or make it muddier. Ian said the reason he wanted
16 clarification was that two homes opposite them had just been sold, one of which was already a
17 short-term rental and the other which they may short-term rent. They are from New Jersey and
18 have been up every weekend working on it. He hoped Chester could be a friendly town in terms
19 of helping people understand what is required and needed. Ian thought it was wonderful the police
20 department had become officer friendly, and wanted to see it spread and suggested this could be
21 an opportunity to make things a little easier so some of the basic regulations, such as the sprinkler
22 system and direct access to the fire department could be summarized so it was expected. Lee said
23 he would speak to the board and thanked Ian. Lee suggested rather than making the document 100
24 pages long and referencing 24 volumes, they say to follow NFPA guidelines but wasn't sure which
25 was better. Arianna said they can't prescribe to the fire marshal what to do but could say they have
26 to do what the fire marshal says, and the fire marshal can say they're following the guidelines.
27 Peter noted the fire marshal didn't charge for the visit and Julie said they do now. Julie added that
28 if you have over 8 occupants, it lists the steps required, so they have stated the steps needed if you
29 rent to more than 8 occupants. Julie added that NFPA rules change regularly.

30
31 Preston, as short-term rental coordinator, was hired to provide a friendly presence for the town and
32 he tries very hard to do that. He tells people if 8 or less, it's self-certification and if more than 8,
33 they need to get an inspection from the state, and he can't predict what that inspection will be.
34 Preston said some people came through the inspection with very little required and some come
35 through it and need to replace their windows, have extra doorways, and fire escapes installed.
36 Preston couldn't see what more that they could do, and he tells people if they don't like the results,
37 don't rent to more than 8. Tim said a key goal of the ordinance was safety, and if people are renting
38 short-term and staying in a home, it was important they should be assured it's safe and that was
39 one of the key goals of the ordinance.

40
41 Lee said they could vote on it or not. Arianna wanted to know if any of the information received
42 in the last week changed where they were with enacting the ordinance. Ian said if they were going
43 to vote on it, he wondered if in Section 4.g., they discussed the number of persons using a dwelling
44 unit pursuant to a short-term rental and the operator not exceeding the capacity on the short-term
45 rental certificate. He questioned if he could invite grandma over if they were already at capacity.
46 Arianna wanted to know if he was renting his home and Ian clarified if the guests wanted to have

1 family and friends over, would they be able to exceed the maximum number of 6. Arianna said as
2 a regular user of short-term rentals all over the world, that was how she read it. Ian thought it was
3 ambiguous. Lee said it was pursuant to the short-term rental lease or other agreement, so if
4 grandma wasn't part of the short-term rental lease or other agreement, he didn't see how it would
5 apply to her, but Lee added that he wasn't a lawyer. Ian said he had a law degree but gave it up
6 when he was 25. From Lee's perspective, he didn't see it as an issue relative to the hypothetical
7 situation but would require someone with legal expertise to weigh in and Ian said that's what he
8 was asking for. Ian wondered if they had a barbeque and had friends over if it would apply. Arianna
9 asked if Ian wanted the board to address every possible situation. As an owner who short-term
10 rents, Ian said it seemed like they weren't permitted to have guests. Tim thought dwelling-unit
11 capacity only applied to people sleeping there and not a guest coming over for a barbeque. Ian
12 wanted it clarified to help people understand and not misunderstand. Peter said the fire department
13 stated the dwelling capacity and the board didn't want to change the capacity that the fire marshal
14 stated. Tim asked if it meant the number of people who were permitted in the building and Peter
15 said it did. Lee asked Peter if the capacity applied to people visiting and not staying overnight, and
16 Peter said he wouldn't touch it with a 10-foot pole. Tim said it referred to a short-term rental
17 certificate. Ian said capacity wasn't defined for any of the short-term rentals. Julie said 8 or less
18 was self-certifying. Ian wanted clarity and Arianna said she wasn't being snarky when she said she
19 stays all over in Airbnbs and sees it in every state and every country which told her as a customer
20 that the Airbnb accepts 4 people, and that number cannot be exceeded. Ian questioned if it was for
21 sleeping and Arianna replied that it didn't specify that and as a guest, she interprets it as the Airbnb
22 can support 4 people and no more. Ian agreed it could be interpreted that way and was why he
23 wanted clarity that it was the number of people who can sleep there rather than capacity. Peter
24 recommended that Ian contact the Department of Public Safety and ask the question and that it
25 wasn't a question the board should answer. Arianna also recommended calling the platform Ian
26 was registered with for their policy. Ian agreed with Arianna's interpretation but didn't want them
27 to interpret it that way and that was why he wanted clarification so there wasn't a
28 misunderstanding. Ian wanted it to apply to sleeping and not visitors and should say no more
29 sleeping over than that number. Lee wondered if someone operating a short-term rental had an
30 agreement or certification saying they would host up to 8 people and there were other people
31 visiting, to him it was on the owner whether they were meeting their obligations under that
32 understanding or certification and if 8 people were staying and grandma came over, they would be
33 over the number. Lee didn't know they could regulate for every hypothetical and as Arianna had
34 said, they needed to include the language and maybe clarify it, but Lee didn't think they could
35 consider every option out there. Ian thought he and Arianna agreed but Arianna clarified they
36 didn't and that she agreed they could only have the number of people over that was on their
37 registration. Ian told Arianna he agreed with her because that's how he interpreted it, but it seemed
38 to Ian that was the common point of view. Tim said he was a stickler for language too and it was
39 important to him that things were clear, but the context was also important to consider so it was
40 hard for him to see a scenario where someone was reported because they rented their place to seven
41 and they had someone over for a picnic or cookout and someone said they were in violation for
42 going over the number. Tim wondered in what scenario they would be reported to the town for a
43 violation and wondered what Preston would do. Ian knew a whole bunch of people from his church
44 life called sticky beaks because they like to poke their noses into other people's business and make
45 problems. Ian thought there was enough prejudice against short-term rentals in Chester and thought
46 people were capable of doing it. Ian said in his neighborhood, especially, where houses sell for

1 quite a lot of money and people want families in there, he has seen people reporting other people
2 too often and believed they needed clarity of the language. Arianna said the question would be
3 what they want to say in the language because none of them have said how to interpret it. Ian felt
4 he raised an issue that needed further discussion. Arianna said over the past year, they had heard
5 from people on both sides, who were equally passionate, about the fear of parties and large groups
6 out of control, so this specific item had another side to it. Ian hoped they could find another way
7 to deal with that party issue. Arianna said this was a way to deal with it. Ian said when he rents an
8 Airbnb in Los Angeles with one bed and his kids and grandkids come over, they may be in
9 violation, and someone could report the owner. Arianna asked if he had read the agreement for the
10 Airbnb in Los Angeles because he could be in violation of the rules. Ian said he wanted the rules
11 Chester was discussing to be clearer and he would call for a revision for everything to be revisited,
12 if necessary. Ian said they needed to be more reasonable and reasonable would be having a
13 capacity. Peter said they should state there is a dwelling number, and once they reach over 8, they
14 will ask the fire marshal to inspect again for capacity. Julie said they are not licensed to develop
15 capacity in any building, residential or commercial, and are not a team of engineers and don't have
16 them on staff and they don't enforce building code in town. As town manager, she would not
17 support it and it would be a huge liability and a cause of litigation. Ian thought if they were going
18 to have the regulation, they needed clarity as to what it meant. Julie said they may be able to clarify
19 language, but they cannot put capacity numbers on things. Ian said there was a difference between
20 having people over for dinner or having the family over to visit as opposed to having 25 people
21 and a keg. The second part is regulated against by both VRBO and Airbnb. Arianna asked what
22 the language was, and Ian said they just say, "No rowdy parties" or something similar. Lee
23 recommended that Ian send the language that VRBO or Airbnb have to the board to consider
24 because he wasn't familiar with it unless Arianna knew. Arianna said typically, the language says
25 no guests beyond the maximum number. Julie asked if it was capacity or sleeping and Peter said
26 the fire marshal would address capacity. Julie questioned if it was a short-term rental for 8 or less,
27 how would they determine capacity if it didn't go to the fire marshal. Peter said the owner self-
28 certifies. Julie suggested they self-certify their capacity, along with sleeping capacity, as long as
29 the town wasn't certifying capacity. Peter agreed. Arianna said upon looking at her last 3 and next
30 2 Airbnb rentals, each one said 2 guests maximum, but it is information submitted by the host.
31 Arianna said the examples were unhosted in Los Angeles, Chicago, and Toronto and as examples,
32 one bedroom with a queen bed and all had house rules as 2 guests maximum, so it didn't specify
33 sleeping and these were rules posted by the host. It may not have been a regulation from Airbnb,
34 but she sees it every time under guest rules for maximum guests.

35
36 Robert Nied was really impressed by the board, Preston, and Julie clarifying the questions and
37 making it clear what is behind the regulation. The board, in general, has been very reasonable
38 about this and careful about not interfering with someone's business. When they get into
39 hypothetical scenarios about personal family being there at the same time, Robert thought they
40 lose sight of the important point that short-term rental is a business, and the proposed regulations
41 are intended to regulate a business and they can't lose track of that or blurry it by asking what if I
42 have family reunion at the same time, because they're not talking about that, but talking about how
43 the business operates. Robert thought if you decided to get into the short-term rental business, it
44 may not always be convenient for your personal life but is a business subject to regulation. Lee
45 thanked Robert.

46

1 Under Article 4.c.4 Lee wanted to add in the State of Vermont to Windsor and Windham Counties
2 in regulation to be clear. Lee wanted the numbering to be consistent but wouldn't spend a lot of
3 time changing it. It was specifically in Section 5, a, b, and c. Lee thought they had more homework
4 to do so unless someone objected, Lee didn't want to vote. Tim thought they should vote tonight,
5 and it had been a long road to get there. Tim said it was an important ordinance and could be
6 nitpicked forever, and someone still may come up with a minor objection. Tim said the things
7 discussed tonight, while not meaningless, were not going to impact the reality of enacting and
8 enforcing the ordinance. Tim wanted to see it go to vote tonight. Arne echoed what Tim had said
9 and agreed they should vote tonight. Arne moved to approve the ordinance tonight as written and
10 Tim seconded the motion. Peter amended it to include Vermont. Arne amended his motion to
11 accept the amendment as Peter stated and Tim seconded the motion. Arianna asked if they were
12 confident that they weren't opening themselves up to legal action. Peter said most of the evening's
13 comments were about the existing ordinance. Julie questioned what Arianna was worried about
14 regarding legal action. Peter said the only thing people can object to are the changes in the
15 ordinance because it had already been in place for 60 days. Julie clarified the whole ordinance had
16 been opened for discussion and modifications. Julie asked Arianna if she was concerned about
17 anything specifically. Arianna said Preston's response was sufficient. Julie noted that any
18 ordinance can lead the town to legal action and noted Jim had weighed in heavily and they had
19 accepted his comments. Preston said Jim had reviewed the first ordinance at least twice and the
20 second at least twice, so there had been due diligence. Lee, speaking not as Vice Chair but as board
21 member, knew they spent a lot of time on it and had listened to a lot of passionate people talking
22 about the issue. Lee said he and Arne had spoken about the original ordinance, when it was put
23 into place, and the intention. The fact it had been in place for almost 2 years, and they were
24 tweaking it seemed hasty to say they spent the last year and a half talking about it and couldn't
25 wait a little longer to fix the minor issues. In Lee's opinion, he wasn't sure what the problem was
26 they were trying to solve other than the point raised relevant to the occupancy or the number of
27 people in a location at once and whether it addressed the party and keg. Lee wondered if they
28 needed to do something to address it and thought they did but also saw the limitations related to
29 having renters coming and wanting to have family over. From that standpoint, Lee thought some
30 clarification would be worthwhile. Lee wasn't completely against voting for it but also wasn't sure
31 it needed to happen tonight to fix the problem they were trying to solve.

32
33 Steve Mancuso wanted to back them up because he had to live the NFPA everyday and he knew
34 Arne was listening and he had even more time than Steve did and that was the bottom line. Steve
35 said almost everything he does has the specter of liability hovering over your head, and you operate
36 in terms of applying to the NFPA their extensive library. Steve said if you were a tradesman in
37 Chester, it was over your shoulder wherever you went. Steve highly recommended as a
38 municipality they deferred to the NFPA and leave it at that rather than taking on special rules and
39 being a target for that liability as a municipality. Steve thanked them for their time and Lee thanked
40 Steve.

41
42 Regarding guests and capacity, Arne said he had also stayed at a lot of short-term rentals and it's
43 always the agreement between the people renting and the owner whether they allow guests and
44 how many. Some he had asked directly, and they refused and others where they told them the
45 number allowed. Those small issues that come up are usually discussed between the people renting
46 and the owner. Arne said they wouldn't be able to include everything in an ordinance that they

1 want covered and clarified in a town ordinance, he thought they were covering what they should
2 and doing it responsibly and thoroughly. Arne said if they continued to modify it, he could
3 guarantee there would be another issue that came up and thought they had taken it a little too far
4 and over analyzed it to the point where it wasn't accomplishing anything. Arne thought it was time
5 to put it to bed and vote on it and said there was also a process afterwards that happens when
6 people disagree that gives them 30 days to petition to vote to have it not pass and the process starts
7 in a different way after that.

8
9 Arianna wanted to consider Mr. Montgomery's request and the occupancy is between her and the
10 host and out of respect for the fact that the NFPA would regulate anything over 8, she wondered
11 if they wanted to change the word, "sleep" or "overnight," in Section 4.g. She wondered if there
12 was an appetite to consider it and Peter said no if Jim hadn't reviewed it. Peter thought dwelling
13 was a specific word and was there for a legal purpose. Lee wondered if they could add the word,
14 overnight, in front of lessees. Arianna said it should read, "lessees, overnight guests." Julie
15 suggested, "the number of lessees, guests, or other persons overnighting in a dwelling unit."
16 Arianna thought they still would want to go through Jim and Julie agreed. Arianna asked Preston
17 if defining the word dwelling had been discussed with him or Jim. Preston didn't recall discussing
18 it with Jim Carrol. Preston had always assumed dwelling capacity was overnight, but partying was
19 a big issue in some districts but not in Chester. Arianna thought if they looked at Section 4.b., "the
20 dwelling unit capacity of a short-term rental shall be a maximum of 2 occupants for every bedroom
21 plus an additional 2 occupants." Arianna wondered if by extension or extrapolation, they had
22 defined dwelling unit capacity as bed capacity. Tim said it was a good point. Preston was involved
23 in the rollout of Killington's short-term rental and Chester's, and it was what he always thought
24 that occupancy is tied to the beds, so it seemed like it was overnight. Tim thought the intent was
25 there. Arianna said Section 4.b. defined it for them, and it was referenced again in 4.g. Polly
26 Montgomery said she thought it made sense. Arianna wondered if she had created any other
27 conflict by making the clarification and Lee and Julie thought it resolved it. Having done forensic
28 investigation, Peter was going to abstain because he thought there was too much liability once they
29 started trying to redefine a definition from NFPA and wouldn't touch it with a 10-foot pole. Julie
30 didn't think it needed to be redefined and thought they were covered. They clarified they were not
31 changing anything except adding the word Vermont, and the rest was as approved by Jim. Peter
32 clarified that it said once they got to more than 8 it was up to State Fire Marshal.

33
34 Tim said under Section 4.c.4., "Property owners who do not live within Windsor or Windham
35 Counties, Vermont shall designate and provide the contact information of a designated agent
36 within Windsor or Windham Counties, Vermont." If they could vote on it with that addition, they
37 should go ahead and vote. Julie would type in the word, "Vermont."

38
39 Lee asked for any other comments and there were none. A vote was taken, and the motion was
40 carried unanimously.

41 42 **Agenda Item 6, Nuisance Ordinance**

43
44 Lee said there were two versions of the document, the most recent was a Word document sent
45 yesterday. Tim said Julie had already addressed the typos and there was a comment about Section
46 3.F. wondering if they wanted to include electric collars. Tim didn't think they needed to because

1 the e-collars Peter had brought up and discussed last time were more like GIS fencing and thought
2 that was what it was called and would be covered under 3.I.1. Peter walked his dog and used a
3 shock collar and wondered if you used a collar to control your dog and walked them if Tim was
4 saying they were loose. Tim said the dog wouldn't be running at large if he had control of it and
5 Peter said that isn't what it said and why they defined what the lead was. Lee recommended they
6 include language in 3.F. regarding the lead that said it was usually attached to a halter or has other
7 means of control. Tim wondered if it was a thing that people walked animals, other than dogs, by
8 a collar and Peter said it was better to make it broad because weird things were going on. Arianna
9 said running at large was defined in a way that could include electronic collars and wondered if
10 they take the exact phrase. Tim said if it was otherwise under the owner's control, it would include
11 an electric collar. Arianna asked if they needed to include an electric device as a potential lead
12 under F. and Tim didn't think so and Lee agreed. Peter wondered if F. was even necessary. Lead
13 was used elsewhere so it needed to be defined but Arianna didn't think it needed electronic device
14 unless they wanted to use "current or yet to be invented technology" to lead an animal. Lee agreed
15 that didn't think they needed to change it because they were defining a lead, and an electric collar
16 wasn't necessarily a lead. Arianna pointed out they were saying a collar was sufficient to say an
17 animal wasn't running at large. Julie thought they were fine. Regarding 3.A. and the definition of
18 a domestic animal, Lee wasn't sure why they had certain animals listed and it seemed like they
19 were including them for no apparent reason. Julie thought it came from statute. Tim thought it set
20 a tone and covered any damn animal. Lee said using "including but not limited to" would alleviate
21 the need to list them all. Arianna suggested after swine and poultry, saying birds. Tim said peacock
22 only referred to male birds so it should be peafowl. Tim thought for 6.H., the enforcement officer
23 may only impose forfeiture if their owner had 3 violations but under 7.A.1., grounds for
24 impoundment, Tim said the two things were contradictory, but Julie thought forfeiture and
25 impoundment were two different things. Lee asked Arne if he had any comments and he had none.
26 Arianna asked if they risked misinterpretation if they said running at large in town and wondered
27 if "in town" should be removed under 4.B. but it was clarified that the Town of Chester was their
28 legal name. Lee asked if they wanted to see a final copy before voting and the board members did.
29

30 **Agenda Item 7, Set Tax Rate**

31
32 The education budget was approved later than normal, and Julie would be gone for several weeks
33 in July, and they want to get the bills out as soon as they could. She hoped they would vote on the
34 municipal budget and as soon as they got the education rate, it wouldn't be necessary to call a
35 meeting of the board and they could get the tax bills out. Normally, they get the education rate
36 from the state, and are given it all at once, and they vote for the municipal rate, but it didn't have
37 to be done that way. Julie wanted to get the municipal rate set so as soon as they got the education
38 rate, they could send the bills out because they're running low on cash. Lee said based on the net
39 budget of \$3,976,000 plus the voted articles of \$39,811 divided by the Grand List, it gave them a
40 municipal tax rate of .9870 per \$100. Julie said it was up .06 which was what they anticipated
41 when they set the budget. Tim added it was for all the reasons they talked about. Lee asked if it
42 would cause hardship for Chester residents to have two bills and one coming earlier. Julie said it
43 wasn't happening this time and at a future meeting, they would present an idea. The bills were
44 going out as usual. Lee asked if they needed to vote, and they did. Lee entertained a motion to
45 accept the tax rate for 2024, the upcoming tax season. Arianna moved and Peter seconded the
46 motion. Lee said the motion was for the municipal tax rate of \$0.9870 per \$100 of assessed value.

1 There was no discussion. The motion passed unanimously.

2
3 **Agenda Item 8, Liquor License/Entertainment Permit**
4 **Dollar General: Second Class**
5 **Smitty's Chester Market: Second Class**
6

7 Lee accepted a motion to accept the 2nd class license application for Dollar General and Smitty's
8 Chester Market. Arianna moved that they accept both applications and Tim seconded the motion.
9 The motion carried unanimously.

10
11 **Agenda Item 9, Sign Cemetery Deeds**
12

13 The board signed a deed for Nancy and Ronald Chute.
14

15 **Agenda Item 10, New Business/Next Agenda**
16

- 17 • Water meter presentation on July 3.
- 18 • Class 4 road discussion – Julie hoped to have some answers for Mr. Bidgood.
- 19 • Nuisance ordinance.
- 20 • On August 7th, the Housing Commission would give a presentation unless it got pushed to
- 21 the second meeting in August.
- 22 • Quarterly financials.

23
24 For new business, Julie said they had received in yesterday's mail an official 2024 re-appraisal
25 order, which was no surprise, as they expected it. Their CLA was at 78.09% and their COD was
26 the driver of the re-appraisal and was at 21.67%. As soon as the COD is above 20%, it's an
27 automatic order for re-appraisal. Tim said in the current real estate market, Chester properties are
28 undervalued by the town's assessment by 20% or more and Julie agreed. Julie said what must
29 happen is they have received it and understand they need to develop a reappraisal plan. Cathy is
30 working and both Julie and she are talking about a number of things, and they don't feel a full
31 town-wide appraisal is needed. They are hoping the costs tables that come into the NEMRC system
32 are being adjusted, and everyone in the state is experiencing this and based on everyone's relatively
33 close CLA, there may be just an issue of formulas and they don't necessarily need to do full re-
34 evaluations, which would require assessors looking at 1900 parcels and would be expensive and
35 time consuming. They don't have to submit their re-appraisal plan until November 15th. By then,
36 they will have a better idea of the plan they need. As they know more, the plan will get developed
37 and the board will be part of the conversation. The plan gets submitted to the state and they believe
38 it will bring them to 100% and are looking to hire a firm and it will be completed within a certain
39 number of months. Julie will keep the board posted. Lee questioned what happened if the rate
40 dropped below 20% and Julie said they wouldn't have to do it but once it's over, the only way to
41 drop it would be to reappraise. Peter wondered how far behind other towns were and Julie said the
42 average was 3 years and some towns must do a full-scale re-evaluation like Chester did in 2018
43 and she didn't see Chester needing that. Chester's data is good, and they know what they have for
44 inventory and it's the housing pricing that threw everything out of whack. Cathy has put an
45 amazing amount of work into the Grand List property cards. If their data wasn't good, it would be
46 something different, but the sales are out of whack and Julie thought the state would be hard-

1 pressed to require a full-scale re-evaluation as it had only been 6 years and that was their argument.
2 Cathy is doing a lot of research and investigation. Arianna said residents will hear about it and be
3 up in arms, so they need to be sure they stay informed so they can help answer questions. Tim was
4 glad Arianna raised that and thought it would help if they could impress upon people that the
5 appraised value has nothing to do with the tax rate and taxes are based on the appraised value and
6 what is needed to run the town that year. Julie said in theory, when the Grand List goes up, you're
7 raising the same amount. Tim thought if they could message that publicly, it would really help.
8 Peter said what fell apart was when education was separated from the towns. Peter remembered
9 when appraisals went up and tax bills went down but it doesn't happen now because of the school
10 tax. Julie said with education, when they got to a point where their CLA was slightly over 100%,
11 their education tax rate dropped significantly. There is a connection between the CLA and the
12 education tax rate, but it is the opposite of how the municipal rate is affected. Tim said at the end
13 of the day, there's a certain amount of money that must be raised and has nothing to do with the
14 appraised value. Julie said with the municipal tax rate only, when the Grand List rises, the tax rate
15 drops and Tim added unless the town needed more money. Julie said if you've done something
16 significant to your property, you'll see a difference. But all things being equal, they wouldn't see
17 that much of a shift. The state had raised their tax rate and Lee wondered if it factored in. It did
18 not. Julie said the CLA impacts the education tax rate received by the town. The percentage they
19 approved of is an average and it didn't mean Chester's was going up that much. Lee said the state
20 doesn't just take money from people for education but also needs to pay its bills. Julie said it was
21 her understanding it wasn't an income tax increase but an education tax increase. Chester may see
22 13.8% or they could see more. She wouldn't know how much it would affect them until the state
23 lets them know their number. Peter thought they would know by the next Selectboard meeting.
24 Julie said they would not give the education rate until the 30-day window in statute had passed to
25 allow for a reconsideration vote if asked. She would not get their number until July 5th. Julie said
26 as soon as they got the tax rate, she would let the board know.

27
28 Under new business, Tim thought they all received an email from Susan Barrett about community
29 health care. Nobody else had received it and Tim said it was addressed as "Dear Selectboard
30 Members" and that's why he assumed they all got it. Arianna wondered if only Tim did because
31 he just got elected. Tim said it was the official schedule for the local Act 167 Community Health
32 Care Community Meetings and an invitation to see the results of a month's long study on the
33 critical state of hospital affordability in Vermont and to discuss options for how to move forward.
34 Tim would forward it to the other members, and it fit the conversation they had with Mike Randzio,
35 NorthStar Health and Springfield Hospital. Julie asked Tim to forward it to her also.

36 37 **Agenda Item 12, Adjourn**

38
39 Arianna moved to adjourn, and Tim seconded the motion. A vote was taken, and the motion passed
40 unanimously, and the meeting was adjourned at 8:00 p.m.