

1 **TOWN OF CHESTER**  
2 **PLANNING COMMISSION**

3 **June 3, 2024, Minutes**

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5 **Commission Members Present:** Cathy Hasbrouck, Jeff Holden, John Cummings, Barre Pinske  
6 and Hugh Quinn at Town Hall.

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8 **Staff Present:** Preston Bristow, Zoning Administrator/Town Planner, at Town Hall; and Susan  
9 Bailey, Recording Secretary, via Zoom.

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11 **Citizens Present:** Jason Rasmussen of MARC and Peter Hudkins at Town Hall; and Steve  
12 Mancuso via Zoom.

13 **Call to Order**

14  
15 Chair Hugh called the meeting to order at 6:29 p.m.

16  
17 **Agenda Item 1, Approve May 20, 2024 Meeting Minutes**

18  
19 Cathy moved and Jeff seconded a motion to approve the minutes. There were no changes, and the  
20 minutes were approved as written.

21  
22 **Agenda Item 2, Citizens Comments**

23  
24 Steve Mancuso said he is watching everything happening in Londonderry and it is a complete copy  
25 and paste of what went on in Chester a decade ago. Steve thought Londonderry caught on quicker  
26 than Chester. Chester assumed bylaws that were not only a detriment to the Grand List but  
27 economically destructive. Londonderry is going through the same thing right now. Steve said the  
28 impact was a negative growth community according to Springfield Regional. The only thing  
29 growing in Chester right now is the municipality. He read in today's news an article that said  
30 Londonderry continues to thrive on tradesmen and should have the freedom to use their property  
31 as they choose. "The town is not an HOA and shouldn't be regulated as such." Steve said  
32 Londonderry had the exact same consultant, Brandy, who sold them an HOA bill of goods. He  
33 expressed his disappointment and if it was the best they could do, they should throw the whole  
34 document away. Steve said it was exactly what happened to Chester and suggested that if the  
35 Commission wanted to continue to regulate business in Chester, they would be responsible for the  
36 economic outcome. Steve had faith in the Planning Commission and knew it wasn't an easy job.  
37 He said he had one foot on a banana peel and the other in 1929. Steve thanked them and Hugh  
38 thanked Steve for his comments.

39  
40 **Agenda Item 3, Continue Review and Discussion on Rural District Map and UDB Updates**

41  
42 At the last meeting, Hugh said they tried to establish a target date and button up their point of view  
43 on the latest round of changes so they could feel comfortable moving into the next phase of  
44 scheduling the first public hearing. Hugh had proposed the end of June and ran it by Jason and  
45 Preston who thought it could be aggressive but suggested, as a goal, they shoot for it. If they don't

1 make it, they will adjust the date as they get closer to the end of June. Hugh thought after the next  
2 meeting, they should know if they need to move the date further out.

3  
4 Hugh said in the last meeting, all the commission members were generally in favor of the density-  
5 based zoning model for Rural 5 and Rural 8. One of the things they took away was to consider  
6 what they were doing with the uses and questioning whether building and construction trades and  
7 heavy construction trades should have been combined and if there was merit in doing that. If so,  
8 they needed to make sure they all agreed. Hugh said if they should split them, they needed a point  
9 of view of why and create the appropriate definitions. It becomes obvious heavy construction  
10 trades would be an allowed use in certain zones and building and construction trades would be an  
11 allowed use in other zones, and they would have a good basis for creating that split. Hugh did  
12 some reading about it and looked at the bylaws prior to combining the definition and in that  
13 version, building and construction trades did not include heavy construction and was allowed in  
14 some zones that he thought today they may say should not include heavy construction trades. As  
15 an example, Hugh said it may have been the Village Center. There was some other zone where he  
16 found building and construction trades but not heavy construction trades and then found heavy  
17 construction trades in some zones where he thought they should exist. Hugh wanted to hear  
18 whether they should combine or split them and their reasoning for doing that.

19  
20 Cathy said Peter may know the history of it but a while back, almost every district allowed building  
21 and construction trades and it wasn't an accident but something that was important at the time. The  
22 reaction in Londonderry may be partly why. People felt it was something that powered the  
23 community and town and they shouldn't impede it too much. People agree heavy equipment should  
24 not be in places where small children are and that was why she brought it up again. She heard the  
25 town intentionally made those uses available in every district.

26  
27 Hugh said a lot of people continue not to remember that many of the tradesmen who operate in  
28 towns like Chester, do it under a home occupation or home business and that is fine in every zoning  
29 district in the town. Hugh wanted people to remember when they discussed building and  
30 construction trades as a use, it was a business permit with a certain level of activity and employees  
31 that would not constitute a home occupation or home business. There are residential zones where  
32 Hugh would not expect to see a full-fledged building and construction trades business. He would  
33 expect to see a home occupation in the form of an electrician, carpenter, or tree guy but not a full-  
34 fledged business. Hugh thought by restricting heavy construction trades or building and  
35 construction trades to different zones, didn't mean they couldn't run it as a home occupation or a  
36 home business and that's what many people do. Cathy thought there were limits of what you can  
37 have as a home business and asked that they pull Article 3 up. Hugh said currently, building and  
38 construction trades were a conditional use in almost every zoning district, so he didn't feel they  
39 were taking it away anywhere. Cathy read Article 3, which allowed home business, as an accessory  
40 use, subject to conditional use review, in all districts where residential uses are permitted subject  
41 to provisions that the home business shall be clearly incidental and secondary to the residential use  
42 of the property and shall be conducted solely within the principal or accessory structure, which  
43 meant it couldn't be outdoors. That would keep heavy construction out, unless they had big  
44 garages. It forbids exterior storage of materials and signs of advertising. She thought there was  
45 something specifically that addressed residential uses that were incompatible but wasn't seeing it.  
46 Hugh wasn't hearing anything that was a showstopper for building and construction business as a

1 home occupation or home business. Hugh said in the current state of what they were looking at,  
2 they propose to allow building in construction trades in Village Center, Village Mixed-Use,  
3 General Business, Rural Mixed-Use, Rural 5, Rural 8, and Conservation so they were allowing  
4 building and construction trades as a conditional use in almost all the appropriate zones, in his  
5 opinion. Building and construction trades were no longer allowed in Res 2, but Hugh wondered as  
6 a conditional use in Village Center, why it wouldn't be a conditional use in Res 2. Cathy added  
7 also in Rural Mixed-Use. Hugh said while they were on the discussion of building and construction  
8 trades, he was looking where it was a conditional use and where it wasn't and for consistency,  
9 because it was allowed in Village Center and Village Mixed-Use, they should probably allow it in  
10 Res 2 and Residential Mixed-Use, which Hugh proposed they do. Hugh said if they did that, they  
11 wouldn't be restricting building and construction trades anywhere that it wasn't appropriate.

12  
13 Jason noted in his draft, building and construction trades were crossed out in Res 2 and in Rural  
14 Mixed-Use and wanted to know if that's what they wanted. Hugh thought they should allow them  
15 as a conditional use in both and that's what he was proposing. Hugh's rationale was why would  
16 they allow it as a conditional use in the Village Center, which is largely residential, and not in Res  
17 2 and why allow it in Village Mixed-Use but not in Rural Mixed-Use. Jason asked if everyone  
18 agreed, and they did.

19  
20 Hugh said in the current definition of building and construction trades, heavy equipment would be  
21 allowed as a conditional use in all the zones. Given the decision they had just made about building  
22 and construction trades, Hugh wondered if they would make the same decision about heavy  
23 construction trades in terms of where they were allowed, and he would argue that he would not  
24 want to see a heavy construction trades business in Village Center nor in Res 2. Hugh was arguing  
25 for splitting the definition so they could target heavy construction trades differently than what they  
26 were currently doing with building and construction trades. John thought that was wise. Barre  
27 thought it was probably a good idea and made for more definitions and as a conditional use, it  
28 would be handed off to the Zoning Administrator or the Development Review Board who could  
29 decide if it was appropriate in that area. Barre said even though they had them packaged as one,  
30 there was obviously a difference having a giant excavator in a neighborhood with little kids  
31 running around. Hugh said that's what Cathy brought up earlier and he was starting to advocate  
32 for splitting it because thinking about Village Center and Village Mixed-Use, they would not want  
33 a heavy construction trades business in either of those zones, not even as a conditional use, so they  
34 would need to split that out from the building and construction trades definition. Barre wondered  
35 if they could pull the definition out and if they already had one and thought they were splitting  
36 hairs because he didn't see anyone moving into a neighborhood bringing their heavy equipment  
37 business in because there wasn't land. Barre thought they spent a lot of time on things that may  
38 never matter. Barre didn't agree with Steve's comments about how much of what the Commission  
39 does affects business and said it can and does in some ways but in order for a business to succeed,  
40 someone has to want to run it and it needs to be profitable, which is a whole other deal when it  
41 comes to communities and people who write the zoning regulations aren't responsible for the  
42 economic success of a community. Hugh agreed. Hugh suggested they create a definition for heavy  
43 construction trades and allow it as a conditional use in General Business, Rural Mixed-Use, Rural  
44 5, Rural 8, and Conservation and see how it looked and that would eliminate the worry of a  
45 construction company in the village and what is primarily a residential neighborhood. Jason asked  
46 the difference for his purposes and for coming up with a definition. Jason said the definition for

1 building and construction trades includes building foundations and contractor storage yards in  
2 addition to plumbing, electrical, carpentry, and others. Jason thought a contractor storage yard  
3 could be construed as heavy and was trying to understand where they split that. Hugh said when  
4 he thought of building and construction trades, the original definition, even though the definition  
5 language included but was not limited to carpentry, plumbing, masonry, roofing, or typical  
6 tradesman but he would not put contractor storage yard or construction company in a tradesman  
7 category. Cathy suggested taking pre-fabrication out. Jason asked if prefabricated building  
8 manufacturing would be heavy construction and not carpentry and Hugh agreed. Barre said when  
9 he moved to Chester, a local builder who was skilled lived in the area where you first enter town  
10 and had a pickup truck with a long trailer. Barre said they used to work for Bill Lindsay a lot on  
11 the laundromat, and the apartment house with the detail on the front on Route 103. Barre thought  
12 he was retired now but noted he had a pickup truck with a trailer. Hugh said most do. Barre thought  
13 a way to define heavy equipment and commercial would be the size of the equipment and if a  
14 special license was needed to drive the truck and the weight of the vehicles. A small trailer with a  
15 pickup truck or van would be a carpenter and a big trailer and a fleet of trucks over a certain weight  
16 would be heavy construction. Hugh said it would continue to reinforce the notion of a guy with  
17 one dump truck who has a home occupation and hauls rock around and is permitted as a home  
18 occupation, but a fleet of 10 trucks with 10 employees would not be a home business or a home  
19 occupation. Barre and Hugh agreed that was already defined. Preston said Cathy had found the  
20 heavy construction trade definition they had for years, which included but was not limited to earth  
21 moving, extraction, trucking, and paving. Preston said they could add concrete forms and if it was  
22 a person and their 10-wheeler in the yard, it was a home business or home occupation. Jason  
23 thought the difference was having a 20-foot cubic yard pile of gravel and an excavator and then  
24 the truck and said they would clear it up in the definitions to make sure the future zoning  
25 administrator was aware of what they meant. Hugh asked if anyone had anything more to discuss  
26 as it related to building and construction trades and heavy construction. John agreed with  
27 everything Hugh and said he had a hard time with the definitions until they cleared it up making  
28 more sense.

29  
30 Hugh made a list of what they should tie off that were loose ends of things they had discussed over  
31 many months to allow Jason to tighten the language and possibly the maps if any changes needed  
32 to be made. Hugh wanted someone to remind him they had the rural mixed-use section which is  
33 largely what was the Gassetts hamlet and what was the Adaptive 3 and there was a little chunk off  
34 by itself a little farther north up Route 103. Preston said it also included what was down next to  
35 Rockingham. Cathy explained one area had been a transportation working area for so long that  
36 you couldn't do anything else there. Hugh asked for more explanation. Peter said with legacy, it  
37 could be a gun shop, a blacksmith shop, a restaurant, and had been auto sales. If it was to be made  
38 a residential area instead, they would already have two dwellings there and two business dwellings  
39 and Peter thought that was where the value was. Peter said it was currently in a business district  
40 since the 2014 change. Preston added it had been part of what the Gassetts's district was for as long  
41 as he's been zoning administrator, which was three years. Cathy said it was residential/commercial  
42 and Preston agreed. Hugh confirmed it had always been that way, so they weren't changing  
43 anything, as he wanted to be prepared for all kinds of scenarios. Hugh said the proposed zoning  
44 maps would turn 103 Auto's business into a non-conforming use because it would be in Res 2,  
45 where auto sales and service wasn't allowed. Peter said it was a home occupation and then they  
46 split the lot and sold the house, so the business that was started there was Head's Up Sport, and

1 they were sort of a legacy use by accident. Hugh didn't dispute that. Preston said when it was in  
2 the R-120 district it wasn't conforming. A prior owner had a garage there before zoning and then  
3 a new owner brought in Head's Up Motor Sports and then the current owner bought it. Preston  
4 had consulted in executive session with the DRB and asked if they needed to consider it or if they  
5 were comfortable with Preston saying it was a continued use, which they were. Preston said it was  
6 non-conforming under the old district too. Hugh thought that was important to know because he  
7 was trying to be sensitive to the Commission making a change that could make their parcel non-  
8 conforming, but it sounded like it was non-conforming before and now, so that was okay. Cathy  
9 said there were other businesses out there and it was flat and wondered if it would be reasonable  
10 to change it. Preston said that was thinking outside the box and in theory, it could be another  
11 mixed-use on the Springfield town line but wasn't sure he wanted to go there yet. Cathy noted by  
12 Davidson Hill across the road heading out, there were probably a couple of home businesses that  
13 had signs. Preston noted Route 10 was the end of town where a lot of things happen and as Cathy  
14 stated, it was flat, so it was easy for a lot to happen, but they have not traditionally zoned it that  
15 way. Cathy thought the auction barn was out there. Peter said when you think of Chester, you think  
16 of the village in Chester but if you live on Route 10, you don't come to Chester Village, you go to  
17 Springfield, and you're a burb of North Springfield more than a part of Chester. Hugh agreed.  
18 Peter said it was a place if they wanted more development, they were more a part of North  
19 Springfield than Chester and would not maintain its rural character. Hugh said that made sense.  
20 Barre joked they could put an industrial park out there, create revenue for Chester, without the  
21 park being visible to Chester. Jeff said the utilities weren't there. Barre wasn't worried about Route  
22 103 Auto being non-conforming because if he wanted to sell it to someone to do auto repair, they  
23 could. The only way there would be a problem was if it was a change of use. Hugh said there was  
24 a parcel north of the Pennell business and asked what it was. Peter said it was Austin's. Preston  
25 felt confident it was in rural mixed-use and would confirm before they went to hearing. With  
26 respect to Spaulding's, Barre wondered if the Gassetts zone went all the way up to where the Chat  
27 & Chew was and if not, wondered why. Peter said the old road went down through the farms and  
28 where 103 was now, raised 50 feet above, nothing could be built on either side. Chat & Chew was  
29 not in the zone and only Spaulding's. Peter said it picked up Cota & Cota and that Chat & Chew  
30 could be legacy use. Peter said when the NRCS map comes out, it's all 100-year floodplain over  
31 to Route 103. Barre said it didn't matter if it was purple because they can't build in a floodplain.  
32 Peter said it depended on who the surveyor was, and they would be better to keep it residential.  
33 They could have a surveyor fill in the floodplain. Peter said below Gassetts, where Route 103 and  
34 10 meet, the whole river spreads out and everything at those houses was in that field. Barre didn't  
35 have a horse in the race, but it seemed much to include Spaulding's and not the others. Cathy said  
36 Spaulding's had been there for decades and Barre argued that Kim's Car Care had too. Peter said  
37 Kim had said he would build a garage and the zoning administrator thought he was building a  
38 garage and instead, he built a business and that was how he got in there. Barre wondered if Kim  
39 was Peter's friend and wanted to make sure all Peter's friends got taken care of while they were  
40 there. Peter said he and Kim had worked together before and Barre felt better about that. Cathy  
41 said the listers had people come in to discuss Chat & Chew and there was only a little bit of land  
42 that was not very wet. Peter said there was enough permitted sewer on Chat & Chew on the next  
43 parcel, but it was only for a 3-bedroom. Cathy said someone wanted to do something with package  
44 delivery and there was barely enough parking area for trucks. People have come in to discuss it  
45 and have chosen not to do anything. Hugh was comfortable where they were based on everything  
46 discussed. Hugh noted he was sensitive to the same thing Barre was when he looked at the map

1 and saw one little thing, it looked out of place, but it had been out of place before and still was.  
2 Cathy said there had been blacksmiths there.

3  
4 Hugh wanted to address extraction operations which were currently not allowed in Rural Mixed-  
5 Use but thought that's where Julian Quarry was. Preston said it would be in Rural 8 but is in Rural  
6 Mixed-Use where the stone store is. The quarry is across the river where it becomes  
7 Conservation/Residential and R-8. The North Quarry, which is supposed to be retired, will also be  
8 in R-8. Hugh was good with that. Preston said they wanted to ask Act 250 for permission to have  
9 another quarry behind the North Quarry but Act 250 wasn't too keen on approving new quarries.

10  
11 Hugh had been looking at the Use Table for anything that looked out of whack and wondered if  
12 processing, construction and landscaping was going to be a use that disappeared. Jason thought so.  
13 Cathy said they used it for Randy Miles at the corner of Sylvan Road and 103 to support his  
14 landscape store. She didn't think he was running that business anymore and didn't know that they  
15 needed it for a nursery to function. Hugh thought if you had piles of stone and mulch, you could  
16 argue it fell under nursery. Jason thought there was a difference between storing and processing.  
17 Jason took it to mean extraction operation or similar. Cathy said Randy would mix things together  
18 in large quantities and sell it. Hugh thought it would probably fit under extraction operations in  
19 today's world. Cathy noted it was what you do in a nursery setting and they had a good recipe for  
20 topsoil. Jason thought it could be heavy construction, extraction, or a nursery. Hugh wanted to tie  
21 up loose ends and things they had kicked down the road they now needed to address. Hugh thought  
22 he had addressed all the loose ends in his mind. Barre appreciated Hugh's efforts.

23  
24 Barre thought a minigolf and ice cream store would be nice for the kids and people staying in the  
25 local campgrounds and could bring people to town to eat locally. Barre asked if they weren't  
26 specifically addressed in zoning, did they fit in somewhere or did they need to add it and Cathy  
27 and Preston said miniature golf and disc golf would fall under recreation because it said it can be  
28 public or private. Preston read the recreation definition, "a facility or place designed or equipped  
29 for the conductive sports or leisure time activities." Barre asked if go-karts would fall under that,  
30 and Preston said it was addressed by performance standards because of the noise. Preston thought  
31 because food trucks were allowed, ice cream would apply. Cathy thought ice cream was sold out  
32 of Southern Pie. Barre agreed. Preston said Garrett Smith purchased the old Jiffy Mart for the  
33 purpose of selling ice cream but can't find help, so it sits empty. Barre said he would speak to the  
34 owners of Dairy Joy. Cathy suggested speaking with the ice cream vendor in the parking lot of  
35 Shaw's who may want to branch out. Preston said at Home Depot in West Lebanon, the Fore-U  
36 Golf sells a lot of ice cream and has long lines. Barre said it could be a good opportunity to make  
37 money. Jason thinks of Mac's Maple in Plainfield which is basically a farmstand. Barre said places  
38 like that bring people together and define a community. Barre was in Garrison's store on Memorial  
39 Day when he only had 3 people working because everyone called in because it was such a beautiful  
40 day. If they can't get the help to run a place, it won't work. Preston and John had also witnessed  
41 Garrison manning the register himself.

42  
43 Hugh said they hadn't gone over the language word by word in Rural 5, Rural 8, and Conservation  
44 and wondered if there were any high points and what Jason thought they should do. Jason didn't  
45 think there were any changes to the map based on their conversations and Hugh agreed. Peter said  
46 if they were not making changes to the map, the gravel the town has is out in the piece behind the

1 high school. Jason and Hugh said it was in Res 2 which allowed it as a conditional use. Hugh said  
2 they spent a lot of time on it and didn't think it made sense, but they were leaving it in as a  
3 conditional use. Looking at his notes, Jason didn't have much to add but wanted to make sure  
4 everyone was comfortable and on board with the map changes and asked if they had questions or  
5 concerns. Jason said Rural 8 used to be Conservation and Residential and there was a lot more  
6 land area there and he wanted to make sure they were all okay. Jason thought it made sense but  
7 wanted to make sure there weren't any concerns. Peter had a concern with the dimensional standard  
8 change and noted currently, you can do it on a Class 4 road, so it wouldn't need to be broken up.  
9 If they made the dimensional change, it couldn't be done on a Class 4 road and would need to be  
10 a Class 3 road or a new road. There are a lot of Class 4 roads that go through there which could  
11 easily be broken up and be on a Class 4 road that the town can't service. Peter said that was what  
12 happened with Trebo Road and asked that Class 4 roads be excluded. Jason asked Preston how  
13 Class 4 roads are treated for frontage. Preston said he would look at the definition, but off the top  
14 of his head, all public rights-of-way are a de facto subdivision. Hugh wanted to understand, and  
15 Peter explained if someone was on a Class 4 road, and they start subdividing one acre lots on the  
16 Class 4 road, there would be a massive road problem to deal with. Preston said any town road  
17 constitutes a subdivision and when they say de facto, it meant if a road goes across your land, you  
18 own two parcels. Peter said with even one side, they could make 2-acre parcels. Jason said if the  
19 access road to a subdivision was a Class 4 road, the subdivider shall be required to improve the  
20 access to Chester Highway Construction specification standards under approval of the Selectboard,  
21 so that took care of it. Preston said there were two different issues: one was the de facto  
22 subdivision, which the DRB doesn't get involved, but once the DRB is involved, you either had to  
23 build your own right-of-way driveway or if it's a town road, it must be upgraded to town road  
24 standards. Preston said even if the Class 4 road is brought up to town road standards, the  
25 Selectboard still doesn't want to take control over it which can be a problem with deadbeat  
26 neighbors who don't want to do their part.

27  
28 Jason wanted to make sure everyone was comfortable and was happy to walk through any section.  
29 They had been looking at it for a while, and Jason asked if there were any questions or concerns.  
30 Hugh said it would be great to get the most recent updates to the language into the Planning  
31 Commission's hands earlier than normal so he could ask the other members to make sure they read  
32 the document, come to the meeting and be prepared to discuss anything they want addressed before  
33 they make a motion to move forward. Hugh thought Jason or Preston may be in the best position  
34 to draft this. Hugh said there would be a lot of questions about the map and thought they should  
35 write up what led the Planning Commission to make these changes and wanted a notion of an  
36 executive summary which would be part of a press release prior to the public hearing because  
37 without that, people would wonder why they didn't leave everything as it was. Preston agreed and  
38 would be responsible and find things from the past and update it and then everyone could review  
39 it. Jason would try to get the changes made to the draft language this week.

40  
41 Jeff thanked Hugh for asking a lot of the questions that he was thinking about. Barre asked Hugh  
42 if they were going to use the same language to try to push through what they did with Brandy.  
43 Preston said there were reasons they do things and there's a goal and they need to communicate  
44 that to the public. Barre thought doing the process in piecemeal helped and they had a good team.  
45 Preston didn't see it as something someone could complain about the impact ruining their life  
46 savings and Cathy agreed. Barre said they no longer had an economic development group in town

1 and Bill Dakin had tried to run one, but Barre didn't think they ever did anything. Barre said the  
2 Commission was business-friendly, wanted the town to prosper, and didn't want to stand in the  
3 way of anyone's dream but what happened to the town depended on the people, the culture, the  
4 motivation, and then cashflow. Barre said if you can't sell something to someone to get a return,  
5 you won't have a growing business. Hugh felt as Barre did when Steve was making his comments  
6 and said the role of the Planning Commission was to make sure they were partnering with the  
7 community and to reduce barriers from a planning and zoning regulation point of view so the town  
8 can become what it wants but was not responsible for the economic development or prosperity for  
9 the business community in the Town of Chester and someone else has to take that one. Their goal  
10 is not to inhibit through their practices what they want Chester to be. Hugh thought they were  
11 doing a good job. Barre said it was their responsibility to try to help people be good neighbors.  
12

13 Peter asked Jason about the Planned Unit Development and if there was any way they could modify  
14 the characteristic of it or if it was written in a state statute. Jason would doublecheck but thought  
15 they could tweak it. Peter thought they could have more than one dwelling on a piece of property  
16 without having to subdivide. Peter believed it let them do it currently but would be nice if it said  
17 that, so it was clearer. Preston agreed they needed to make sure the definition and text were the  
18 same. Planned Unit Development under the definition said one or more lots, tracts, or parcels of  
19 land could be developed as a single entity, which was not the same thing as buildings. The plan,  
20 as authorized, may deviate from bylaw requirements that are otherwise applicable in the district  
21 regarding the lot size, type of building, building in use, density, intensity, lot coverage and parking.  
22 Preston thought it could say multiple structures more clearly. Jason asked Peter what he was  
23 thinking – if it was townhouses or a cooperative housing scenario which would still need to meet  
24 the other applicable standards. Peter said the thing that always hits him is a family wants to add  
25 another house without subdividing. Jason wasn't sure it was a PUD and said typically, a PUD was  
26 multiple structures and there was an argument that could be made but Jason had an attorney tell  
27 him they need more than two for a PUD but didn't say how many. Peter said if you have a dwelling,  
28 other than an accessory dwelling, and you're a family that wants a compound, this wouldn't be  
29 possible. Preston had never considered who could be a PUD and maybe they could. Preston  
30 understood the family compound question and they have never done one, but people keep asking  
31 and he tells them it could be done through a PUD, but they need their septic first, and that's where  
32 it usually ends. Hugh said they had a lengthy discussion about allowing more than one principal  
33 structure on a parcel and when they were doing the bylaw updates and at the end of the day, they  
34 couldn't agree on how it would work, or the level of administrative approval required. Peter had  
35 thought the PUD covered it but now there was a question of how many. Jason agreed it wasn't  
36 clear and they needed to decide what they wanted and make it clear. Jason has seen a subdivision  
37 that includes not only the creation of lots but also sites. Jason thought maybe you could have one  
38 lot with two houses and would still need to go through the subdivision process, but he didn't see  
39 that as problematic, though they should discuss it. Preston said some towns allow more than one  
40 principal structure on the lot and the requirement on him, as zoning administrator, is to make sure  
41 they're sited so the property could be subdivided, so for a 50-foot setback, it would require 100  
42 feet between the two buildings. Preston said they had discussed it and the Planning Commission  
43 decided not to do that. Jason saw the practicality of a shared driveway and that the shared  
44 maintenance can become a problem and it was similar with one lot and two houses where one of  
45 them owned it and there still is a shared part and Jason thought there should be some legal  
46 documentation. Peter said whoever was the principal deed owner was responsible, so they



1 wouldn't have the shared part. Jason said as Preston had, that you could have a provision for  
2 multiple uses on a lot and something they could conceive of. Peter asked if the attorney's definition  
3 of a PUD was 3 and Jason said the attorney never answered him clearly but that would be a decision  
4 by the DRB or Preston. Preston thought if someone really wanted to have two buildings on one  
5 lot, he could bring it before the DRB. Preston said he lives in Woodstock where there are a fair  
6 number of people who want a house for their horse groomer or cooking staff, or guests and they  
7 have a provision for an accessory dwelling. Jeff noted both buildings were owned by one owner  
8 on one property and Preston agreed. Preston said he uses the accessory dwelling unit to get around  
9 as much of that as he can. Peter asked if Woodstock had specific text and Preston said they had a  
10 primary and secondary dwelling. Barre asked Peter if the question was about whether the houses  
11 were similar in size and if it was subdivided down the road because something happened with the  
12 family. Peter said he wasn't talking about the ability to subdivide but it was a good point Preston  
13 made about the setbacks but is there lot frontage if the house sits way back. Peter couldn't see any  
14 issues because there was one owner. Hugh thought Preston was alluding to if something in the  
15 future needed to be split up and if it couldn't, it would only hurt the original landowner because  
16 he could no longer subdivide. Preston said people get divorced, die, and go bankrupt, and what  
17 would happen then was the issue. Barre said the reality was that they normally figure out an  
18 easement.

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#### **Agenda Item 4, Adjournment**

21

22 Jeff moved to adjourn, and Cathy seconded. A vote was taken, and it passed unanimously. The  
23 meeting was adjourned at 7:48 p.m.