

1 **TOWN OF CHESTER**
2 **SELECTBOARD MEETING**
3 **June 1, 2022, Draft Minutes**

4 **Board Members Present:** Arne Jonynas, Ben Whalen, and Lee Gustafson, and Heather Chase at
5 Town Hall; and Leigh Dakin via Zoom.

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

8 **Visitors Present:** Planning Commission Members: Cathy Hasbrouck, Peter Hudkins, and Hugh
9 Quinn at Town Hall; and Tim Roper via Zoom. Lori Quinn, Bill Lindsay, and Kyle Laurita of The
10 Vermont Journal at Town Hall; and SAPA TV, Chester Telegraph, David Carey, Steve Mancuso,
11 Scott Blair, Linda Diak, John Garison, Ginger Roper, Susan Bourne, Thom Simmons, Phil Perlah,
12 Jim Goodfellow, Robert Nied, Cheryl Joy Lipton, Melanie, Lee Herrington, Chance Easter, Scott
13 MacDonald, Susan's iPhone, Lora Cokokat, Caroline Levy, OT Tamasin, Carrie Roy King, Noel's
14 phone, Ray Carroll, Don Clark, Jesse Bailey, and Bobbie Windy Wied via Zoom.

15
16 **Call to Order**
17

18 Arne Jonynas called the hearing to order at 6:40 p.m. with the pledge of allegiance. He welcomed
19 everyone to the public hearing regarding a zoning change.
20

21 **Selectboard Public Hearing re Proposed Amendment to Unified Development Bylaws**
22

23 Arne announced it was the first hearing and maybe the only hearing depending on what happened.
24 If there are minor changes, there will be another hearing. If there were no changes, they could
25 adopt it at the meeting immediately following the hearing. The purpose was to allow people to
26 voice their opinions, concerns or ask any questions regarding the proposed document. It was a new
27 district, The Village Green District, and there were members of the Planning Commission in
28 attendance to help them through the process to give them a summary of what it entails, answer
29 questions, and hear public comments regarding it.
30

31 Cathy Hasbrouck, Peter Hudkins, Hugh Quinn of the Planning Commission, and Preston Bristow,
32 Zoning Administrator, were in attendance. Arne turned it over to Cathy Hasbrouck.
33

34 Cathy said the district was the southwest side of Main Street between School Street and Cobleigh
35 Street, including The Green, the Episcopal Church, the Inn Victoria, the Diak's home, and the
36 house on the corner of Cobleigh. It is a unique part of Chester with close boundaries. It consists of
37 16 parcels with only 2 conforming under the current bylaws due to the minimum lot size
38 requirement of a half-acre. There is very little an owner can do to change this due to the physical
39 reality of the small lot. The proposed lot size is a twelfth of an acre which would make all parcels
40 conforming. It would enable people to add a porch or loading dock and give them flexibility to run
41 their business. They acknowledge it's been a business area for 150 years and at some point, almost
42 all buildings have been a retail store or restaurant. They couldn't see a real reason for requiring a
43 conditional use hearing for a restaurant given most had a restaurant at some time. A conditional
44 use hearing also takes three months to warn the hearing, hold the hearing, write the response for

1 the hearing and the permit and get it signed by the Development Review Board. It's a long delay
2 in a development process that would be a problem for many. As a result, they've added a few uses
3 that won't require a conditional use hearing. They also acknowledge the town has set up parking
4 along The Green and additional parking across the street, and in the Cobleigh lot, so they didn't
5 feel it was reasonable to require businesses to meet parking requirements, as there is adequate
6 parking in the area. They also removed some uses like building and construction trades because it
7 wasn't appropriate for the tight space on The Green. They didn't revolutionize the way permits are
8 obtained. It is within the bounds of how it's done currently.

9
10 Cathy said they added art studio and/or gallery as a permitted use that doesn't require a hearing.
11 They also added restaurant and retail store, professional office, and mixed use when part of the
12 building is used for residential and part for retail or another use. None of those would require
13 hearings. Arne thought that made sense. He asked if they had only removed trades. Cathy said they
14 removed building and construction trades, and commercial broadcast and private broadcast
15 facilities, and agricultural forestry. Arne asked if the broadcast facilities were radio stations and
16 Cathy said it could have something to do with antenna. She said it was vague. The state wanted to
17 make sure you could set up an antenna if needed. The Planning Commission felt this little stretch
18 of Chester didn't need an antenna that badly.

19
20 Arne asked if conditional uses had changed a lot. Cathy said they added some language to number
21 three regarding construction of any new principal structure or any substantial replacement or
22 enlargement of an existing or damaged principal building. They wanted to make it clear that if you
23 were going to rebuild a big chunk, you had to explain to everyone what you are doing so it wasn't
24 a surprise. The current bylaws prevent any kind of construction due to the setbacks being so large
25 you couldn't meet them. They wanted to be sure you could change a building but wanted it
26 reviewed first.

27
28 Arne reminded the attendees on Zoom to raise their hands if they had questions.

29
30 Cathy said they also added open market because they felt it was an ideal place for it. Arne thought
31 they were adding more flexibility and common sense to the document.

32
33 Heather asked if the setbacks of zero were to accommodate what was there and Cathy said they
34 were. Heather asked if there would be no setbacks if something happened where it was a complete
35 rebuild and Cathy agreed and said many of the buildings go up to the edge of the street and a
36 rebuild would likely not be set further back so that it didn't look like a tooth out of place.

37 Arne had the same question about setbacks. He thought with zero, there was no leeway.

38
39 Peter said with construction, it would have to come back to the DRB. Currently, the building code
40 on an existing structure does not come into play, nor does NFPA. Once you start with a new
41 structure, both the building code and NFPA apply. The zero setback works for the buildings there
42 now but would not work for new construction, unless it was burned out and you were replacing it
43 exactly.

44
45 Arne asked if an existing building could build up to the zero setback and Peter said it could but
46 would require going to the DRB because it was conditional use.

1
2 Heather asked how many of the 16 parcels were zero now. Peter said from the church to Cobleigh
3 Street were zero. Heather asked if most of them were. Peter said from Meditrina to the other end
4 they were all zero. Cathy said the little building to the right of Inn Victoria the dripline was at the
5 end of Diak's driveway.

6
7 Arne said if there was a mechanism in place it seemed like it was covered.

8
9 Mr. Goodfellow asked if marijuana retail outlet was included in the definition of retail. Cathy said
10 they don't have a specific definition and the state won't allow them to define it. Part of The Green
11 is more than 500 feet from the school so theoretically you could have it there, but there is a lot of
12 concern about the traffic that would come in. They would need to show the DRB how much traffic
13 would come through. The person most interested in opening a retail store agrees it does not belong
14 on The Green. Mr. Goodfellow asked if all the other rules and regulations are still in force even
15 with the passage of the proposal. Cathy wasn't sure she understood the question. Mr. Goodfellow
16 said a retail marijuana outlet is a retail store so he was asking the simple question if the proposal
17 would impact negatively or positively the building of a marijuana retail outlet in this zone. Cathy
18 said it wouldn't. Retail is a permitted use so it wouldn't have to go through a conditional use
19 hearing. It would need a permit and would need to meet the performance standards. Arne asked if
20 the performance standards would encompass parking, lighting, and signs and Cathy agreed.

21
22 Lee noticed in the amended bylaws there was a section on adult oriented businesses. He asked if a
23 marijuana retail operation would fall under that, and Cathy didn't think so. Under 4.8, Conditional
24 Uses down to 3b, on page 65, Part d, it said to maintain the scale, support the density, and preserve
25 the New England architectural character there was a whole list of things that could be used during
26 construction or reconstruction. They had noted for the Village Center and Village Green District
27 6 of the following could be incorporated into the design. Lee asked if that was to maintain the
28 character of the Green and Cathy said it was. He asked if there was a priority for them or just to
29 pick 6 of them. Cathy believed the gable roof was. Cathy noted 4 and 7 had a special status but
30 couldn't remember what it was.

31
32 Peter said with the Dollar General, the DRB pretty much changed everything but the yellow sign
33 in their plans to conform with Chester's character. The DRB has the power to decide what will fit
34 in. Peter said the last sentence said two additional items, but it really gets to the DRB and how
35 they look at the drawings. Lee had missed the last sentence indicating the two items in bold were
36 mandatory. He asked if it was 4 in addition to the requirements in bold or 6 more. Cathy believed
37 it was 6 more.

38
39 Scott MacDonald, as a DRB member who was just learning the ropes, asked when it talked about
40 the zero setback, if there was a clear distinction between an existing building or new construction.
41 He didn't know where they couldn't allow the zero setback because they were building something
42 new. He didn't know if the bylaws needed that distinction or clarification or if there was already a
43 mechanism in place.

44
45 Cathy said what was important as that the look of The Green be maintained. Currently, most of
46 the buildings start at the edge of the street with a zero setback. Something farther back would look

1 odd. Zero isn't a requirement but was there to help things look okay and work given the limited
2 geographical space. The teapot shop next to the Inn Victoria would be difficult to move closer to
3 the Inn and has zero setback on the side by the Diak's. Scott asked if new construction could follow
4 the exact footprint of what was there before, and Cathy said it could and would look strange if it
5 did not.

6
7 Arne noted they had gone through the conditional uses and the dimensional standards. He asked if
8 there was anything different with the supplemental standards. Cathy said they conducted a parking
9 study and concluded there was plenty of space and it was foolish to start making people count
10 spaces and customers and try to determine where those spaces would be. The other difference was
11 they added a guard against franchises only on The Green. They didn't want formula businesses
12 competing with local businesses there. They are also requiring new businesses to ensure they have
13 space off The Green for tenants and staff to park in order to allow customers to park on The Green.
14 Some parcels have space for parking and others don't. There is space on Cobleigh and some park
15 on School Street. She thought there may be an agreement with the people on the corner of School
16 to park in the School Street parking.

17
18 Arne asked if a business came that required a lot of parking, they could utilize the town parking
19 on Cobleigh and Cathy agreed.

20
21 Lee asked about the overnight parking ban in Chester. Julie said it was in winter for plowing. Peter
22 thought there wasn't a parking problem now, but they may want to consider instituting municipal
23 parking lot rules for the future. Lee asked for the results of the parking study. He thought it seemed
24 like there wasn't enough parking. Peter said when the churches are open, there's less availability
25 for parking. He had used full restaurant capacity as a basis for the study and there was overflow
26 into Cobleigh or if there was a wedding at The Fullerton. Peter noted that striping would help with
27 parking and spaces would not be lost. Painting the spots out would also eliminate driveways being
28 blocked. The DRB said they saw that parking was adequate.

29
30 Cathy said the issue of tenants and staff parking in the spaces along The Green came up when they
31 did the parking study, so they looked for ways to address that. That's when they decided a new
32 business needed to be sure they had parking for tenants and staff. Peter added there were 5
33 apartments that had no parking for the lot they were on. He said there was a parking association
34 behind Meditrina. He thought the businesses would need to work it out between themselves. Arne
35 thought as businesses increase and parking becomes an issue it may give them more incentive to
36 deal with the Cobleigh lot, access to it, and the parking spaces, defining it a little better, and making
37 it an available resource for all those businesses. It would encourage a business that could attract a
38 lot of people that they have a place that's ready to go and would help for the future of the village.

39
40 Arne thought for the supplemental standards that it sounded like parking was the only big
41 difference. Cathy agreed but added that formula businesses were not permitted in the district. Arne
42 asked if the noise was something new. Cathy said in town, the quiet hours are 8 p.m. to 7 a.m.
43 They felt in this one district they could start the quiet hours at 10 p.m.

44
45 Steve Mancuso thanked the Planning Commission for all their hard work on the Village Green
46 District proposal and knew it was a well thought out, custom tailored, business friendly document

1 that took a lot of time, a lot of effort, and legwork. He thought it would benefit the Chester
2 community. Arne thought they all agreed.

3
4 Arne asked if anything had changed with definitions. Cathy said they added arts and entertainment
5 facility and did not want to include adult-oriented businesses. They had to define adult-oriented
6 businesses with discretion and taste, so they added a definition they felt was clear enough to
7 understand but not offensive. They added art studio and/or gallery specifically to encourage artists
8 to come. They will be substituting the word household for family across the document. The also
9 included a formula business definition. They used the word dwelling for any building that people
10 live in. There were places she had added the Village Green District in with the list that included
11 the Village Center District because it was a whole new district. The definition of the center of
12 Chester had to have the Village Green added to it. Open market was also added after they deleted
13 a similar term and went with open market.

14
15 Lee asked if adult-oriented business was focused on sexually oriented materials. He asked if the
16 Commission considered any other types of adult-oriented businesses to be included. Cathy said
17 they had done so and couldn't find a way to include them as there wasn't enough precedence.

18
19 Hugh added that they had spent time considering it. The traditional definition of adult-oriented
20 business was targeted at strip clubs and the sex industry. If they expanded it to include adult use
21 businesses like alcohol, tobacco, and firearms, it just made it too confusing jamming too much into
22 the definition, so they left it narrow because they don't want that type of business on The Green.
23 Later if they decide what Chester wants to do with adult use or age restricted businesses, they will
24 tackle it at a future time.

25
26 Lee mentioned Woodstock or Ludlow had a drug and drug paraphernalia ordinance and he
27 wondered if that would mean no drugstores. He applauded them for doing it and wondered what
28 the thought process was. Arne said the state was very specific that they can't single out cannabis
29 from other retail. He thought they should err on the side of caution.

30
31 Cathy said the DRB could not reject a conditional use application based on what they were selling.
32 They had thought a lot about it and were stymied they couldn't say no for that reason only. Arne
33 said all the other things could come into play, but that one specific item could not on an approval
34 or disapproval. Heather was glad they didn't say Starbucks but rather formula business. It is a
35 small area that needs special attention and she thought they did a good job defining the area and
36 the zero setbacks made sense to her.

37
38 Arne agreed that it was a good, practical, commonsense document. He thought it went a long way
39 in protecting the character of town. He said preserving the character of the village and promoting
40 growth was a difficult thing to balance.

41
42 Arne announced that it was included on their agenda so that they could adopt it without any
43 changes. Unless the Selectboard had something they wanted to change or were extremely
44 concerned about, but he wasn't hearing that. Heather thought if there were complaints, they should
45 have another one, but she wasn't hearing that. Lee mentioned there were at least 30 people
46 Zooming into this meeting.

1 Arne said there was still one more chance for people to speak up about it when they got to the
2 agenda item.

3
4 Hearing no more comments, questions, or concerns, Arne thought they could close the public
5 hearing. He thanked the Planning Commission for their hard work and said they did a great job.
6 Leigh thanked them and said their presentation was good.

7
8 Heather moved to adjourn the hearing and Lee seconded the motion. The hearing adjourned at
9 7:19 p.m.

10 **Call to Order**

11
12
13 Arne Jonynas called the special meeting to order at 7:20 p.m. He said the only reason they called
14 it a special meeting was because it wasn't starting at the regular time.

15 **Agenda Item 1, Approve minutes from the May 4, 2022, Meeting**

16
17 Lee moved and Heather seconded to approve the May 4th draft minutes. Arne asked if there were
18 any changes and there were none. A vote was taken, and the motion passed unanimously, and the
19 minutes were approved.

20 **Agenda Item 2, Citizens Comments/Answers from Previous Meeting**

21 Linda Diak hoped the board would address the library situation. Arne said they planned to speak
22 briefly about it during new business to inform people what has happened and what action they
23 would be taking. It wouldn't be open for discussion because they didn't have it on the agenda as
24 they didn't know it was happening until recently. Linda knew that some folks, herself included,
25 sent letters of interest to the trustees and asked if they had been forwarded to the board. Julie Hance
26 said she had received them at 4:00 that afternoon and would be updating the board during new
27 business. Linda thanked her.

28 **Agenda Item 3, Old Business**

29 Report given by the Town Manager:

30 Solar Field

31 Julie was having a difficult time locating an appraisal firm. She said either the farm was too small,
32 they didn't have time, or they wouldn't be available until next year. She had reached out to another
33 woman whose name she was given and had not yet heard back. She was amazed she was having a
34 difficult time finding someone to do the appraisal. She said Green Lantern was having a hard time,
35 too. Most of what she was running into was the farm was too small. The firms Green Lantern is
36 giving her are out of Boston and New York City and are national firms. Arne wondered about
37 insurance. He thought when a company insures a farm, they must put a value. Julie said she would
38 ask if that was an accepted number.

39 Crash Data

40 She finally received the data and had put it out to the members for their information.

41 Popple Dungeon

42 The bridge replacement work would take place this summer. The section of Popple Dungeon past

1 Zezza Road would be closed beginning June 13th and worst-case scenario, would reopen August
2 21st. They are hoping it will be done sooner.

3 ARPA Meeting

4 Comments continue to come in of ideas. Julie is giving it more time and will merge the ideas with
5 the town's list and hoped to have the results at the next meeting.

6 Public Safety Forum

7 The forum was not well attended but those there had great comments and great conversation. It
8 was the first of several and they hoped to hold another one in September.

9 Community Breakfast

10 This coming Sunday from 7:30 to 10:00 is the first breakfast. It is a fundraiser for public safety
11 and will be \$10 for adults and \$5 for kids, and under 2, free. Lee suggested having cards available
12 at the breakfast soliciting suggestions for public safety services.

13 Regarding the solar farm, Mr. Goodfellow thought that Lee Gustafson does them for a living. Lee
14 thanked Jim but said it was a little bit of a conflict of interest. Julie said he was at the bottom of
15 her list, but it may be what they must do. Lee also offered Tim Roper as someone in the industry
16 and between the two of them, they could come up with something.

17 Arne asked if the Cannabis Control Commission had met yet. Julie said they had not but would be
18 meeting next week. She said several members had attended the training.

19 **Agenda Item 4, Home Occupation Permit Fee Waiver; Planning Commission present**

20 Hugh Quinn spoke regarding home occupation. The Planning Commission had spoken about it a
21 month ago. It is a guaranteed right given by the state to use a minor portion of their dwelling for a
22 home occupation. Chester has incorporated that definition into their bylaws and expanded it to
23 include a minor portion of an accessory building. They also have requirements related to making
24 sure the home occupation is customary for that residential area and that it doesn't violate any
25 performance standards such as smoke or electrical interference, or anything that would disrupt a
26 neighborhood. They have all the instruments in place to understand the home occupation and
27 support it but there has been a little bit of an inconsistency in permitting home occupations. As it
28 stands, very few home occupations in Chester have permits even though it's a requirement. They
29 want to be able to understand what the home occupations look like in Chester and there's potential
30 that they haven't had the benefit of communicating with Preston in order to understand the
31 guidelines for a home occupation if they haven't obtained a permit. There's an education and
32 awareness component missing in many home occupations. The Planning Commission thought one
33 way to address it was to offer a two-year waiver of the permitting fee and only require the \$15
34 recording fee. They are trying to create an environment where they can catch up with the home
35 occupation permits that haven't happened in Chester in the past and help folks feel comfortable to
36 obtain the permit without having to incur the fee. That was a summary of the letter they sent to the
37 Selectboard for their consideration. Arne said it was required but there were no repercussions.
38 Hugh thought what could constitute a repercussion was if someone started a home occupation but
39 wasn't following the guidelines outlined in the bylaws, a neighbor could complain, and it would
40 be an after-the-fact enforcement factor. He said if someone was operating a home occupation and
41 nobody in the neighborhood was complaining, nobody would know. Arne noted the goal wasn't
42 to punish people but to gather information for town data. Hugh agreed. Hugh said at one time there

1 was confusion about whether a permit was needed. He said some of the discussions the Planning
2 Commission had at meetings involved folks wanting a permit to legitimize running a business out
3 of their home. He said some folks would view it as Big Brother and not want to participate and
4 other people would want to legitimize having a business out of their home and would want a
5 permit.

6 Arne asked if they wanted the Selectboard to waive the fee for two years and only charge the \$15
7 recording fee and Hugh agreed.

8 Scott MacDonald said he had applied after the fact so he could have a permit. He thought a point
9 they could make to people was when they have a permit and try to sell their home, they can tell
10 the perspective buyer the town made it easy to get the permit and it makes it easier for people to
11 sell their homes when they have an accessory building on their property. He thought several people
12 would question why a permit is needed if the State of Vermont says they have the right to do it.
13 From that perspective, he thought it suited their town better to call it registration and not have a
14 recording fee.

15 Heather thought one of the problems was defining the terms home business and home occupation.
16 She has had a home business or occupation and wasn't sure which. She wondered if, from a
17 consumer point of view, they could do an educational pitch. She said there had been years of
18 inconsistency with the definition or what was said. She was agreeable to not having fees and
19 wondered why they were only do home occupations. She offered to recuse herself if they wanted
20 her to, given she has personally been a part of this. Arne thought they would lose a good part of
21 the board and their quorum if they did that.

22 Hugh thought there would be outreach and education. Preston has a wealth of knowledge and could
23 provide guidance regarding a home occupation. He thought they needed to put the word out that
24 they wanted people to come in and get their permit and use the opportunity for education.

25 Heather thought they should improve upon the definitions so when they look at the whole
26 document it's clearer.

27 Lee asked if they could give examples of anyone self-employed who would not be subject to home
28 occupation or home business. He asked if there were any instances where they wouldn't be subject
29 to the permit requirement.

30 Hugh used himself as an example. He is a remote worker who works out of his house but for a
31 corporation and does not need a home occupation permit. Lee was thinking of a landscaper,
32 someone who mows lawns, and wondered if they would be a home occupation. Preston said if
33 your business was registered out of your home, you would be a home occupation and if you had a
34 business sign or were advertising and your contact was your home. Preston said he doesn't like to
35 burden people with regulations. He thought if someone was doing something that was gainful
36 employment and wasn't bothering someone, it wasn't the biggest problem.

37 Arne said if the business requires insurance, that can be an incentive to be permitted. He liked that
38 it wasn't punitive, and they were trying to help people and collect data and people wouldn't be
39 afraid of coming in to seek help. He thought it was a good approach and first step.

40 Linda Diak said when they came to Chester in 2015, she had to give a lot of information including
41 what equipment they owned and what countries they sold to and where they marketed to, etc. She
42 only paid \$35 to the town. She doesn't have anything that says her business is permitted and she
43 asked where she goes to get that. Julie said she would go to Preston.

1 Ben thought it sounded like a friendly opportunity for transparency and was great. He thought the
2 Commission had thought outside the box on it. Julie said the \$15 was the recordation fee to record
3 a document in Chester. Ben moved to waive the \$50 fee for 2 years and the applicants only charged
4 the recording fee of \$15. Heather seconded the motion. Lee asked why permits were recorded.
5 Julie said law dictates it. Lee questioned why they needed it. Julie said a zoning permit must be
6 recorded in the land records by state law. Anything that requires a zoning permit gets recorded in
7 the land records. Lee wasn't convinced they needed to require a permit for running a home
8 occupation. Julie said having the permit on record for a business could be a pro for your house.
9 Arne asked if it was a state or town requirement and was told it was a town requirement. Preston
10 said there was an opinion from the State, and it was published in a brochure on the Vermont
11 Planning Information Center. He said the bylaws currently say you need a permit, but they could
12 be changed.

13 Scott MacDonald suggested if they wanted people to step up that they waive the application fee
14 permanently, especially since the State says you can have your own home occupation, by
15 promoting to have a permit for resale and insurance claims and things like that. If the state says
16 you can have a home occupation, but towns have the right to require a permit, he thought it would
17 be wonderful of the town to waive the fee for the permit and only charge the recording fee.

18 It was clarified that it was a one-time only fee of \$35 plus a recording fee of \$15 and not an annual
19 charge.

20 A vote was taken, and the motion passed unanimously.

21 Arne thanked the Commission for their work.

22 **Agenda Item 5, Adopt Amendment to Unified Development Bylaws**

23 Lee moved to adopt the Amendment to the Unified Development Bylaws as presented earlier in
24 the evening, and Leigh seconded. Arne asked for any discussion and there was none. A vote was
25 taken, and the motion passed unanimously.

26 Lee and Arne thanked the Planning Commission for all their work.

27 **Agenda Item 6, Police Department Assessment; Update**

28 Julie said Jim Baker was hard at work and had met with all police officers and was currently
29 meeting with department heads and other police, fire and ambulance agencies that surround them.
30 Julie had provided a copy of the scope of what he would be doing. He will be meeting with a few
31 focus groups representing different areas of town, including inside the village, outside the village,
32 business owners, and maybe some of the special interest groups like the Family Center and
33 Community Cares. The point of the meetings was to learn how they view the police department
34 and what they want to see. Jim is also developing a town wide survey to be completed by property
35 owners and residents to gather feedback about how the police department is viewed by the
36 community and what they would like to see. He expects to be done in 6 weeks.

37 Arne asked how the union negotiations were going and Julie said they were in negotiations and
38 working through the agreement.

39 Shawn Cunningham asked if all the information gathered in the public assessment would be
40 available or only what was included in the final assessment released to the public. Julie thought
41 only the report because he wanted people to speak to him in confidence and be willing to speak
42 freely. Shawn said it wouldn't be necessary to see individually identifiable information but would

1 be interesting to see all the information as opposed to what comes out in a report. Julie said she
2 would verify that and wasn't comfortable answering the question until she did that.

3 Kyle Laurita from The Vermont Journal Shopper asked what the projected date was when Jim
4 Baker would be making a presentation to the board. Julie said he was still gathering information
5 and thought possibly the June 15th meeting.

6 Ginger Roper asked how someone could be part of a focus group. Julie said to email her that she
7 was interested in being on a focus group. She said there was no selection process and anyone that
8 came forward would be on a focus group. Julie said the goal was to hear from everyone.

9 **Agenda Item 7, Grant Application Seeking Additional Funds for Depot Street; approve**
10 **LOS**

11 Julie said it was a federally funded project with red tape. They are looking to bid over the winter
12 with construction in 2023. Because prices have increased, there is a shortfall in the contract of
13 somewhere between 300 to 400 thousand dollars. Bike/Ped Grant funded the project initially and
14 has come around with more funding and are allowing a specific application for additional funding
15 of an already approved project. She needed the board to sign a letter authorizing her to apply and
16 said there would be a slight increase in match as they would need 20% of the additional funds
17 which they could budget in the capital plan next year. They already have \$200,000 budgeted and
18 this would be another \$60 to \$80 thousand. Heather moved for Julie to proceed to apply for
19 additional funds for the Depot Street project and Lee seconded. A vote was taken, and the motion
20 passed unanimously.

21 **Agenda Item 8, Grant Application for Northern Border Regional Commission Grant;**
22 **approve LOS**

23 Julie said they were selected to apply for funding through the Northern Border Regional
24 Commission. Vermont is now being permitted to apply. The project would be a combination
25 project between the Town of Chester and Drew's. It would help Drew's get the funding they need
26 to install their cooling tunnel. Right now, they use about 30,000 gallons a day of potable water
27 which not only comes from the town's supply but also must be processed through the sewer plant.
28 The cooling tunnel uses their own pretreated discharge to cool their jars. It would benefit both
29 Drew's and Chester. The town would install a pH monitoring system at the plant so when Drew's
30 has a discharge, it will be monitored and add chemicals as necessary. The two projects will cost
31 around \$700,000. Drew's will pay the match for their portion. The town would pay the match of
32 \$300,000 for its portion. It would come out of water and sewer reserve. There is grant money
33 available for pretreatment and Julie is trying to secure funding to get Chester's match covered so
34 it's possible there would be no direct cost to Chester but that isn't guaranteed.

35 Ben asked if Drew's was able to help with the match and Julie didn't believe they were. Heather
36 asked if the pH monitor was only for Drew's and Julie said it was for any discharge coming into
37 Chester's plant. It would be an infrastructure enhancement that could attract other businesses. Julie
38 said when the plant was upgraded 20 years ago, these were cut from the project at that time.

39 Lee asked what the savings to the town would be and Julie was not sure.

40 Julie said Chester's usage has increased since COVID since second homeowners have moved here
41 and the secondary well isn't in place so freeing up 30,000 gallons of water would help.

42 Arne asked if the decision would lock them into spending the money. Julie said the document was

1 approving her to apply but also implying that they are providing the match and willing to do so.
2 She said if they weren't sure they were willing to spend the money, not to do it.

3 Ben asked how much was in the reserve. Julie said for water it was about \$900,000 and she couldn't
4 remember the sewer, but it was healthy.

5 Lee said they were reinvesting in the upgrade. Heather was supportive of it from a business
6 perspective. Ben said it was also important to say not just for businesses but the community.
7 Heather agreed.

8 Phil Perlah thought Drew's was a very important business in town, as a major taxpayer and
9 employer and every jar they ship out says Chester, Vermont on the back of it. He thought whatever
10 could be done to support their business should be.

11 Scott MacDonald went to the Chester Business Coalition meeting recently and said Jeff Holden
12 spoke about how we are over our wastewater limits and are sitting on a ticking timebomb. If we
13 want to be business friendly and look at growth and not consider anything we do for the
14 management of our water. Scott said people coming here don't understand that town water and
15 sewer is still a well. He suggested they talk with realtors and let people that move here know it's
16 not really city water but a delicate system that's at the brink of being overtaxed. Anything they
17 could do to support the ability of managing their water and wastewater is a priority.

18 Lee Herrington asked if a business was no longer purchasing 30,000 gallons was there a reduction
19 in revenue but otherwise it sounded like a win. Julie said there would be a reduction. Water is
20 billed at \$1 per thousand gallons and sewer is billed at \$4.10 per one thousand gallons. She thought
21 there would be a savings in not having to treat the water that comes through. Arne added that it
22 would offer them added capacity and Julie agreed.

23 Arne asked for a motion to authorize the official resolution dated June 1, 2022: for the State
24 Economic Infrastructure & Development Program, NBRC and the Town of Chester is submitting
25 its application under 2022 State Economic & Infrastructure Development Program. As required,
26 the Chester Selectboard resolves as follows: Deborah Aldrich, Town Treasurer, is hereby
27 authorized to sign the NBRC SEID application on behalf of the Town of Chester; and Deborah
28 Aldrich, Town Treasurer, is hereby authorized to sign all NBRC investment documents that bind
29 the Town of Chester. Heather moved and Ben seconded. Arne asked for further discussion and
30 there was none. A vote was taken, and it passed unanimously.

31 **Agenda Item 9, Sign Cemetery Deeds**

32 The board members signed cemetery deeds.

33 **Agenda Item 10, New Business/Next Agenda**

34 Arne said through series of extremely unfortunate events, the library board is without a quorum
35 and there is only one board member left out of seven. The board resigned because of controversy
36 and issues over the past few weeks. The Library Director has also resigned as of the end of June.
37 Arne said they were in unchartered waters and Julie had consulted with the town attorney who is
38 looking at caselaw relative to how the library continues to operate without a board. They are a
39 separate entity paid by their own board so payroll would also be affected. Arne couldn't help but
40 think it could have been handled differently with a more positive outcome. Arne said it was sad
41 they were in the current situation. He added that the library was the soul of the community.

42 Lee asked if the library board fell under the purview of the Selectboard. Julie said their attorney,

1 Jim, had called her at home before the meeting to update her. The library and board of trustees
2 were set up by the General Assembly back in the 1800s and are their own entity. The only authority
3 the Selectboard has over the library is the appointment of trustees in the case of vacancy. Payroll,
4 staff management, direction, supervision and operation of the library is all the responsibility of the
5 trustees. Jim is looking into what happens in the current situation and until they get back to a
6 quorum. He hasn't provided caselaw yet, but his advice was not to close the doors of the library.
7 He feels confident that he can find a legal way to get payroll approved and bills paid. He expects
8 to issue a legal opinion within the next few days for the Selectboard. The issue is the warrant
9 getting signed for the issue of bills and leaves the Treasurer hanging. The library treasurer can only
10 pay bills with the support of the board. He feels the Selectboard can intervene, or she can sign on
11 her own. He just wants to verify there's caselaw because they don't want the town treasurer
12 hanging out there with liability. All the accounts for the Whiting Library have the Town of Chester
13 Federal ID number. Lee asked if because the library was part of Chester and the Selectboard was
14 the governing body of Chester, did that mean they had the authority or responsibility to make sure
15 the bills are paid. Julie said by establishment of the library, they have not been given that authority.
16 Arne said they needed to be careful with how much they discuss the issue at this point. Julie
17 expected to have a legal opinion within a few days. Heather suggested a special meeting. Arne
18 said there were at least 3 people who had expressed interest and possibly a fourth to be on the
19 board. He thought the remaining member would stay. The library board needs a minimum of four
20 trustees and any motions that would come before them would need to be unanimous to pass
21 because it would be out of 7. Heather suggested an ad. Julie had already drafted an ad and planned
22 to get letters of interest to the board by their June 15th meeting so they could conduct interviews
23 and hopefully make appointments the same night. They needed to get through a 2-week period.

24 Arne did not want to take public comments because it was not a warned agenda item and said there
25 would be time for comments at the next meeting when it was warned. He said the library would
26 survive and sometimes out of controversy comes learning and growth. He hoped that happened in
27 this situation and he would look to future possibilities with a positive note. It is a hard time for the
28 town and for all involved. Lee expressed his appreciation for everyone who had served, and Arne
29 echoed the same. Arne pointed out that it's a volunteer position and sometimes volunteer positions
30 in town government are thankless. He hoped more people would come forward and preserve what
31 they've had for 135 years. Heather asked to be kept abreast of what was going on and thought they
32 really needed to pay attention. Arne said if they required a special meeting, they could do that.

33 Leigh asked what had happened on Grafton Street near River Street where water was flooding.
34 Julie said it was the property owner's service line and the owner was taking care of it and waiting
35 for a contractor.

36 Ben announced he would not be at the meeting on the 15th.

37 **Agenda Item 11, Adjourn**

38 Lee moved and Ben seconded to adjourn the meeting. The motion passed unanimously, and the
39 meeting was adjourned at 8:35 p.m.