

1 **TOWN OF CHESTER**
2 **PLANNING COMMISSION**
3 **June 20, 2022, Draft Minutes**

4 **Commission Members Present:** Peter Hudkins, Cathy Hasbrouck, Barre Pinske, Tim Roper, and
5 Hugh Quinn at Town Hall.

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

8 **Citizens Present:** Steve Mancuso at Town Hall; and Chester Telegraph, Teresa, Arne Jonynas,
9 and Jason Rasmussen via Zoom.

10 **Call to Order**

11 Chair Hugh Quinn called the meeting to order at 6:33 p.m.

12
13 **Decisions Made:**

- 14
- 15 • Agreed to advance the Legacy Use and Adaptive Reuse bylaw for adoption.
 - 16 • Agreed that a crawl, walk, run approach to Short Term Rental regulation was prudent
17 and a good place to start would be with a registration and basic health and safety ordinance.

18 **Action Items:**

- 19
- 20 • Preparation work for the July 18th BMG Workshop.
 - 21 ○ All should review the “Enabling Better Places” document
 - 22 ○ Cathy will focus on Land Use, Future Use Maps, and Housing areas of the Town
23 Plan.
 - 24 ○ Hugh will focus on the 2018 Zoning Audit.
 - 25 ○ Peter will focus on the Village Center Master Plan.
 - 26 ○ Tim will focus on Fair Housing Laws.
 - 27 ○ Barre will work on the Workshop Press Release.
 - 28 ○ Jason will research options to collect community feedback for the BMG project
29 website.
 - Preston will draft a Short-Term Rental Registration Process

30 **Agenda Item 1, Add or Delete Items on the Agenda, if necessary.**

31
32 Hugh asked if there were any changes. Tim didn’t have a change but had a first draft of the survey
33 if they had time to discuss it, if not, they could push it out. Hugh knew they were planning on it
34 for a future meeting but if they had time tonight, they would discuss it.

35
36 **Agenda Item 2, Review and Approve Minutes from June 6, 2022 meeting**

37
38 Hugh moved to review and approve the June 6, 2022, meeting minutes and Cathy seconded the
39 motion. Tim had minor changes. Page 1, under the decisions made, last bullet, first sub-bullet, last

1 sentence should read: “it can be worked in parallel.”

2

3 Tim noted on page 7, line 1, Buck’s Auto should be Bux Auto.

4

5 Barre thought some of the language seemed weird to him. On page 2, lines 12 and 13 under
6 Citizens Comments, the end of line 11 read: “He thanked them for their hard work and thought
7 their work should be the role model for the planning commission community.” He wondered if
8 those were the words Steve Mancuso had used. He didn’t know what planning commission
9 community meant. If it was what he said, it was fine, but he didn’t think it made sense. Hugh
10 agreed. Tim suggested they elevate it from commission to community. Steve was asked if he
11 remembered. Steve said as far as planning commission went, everyone in the state should be
12 looking at it. Tim agreed that was what Steve said and meant. Barre suggested Sue review it. Tim
13 suggested after the word community a comma be added and the word statewide if Steve was okay
14 with that. He was. Barre said his concern was it might be an incomplete sentence so this would
15 make it clear what he was trying to communicate.

16

17 Barre noted on page 3, line 28, it read, “He was not against Airbnbs but thought they needed to
18 tighten it up to make sure they aren’t losing their community, possibly limiting the number of days
19 they were in use.” He believed the language he wanted to put in there was referenced in another
20 part of minutes and that was the amount of days the people have to be residents at their property
21 which is different than the amount of days the Airbnbs would be in use. Because that is a regulatory
22 factor right now with respect to whether you can do an Airbnb and how often. He thought they
23 might want to make note of that. He said it was coming up later in the meeting and they could find
24 out what it really was. Cathy asked Barre if he was saying the bylaws said something about it.
25 Barre said he believed it may be in the draft bylaws rather than the actual working bylaws but they
26 had talked about the amount of days that people are supposed to be at their residence in order to
27 have an Airbnb and that was something they had proposed. Tim recalled 28 days in the draft
28 bylaws.

29

30 Barre noted on page 4 of 10, the whole last paragraph read funny to him and maybe it was because
31 it was zoning language. He started at line 36, “The current bylaw is broad regarding fences and
32 Brandy brought in detail about it so there were other things in the administrative section they could
33 work on. Hugh thought they could do a couple of things to track how it was running.” Prior to
34 that, Preston said, “Brandy had handled well the list of exempt structures.” And then from there,
35 it went into something else. He wondered what exactly was being talked about and whether running
36 was the right word and how it jumped around from fences to what it was trying to say because it
37 didn’t make a lot of sense to him.

38

39 Barre noted at line 42, it read, “Hugh assumed those sorts of things they may address were
40 independent in overreaching of any zone.” And then there was a short sentence that read, “He
41 asked if that was typically true.” And then there was the word, “Peter said it was easily chunked
42 out.” The whole paragraph read a little funny to him. He didn’t know what chunked out meant. He
43 didn’t know why it mattered so much to him.

44

45 Tim said Barre had to keep in mind it was more or less a transcript of what was said, and they
46 don’t always speak in complete sentences. Hugh remembered this part of the meeting and it was

1 when they were talking about priorities, and he thought they were discussing item #8 from their
2 topic list which was about the administrative section of the bylaws. The administrative section of
3 the bylaws has a lot of different elements in it. Preston was calling out exemptions and other things
4 that are typically in that part of the bylaw. It was generally around that part of the bylaw, and it
5 was about the fact that that part of the bylaw transcends all the different zoning districts so it could
6 actually be pulled out and worked independently, so it won't be in the critical path of the work
7 Jason will be doing under the bylaw modernization grant. That was what Hugh remembered about
8 that part of the meeting. It was generally about having Preston largely look at the administrative
9 part of their adoptive bylaw and figure out what would be next to tighten up or work on. Preston
10 agreed and said if Barre was looking for changes, he supposed Hugh's sentence about how things
11 were running could be deleted. He thought when Peter said easily chunked out, he thought he
12 meant you could take chunks of Barre's bylaw and move it over. He didn't know if they wanted
13 to say that or also strike that sentence. Barre didn't want to make a big deal out of it, but it didn't
14 make sense to him. He wondered if anyone would read it at some point and did it need to make
15 sense and if it did, how would they make it make sense. Tim suggested you had to be there to
16 understand in parenthesis. Barre was there and he still didn't understand it. Someone is running
17 and something's getting chunked and there's a fence involved, was all he knew. Maybe it wasn't
18 that important.

19 Barre thought he should probably stop and then noted on page 5 of 10, line 6, "Hugh said the same
20 as Cathy was giving updates on the status of the Village Green" didn't make any sense to him
21 either. He asked if it was written funny. Tim said it was only part of the sentence and read the rest
22 of the sentence and said it was just a comparison. It made sense to the other members.

23
24 Barre continued with line 38 of page 5, "Barre said it could be October. He thought the sooner the
25 better because there could be more important things." He thought he meant it didn't have to be that
26 soon but it could be sooner but there are other things that might be more important. He thought
27 that ready funny too, but maybe it didn't read funny to anyone else. He asked if it made sense. Tim
28 said it was a little fragmented but again it was a transcription. Cathy agreed.

29
30 Hugh asked if there was anything else on the minutes and there were no other changes. A vote was
31 taken, and the motion carried, and the minutes were approved as amended.

32

33 **Agenda Item 3, Citizens Comments**

34

35 Hugh asked for comments for items not on the agenda.

36

37 Chester citizen Steve Mancuso said now that they had created or were in the process of creating
38 business friendly tools, legacy and readaptive use, he started thinking how many buildings in town
39 were unoccupied, used to be businesses or could be businesses again. Driving through town, he
40 saw Chat and Chew on one end and the Chester General Store on the other. There is whatever the
41 Calico Kitchen became across from the Legion, the Armory, the National Survey there doesn't
42 seem to be much life, the Jeffries Barn, the Inn at Stone Village – that big, long inn that's not doing
43 anything, and then something in their packet was a search engine they found they were using to
44 find the Airbnbs. He didn't know if it was a municipal tool, but he found it online. After he got
45 past the Big Brother aspect of it, he realized it was a very useful tool. They located all the Airbnbs
46 in the area with it and in town. He wondered if it could it be used to locate the rest of the unoccupied

1 businesses. It is within the board's scope to create bylaws, and it was a wonderful thing they were
2 doing because they're very business friendly. But it wasn't in their scope to market the properties
3 for use and that should be the private sector's job. It's a mission the Chester Business Coalition
4 might go down, but they need help. They need a little more information on what is unoccupied in
5 town and what would fall under the criteria of readaptive or legacy.

6
7 Hugh didn't have an answer to exactly how they might go about finding the properties that were
8 unoccupied and could be a target for either legacy use or readaptive reuse. He would probably
9 defer that to Preston or maybe Cathy because she has intel from a Lister's point of view. As far as
10 the data Steve saw regarding short-term rentals, they were going to talk about it later in the meeting
11 but that was an example pulled from a software package from a vendor who's in the business of
12 compliance for short-term rentals, so they wouldn't be able to use it for a broader search of all
13 properties in Chester looking for things that may be unoccupied.

14
15 Cathy commented, as a citizen, it was important to acknowledge it was the first celebration of
16 Juneteenth nationally. As a human, she was proud of them for recognizing what an injustice slavery
17 was and having outlawed it in the country and she thought they all should be proud of it. As a
18 person whose ancestors held slaves, she was a little shaken and didn't know what on earth they
19 were thinking. They were religious mystics and she thought they would have realized what a
20 terrible thing it would be to put a human into bondage but apparently, they didn't. She wanted to
21 be observant of herself that whatever they were thinking she hoped she didn't ever think it. She
22 thought they should celebrate that people came to their senses and realized it was a very bad thing
23 and outlawed it and celebrate the strength of the people who had been enslaved that they didn't
24 rise up and kill everyone because that would have made sense to her. Several people thanked Cathy
25 for her comments.

26 27 **Agenda Item 4, Preparation for the 1st Bylaw Modernization Workshop**

28
29 Hugh noted the workshop was tentatively scheduled for tonight, but they got behind in getting the
30 word out, so they decided to move the first workshop to July 18th. He wanted to take time at this
31 meeting to make sure if there was work that they needed to do as a commission to prepare for that
32 meeting, that they got their ducks in a row. Jason Rasmussen was present via Zoom. Hugh had a
33 couple of items he wanted to discuss to prepare for it and then they could see if there was anything
34 else they needed to do to be prepared. Everyone had gotten the reading list which was sort of the
35 homework assignment for the Planning Commission to get up to speed with the foundational
36 documents. One discussion they had about a month ago was to see if they wanted to divide and
37 conquer the reading list by having different planning members agree to focus on one document or
38 another rather than having to be completely well versed in all of them. He wanted to get a dialogue
39 going if people thought that was a good idea and if they did, they could chat for a few minutes and
40 decide who wants to look at which documents. He asked for thoughts about the divide and conquer
41 strategy. Tim was the first to confess that he didn't dig into it when he saw they weren't doing the
42 workshop this week. He didn't have a grasp of how much reading there was. Hugh said Jason had
43 identified 5 documents: the Town Plan, the Village Center Master Plan, the Zoning Audit done in
44 2018 by Brandy, the Enabling Better Places document that was put out by the ACCD, and then a
45 link for fair housing laws. Hugh thought if everyone tried to be up to speed on all of them, it was
46 a lot of reading. He was a fan of the divide and conquer approach.

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Peter thought everyone should read the Better Places document. Cathy suggested if they were focused on housing, the housing chapter in the town plan was short. She thought it was a little hard to understand because it discusses how they did calculations. Hugh didn't think it was the whole town plan and that Jason had outlined a handful of sections of the plan. He didn't have the subsections in his head but suffice to say it wasn't the entire town plan but a handful of sections. He thought everyone received an email that Jason had forwarded to him that had the reading list and what sections of the documents they would discuss.

Jason suggested the housing and land use sections were the more important sections. Hugh thanked Jason for the clarification. Hugh knew the Village Center Master Plan was a pretty lengthy document. Cathy thought everyone should read the Better Places document which was easily understood. Hugh agreed. Cathy said if the mathematics in the housing chapter of the town plan were left out, it also wasn't difficult to read. She thought it would be good for all of them to know this has been the town plan for 12 or 15 years. She thought maybe they could split up the other ones. The future land use map and land use in general would be worth someone studying and focusing on for one person. Hugh asked if she meant the land use section of the Town Plan and she said she did. Cathy said that would be one, the Master Plan would be the other document and the Zoning Audit would be the third.

Hugh had already spent some time with the Zoning Audit, so he was happy to take it. He had spent some time on it a while back, so he was already a leg up on the audit. If they thought it made sense to start the process, he would sign up to have a fairly well in-hand knowledge of the Zoning Audit. He will probably scan the other documents but wouldn't have time to go deep on all of them, so he would go deep on the Zoning Audit. They all agreed they will all read the Better Places document. That left the Fair Housing Laws, the land use part of the Town Plan, and the Village Center Master Plan.

Tim had the email regarding the sections referenced for the housing chapter, future lands use map, and the land use chapter, chapters 3, 5, 6, and 10.

Cathy was open to doing any of them. Hugh asked them to pick something they wanted to do, and he would write it down. If nobody picked an item, they would all have to do it. Cathy wanted to look at future land use. Peter asked if there was a map with it. Cathy had copies but didn't know if everyone did and could get them copies. Hugh asked if future land use included the land use section of the Town Plan. It did. Hugh confirmed that Cathy would take land use and future land use.

Jason added that the Village Center Master Plan was big. He thought someone may want to focus more where it was talking about land use, zoning, parking, and those sorts of things and focus less on infrastructure investment stuff. Peter spent a lot of time with it and said there was one document that wasn't that hard to read that was all the conclusions. The email included the link that led to all the backup. It was a much better housing study they did for that than what was included in the Town Plan. Peter said he could take a shot at it but thought Barre was more of an expert on it than the rest of them because he was on the committee.

1 Hugh said the only thing left was the fair housing laws and if nobody took it, they would have to
2 cover it somehow. Tim said he would take a shot at it. Hugh said he would scan through everything,
3 but the idea would be if you wanted to focus on something and you picked it, you wouldn't have
4 to worry about going deep on the others. Hugh asked Tim to look at it and then it would be covered,
5 and Tim agreed.

6
7 Hugh said he hadn't planned well enough to get the word out in time to have the workshop and he
8 didn't want to shortchange whatever community involvement they could get. Jason had drafted a
9 press release. He thought there was work to tune it up or figure out their strategy for getting the
10 word out. He wasn't familiar with the process. His sense was they should advertise and do it with
11 enough notice. He asked anyone with experience to offer suggestions.

12
13 Tim was sure The Telegraph and Vermont Journal would publish a press release. Cathy said they
14 both publish on Wednesdays and the meeting would be on a Monday. She thought they needed to
15 shoot for the two preceding Wednesdays, because 5 days' notice may not be enough, but 12 days'
16 notice may be too much, and they could forget. Hugh wondered if they needed to do it twice.

17
18 Barre had done press releases for years and the way Jason wrote it was the way it needed to be
19 written. There were some things that needed to be filled in there. The way he looked at it, which
20 had been successful, was if you had a business, and someone came in and offered to sweep the
21 floor and grabbed the broom and started sweeping and did a good job, you're going to be very
22 happy they did it. Part of how periodicals work is they need content. Human interest stories are
23 more interesting than the Chester Planning Commission. To that same theory, if they write
24 something that's very well written and has a nice little photo that goes along with it and they send
25 it out prior to their time of running it and it's written well and punctuated and all they have to do
26 is put it in, they'll put it in. That's basically it. And then it's very important the content says what
27 they want it to say to get the people here. That's where the quote is good, and the picture is worth
28 a thousand words kind of thing. They don't want it to take up too much space, but some periodicals
29 have space. The Telegraph is online, and he didn't want to speak for them, but they seem to do a
30 nice job of being community oriented and print a full page. Whereas a newspaper is paying for
31 printing so that's a little bit different. He suggested a press release for immediate release, the date
32 you want it to go, the content, and it would be nice to have a little photo and make sure it says
33 what they want it to. He had reviewed what Jason wrote rather quickly and thought it was fairly
34 well written. He thought it should read like a story, including a who, what, where thing so the times
35 are clear, and it should be checked twice and nothing to be questioned.

36
37 Tim thought from a marketing perspective, there should be a call to action or some compelling
38 reason that people would want to attend or participate. The fact they do it on Zoom makes it a lot
39 easier and he didn't know if that was mentioned and didn't think it was. He suggested adding
40 something about attending online or in person. Barre suggested using the Zoom link. Tim said it
41 was the future of their town they were talking about, and their input is extremely valuable to them.
42 Hugh said that made sense and asked Barre if he would help with that. Barre said he could and had
43 done it for years with some success. He said he wasn't the best with punctuation, so he would
44 include the important information and give it some color and forward it to someone who was good
45 with writing skills and getting it cleaned up. He said they had what Jason wrote to start with and
46 could include Tim's quote and add an image. Tim would be happy to act as a proofreader. Barre

1 thought it was well started and after working with it could send it off to Tim. Tim asked if it would
2 be easier for Barre if it was in a Word document. Hugh said he had the Word document and would
3 send it to Barre. Then Barre would work on it and send it to Tim. Barre asked if they wanted to
4 use a zoning map or a picture of Chester and if there was a logo for the workshop. Hugh didn't
5 think there was a logo. It was the beginning of the process of getting the work identified in the
6 grant under way. Barre suggested the recognizable Town Hall image on the town's website and
7 suggested the railroad station which was iconic. He thought they would probably want to use the
8 Town Hall to draw attention, or a map. He thought an image was important. Cathy suggested the
9 train station with the house behind it which had been renovated by the housing trust and asked if
10 it could be in one frame. Barre didn't think so and thought it was important that it was something
11 that wasn't too much. He didn't think it was a bad idea but thought the Town Hall was probably
12 best because it seemed town government oriented.
13

14 Tim called Barre's attention to a sentence in the second paragraph as a stand-alone sentence, "The
15 purpose of this workshop is to identify key principles and community policies that should inform
16 zoning changes." He thought it was fine and good and was what they would be doing but didn't
17 think the average Chester resident would be excited by those words. He thought it may be a good
18 place for Barre to include some of his why. Barre thought sometimes trying to explain too much
19 wasn't as important as the basic information. Tim thought the why in essence was they were talking
20 about the future of your town. Barre said it was their chance to have some input. Hugh said it
21 would need to be done in time for publication on July 6th and 13th. Barre said they like the press
22 releases a couple days ahead of time, the Friday before. Hugh asked Barre if June 27th was enough
23 time and Barre said it was.
24

25 Steve asked if workshops qualified as a public meeting and did they need to be properly warned.
26 Hugh said the workshop would take the timeslot of the Planning Commission meeting on the 18th,
27 so they were already warned. Hugh said once it was done, they agreed it needed to be to the papers
28 by Friday, July 1st for July 6th and by July 8th for July 13th. Barre said it would stay up on The
29 Telegraph, but the other papers wouldn't run it twice, so they needed to decide which date. Tim
30 suggested they post the press release with the photo again on the town's Facebook page and the
31 community Facebook pages which he thought there were four. Barre thought that was their best
32 bet. Last year they had advertised The Big Buzz all with social media with good success. He
33 thought people frequented those pages. Once the content was made, it could just be put on there
34 and that was almost more efficient. Hugh asked if for the printed publication, did they want it on
35 the 13th or the 6th. Barre suggested if they read it, it would stick with them, rather than having it 2
36 weeks ahead. Tim thought if it was published on the 6th, they could use social media as a reminder.
37 By publishing it 2 weeks ahead, people could plan for it. Cathy suggested they publish it in The
38 Journal on the 6th and The Telegraph on the 13th. Barre suggested they could run it in the Eagle
39 Crimes [sic]. Tim asked if the Eagle Times was distributed in Chester. Barre thought so but said
40 he received in online and thought a lot of people did. Tim asked if they submitted it to The Journal,
41 didn't they own the Eagle Times or have a relationship with them? Barre thought they had different
42 editors. Hugh asked if it cost money and Barre and Tim said no. Tim added if they had room, they
43 would publish them. Barre said the rule of thumb was press releases were normally published for
44 municipalities or anything community oriented that they were trying to get out to the people to
45 benefit them. The next level would be human interest. If there's human interest and it's just cool
46 and the periodicals didn't know about them, you were kind of doing their work for them by creating

1 an interesting story or something interesting to do. From there, it was your non-profits, art
2 museums and things like that. Barre said as soon as Hugh rifled it off to him, he would get on it
3 and do it the next day and then get it to Tim. Hugh appreciated that.

4
5 Hugh asked Jason to talk about setting up a website. Jason said they have an intern with those
6 skills. She can create a standalone project website but wanted to know what she should say and
7 the content. At the basic level, it could just be a pretty picture with Chester Zoning Update or
8 Unified Development Bylaw Update. It could be a place where they post the project schedule, draft
9 documents, public meeting flyers, and all that kind of stuff. He wanted their thoughts about what
10 should be on there. For starters, what did they think such a website should have?

11
12 Hugh thought once the project got underway, if there was a link on the town website that took you
13 to the project website, it would make sense because they wouldn't be trying to do all that work on
14 the town website and at a minimum, schedules or something that alluded to progress and/or
15 documents that are in draft status for people to review. He wanted an easy way for people to
16 consume the work they were doing and then could provide some feedback. If there was a way to
17 post a comment or something, it seemed good.

18
19 Tim asked how difficult it would be to include a search feature. If an electrician wanted to find
20 something that was specific to that industry. Steve Mancuso agreed and said there were zoning
21 bylaws for lighting and signage. Tim said they were talking about housing in this case, so multi-
22 family, single family, accessory dwelling. Jason asked if he meant a searchable document, or a
23 search bar and Tim said search bar on the website. Jason didn't know how hard that would be but
24 would ask and asked them to stay tuned.

25
26 Hugh thought it was probably straightforward to have the documents they were drafting and things
27 they wanted people to review could be put there and asked if Jason could find out how difficult it
28 would be to collect community feedback if someone read a document and wanted to leave a
29 comment about it. Jason said it was doable but would check on it. He asked if there was a Planning
30 Commission email or if they would need to create something through the website. Hugh said they
31 could send it to the Planning Commission Chair email address if that was what made the most
32 sense. For him, the most rudimentary simplest way to collect community feedback, as he wanted
33 them to have a channel to provide feedback. If there was a way to store comments on the website
34 against the document or take the comments and send them to the Planning Commission email
35 address. Whatever was the most straightforward way to get the job done was fine with him. Cathy
36 asked if he would want other people to see the comments and if they were sent off in an email,
37 they wouldn't be able to see them. Hugh said that was a great point. His opinion about feedback
38 was he liked the idea of people being able to see comments and respond to them, but he wasn't a
39 big fan of the kind of feedback he sometimes sees on social media. That isn't the kind of feedback
40 that would be helpful for him personally. He doesn't want to see the back and forth. He wants
41 people to comment and to understand what other people are thinking. He isn't at all interested in
42 comments where someone doesn't like someone else's feedback.

43
44 Tim thought there may be a way to try to mitigate that. An official town website may help. Peter
45 thought emailing it to someone who could clarify what someone says. Whoever is administrating
46 the website can then post the comment. A constructive comment can be posted by the

1 administrator.

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3 Steve Mancuso said the town website currently does that. Peter thought someone on the Planning
4 Commission would need to do it. Barre said when people have a passionate opinion about
5 something, in some cases, they don't have a full story about something or a certain perspective.
6 By allowing these things in a social media format, it can get crazy because different people with
7 different perspectives get into it. The difference between commentary and social media and what
8 they would hope would be constructive would be more like a suggestion box. With a suggestion
9 box, not everyone needs to see your comment. He thought they were way more concerned about
10 what everyone thinks than he is because he believes they're supposed to do a job and know more
11 about it than other people, and although they're supposed to get input, they are supposed to be
12 leaders and do their job. That's his opinion and he's stated it several times. He also thought input
13 was valuable and that Tim and Hugh were passionate about that. He thought they needed to be
14 clear and were they going to try to create a forum that could get political and opinionated and
15 crazy? Tim thought they should try to avoid that. Barre thought the way to do it was to think more
16 in terms of a suggestion box. They wouldn't be getting a number of different personality
17 perspectives and passions but getting real input. The suggestion box would go to their person who
18 would bring it back to the meeting and they could print it all out before the meeting. If they allow
19 people to comment anonymously, they might get more comments. Tim and Hugh were concerned
20 about it turning into a full-time administrative job. Barre didn't think they would get as much input
21 as they imagined, and Tim agreed. Hugh asked Jason to see what the options were. Hugh said
22 they're not looking for a social media experience but a way to collect meaningful feedback from
23 the community. He asked Jason to chat with the intern and see what options they had, and they
24 could go from there.

25

26 Barre noted one of the things about the web is that stuff stays there and when you put stuff out
27 there that's going to stay there, at some point in time it's not maintained, and it's no longer current
28 and can be confusing. He thought with respect to this project, in his opinion, it might be something
29 they wanted to have an end. If it started out documenting what they were doing, they may want to
30 have an end at some point or hand off to someone else to maintain if they wanted to take it further.
31 It would be one more thing that would come up in a Google search and would not be updated and
32 would be more confusing for people. Peter said it could come down after each public meeting
33 when this is the final document and it's done. Barre wanted to be clear that if the intern makes a
34 website and puts it out there and she has the passcode for it and then stops being an intern and it's
35 out in space, he wanted to make sure they had an endgame. Tim suggested archiving it and bringing
36 it back up when it's useful. Barre agreed. Hugh thought it was a good comment.

37

38 Steve realized the court of opinion can be rough. He suggested they allow it to be a tool to gain
39 some meaningful input for them for their venture and possibly consider when they do their press
40 releases that it's a prerequisite to educate yourself as a citizen about what is being done before
41 blindly coming to a workshop and then they have to spend all the time explaining things. Barre
42 asked if they could quote him, and Steve agreed.

43

44 Hugh didn't have anything else and asked Jason if he had any other comments. Jason said if the
45 timing worked, he would include the website link in the press release, if possible. He envisioned
46 it as the town's website, and they would get from them whatever passcodes were needed. He

1 thought at the end of the project, the website would just go away but it was ultimately up to them.
2 Hugh would advocate for that. Barre thought if someone in the town could maintain it, that would
3 be cool, but they would need to see how complicated it was and if anyone had the time. Hugh
4 thought it could just be transient work in progress and everything that becomes an official
5 document would get pulled into the bylaws or the town website and everything associated with the
6 project will be fodder that will just go away. That's what he was thinking. If there was anything
7 good on the website that was durable when the project was over, they could take it.

8
9 **Agenda Item 5, Review Draft Legacy Use and Adaptive Reuse content**

10
11 Cathy said the document in the packet included some changes she and Peter had come up with and
12 some they had heard at the Development Review Board hearing. The change they wanted most
13 was on the last page where they talk about adaptive reuse and choosing parcels that they would
14 want to be able to do that with. They said originally that if you wanted to rehabilitate a parcel, you
15 would use the standards that the U.S. Department of the Secretary of the Interior has for
16 rehabilitation and guidelines for rehabilitating historic buildings. Phil Perlah said they should
17 follow the guidelines whether the building qualifies to be designated as a historic building or not.
18 Tim asked where Cathy was looking, and she said it was the last page in blue. Hugh asked what
19 the rationale was behind the request. Cathy said he didn't want anyone to think they had to take
20 this building they wanted to rehabilitate and get it accepted into the Secretary of Interior's program,
21 you could use the standard. Hugh liked it.

22
23 Preston said the other was the word "moved" under legacy uses. Cathy said the legacy use
24 paragraph was at the top of the second page and the word "moved" made them uneasy and she
25 understood why. The intent wasn't to say next door they used to have the spaghetti house so let's
26 have it here because we're close. They could move the legacy use. That was the other change they
27 came up with. Steve questioned moving the actual building itself. Cathy said they were talking
28 about a legacy use, and it wasn't tied to a specific building. Peter said it was tied to a specific land
29 parcel and they were getting at could you move the legacy use to a different land parcel and the
30 answer was no. Hugh thought it made sense. Tim said it should be tied to the building. Peter said
31 the legacy uses weren't tied to a building but were tied to a parcel. The adaptive reuse is tied to a
32 building. Tim said it was a good catch.

33
34 Hugh was good with the stuff in blue. He asked for a reminder of what the stuff in green was.
35 Cathy said where the green was under eligible building criteria, they had a list of potential
36 examples of buildings you might want to adaptively reuse. People said maybe they should have
37 examples but say they're not limited to those examples, when Cathy tried to write it into code, it
38 got awkward. Peter said the other thing was it came out like it was a question and the thing was
39 their bylaws are statements of fact and not if it's this, it's that. It is a statement and not a question,
40 so they took the statements out and made them questions.

41
42 Cathy noted on page 2, under (d), non-conforming uses and then she had added legacy uses and
43 non-conforming uses, in 1(b) it talks about re-establishing a non-conforming use, which is what
44 happened with Baba Louis'. They did an interim bylaw change that said if such a use has been
45 discontinued for a period of two years, and they changed it to five years. Now she was wondering
46 if it was necessary if they had legacy use. Peter agreed. She wondered if they could entirely remove

1 (b). She would run it by Jason. Peter said with legacy use they had opened it up to a much longer
2 period of time. Preston didn't agree with that. He said the whole idea of giving people 2 years was
3 that they might have property up for sale and it gives them that chance. The whole idea of the 2
4 years was you can open up again. Hugh said you get a pass and was glad it was picked up. It
5 reminded Hugh of the interim bylaws and if it moved forward, they would basically throw away
6 the 5 year and go back to the 2 year. Preston said they could either let it lapse in the 2-year period
7 or go back to the Selectboard and ask them to rescind it. Preston would argue for keeping the
8 paragraph that said 2 years but would also argue for just leaving it at 2 years because they have
9 other tools to deal with things that end up not being used for longer than 2 years.

10
11 Tim asked if the timeframe for the interim bylaw was for 2 years, as agreed to by the Selectboard.
12 Preston said it was. That was all Hugh was curious about. Peter suggested in parenthesis after that
13 to put see 2 or legacy uses, as the intent was to resume a non-conforming use. Someone who reads
14 that thinks they can't do anything but if the four years is up, you're not locked out. It refers them
15 to the other section. Hugh said if they aren't referred, they may read it and think game over. Preston
16 said the usual wording would be to see 2 of this section or see legacy uses, 2 of this section. Hugh
17 thought that made sense. Tim wondered if they should write it since they were talking about it and
18 Preston said he assumed they would advertise it for a hearing, so they needed a final copy. Cathy
19 said they needed to vote to schedule a hearing and asked if they should say something like if it's
20 been discontinued for more than two years, see 2, Legacy Use or just see Legacy Use. Peter
21 suggested see 3.19.d.2. There was discussion whether the word "also" should be included. Preston
22 said there were references like it elsewhere in the bylaw and they could sort it out. Barre asked if
23 it would go to the Selectboard. Cathy said they first have to have their hearing and then if the
24 hearing goes well and they don't want to change it, they will transmit it to the Selectboard.

25
26 Cathy moved to schedule a hearing for the bylaw amendment for legacy uses and adaptive re-use.
27 Tim asked if they needed to determine the exact language before they did it. Hugh said they were
28 taking it as it was except for one change, what they were just talking about. Cathy added 3.19.d.2.
29 Hugh didn't need to see it in writing. Everything else looked good. If they were just going to refer
30 them to the other section, he didn't need to see it. Peter seconded Cathy's motion. Cathy would
31 need to submit it to their abutting towns. A vote was taken, and the motion passed unanimously.

32 33 **Agenda Item 6, Short Term Rental Brainstorming Session**

34
35 Hugh thought they would have a light agenda and he wanted to use the time productively. He
36 thought when they got into this, it may take more than 10 minutes, so he wondered if people wanted
37 to defer it or just take the first 10 or 15 minutes and go through it. If it started to unravel into a
38 lengthy discussion, they could just break it out and defer it. Tim was in favor of getting started on
39 it.

40
41 It landed on the priorities from the last meeting. The bylaw modernization grant was high, the
42 UDB administration, which is what they had just discussed, was high, and then short-term rentals
43 and the accessory dwelling use enablement was pretty high on the priority list. Preston had contacts
44 with firms in the business of understanding how to look at short-term rentals from a compliance
45 point of view, so they met with them to understand what they had, how it works, and what they
46 could do. People want to jump right to how should we think about regulating short-term rentals

1 and Hugh's feeling was they need to step back and before they figure out what level of regulation
2 ranging from none to a very high level. They should try to understand what the landscape in
3 Chester looks like and try to collect some feedback about whether it's anything anyone wants to
4 do anything about. Hugh said they listened to the presentation, and he took bits and pieces of it to
5 try to set the context of the first meeting. He said the common concern nationally was people were
6 concerned about health and safety and citizens were concerned about neighborhood character
7 being diminished. There was information that would suggest short-term rentals have an impact on
8 affordable housing. He said in some places the loss of economic opportunity translates to towns
9 and municipalities having the ability to make money off short-term rentals. If you weren't thinking
10 about it that way, they may be missing a revenue generation opportunity because they weren't
11 doing anything with short-term rentals. Hugh had never thought about it that way. Tim's mind
12 went to they have inns and motels. Hugh said it could be argued to lump them in. Hugh said as a
13 municipality, if they weren't aware of what was happening in their town, people are flying under
14 the radar and not reporting or paying all the fees and taxes. As far as Hugh was concerned, he
15 didn't know from the community's or Selectboard's points of view if they had any concerns. Tim
16 was concerned about affordability and that's why they had joined the accessory dwelling
17 discussion with this discussion. Peter said one of the problems with short-term rentals was if you
18 were a second homeowner and had all your stuff in the house, it would never be a long-term rental.
19 The catch was there. Peter was more in favor of charging a yearly fee of \$300 to have one. It's an
20 allowable use and could be similar to Killington's where there are 2 people per bedroom and 2
21 extra people. He thought they should look at it as it was bringing people to Chester and they kind
22 of live off tourism. They should make it annoying and require a certificate of insurance showing
23 they're insured for short-term rentals. They would have to have a fire inspection. There was no
24 way you could limit the number of days. He didn't see how that was possible. Hugh said you could
25 and there was software you could buy to do it. Peter said it had been proposed before for people
26 in residence. He said someone in Smokeshire was living in their trailer and renting their house out.
27 If you limit her number of days, she's trying to get the money to keep up with her mortgage and
28 you would shaft her. He said not all people who were Airbnb were rich people and second
29 homeowners. Hugh understood that. One of the things he was trying to manage in this part of the
30 meeting was there were so many potential options for regulation. He didn't want to try to come to
31 a solution at this meeting for the regulatory point of view. What he was trying to say was did they
32 feel any of the concerns were ones they have passion about, or they thought the community or
33 Selectboard had passion about? Hugh thought health and safety and neighborhood character were
34 the things the community and town may rally around. Tim thought about impact on housing. Tim
35 could finish the apartment above his barn and live there and rent his house for a lot of money as a
36 retired person. Peter said the question then became sewage and Tim said he was all set. Tim kept
37 coming back to impact on housing affordability. He heard anecdotally two or three stories of folks
38 who came during COVID and bought multiple properties and don't live in any of them. They are
39 all short-term rentals. Those properties are now out of the full-time housing stock. Peter has his
40 parents' house which he keeps for his nephews. It's in an LLC. If they see it's an LLC, a
41 corporation owns it. Now you're saying a corporation just owns a house they're renting out. Tim
42 didn't think they needed to solve it right now but identify the issues. Barre thought there were
43 ninety-nine listings and there were 3200 people in town. Tim wondered how many housing units
44 were in town and Hugh said 79. Cathy had been looking at the lister data to see if there was any
45 way to use the data. She knew they had 132 parcels that are owned by corporations in Chester out
46 of about 1900 parcels. Tim questioned if that would include LLCs or trusts. Peter pointed out they

1 were parcels and not dwellings. Barre asked if Cathy knew how many dwellings they had in
2 Chester, and she said not yet. She said if they gave her a little time, she may be able to get the
3 information. Barre wanted to know what percentage of places were Airbnbs. If they were at 1900
4 and 100 of them were being rented, it was .5% which didn't seem like much. His only concern
5 was he thought there was a real difference between someone doing an Airbnb and someone buying
6 the property for the business of doing a short-term rental. That seemed to be part of their greater
7 struggle. He thought Peter's argument was good but were they really responsible for someone
8 trying to make a living by living in their trailer and renting their house out? That becomes a
9 business and was that their concern. Peter said the more they regulate, the more people that get
10 hurt by it. Barre asked if it was an easier way to make a living by living in a camper or trailer and
11 renting out your house than going out and getting a job. Peter said she was retired on social security
12 and trying to make ends meet. Barre hoped when he got old, he could do the same thing with his
13 house and be old in Florida. Tim noted, through research he had done, that most of the
14 municipalities that regulated it had exemptions as well. One that commonly came up was if it was
15 a benefit of employment. If you come to work in my restaurant, you have an apartment to live in.
16 Tim thought Hugh was getting at if it even needed to be tackled at all. Were the concerns more in
17 their minds than in the community? Hugh agreed it was one of the concerns. The other conclusion
18 Hugh came to was they couldn't make any meaningful decisions about what they were going to
19 do if they didn't understand the current landscape. If all they could decide to do initially was
20 figuring out what was happening in Chester and was it trending up or down and what the data
21 looks like, they could make intelligent decisions about whether they should do anything or not. He
22 thought without knowing what Chester looked like and how it was trending, they may make
23 decisions about stuff that didn't really matter. He said the data showed, which led him to believe
24 they need to pay attention to it at least in terms of understanding what it looked like, the year over
25 year growth from one year to the next is up. The number of short-term rentals in Chester will never
26 decrease and only get bigger. So, the question is do they need to pay attention to it and if so, what's
27 the first step they take to understand what it looks like? Peter said there were properties on the
28 vendor's study that were actually in Cavendish so there was a problem with that. Peter didn't think
29 there was any question that they should start with a soft regulation and start it as a use and start it
30 as you need to be registered. They could turn it up as needed. He didn't think they needed to be
31 like the Vermont legislature and study it for 2 years and then decide. He thought a soft regulation
32 that required registration as a use, and they already have a tool that tells them who's in compliance
33 and then the following year they could just tune it up. Hugh thought it was an ease into approach
34 that made sense. Peter said everyone he knows from both ends of the spectrum sees it as something
35 that's happened. Tim asked if he was suggesting making it a permitted use. Peter said Killington
36 has it listed as a fee, which he thought was interesting, and it was allowed in all the districts. Tim
37 asked if they had a registry. Peter said they had a registry with a fee and suggested they make the
38 fee \$300. He thought it should be substantial because that would turn the neighborhood thing. He
39 thought a \$300 fee and a certificate of insurance was an easy place to start. The thought in talking
40 to his insurance agent was that a lot of people just run it on their homeowners and if you had to
41 have short-term rental insurance, you wouldn't do it.

42
43 Preston thought in order to be able to keep up with the rentals, you need to hire a monitoring
44 service. He said they suggested it was an easy pitch to say the annual fee was one year's rental
45 which would give them about \$20,000. The other thing was they could do two-night rentals. They
46 could cover the cost of a company that monitors for 1 night rental.

1
2 Barre liked where they were going as far as trying to develop an understanding of what was going
3 on, but he also thought there was obviously different things. He felt rather strongly it was a
4 different deal if you were truly doing an Airbnb or doing an investment property where you're not
5 there and you're paying maintenance people to monitor. He thought they needed to consider those
6 things. To Peter's example, someone doing it as a retirement thing, living there on the property
7 and inconveniencing themselves a little bit, the person is probably cleaning and doing the
8 maintenance on their own and it was a cool thing and a nice way to retire. Then a person in the
9 community who is buying groceries and doing whatever. He wanted to see those things broken
10 down and tiered as to what was going on. He thought if they looked at Ludlow, they don't have
11 enough kids for schools, or people for employees, and obviously there's a ski area there and people
12 want to come up on vacation and go to restaurants but if you don't have enough employees to work
13 your restaurants, you have a problem. The cool thing was they were able to try to do something to
14 help this sort of thing but the difficulty of it was how smart were they and how skilled were they
15 and what would the ramifications be of what they decided to do? Peter suggested a soft start. Hugh
16 said if they took the crawl, walk, run approach which created a \$300 per year registry with basic
17 rules and in the spectrum of no regulation to highly regulated, it was on the less regulated and was
18 probably a great place to start. He thought they would come to a place where they agreed and even
19 if they wanted to do a crawl where they had a registry, charged an annual fee, and made sure they
20 had insurance and whatever the health and safety things they would want for short-term rentals,
21 the only way it would be practical is with one of the pieces of software that could scan all the short-
22 term rentals and provide a list. They could match it to the lister's file and know who has a short-
23 term rental and who owns the property. Peter asked if what they had was matched to anything.
24 Hugh speculated what they did was they have software that goes through 60 short-term rental
25 platforms and plugged in the zip code and scanned all of those platforms and came up with the
26 addresses. Preston said they work almost exclusively with little political subdivisions like Chester,
27 so they know they can't tax Andover, so that had to be worked out. Preston said by using a
28 company like this, you approve someone for 8 bedrooms, the minute their ad goes up for 10
29 bedrooms, a notice goes out with a picture of the ad saying they were approved for 8. So, people
30 don't get away with things. Preston thought the other thing that was huge was even at the crawl
31 rate, was getting a 24-hour email or phone number if there are problems, they know who the
32 manager is. He thought that was wonderful the information would be updated yearly about who
33 runs the property and they could even contact them. He didn't know exactly what they would say
34 but they could ask them to share with their renters that they wanted them to stay in Chester longer,
35 move here, raise a family here. Peter wasn't that far off from what Killington has done. Preston
36 said he had actually rolled out the Killington program, but their attitude was they are a resort town,
37 and they weren't worried about neighborhood quality, but were about party houses and they have
38 a big bear problem and people leaving their trash. They had issues where police would go to these
39 houses over and over and encounter someone who was just there for one weekend, and they didn't
40 know who the owner was. The owner is listed as a lawyer in New York City, and you can't get at
41 them. And that's what the short-term rental registration did was give them a huge information base
42 of who the people were.

43
44 Tim asked if they had researched the cost of the software. Hugh said they had given them a quote
45 and it looked fairly reasonable but the way they price it is the more rentals in town, the higher the
46 annual fee is for the service. He thought if they had a registration and people had to pay one night's

1 annual fee, it would cover the cost of the software and then some. The subscription price wasn't
2 outrageous, and Preston agreed. He said with one night's fee you can cover the cost and with two
3 night's you can make a profit. Cathy said the cost that would be covered is the baseline with the
4 address. Hugh thought they could probably afford some of the other modules, but he didn't want
5 to jump to a conclusion about what they needed because this was their first discussion. What he
6 came away with after talking with the vendor was you had to have address identification and that's
7 how you get started. What many of the other modules do is they help you figure out if someone is
8 breaking the rules and they take some of the administrative burden off someone like Preston who
9 would ultimately be responsible for enforcement. The automatic letter writing, or 24/7 hotline
10 would get the service and Preston could sleep at night. Preston added the letter would come out on
11 town letterhead with his signature, but they would send it. Barre asked if it was \$270 per Airbnb
12 for the year and Hugh confirmed the same. Preston said there were 79 units and Barre said that
13 was \$20,000. The subscription would be under that. Tim said they may lose some when they start.
14 Barre thought trying to regulate a culture is a difficult thing. He thought Chester was kind of an
15 odd town. He wanted to be able to go to a town restaurant and see kids with spaghetti on their faces
16 and watch them grow up. He said we can't even do that in Chester. He asked if more people were
17 staying here would that help them have a family style restaurant. He didn't know. Peter said it
18 would support the arts and tourism. Peter said Preston had already written this once and the next
19 time it was on the agenda, they should look at what Preston did for Killington. Preston said they
20 did it as part of the zoning bylaw in Killington because at the time, they didn't have the legislative
21 authorization to do it as an ordinance. They have the authorization to do it as an ordinance now.
22 What it means is the Planning Commission can come up with whatever bright idea it wants but
23 they will have to ask the Selectboard to adopt the ordinance and contract with the company. They
24 need to be ready.

25
26 Barre said this topic was something that could really warrant some input from the public so it
27 might need its own public hearing, its own survey, and its own deal.

28
29 Tim thought one of the things that would come out of the survey and the public workshops was a
30 sense of the housing market itself, the rental market. Barre asked if this particular subject was
31 separate or part of the housing study they had coming up and would they be addressing this along
32 with it. Tim said it was separate, but the housing study should help inform the situation with short-
33 term versus long-term. Barre asked if this should be included with it. Hugh thought it needed to be
34 a standalone topic. Hugh said they can't be in a position as a Planning Commission where they did
35 nothing and it was a very important topic, so the do-nothing option was not there in his opinion.
36 He didn't think there was enough information to figure out what was the right level of regulation,
37 if any. But he did believe they would have a lot of support to basically create the registry notion
38 and create a registry similar to Killington so there is an annual fee, and they have to meet very
39 basic requirements that should not create a hardship. Then if they determine later, to Peter's point,
40 that they want to turn the crank a little tighter in one area or another the foundation is already there.
41 They know who the people are, they pay a registration fee, they have whatever is decided from a
42 health and safety point of view, it felt like there was very little reason that anybody would not
43 support it. They already agreed the do-nothing option was not a good one. Peter added it was self-
44 funding.

45
46 Steve added that if they started a registry, there could have public outreach to these people and

1 inform and educate them there is fire, safety, and liability. As a tradesman, he's been on jobs where
2 the town gave them the building permit but didn't inform them of the state requirements.

3
4 Peter, having worked for a forensics firm that did insurance investigations, said when asking for a
5 certificate of insurance, there are very few commercial insurance companies that will issue any
6 kind of commercial venture without looking first. He's had more trouble with insurance companies
7 than ever had building inspectors. The others said that was a good point.

8
9 Hugh asked if Preston had a point of view about whatever approach they took with it if it should
10 be an ordinance or a bylaw. Preston thought an ordinance and not a bylaw.

11
12 Barre asked if they wanted to visit the amount of time required to be in your house. Hugh said not
13 yet.

14
15 **Agenda Item 6, PC Roundtable**

16
17 Nothing.

18 **Agenda Item 7, Adjournment**

19
20 Barre moved to adjourn the meeting and Tim seconded the motion. A vote was taken, and it passed
21 unanimously. The meeting was adjourned at 8:27 p.m.