

1 **TOWN OF CHESTER**
2 **SELECTBOARD MEETING**
3 **March 16, 2022, Draft Minutes**

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

6 **Staff Present:** Julie Hance, Town Manager, at Town Hall; and Susan Bailey, Secretary via Zoom.

7 **Visitors Present:** Bill Lindsay, Nancy Lindsay, Harry Goodell, Barre Pinske, Cathy Hasbrouck,
8 Hugh Quinn, Lori Quinn, Peter Hudkins, Donna Hudkins, Julia Ravlin, Shawn Cunningham,
9 Chester Telegraph, at Town Hall; and Ginger Roper, Robert Nied, Preston Bristow, Scott Blair,
10 Linda Diak, Cheryl Joy Lipton, Tim Roper, and SAPA TV via Zoom.

11 **Call to Order**

12 Arne Jonynas called the meeting to order at 6:30 p.m. with the pledge of allegiance. He welcomed
13 everyone to the meeting.

14
15 **Agenda Item 1, Approve minutes from the March 2, 2022, Meeting**

16 Ben moved and Lee seconded to approve the March 2nd minutes. Arne asked if there were any
17 corrections. Leigh noted on page 2, line 13, Lee Whiting's name was misspelled. Another change
18 she noted on page 3, line 8, the word "if" should be inserted into the sentence. A vote was taken,
19 and the motion passed unanimously with the noted corrections.

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

21 Lori Quinn and Julia Ravlin who both live on Route 10, came in hopes of raising awareness in
22 their neighborhood about safety and traffic concerns with their road. They have had accidents on
23 their road located in Gassets. It is a state road heavily traveled by trucks and commuters and is
24 major east-west road through Chester. They wanted to call attention to excess speeding which has
25 been an issue for years. Years ago, the speed was reduced to 40 on the section near Springfield
26 due to people calling for the reduction. The rest of the road is 50. The section they feel is most
27 dangerous is the 40mph section because most cars don't travel at the posted speed limit. The road
28 features a long open beginning that is straight and then it goes downhill and narrows and is
29 followed by S shape curving which is where most of the accidents happen. Lori said there have
30 been multiple fatalities or near-fatalities. Recently there was an accident and the car flipped on the
31 S shaped curve and a woman was seriously injured. She is sure cars and trucks, including logging,
32 stone, and gravel trucks, are speeding. When the speed limit is observed, drivers are faced with
33 rear-ending, aggressive driving, people passing and laying on their horns. Residents must be
34 cautious pulling in and out of their driveways. They were required by the postal service to put their
35 mailbox across the street which makes even getting mail dangerous. Mowing the lawn is also a
36 safety issue because of the dangerous road conditions. To protect the safety and well-being of their
37 neighborhood, they asked the Selectboard to take whatever steps possible to increase enforcement.
38 She realized there was a police shortage but in 12 years, she has only seen one police officer sitting
39 on the side of the road. She has even invited the police to sit in her driveway.

40 Julia echoed everything Lori said. It has affected her day-to-day life and most neighbors'. It is
41 nerve-racking to pull out of her driveway. She has been passed by people on the corner. She owns

1 her own business, and her clientele is nervous to drive on the road. She has lived on Route 10 her
2 entire life but has never experienced what she has in the past couple of years. She asked for the
3 board's help.

4 Arne thanked them for bringing it to the board's attention and empathized with the traffic and said
5 similar issues seemed to be happening on other area roads. Route 10 is a state road but thought
6 they could help with enforcement by making the police aware. He recalled lowering the speed
7 limit in the area in front of the high school, and that they had to work through the state because
8 they control that section of the road. He also suggested traffic studies using strips on the road to
9 gather data to use as a tool in future conversations with the state regarding the speed limit. He
10 thought they could start with the police department and inform them and take steps from there. He
11 said it wasn't an easy thing to do.

12 Lori said the speed limit was lowered back in the 80s and from what her neighbors told her; it
13 didn't solve the problem. Enforcement is a huge problem. They just paved it last year which didn't
14 help and only made them go faster.

15 Lori said the volume of traffic is unbelievable during the morning hours. She said there is no fear.
16 She has called some of the trucks that use the road. She couldn't imagine what would happen if a
17 truck hit someone pulling out onto the road. Lee asked if 40 mph would be good, and Lori thought
18 it would. Lori didn't think there was enough notice where the speed changed from 50 to 40 and
19 the S curves were also an issue. Julie said she would be happy to help with a study. She thought
20 40 mph was sufficient. If there was a presence or even a speeding sign like those in town which
21 would make awareness. Julie Hance said she would pull the crash data from V-Trans. She thought
22 the state has been discussing a whole reconstruction of Route 10. She wasn't sure where they were.
23 Arne thought they were in the early stages so it could be quite a few years but maybe they could
24 have some input. She would speak with the Chief to make sure they had some presence out there.

25 Bill Lindsay asked about the item #9, the executive session for the Planning Commission
26 appointment. He has attended several Planning Commission meetings lately and wanted to
27 comment, if appropriate. He said the Planning Commission has had some ups and downs with
28 businesses and people in the community and things they have heard on the street, which is like a
29 fish story where the fish always gets bigger, and information gets misconstrued. He complimented
30 the town for Preston's service as Zoning Administrator and Cathy Hasbrouck, as Chair, who has
31 done an excellent job bringing the different factions of the board together. He said he mentioned
32 it because the early sessions that he attended, there appeared to be a lot of dissension. He thought
33 some of it wasn't intended but due to lack of knowledge in the community. Cathy has made efforts
34 to talk with people in the community before presentations to the board. If the board has considered
35 presentation for the community and to get a more friendly view of the Planning Commission, he
36 suggested they stick with the current board and give them a chance and time to work. He thought
37 the new regulations were confusing. The businesspeople are driving the train and trying to keep a
38 friendly attitude and bring more business here, which was needed to move forward.

39 Arne said the reason he was allowing comments on the Planning Commission was because the
40 way the agenda was set, they would be in executive session.

41 Harry Goodell, who has sat on three different boards: the Board of Adjustment, the Planning
42 Commission, and the DRB, said he was there because he thought they should really consider Peter
43 Hudkins. Harry has worked with him on all those boards to reappoint him and he asked the
44 Selectboard to do the same.

1 Arne asked for anymore comments and there were none.

2 **Agenda Item 3, Old Business**

3 Report given by the Town Manager:

4 Andover Contract

5 It was approved at their meeting Monday night. They found some typos. Julie will make the
6 corrections, send to them, Chris will sign it, and it will be at the Selectboard's next meeting for
7 their signatures.

8 Solar Field

9 Lee and Julie will be talking to the former Selectboard Chair from Hinesburg who was strategically
10 involved with taking over a solar field in his town. Lee and Julie will learn about how they did it.

11 Public Safety Department

12 The Fire, Police, and Ambulance will be hosting community breakfasts at the station on the first
13 Saturday of the month from 7:30 a.m. to 10 a.m. June through September. The cost for breakfast
14 will be nominal. They will also host an annual event similar to Night Out in late summer or early
15 fall.

16 Regional Grant Application

17 Julie said the regional grant application funneled through the Chamber of Commerce involved
18 Chester, Weathersfield, and Ludlow. Chester's portion was going to be used to fund the Brookside
19 Bridge walking path. They just learned that grant was rejected. Carol will have a follow-up meeting
20 with them to determine where the application fell short.

21 Julie added there was ARPA funding and other opportunities they would look into to finish the
22 funding.

23 Arne asked for any other comments and there were none.

24 **Agenda Item 4, Chester Townscape Request for plaque on Church Street Bridge**

25 There was a request from Chester Townscape to put up a plaque in honor of Tory Spater, a
26 founding member of Chester Townscape. They have done amazing work in Chester with the
27 beautification of the bridges, the boxes, the information booth, and other areas of town. They are
28 requesting permission to erect a plaque on the north side of the Church Street bridge which is close
29 to the driveway to her house. She is moving to Chittenden County. Julie said they had no concerns
30 and Kirby had no concerns. Some of the members said it was a wonderful idea. Lee asked if a
31 motion was needed, and Julie said if they just gave permission, she would let them know so they
32 could order it. Arne thanked her for all the work she had done in town over the years and would
33 be missed.

34 **Agenda Item 5, DRB Appointment**

35 Arne said they had two appointments to confirm. Harry Goodell and Phil Perlah were both
36 requesting to be appointed for 3-year terms that expire March 2025. Arne said they had had their
37 interviews and discussions. Lee moved and Heather seconded a motion to appoint Harry Goodell
38 to the Development Review Board for a 3-year term ending in March 2025. The board thanked
39 Harry for volunteering and asked if there were any other comments or questions. A vote was taken,
40 and the motion carried unanimously.

1 Lee moved and Leigh seconded a motion to appoint Phil Perlah for a 3-year term ending in 2025.
2 to the Development Review Board for a 3-year term ending in March 2025. Arne said Phil had
3 been a great addition to the board and brought a lot of expertise and level-headedness and
4 knowledge. A vote was taken, and the motion carried unanimously.

5 **Agenda Item 6, Local Cannabis Control Commission**

6 The next item was a local cannabis control commission. As a result of the vote at Town Meeting,
7 cannabis retail will be allowed in Chester. It will have to go through the process of permitting and
8 approval from the state and abide by their state and local zoning regulations on where it can be
9 located. As a town, they need to decide if they want to establish a local cannabis control
10 commission or have the state be responsible. Arne asked if they wanted to have a local commission
11 and if so, how did they want to set it up. Did they want the Selectboard or members from the
12 community? Lee thought they should have a local commission start with the Select Board and add
13 people from the community later, if needed. Lee thought having something in place would allow
14 them to have the important discussions needed relative to the entire cannabis discussion. Arne said
15 they had received information in their packet regarding their authority, which he thought was
16 limited in a way. He thought most was related to their zoning regulations and nuisance regulations
17 regarding interfering with the rights of the public. Arne asked if there was a limit on how many
18 people could be on the commission. He asked if it was the Selectboard and someone from the
19 public wanted to, could they be a part of it. Julie said there was nothing in the guidance that
20 specified how many. Arne thought Lee's idea was a good one to start with the Selectboard and
21 then put it out to the public if there was someone in the public who wanted to be involved. He
22 couldn't imagine it would meet often. He thought the initial license would be the most important
23 part of it. He thought the process would be like the liquor licenses.

24 Leigh said the Vermont statute pretty much outlined what they could do. Arne thought as a board
25 they could take it up and possibly advertise if someone else was interested to be part of the group.

26 Bill read the information from the packets, and the local board didn't have much authority. He
27 thought it was a little loose from the information provided by the state. What he understood was
28 they could have a board member and someone from the public. He wanted to see someone from
29 the school. He wanted to know what the legal ramifications would be for Chester if someone signed
30 on as a member of the board or from the public. He thought they needed clarification from their
31 solicitor. If someone had an accident, lawyers look for the deepest pockets. Before the decision
32 was made, he thought they should have some legal information. As a former Selectman, he wasn't
33 happy about the alcohol. He was looking at cannabis as the same avenue and maybe a little more
34 serious. He thought they could have more infringements from cannabis than alcohol at a young
35 age. Saying that, he said he thought he had his first beer at 14. He thought they should seek some
36 advice from the attorneys and see what the responsibility of the board would be.

37 Arne kind of agreed with Bill and said he didn't think it would be much more authority than when
38 they do the liquor licenses. He thought it was more a formality. The only other part was the
39 nuisance questions. He thought they had a little more authority regarding the zoning conditions.

40 Bill said most of the money would go to the state of Vermont and Lee said all of it would. Julie
41 said the town would get \$100 to process each license.

42 Arne said the consensus was the Selectboard would be the Cannabis Commission. Heather wanted
43 to know if they should check with the town's attorney about exposure. Julie didn't think there was

1 more exposure than with the liquor licenses, but she would ask. Arne couldn't see how it would
2 be different, but they thought it was worth asking the question. Ben heard what Bill was saying
3 but in relation to liquor licenses, they've been doing it forever, so he was fine moving on it tonight.
4 Arne asked if they needed a motion and Julie noticed Scott Blair had a question.
5 Scott wanted to comment that he supported the Selectboard to be the ones in charge because the
6 liquor license control is from the Selectboard, and he thought that would be great. He agreed with
7 Ben that they had been dealing with liquor and alcohol for years. Scott wanted to make it clear that
8 it was for retail and not for consumption. Arne appreciated Scott pointing that out.
9 Arne asked for any other comments or concerns.
10 Leigh said it was clear in the statute that it followed the same line as alcohol. She thought they
11 would want to be sure they understood it because there were a lot of shall nots.
12 Cathy Hasbrouck said it didn't look from the documents like they could do much of anything. She
13 thought if they had a local commission, the town would get to meet and approve the applicant
14 before the state did. She suggested it may make people feel better and for that reason, it may be
15 worth the work involved in having it. Arne said they would have to treat it the same as retail and
16 they can't make any exception for it and Cathy agreed. She said they would get to meet the person
17 and she would support it if it made people feel better. Arne thanked her.
18 Ben asked if they needed a motion and Julie confirmed. Ben moved to establish the Cannabis
19 Control Commission and have it membered by the Chester Selectboard with future discussion of
20 having more positions. Lee seconded the motion. There was no further discussion. A vote was
21 taken, and the motion carried unanimously.
22 Lee wondered if it was the appropriate time to bring up the nuisance ordinances. He wondered if
23 they wanted to discuss it now or later and if it was something the Planning Commission took on.
24 Julie said ordinances were the Selectboard and zoning bylaws were the Planning Commission. The
25 public nuisance was an ordinance so it would be the Selectboard. Arne looked for samples of
26 ordinances and couldn't find anything specific to a small town. Lee knew the Village of Ludlow
27 had passed something similar in 2012 regarding an ordinance prohibiting dispensaries for medical
28 marijuana and establishments that sell or display drug and tobacco paraphernalia. There were a
29 few he got from other towns, including Weathersfield. He was happy to share them.
30 Arne suggested when they met next as a Cannabis Control Commission to get it out there and share
31 it with them. He had seen some of it too. It was related to some type of product or industry that
32 was adult only. Lee said they couldn't take a stand or make regulations specific to marijuana but
33 would need to apply to adult oriented issues. He thought it was a conversation worth having. There
34 were other issues that they don't want to face as a town related to X-rated industries or other things
35 coming their way. He thought there were issues related to a lot of things they should discuss as
36 they move forward.
37 Arne asked for the information, and they would start the discussion at their next meeting.
38 Heather thought they could apply in April, but she wasn't sure what the role would be. She thought
39 they had some time.
40 Scott Blair wanted to make it known that starting today, the prequalification applications for
41 opening a dispensary were available.

1 Leigh thought if they moved forward, they could talk to those who knew more about the statute.
2 Arne thought there were towns that had put some sort of ordinance or limitation on it. He thought
3 it seemed more location than anything. He thought they could look at it and see what it was and
4 how it fit in their applications.

5 **Agenda Item 7, Liquor Licenses/Entertainment Permits**

6 Arne said they used to have motions for these but now it was more housekeeping where they just
7 asked questions about concerns, if everyone was up to their training, and did the police have any
8 issues. Licenses were signed for MacLaomainn's, Jiffy Mart, and Dollar General.

9 **Agenda Item 8, New Business/Next Agenda**

10 Leigh had been thinking about and planning for crosswalk lines. Julie said every spring they paint
11 them. Leigh asked for a future agenda item discussing a walkway or sidewalk from the high school
12 into town. Arne said it had been a dream of the town to have a sidewalk from the high school to
13 the Pinnacle that was paved, safe and off to the side. Julie said there was a scoping study done
14 years ago and she would pull out the study. She was going to be looking at money that opens in
15 June for a full scoping of that section. Arne said there had been a lot of interest in it lately and
16 Leigh agreed. Leigh said there are posts in place on the 103 side of Jiffy Mart so tractor trailers
17 couldn't park. Julie said the state had done that. Leigh was pleased as it had been dangerous and
18 made a mess of the lawns.

19 Arne asked for any other future agenda items. He mentioned that several years ago when the
20 Tomasso property became available, the New England Forestry Foundation attempted to purchase
21 the land and it fell through at the end. It has been two or three years with the new owners. Arne
22 was curious what their plans were and if it was worth the conversation. Because it is such a big
23 parcel in our town, it would behoove them to ask the question about the future of the big parcel.
24 He said it looked a little different now but was still an important piece. Julie said she would reach
25 out.

26 **Agenda Item 9, Executive Session Planning Commission Appointment Discussion**

27 Leigh moved and Heather seconded to go into executive session. The motion passed unanimously.
28 (The five board members went into executive session at 7:28 p.m. downstairs.)

29 Leigh moved and Ben seconded to end executive session. The motion passed unanimously, and
30 the board ended executive session at 7:47 p.m.

31 **Agenda Item 10, Planning Commission Appointment**

32 The board was back in open session at 7:49 p.m. They had their final discussion regarding Peter
33 Hudkins and a three-year term and were ready for a motion. Lee moved to appoint Peter Hudkins
34 for a three-year term expiring March of 2025. Ben seconded the motion. There were no discussions
35 or comments. A vote was taken, and the motion passed. Arne said if the vote had come a year ago,
36 he probably would have said no but, in this case, he voted yes. The final vote was four in favor
37 with one nay from Heather.

38 **Agenda Item 11, Executive Session Town Manager Review**

39 Heather moved and Leigh seconded to go into executive session. The motion passed unanimously.
40 (The five board members went into executive session at 7:51 p.m. downstairs.)

41 Ben moved and Lee seconded to end executive session. The motion passed unanimously, and the

1 board ended executive session at 8:09 p.m.

2 **Agenda Item 10, Adjourn**

3 Ben moved and Lee seconded to adjourn the meeting. The motion passed unanimously, and the
4 meeting was adjourned at 8:10 p.m.