

1 **TOWN OF CHESTER**
2 **PLANNING COMMISSION**
3 **May 15, 2023, Minutes**

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

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

10
11 **Citizens Present:** Philip Perlah, William Lindsay, Jeffery Holden, Peter Hudkins, Arne Jonynas,
12 A. Lee Gustafson, at Town Hall; and Jason Rasmussen of MARC, Steve Mancuso, and Joy
13 Slaughter via Zoom.

14
15 **Call to Order**

16
17 Chair Hugh Quinn called the meeting to order at 6:30 p.m.

18
19 **Agenda Item 1, Review and Approve Minutes from May 1, 2023, meeting**

20
21 Hugh moved and Tim seconded a motion to approve the May 1, 2023 minutes. Tim noted on page
22 5, line 11 thought it would be clear to say, “they added 3 and 4 family buildings” instead of “they
23 added 3 to 4 multi-unit buildings.” The others agreed. Tim also suggested on line 16 to add “that”
24 in front of “they.” The minutes were approved as amended. The motion carried.

25
26 **Agenda Item 2, Citizen Comments**

27
28 There were no comments.

29
30 **Agenda Item 3, Proposed Open Space District Public Hearing**

31
32 Hugh opened the public hearing to discuss the proposed draft of Open Space District, a new district
33 around what is called the Village Area and is land in the special flood hazard area. It was mapped
34 in a way that it only includes parcels with no structures. The goal was to create this district to make
35 it clearer for landowners to understand where their parcel is and the rules and regulations pertaining
36 to it. Currently it’s handled as an overlay district, but this would create a new zone to make it easier
37 and simpler to understand. A letter was sent to all property owners affected by the new zone and
38 included maps to show where their property is in the new zone.

39
40 Preston said the current bylaw zones the area as residential and they decided it wasn’t a good
41 definition since it wasn’t a good place for residences. When Brandy Saxton was contracted to
42 review the bylaws, she decided to make it a general business district. They felt that wasn’t what
43 they wanted. There is mapped floodplain along rivers throughout town. This area is where
44 whenever there’s a major storm event, it’s affected. Some people didn’t think establishing an open
45 space district was necessary because it couldn’t be developed. Preston felt that was mostly true,

1 but they wanted to define a district without structures because under the current bylaws, if you
2 have a structure, you can expand it whether it's a dwelling, business, or accessory structure. In
3 theory, you can add buildings that can be elevated or floodproofed, but it isn't desirable in this
4 district and would require DRB approval which may not happen. Preston said it didn't appear the
5 landowners objected. One landowner was in attendance.

6
7 Hugh said there were no permitted uses, and everything fell under conditional uses, and they were
8 things that made sense for an area of land that could flood, such as recreation or nursery things and
9 other uses that didn't constitute a dwelling or permanent structure.

10
11 Hugh opened it up for questions.

12
13 Lee Gustafson knew areas in the floodplain were typically next to or in the river valley and were
14 prime agricultural land. He wondered if anything would restrict agriculture use or constructing
15 buildings used for agricultural purposes. Hugh didn't see anything prohibiting agriculture use but
16 asked Preston to weigh in. Preston said agriculture was a use they wanted to see, and the district
17 would be agriculture friendly. Under Vermont statute, agricultural buildings are exempt from
18 zoning. If an agricultural building is going to be erected in floodplain, the review and approval is
19 done by the Agency of Agriculture. It would not go to the DRB at all. Preston said even things like
20 farm fences can sometimes be an issue when it floods.

21
22 Jeff Holden's property is across the river, and he's lived there more than 60 years and it floods
23 several times a year. Jeff said the lower part of his property across the road floods, but he wouldn't
24 build anything there. People from the American Legion wondered about the property they
25 purchased across from the Legion and there was only one corner they could build on from his
26 understanding. They would like to develop it for events and are considering a gazebo and a horse
27 pulling arena. Jeff said the dirt is all sand and the horse pulling arena would be sand and clay
28 mixture, but it isn't where the current is when it floods. They would like to get a gazebo, open
29 arena, and possibly permanent bathrooms which would be located on the high ground. He thought
30 the bathrooms would be out of the floodplain. Jeff just wanted to make sure he wasn't
31 misunderstanding what they could do there. Hugh recalled having discussions about that land.
32 Preston said they talked about it being available for recreation and civic events and accessory
33 structures related to that could be allowed. Preston thought a gazebo would be allowed but would
34 need to be anchored and subject to DRB review. Preston suggested Jeff and his group look at the
35 map carefully and if the spot they were considering putting the bathrooms in was outside of the
36 district, that was great, and if not, they could modify the district to make it easier to allow
37 bathrooms. Jeff has seen several floods go through there, with Irene being the worst, and they
38 would put the bathrooms above there. Preston said they could hire a surveyor. Jeff asked if the
39 flood was 500 years or 100 years and the elevation. Preston said it was 100 but didn't know the
40 numbers for the elevation but the way to prove it was to have it surveyed. Preston said the base
41 level elevation changes because the river keeps going downhill. They need to find a benchmark
42 near there to confirm what it is. Jeff said the bottom of the river keeps coming up. Preston said
43 Vermont is very strict and doesn't permit anything to be extracted from the rivers so gravel
44 accumulates, and Preston found it frustrating from the point of flood prevention but noted the State
45 will say that's what rivers do. Preston believed it was happening. Jeff said the wastewater plant
46 can't be moved and Irene had the water a foot deep in the workshop. Preston wasn't surprised.

1 Preston said he would review the map more carefully, but thought they were adequately covered
2 for the things Jeff had mentioned.

3
4 There were no other comments, and the public hearing was closed.

5
6 Cathy moved to transmit the Open Space District amendment to the Selectboard for their
7 consideration. Tim seconded the motion. The motion carried unanimously.

8
9 **Agenda Item 4, Update Admin UDB Amendment Based on Selectboard Feedback**

10
11 This was to discuss the feedback from the Selectboard hearing on the proposed changes to the
12 admin section of the bylaws. Hugh said they would go through the document prepared by Preston
13 which framed the points they wanted to discuss. The feedback at the meeting centered on four
14 areas: regulations and responsibilities for town roads versus private roads; possibly consider
15 adding an exemption for rooftop solar that wasn't grid connected; whether and how to regulate the
16 use of travel trailers and campers; and the ability to put another principal structure on a parcel
17 without going through the subdivision process when it is for non-profit or affordable housing. The
18 packet included a document that had updates to the Admin UDB Amendment from the joint
19 Planning Commission and Selectboard discussion.

20
21 The first was 3.22 Renewable Energy Facilities. Hugh noted that rooftop solar was missed. Preston
22 said Brandy had an exhaustive list of exemptions and Preston had gleaned the ones he thought
23 were appropriate. When Lee Gustafson brought it up, Preston reviewed Brandy's list again and
24 she had included it. Preston said the black print was currently in the bylaws, the red was what the
25 Commission had proposed, and the blue was what may be more agreeable. Preston ordered them
26 as they would appear in the bylaws. Preston read the new 4.3.B.30 in blue and said he had used
27 Brandy's wording and explained it meant on a pitched roof, you can only be so much higher than
28 the roof but on a flat roof, there weren't those restrictions. Tim wondered why they wouldn't
29 include ground mounted solar in the exemption if it was within the setback limits for that zone.
30 Preston said they had discussed it at the last meeting. Preston has run into the experience where
31 neighbors don't like ground mounts. Preston said they could say to include it but was thinking they
32 should be cautious. Tim thought they should exempt ground mounted too. Lee thought they all
33 need to be good neighbors and that a ground mount should have more scrutiny. Lee said the State
34 has taken away their rights to regulate them and thought it would be nice to warn your neighbors
35 of your plans. Under 3.22, Lee questioned the use of the word "may" and wondered when
36 something wouldn't be exempt from the bylaws. Preston used the word "may" because the
37 exemption has limitations like not more than 10 feet above the surface. If he said it was exempt,
38 there would be no limitations. Clarification was in the parenthetical statement where it referred to
39 Section 4.3. Preston said it let the reader know that the section on regulating panels may not apply.
40 Lee wondered under 4.3.B.30 if there was a height, they were trying to restrict them from
41 encroaching on. Preston borrowed Brandy Saxton's language and she wasn't present to say why
42 she wrote it that way. Preston guessed she didn't want elephant ears standing out on a slanted roof
43 as it would be unaesthetically pleasing. Lee couldn't think of any system that would be 10 feet
44 high. Lee understood the aesthetics but wondered if it was their business. Hugh wondered if people
45 still angled solar panels to get more southern exposure. Lee said he was guilty of that but when he
46 installs something, he makes them flush to the roof because it's the most stable. Lee said there are

1 wind turbines small enough to be roof mounted and they could easily extend more than 10 feet
2 above the roof, but they weren't mentioned. Preston said he had no ownership in it and was
3 agreeable to changing it. Hugh asked for Lee's opinion whether it should be removed. Lee said
4 there are height restrictions in town for some things and thought they would want to know if it was
5 higher than 10 feet. The language used was for solar and thermal but excluded wind. Tim said he
6 didn't know of anyone installing a residential wind turbine in 10 years. Tim thought Peter Hudkins
7 had one that was working well. Tim said they may want to consider addressing a roof mounted
8 wind system. Lee said they make wind turbines as small as 40 and 50 watts. A 1000-watt turbine
9 could be roof mounted. Lee said to Peter's point, the bylaws say 125 feet or 40 feet above the
10 obstructions. Hugh said the wind thing was a conditional use. Lee wondered if they should
11 reference that in the renewable energy section. There was consensus to do that. Tim thought they
12 should address ground mounted solar as a conditional use and let the DRB discuss it. Preston said
13 it was currently listed that way. Lee said in another state they would be installing a 100-kilowatt
14 carport solar array and wondered if they were exempt in Vermont from going through the
15 application process and has asked Green Mountain Power. Lee's understanding of the limitation
16 of 15 kilowatts for a ground mounted system was to avoid use of agricultural property and turning
17 it all into solar arrays. A carport was installed in a parking lot which wasn't used for agriculture.
18 Lee wondered if he would have any obligation to the town to get permission to install a solar
19 carport. Tim thought it was a different application process and commercial and you could go larger
20 and if it was a residential property, it would be limited to 15kw. Lee wanted to know if his
21 customer wanted to install a larger system, what the limit would be. Preston mentioned that
22 SunCommon has a solar carport they were selling and viewed it as ground mounted solar and was
23 exempt, but some towns opposed it. Preston said he would likely approve it as it was simple and
24 attractive. Preston said only half the towns would approve it. Tim said the limit was also about
25 grid capacity and interconnectivity because if people started installing 50kw residential systems,
26 it wouldn't be long before the line was maxed out and would stop neighbors from being able to go
27 solar. So off grid wasn't an issue. Lee said solar was no longer the Wild West. Hugh wondered if
28 someone wanted to install a carport larger than 12 x 12 would they need a permit because the
29 exempt structure was 12 x 12. Preston said it was a mount for solar panels and he would be inclined
30 to not require a permit. The only real conflict Preston could see in Chester is the Public Service
31 Board wants 25 feet from a boundary and they have some districts where a structure needs to be
32 50 feet.

33
34 Hugh said the takeaway was they would make a reference in the note to include wind. And they
35 would leave non-grid connected ground mount systems as a conditional use and not make it a
36 permitted use. With respect to the sloped and flat roof language, Tim agreed with Lee that it
37 shouldn't matter if it was a flat or pitched roof, if it was 10 feet above the roof, it was 10 feet.

38
39 Steve Mancuso wondered why they should make a distinction between grid connected and off grid.
40 Preston said by state law, if you are tied into the grid, you are exempt from zoning. They wouldn't
41 normally make the distinction, but state law causes them to. Tim suggested striking the word
42 "sloped" from the language for 4.3.B.30 and just have it say, "of a roof." Preston said that worked.

43
44 Cathy wondered if they should discuss what people were doing and wanted to do. She wondered
45 if they should be considering where it was headed. Lee thought the less government intrusion the
46 better, but because people can be greedy and not be considerate of their neighbors, rules are

1 needed. Lee thought they had very little authority to regulate stuff because the State had taken on
2 that authority themselves. Lee thought there is a 15kw limit for ground mount for residences and
3 rooftop is 500kw. He said the numbers were larger for rooftops and there are already numbers out
4 there set by the State. Cathy asked if there was anything they could do to support things going
5 forward. Lee thought of encouraging GMP to update the infrastructure to allow more solar. There
6 are enough people who have added solar that the lines are being maxed out. It has happened within
7 the past couple of months. GMP has an online map that displays the capacity, and the green line
8 shows there's capacity and red indicates it's close to being full and Chester changed from green to
9 red within the past couple of months. Lee thought their hands were tied as far as encouraging
10 people to install solar. Tim wondered if people were building houses off the grid with solar. Lee
11 has two customers that have. Lee was concerned about people obstructing their neighbor's views
12 and wondered how they encourage that not to happen.
13

14 Section 4.3.B.19 was the discussion surrounding travel trailers. The original discussion permitted
15 two travel trailers, but they couldn't live in them more than 180 days per year and language about
16 storing them in the Village Center or Village Green area. There was discussion about why in a
17 time when people are struggling with housing, they were considering limiting the days you can
18 live in a travel trailer. Hugh thought there were unintended consequences by allowing someone to
19 live in a travel trailer all year-round. By it becoming a year-round residence, it becomes a dwelling
20 but would not be regulated. They would be able to put the trailer on a property line, have more
21 than one, live there all the time, and it could cause problems with sewage depending on how they
22 took care of it. Once Hugh considered the complications it could present for the town, it seemed
23 the regulation was valid. From a timing point of view, there aren't many people who are attempting
24 to live in a travel trailer full-time. Hugh wasn't a big fan of creating policy by exception, so it
25 didn't make sense to him not to be clear about what they intended to do with travel trailers. Hugh
26 thought the time was appropriate to put the restriction in place before it got out of hand. As an
27 example, Hugh said he could put a travel trailer on his lot and short-term rent his house. Tim
28 thought those were good observations. Tim wondered if they changed the bylaw and someone was
29 currently living in a travel trailer, how it would affect them. Preston's instinct was they would not
30 be exempted. Preston said Tim raised an interesting question of were they legal when they first
31 began occupying the trailer. The bylaw is vague and doesn't say. Preston said what was vague for
32 him was the State water quality rules don't allow for someone to live in a travel trailer without
33 septic hookups, but he also knows the state isn't enforcing it. Preston said if it was important
34 enough, they could get a legal opinion. Tim wondered if they had any responsibility to report
35 violations to the State. Preston and Cathy had walked along a property where there was someone
36 living in a camper and found no evidence of pollution and the person said they were taking it off
37 site. Preston spoke with Tim McNamara, the State Environmental Enforcement Officer, about it
38 and he said he wasn't going to touch it because there was no evidence of pollution. Cathy said the
39 guy had water and waste tanks and the waste tank could be removed. Tim wondered if it was a
40 100-gallon tank. Cathy didn't know but said you could buy them online. Hugh said most tanks
41 were between 30 and 40 gallons and thought it would be 300 or 400 pounds, so they were too
42 heavy to lift into a pickup truck. Cathy said they have wheels on it. Hugh wasn't buying it. Tim
43 said there's a 21-gallon version of one online. Barre thought it would normally be pumped. Hugh
44 said a typical RV with 2 people and a 40-gallon tank needs to be emptied every 10 days, so it
45 couldn't be done every couple of months but needed to happen more frequently. Barre said if
46 someone owned their own land and were living in a camper, that was one thing, but Brandy had

1 talked about where people were renting campers and living below a certain standard. Barre saw a
2 difference between living on your own land in a camper for whatever reason and having a
3 landowner rent out their land without water hookups to one or more people and that would
4 constitute a campground. Hugh said what wasn't sitting well with him, without any kind of
5 controls, he could buy a camper, park it on his property line 10 feet from his neighbor and live
6 there. Hugh said they were setting rules about setbacks and wastewater but not applying the same
7 rules to campers. John said he and his wife have a camper and he considered living in it and renting
8 his house out as a short-term rental. John thought they should think long-term about what they
9 want down the road, implement regulations but not enforce them until they get the housing part
10 fixed and behind them. John thought they needed something to cover them for the next 10 years
11 but not enforce it right now if that was possible. Hugh wouldn't necessarily disagree with it but
12 didn't see it as solving the workforce housing shortage with people living in travel trailers. The
13 people who live in travel trailers were likely down on their luck and had financial restrictions.
14 Hugh understood it was real and was not trying to minimize it.

15
16 Arne Jonynas didn't think it would solve the housing shortage but would also create unintended
17 consequences. If you are allowed 2 ADUs on a property, 2 campers, and the primary residence,
18 there would be a little village with 5 separate families. He sympathized with people who needed
19 housing, and their only choice may have been to live in a camper. They have laws in place to
20 prevent things from happening. Arne said the laws are in place to prevent things from happening
21 that affect other people. He said he knew people didn't like to hear it but sometimes we turn our
22 eye away from something. If every zoning regulation and law were enforced in town, he didn't
23 think there was a property in town that wouldn't receive a summons for some violation over the
24 years and that's where the compassion comes in but not having any rules in place, would open a
25 can of worms. Arne said there was a guy living under the bridge all summer and not only did they
26 know about it, but the town helped him. He went to the police station and warmed up on cold
27 mornings. His mom thanked the town. This was a situation where you can do what's right even
28 though the law says what it says.

29
30 Lee wondered if there was anything they could do without imposing regulations or limitations.
31 Lee wondered if they could put a limit on how long a camper can be on a property. Lee wondered
32 how they could help people to get to a point where they can get out of that situation. Hugh
33 wondered if they could create a process to allow them to get a permit for their camper for a period
34 because they're in hardship and if they don't go through that process and get that exception, they
35 would be treated like everyone else. Lee said having established setbacks so people can't park their
36 trailer on the property line could be done without impacting people who are in a bad situation. Lee
37 wanted to hear Arianna's thoughts. Lee thought of being able to help people when they need it but
38 not enabling them when they don't. Barre compared it to getting enough DUIs that you're required
39 to blow into a breathalyzer to drive your truck and go to work. Barre looked back at his life and
40 there were many times he had a kick in the pants and got support from friends. If you don't create
41 an impetus for change, there won't be change. With respect to housing, if the way they're living
42 negatively affects others, the community, churches, support groups, or AA would step up to help.
43 Barre said if you don't have the serious kick in the pants, you become an enabler and enabling
44 people to be on a path of self-destruction or whatever they're on. Barre thought like policing, it
45 was substitute parenting. As someone who has dealt with addiction, Barre saw it as needing to get
46 it together or you would end up in a bad place. Barre thought a lot of times the people who ended

1 up in these fringe situations were dealing with addiction or they wouldn't end up in those
2 situations. John asked if the situations they were discussing were all hardship or if there were
3 other reasons. Preston was aware of two situations. He had a third situation where he talked to the
4 owner of the property who made it go away. Preston thought there were two ways to do it, one
5 was to not enforce the violation and the other was to recognize it and provide a period to comply.
6 Preston said it was his job to identify the violation and the Selectboard's job to decide what the
7 enforcement was. Hugh thought if there was a vehicle to remediate the violation, they could do
8 that, and Preston agreed.

9
10 Arianna Knapp said part of her job is being responsible for 22 RVs that get parked on the Lincoln
11 Center Plaza for 3 months where people live in them. She said it was in the center of Manhattan
12 with more regulations than Chester could possibly envision. She was happy to share how they
13 cleared the waste. Arianna thought those who said they were clearing their waste probably were
14 and there were lots of ways it could be done. She said people can live in RVs. They live November
15 1 through mid-February in New York City with dogs, cats, grandmothers, and everything. Arianna
16 questioned if the Planning Commission or zoning regulates when someone doesn't empty their
17 septic system for 22 years. Preston said they don't. Hugh added that you can't build an ADU and
18 connect to the septic system without a permit and approval. Tim said a property was condemned
19 recently due to a failed septic system. Preston said it was the duty of the Health Officer to
20 determine failed systems and systems do fail. When Preston is involved with someone buying an
21 older system, he suggests they get it pumped so it doesn't fail but there is no regulation. Arianna
22 asked before anything is changed and someone on her street has been living in a camper and she's
23 concerned for their safety, does she have any mechanism or avenue to express her concern, act as
24 a community member, and does she have a path to address it. Preston said that was what the Health
25 Officer is for if she's concerned about their wellbeing. Arianna asked what the path would be three
26 years from now if the bylaw were passed. Preston said it would be the same avenue except she
27 could also call him, and he would address it. The Health Officer would respond if there was a
28 health hazard or children that didn't have a clean, safe environment. Arianna verified they already
29 have a mechanism to respond as a community. She said her interest was not in not regulating
30 people living in campers, but her interest was not doing it right now. Arianna said she understood
31 Hugh saying if they didn't do it now, when would they do it since they weren't going to revisit it
32 regularly. She wanted to say the pandemic era home resources for people lacking homes expires
33 in June and July. Brattleboro has already announced they are moving people into R.V.s. R.V.s are
34 being put forward in the state as a response to the housing crisis and not for the workforce housing
35 but for the housing for the homeless crisis. R.V.s are in discussion in multiple communities, and
36 she didn't know what those regulations looked like. She thought it was important to acknowledge
37 it was happening all over the state now. Her opinion was it is also problematic for her to write
38 regulations but not enforce them. She agreed with the end goal and intent and that people should
39 not make a home out of a camper. They must acknowledge housing the homeless and workforce
40 housing are the most important things they must do. She again stated it was worth considering
41 waiting to do it.

42
43 Barre said the fact we have running water and flushing toilets makes us not a third world country.
44 He said there were campgrounds in the area where people could take their camper. If someone
45 doesn't have their own property where they can put their camper, and nobody is renting land to
46 them for a camper without a hookup. Tim said that was a separate issue that they hadn't addressed.

1 Barre said if someone is making money off someone renting their land for a camper without
2 hookups becomes an illegal situation because it's not a campground. Barre said the issue is why is
3 someone renting property to someone for a camper when they don't have hookups for it because
4 that's illegal and not healthy. Barre thought the solution may be to create more campgrounds with
5 hookups so people can live in campers and said the property next to him could be subdivided, and
6 campers could be there and connect to town water and sewer. Barre thought they had a standard
7 of living that they needed to uphold and help people with.

8
9 Peter Hudkins has lived here most of his life. What is currently happening is the people in town
10 are getting moved out because they can't afford to stay here. He thought the question about short-
11 term rentals was ridiculous because people are currently renting out their homes and living in their
12 campers because they can't afford to live in town. Peter said property values are going right
13 through the roof. They are talking to a class of people who will be priced out of the town. To Peter,
14 it looked like they were looking at a class of people they don't want in town, who interrupt property
15 values and are trying to do the best they can, and they need to put a regulation in to control them.
16 The State of Vermont controls the wastewater rules, and they have nothing to do with that. Peter
17 said if there's a wastewater problem, the Health Officer can address it and they're gone. Peter
18 didn't think they needed to make a wastewater problem out of it because it was the state of
19 Vermont. Peter said they were looking at people who can't afford to live elsewhere and were
20 getting priced out of town. Hugh asked if Peter was suggesting a camper get permitted like an
21 ADU and Peter said it could. Hugh said they were talking about no permitting or regulations for
22 campers at all. Peter said Vermont only allows a mobile home to be so small and then it becomes
23 an R.V. because of the size limitation. Hugh said people can't afford to live in Chester anymore,
24 so they want to make a travel trailer a dwelling unit and permit it as such. Cathy said that brings
25 in the cost of wastewater. Hugh said his point was that unregulated dwelling units were
26 unacceptable. Barre can live by himself in a giant building but doesn't rent part of it out because
27 he doesn't want to hear footsteps upstairs, so he thought he was part of the problem with housing.
28 Barre said at the same time, if he had hardship, he could move in with family or get roommates.
29 Barre wondered when they discuss people not being able to afford to live somewhere and a quality
30 of life, why is that their problem as they're all responsible for themselves. Barre said it was his
31 problem if he can't get employees, but it wasn't his problem if someone wants to live in a house
32 they can't afford. They need to do something to improve their life, get a roommate, move in with
33 their parents, or get a better job or work 2 or 3 jobs so they can afford to live here, or move to a
34 neighboring town. Barre said it wasn't the job of Chester to make sure everyone who wants to live
35 here has an affordable place to live. Barre said it's a tourist-oriented area with a lot of factors
36 beyond their control and they're trying to be helpful, but it doesn't mean they should have people
37 living in a camper that's not up to standards they would consider healthy.

38
39 Lee wondered if they had identified the root cause of what they were talking about. He said some
40 people vacation here and stay in campers and then go south. He thought they were talking about
41 unregulated campers that people park and live in forever. Lee thought the root cause was they can't
42 afford to live here. He agreed with Barre to the extent that it wasn't their job as leaders of the town
43 to make sure everyone could afford to live in Chester. Lee thought they could help by reducing
44 regulations and trying to grow the grand list but also by encouraging affordable housing and
45 providing opportunities for people to be able to buy a house. Lee said demand exceeded supply
46 for housing. He wondered how to approach it from a thoughtful standpoint and bring it to

1 resolution. Lee recommended the Planning Commission decide when it would be a good time to
2 discuss it but agreed with Arianna that now wasn't the best time to write regulations but thinking
3 about the skeleton so, as John had said, in two or three years they could have something in place.
4 Lee thought getting to the root cause was the key.

5
6 When Barre first moved here, he did it because it was affordable. The Lindsays had their place for
7 sale for almost 10 years before it was sold. Because people are getting called back into work and
8 tech people are losing their jobs, the big push for COVID that increased prices and got people to
9 move here was going to go away and he expected the housing market to become affordable, but
10 noted that he isn't an economist.

11
12 Tim thought there were limitations to what they could do as a Planning Commission working on
13 bylaws. Tim said they were focused on workforce housing and calling it affordable housing and
14 they didn't care who lived there. They need more housing, period. He thought they all recognized
15 that and writing development bylaws, the most impact was to open paths to building more housing.
16 The only people building are wealthy period who can afford to. Tim didn't see the economy
17 coming back to affordable housing. Tim thought when they got to the rights-of-way and roads,
18 they could tie it back in by asking what the town could do to make it more appealing and affordable
19 for a developer or individual to subdivide an acre into four or five lots and build spec houses or
20 open the path to that. Tim said the town had options to help make that happen.

21
22 Barre thought about buying the lot next to him and using his sawmill to build three houses that
23 were shells that people could finish themselves. Barre suggested overcoming the hurdles by
24 offering \$5,000 in economic development prize money for someone to come up with an idea on
25 how to build something less expensive and get PR for it and get positive attention for the town.
26 Barre said he has college educated people who come to work for him and can't swing a hammer
27 or use a drill and can't build anything. He thought if people were handier and if they incentivize
28 them, they may be able to solve some of these problems.

29
30 Hugh thought because the timing wasn't right, for that very reason, was why they should do
31 something. John said there would never be a right time. Hugh thought it was better to have some
32 regulations with compassion than to have none. Hugh thought they should craft some level of
33 regulation around travel trailers with flexible enforcement policy. He thought deferring it
34 completely wasn't the right thing. Hugh thought turning a travel trailer into a permitted accessory
35 dwelling unit had another level of rigor that he wasn't sure they wanted to do. John liked the idea
36 Hugh had just suggested because it provided guardrails and was afraid with COVID relief ending,
37 they would have 100 campers flying into town. Lee suggested they tie it in with affordable housing
38 and address the housing issue all at once. Barre noted Julie was creating a Housing Commission,
39 so he thought they were trying. Barre thought they needed to enforce so people weren't profiting
40 on renting land to campers without hookups. Barre thought living in a travel trailer in the winter
41 was difficult and the people doing that should find other people to live with that would be healthier
42 and better for them.

43
44 Preston had suggested deleting the sentence that limits it to 180 days but keep the regulation about
45 the quantity of campers on a property. Hugh said he knew they were trying to be compassionate
46 but there are people who will stack up travel trailers on their property and start living in them.

1 Currently, they had no recourse. Cathy liked Barre's distinction about whether they owned the
2 land or not and if they were renting the land without a hookup. She thought if someone had a house
3 and a trailer and they moved in the trailer to rent their house, they were on their own land. Hugh
4 didn't like that it was unregulated, and Cathy suggested making it into an ADU. Hugh thought
5 whatever regulation they developed should work whether it was the landowner's land or rented
6 land. The regulation needed to work in both cases.

7
8 Arne didn't realize that a travel trailer/camper could be talking about the social ills of our country,
9 and it comes down to what they can afford. Arne suggested leaving it in with the regulation or
10 possibly knocking it down to one travel trailer and address at a future time. Arne said not everyone
11 would approve of the document and it was a big topic.

12
13 Preston noted Julie wasn't happy with the wording about the roads at the previous Selectboard
14 meeting. She wasn't concerned about their intent. Preston said there was a very big storm water
15 push at the State and there is a lot of pressure to have roads comply. People in the legislature are
16 suggesting if a private road fails, they may force the town to fix it. The new wording Julie was
17 happy with. They moved it from a driveway that serves one lot to a driveway that serves two
18 dwellings. The state says once it's 3 dwellings, it is a private road and must be given a road name
19 and that's why they did this was for consistency. It says if a road is created, it must follow the
20 Town of Chester's road and bridge specifications but it will be designed and certified after
21 completion by a professional engineer and will be the sole expense of the applicant. And the DRB
22 will require the applicant to designate a contact person for future maintenance of the road. Lee said
23 anytime he sees a requirement that says, "shall require" and "at the expense of the applicant." Lee
24 thought this was part of the reason why people can't afford to build in Chester. Lee understood
25 why these were required but wondered what the cost would be for developing the road.

26
27 Peter said road standards for Chester have been in place since 2016 and they never reconciled with
28 the bylaws. A lot of it was reconciling with the bylaws. You can go online, and the local regional
29 development is responsible for anything not a perennial stream, has lists of things on private roads
30 in the town of Chester including private culverts they expect Chester to figure out how to fix. The
31 State is dictating this and that's what Julie is afraid of. The list for Chester is phenomenal. They
32 expect all the problems to be addressed in the next 2 years. Peter said the road department isn't
33 even manned to come close to fixing that. They would need to separate the private road
34 responsibilities from the town, so the town isn't paying for it. Peter said the State is telling the
35 town they're responsible for the erosion in the culvert, the ditch, and the private road. Regional
36 Planning Transportation is putting the responsibility on the town. Hugh thought that explained
37 some of Julie's angst. Hugh asked if the town had any recourse. Peter said it would be better to
38 identify a driveway and a private road. Tim asked if it was in place now and Peter said it was. Peter
39 said the zoning bylaws and the road ordinance didn't agree. This would address that problem.
40 Barre asked Peter if he thought the proposed language was something they should do, and Peter
41 said it was. Preston added that any subdivision in Chester requires a survey, and this would notch
42 it up to require an engineer. Lee asked if anyone knew the cost. Barre said it probably wouldn't
43 fall in an area where affordable housing would be located. Tim said if they forward decreasing the
44 minimum lot size in town and the intent was to be able to subdivide those lots and, in some cases,
45 would require a road to get to the dwelling units. Barre saw that as a curb cut. Tim could see it
46 happening in town and if they were talking about maximizing the opportunity for new housing to

1 be built, they needed to consider the cost. Tim wasn't pushing back on the engineering part but
2 would push back on the applicant designating a contact person to be responsible. If it was built to
3 town standards and supported more affordable housing, why wouldn't the town take over the
4 maintenance. Barre was upset about people in rural parts of Chester receiving snow plowing but
5 not paying towards water and sewer. Peter referred to the road and bridge standards and the
6 provisions for roads that only serve two homes and once it was more than that, they were more
7 stringent. Peter said that's why he had raised it when he was on the Commission because none of
8 it interacted. Hugh thought they needed to separate them and was a fan of understanding whether
9 it was a driveway or a road and how that was determined based on the number of lots served but
10 the issue of who owned the road needed to be separated and he didn't see the Commission writing
11 bylaw language that applied to who serviced the road. Tim said that was fair but wanted to get it
12 out there because it could be a factor in affordable housing. Barre had friends who had spent a lot
13 of money to meet the standards for their private road in another state and he didn't see it as their
14 job to make sure everything they did fit someone's budget. Tim said there was no one solution to
15 creating a regulatory environment for affordable housing. Lee said his driveway was ¼ mile long
16 and if he had to build it to these specifications, he wouldn't be able to afford it. Hugh asked Lee
17 to consider a scenario where a developer was going to put in a subdivision with 10 houses and
18 wondered who was looking after the best interests of the people who would buy and live in those
19 houses if there were no rules and they built whatever kind of road they wanted. Lee didn't disagree
20 with it but was concerned about the cost. Lee said if affordable housing was built on land owned
21 by the town, they would need to build the road to those specs but if his son wanted to build a house
22 on his property, he wouldn't upgrade the driveway because he can't afford it. Hugh agreed. Lee
23 wanted them to consider the impact and what he was hearing was the State dictated everything and
24 they had no say. Peter said the town road standards were two or more lots so for them to do
25 anything, they would need to change the standard. Peter said that was the road standard ordinance
26 and not the bylaw and wanted it to say all roads were the responsibility of the Selectboard except
27 a non-public road serving two or more lots. It would remove the conflict. Peter said another option
28 was changing the road ordinance. To Lee, affordable housing meant affordable driveways, septic,
29 and water. Hugh agreed. Hugh said the new language they were proposing would help Julie feel
30 more comfortable and would resolve the conflicts that Peter had mentioned. Preston and Tim
31 agreed.

32
33 Hugh said after the Selectboard meeting, they decided there was another way to get the job done
34 with a subdivision/PUD approach and would just drop having two ADUs on a lot. Barre thought
35 the topic had been misunderstood and if someone owned the land, they would add another structure
36 to rent out and it would help the affordable housing problem. Barre said the current solution would
37 require an engineer to subdivide and go through the paperwork and it would cost a lot more. With
38 respect to all the topics discussed to save money, Bare said they are saying to solve the problem
39 by making it cost more money. It didn't make sense to Barre, and it seemed the topic was not
40 understood well. Hugh agreed on the one hand, they wanted to make things easier for those trying
41 to create more housing opportunities and there was a vehicle to get it done but the barrier to
42 achieving it was higher and that was inconsistent. Barre said the same two people who were
43 arguing to have things cost less were arguing to have this option be more expensive. Arianna said
44 if they reviewed the Selectboard minutes, her personal position was not to remove it or have it cost
45 more money, but she had asked for clarification and if there was a path for having multiple units
46 on a property. She did not ask for it to be struck and was struck based on the Commission's desire.

1 Hugh said it was all in the spirit of how they could develop a position that would get the job done
2 and likely to be adopted by the Selectboard.

3
4 **Agenda Item 5, Finalize Maps and Language for Proposed Village Center and**
5 **Neighborhood Districts**
6

7 Tim moved to postpone discussing Item #5 to a future meeting and signing the Rules of Procedure;
8 and in an interest of wrapping up a lengthy meeting, also skipping Item #7. Hugh seconded the
9 motion. The motion carried unanimously. They agreed to begin with Jason Rasmussen at the next
10 meeting. Preston asked for the record to reflect that Jason Rasmussen had given a thumbs up on
11 Zoom.

12
13 **Agenda Item 6, Sign Updated PC Rules of Procedure**
14

15 The members signed the Rules of Procedure that were adopted at the last meeting.

16
17 **Agenda Item 7, PC Roundtable**
18

19 Postponed.
20

21 **Agenda Item 8, Adjournment**
22

23 Hugh moved to adjourn, and Tim seconded the motion. A vote was taken, and the motion carried
24 unanimously. The meeting was adjourned at 8:47 p.m.