

1 **TOWN OF Chester**
2 **PLANNING COMMISSION**
3 **May 3, 2021 Draft Minutes**

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

6 **Staff Present:** Cathy Hasbrouck, Zoning Administrator; and Susan Bailey Planning, Commission
7 Secretary via Zoom.

8 **Citizens Present:** Scott MacDonald, Scott Blair, Shawn Cunningham, Cheryl Joy Lipton, Arne
9 Jonynas, Lee Gustafson, and Steve Mancuso via Zoom. Bill Lindsay at Town Hall.

10 **Call to Order**

11 Chair Cathy Hasbrouck, called the meeting to order at 6:33.

12 **Agenda Item 1, Review minutes from March 29, 2021 and April 19, 2021 meetings**

13 Tim Roper moved to review the March 29, 2021 minutes which were a single page. Peter
14 Hudkins seconded the motion. There was no discussion. A vote was taken and the minutes were
15 approved unanimously. Tim Roper moved to review the April 19, 2021 minutes and Peter
16 Hudkins seconded the motion. There was no discussion. A vote was taken and the minutes were
17 approved unanimously.

18 **Agenda Item 2, Citizen Comments**

19 Scott MacDonald identified himself as the newest member of the Development Review Board and
20 stated he had read the current bylaws cover to cover first, and then the proposed bylaws. He talked
21 about the waiver section at page 109, section 7.16 section A and how he felt good that extenuating
22 circumstances are included and he added waivers for subdivision where the DRB may waive due
23 to unnecessary hardship. He felt the proposed bylaws section 4404.a didn't include and it came
24 off as colder. He felt the sections contradict each other and the proposed waivers come over as a
25 lot less caring. Someone may need to build a cottage for an elderly parent "that may be a human
26 thing that isn't hurting anybody." Scott didn't feel that was included in the proposed waivers.

27 **Agenda Item 3. Answer questions submitted by Hugh Quinn for 30 minutes.**

28 Cathy Hasbrouck noted Hugh Quinn would go over questions he has for approximately 30
29 minutes and take the meeting to about 7:10 p.m.

30 Hugh Quinn shared an Excel spreadsheet via Zoom. The spreadsheet included a map that showed
31 current zoning versus proposed zoning changes. Hugh prepared a list of items he needed
32 clarification on given the proposed bylaws. It also included the current dimensional standards
33 versus proposed. He did the same comparison for land uses. His spreadsheet also included a
34 legend for zone usage. He pointed out that none of the information was new information, but it
35 was collected from the proposed bylaws from Brandy Saxton and the adopted bylaws. He had
36 organized the information in a way that helped him get up to speed faster. He used the maps
37 from Brandy's presentation. This all led him to the list of 23 questions he listed on the
38 spreadsheet. Hugh stated the use questions are probably more straightforward in terms of how
39 they map; and then there were some development questions. Hugh said part of it was what were
40 the "burning buildings" the Planning Commission needs to tackle right away.

1 Cathy Hasbrouck said she had gone through the general questions but didn't get quite to the end.
2 She had some initial answers but would be interested in learning what other members of the
3 Planning Commission members think. Hugh's first question was, "What is the target timeline for
4 adopting the proposed bylaws? What is the impact of missing the target?" Cathy said that to her
5 knowledge, there is no clear drop-dead date and no expiration date on the bylaws. She believes
6 the town plan needs to be updated, revised, or restated by 2023. She felt it would be helpful if
7 the commission is done with the bylaws by 2022, giving time to start on the town plan. She
8 asked if anyone had other information to add.

9 Tim Roper pointed out the influx of new property owners has been significant due to COVID,
10 and to him, it creates an urgency to get new bylaws in place. Delaying adoption of the proposed
11 bylaws may result in the town having land development which would be out of alignment with
12 the town plan.

13 Cathy Hasbrouck asked for other insight with no reply. The next question was, "What is the most
14 urgent gap or risk in the existing bylaws that needs to be mitigated by the new bylaws?" She said
15 Tim Roper feels the existing bylaws are not sufficient to protect Chester from the wave of
16 COVID interests. Tim Roper said he believes the biggest gap in the bylaws is that they are not in
17 alignment with the town plan. Tim said another reason the town manager and the Select Board
18 requested a complete rewrite of the Unified Development Bylaws was that the Development
19 Review Board had many scenarios where they felt things were not clear and well defined. It was
20 difficult to make decisions. The chair of the DRB did not want any gray areas.

21 Cathy Hasbrouck said there was concern about meeting statutory requirements but she couldn't
22 find any clarity about which statutory requirements weren't being met. When Jason Rasmussen
23 reviewed the bylaws, he pointed out some issues surrounding group homes that had changed
24 since the 2019 when the proposed bylaws were first written. Cathy said another goal was to
25 make it easier for businesses to get permits; and if someone wanted a change to a permit, it
26 shouldn't require a full conditional use review.

27 Tim Roper stated Cathy Hasbrouck had made a good point and thanked her.

28 Peter Hudkins stated in the old bylaws there was a lot of power in the Development Review
29 Board, so they could refuse things as well as let them in. It is difficult to innovate if everything is
30 locked down in black and white. Peter said Jason Rasmussen mentioned this at the last meeting.
31 Flexibility was the thought behind the previous bylaws.

32 Cathy Hasbrouck stated the next question was, "What has been the major area of concern from
33 the community about the proposed bylaws?" Her understanding was that, in the R18 District, the
34 value of people's land was a concern and that extensive requirements in Article 3 are going to be
35 a burden to business. She asked if there was anyone from the community who wanted to speak
36 up. Hearing no response, she then asked if Tim Roper or Barre Pinske had any feedback to share.

37 Tim Roper stated he often hears people asking to make it more business friendly. He said those
38 who have been working with the proposed bylaws understand that most areas are more business
39 friendly than the existing bylaws, with the possible exception of the site plan review process,
40 which should be revisited.

41 Peter Hudkins stated he doesn't feel the new bylaws are business friendly. He believes it's not an
42 easy document for people to work through, as well as additional requirements that will force
43 more people out rather than attract new business.

1 Barre Pinske said he believes Peter instills fear in the public when he makes comments like that
2 with no facts to back them up. Peter Hudkins said he felt Table 4-01 was not business friendly.
3 Tim Roper interjected that they have talked about revisiting Table 4-01 and they can fix it. He
4 said the bylaw review process is not complete. Tim Roper agreed with Barre Pinske that it's
5 important to not make statements that create fear and distrust in the community.

6 Cheryl Joy Lipton said there was not a lot of concern from people in the community. When
7 some had concerns, they discussed it in the Planning Commission and changes were made.
8 Cheryl Joy said the concern is not in community, but sitting on the board.

9 Hugh Quinn said he believes the question is about the community feels needs to be addressed.
10 Hugh listed three things that represent concerns from the community: the R18 zone proposal
11 devaluing the Grand List, concern about making the bylaws more business friendly, and making
12 the site review process easier. He asked if what he had written were concerns that the community
13 feels were relevant. If not, he would like to hear about relevant concerns.

14 Barre Pinske appreciated Hugh's efforts and commended him for same. Barre used the analogy
15 of a van was taking a bunch of people to NYC. If it picked Hugh up in New Haven, CT, they
16 wouldn't drive back to Chester so that Hugh could learn what everyone saw on the way to New
17 Haven. Barre commented that Hugh is doing a good job learning what they saw along the way.
18 Barre said it's a process with community input and believes the board is already in New Haven
19 and headed to the city. The board is almost there.

20 Scott MacDonald asked if he could say something. Scott wanted to share an observation he has
21 heard in the community. He referenced Barre's analogy and said that sometimes you've got to go
22 back to Chester. He said there are people who feel they don't know what is happening and
23 although the commission has made progress it's still the job of the commission to have the
24 community feel good and involved. Scott said it's a big document. Scott believes putting people
25 new to Chester in front of those who were already here as a means of getting things pushed
26 through, may be something the commission should revisit. Scott said "maybe you don't have to
27 go back to Chester but slow down." Scott added that he had brought up waivers before because
28 the section on waivers gives wiggle room. He believes the community is worried about too much
29 rigidity.

30 Barre Pinske said he saw few items in the newspaper that mention misunderstanding and
31 confusion. He didn't want to continually revisit items. He wanted to move forward.

32 Cathy Hasbrouck asked if anyone else had comments.

33 Peter Hudkins said the first three questions were probably the most difficult in terms of
34 objectivity. He told Barre he gets the whole "can't go back to Chester" analogy. Peter said at the
35 end of the day, in order to move forward, the Planning Commission needs to understand and
36 reach a consensus. Peter said because the work wasn't completed under the previous
37 commission, there's no way to avoid turning the car around. Barre Pinske indicated he has no
38 problem with what Peter is doing and it's important to get Peter up to speed and kudos to Peter
39 for the effort.

40 Hugh Quinn reminded everyone that his presentation was only 30 minutes, because after that,
41 everyone would be ready to jump off a bridge. Hugh said he couldn't figure out why there were
42 two residential districts as opposed to a single. Cathy Hasbrouck said there had been a possibility
43 of qualifying for a neighborhood development program that required a zoning district with four

1 units per acre. When it was realized Chester could not qualify for the program, the second district
2 became unnecessary. Hugh Quinn agreed the commission needed to revisit the zoning districts.

3 Hugh Quinn mentioned the proposed bylaws contain facade standards regarding property
4 aesthetics that required things like a porch. He asked if those kinds of standards were necessary
5 for the Rural 3 district or residential areas. Should they be directed at the business areas?

6 Tim Roper said those were for the in-town districts. Hugh Quinn said they were in the village
7 districts, but also the residential and the Rural 3 districts which seemed strange to him. Tim said
8 the discussion he recalled was maintaining the character of the village and didn't know how the
9 standards ended up in the other districts. Hugh said that made more sense. Barre Pinske said the
10 standards were aspirational. Cathy Hasbrouck said the standards were very specific and clear.
11 Hugh pointed out that four of the 11 standards must be met when you do certain things. Barre
12 didn't believe he was in support of it.

13 Hugh Quinn mentioned there's a footprint limit of 6,000 square feet in the rural zones. Tim
14 Roper noted the difference between the size of a house, and the footprint of building. Hugh,
15 wondered why there was a footprint limit in a rural area. Barre said he had the same question.
16 Barre mentioned that Brandy brought that to the commission and had a reasoning for it, but he
17 didn't remember what it was.

18 Cathy Hasbrouck said she looked through the minutes from that meeting and they reflected that
19 Brandy had made an argument for a 4500 square foot footprint in an in-town zoning district
20 saying it wasn't appropriate to have a huge building in that district, but Brandy didn't justify
21 putting a limit on a rural building.

22 Tim Roper and Barre Pinske both recalled said discussion and that it was discussed at length.
23 Hugh Quinn added that there is also a coverage requirement, so he wanted to ask about it
24 because it wasn't obvious why there would be a footprint limit. Cathy said they have to work on
25 the size limit in general, as 6,000 square feet is smaller than several buildings in Chester,
26 including the new fire station. Barre asked if it was a bigger footprint. Cathy said it was over
27 7,000 square feet. Peter Hudkins said any commercial business or business that required
28 warehouse, was limited to 6,000 square feet.

29 Barre said the argument with that was they didn't want any gravel roads out there. He said he
30 doesn't agree with all of it and just because he says something doesn't mean that's what he
31 thinks. He stated the argument given was if you're in R18 and have a building that big, then you
32 have employees, trucks and trailer traffic and by putting in the limits you attempt to keep that
33 density going more to your town and business districts. There was discussion that it was 6,000
34 feet anywhere in town – in the whole town the maximum is 6,000. It was agreed by Peter, Tim,
35 and Hugh that it needed to be revisited.

36 Hugh Quinn noted there was one more question – you can't put a house on R18 without getting a
37 conditional use permit. Tim Roper recalled from memory it was because once the R-18s were
38 moved 1,000 feet off the roads, there became an issue with driveway access and fire safety that
39 steered them into the direction of requiring a permit for building in R18.

40 Cathy Hasbrouck's recollection was that a single-family home was a conditional use in R18 out
41 of the box before they added a thousand-foot buffer of R6 around roads and R18 behind it. She
42 recollected that Brandy said they needed to review carefully where someone put house in R18
43 and make sure it wasn't opening up too much of the forest unnecessarily. Tim Roper couldn't

1 recall that conversation but felt Cathy's memory was probably better than his. It was noted the
2 conditional use part was so they wouldn't do things like clear six acres and open too much of the
3 forest. Cathy stated the commission would come back to Hugh's list of questions. Barre Pinske
4 apologized to Hugh and let him know that he had good questions.

5 **Agenda Item 3, Discuss whether to Proceed with the bylaws as a Complete Package or**
6 **break them into Smaller Pieces for Implementation**

7 Cathy Hasbrouck announced item 3 from the agenda and that she would take the role of the chair
8 for a moment and summarize how they could adopt them. Cathy pointed out that citizens are
9 saying they don't want to see the bylaws adopted as one big package but need to see it broken
10 down in some way or another. She also has heard the same from Select Board members. Cathy
11 stated from an information technology perspective, she believed it to be a bad idea. She said the
12 most complex projects spent a lot of time figuring out how to implement in pieces so they
13 weren't redefining gravity. Tim Roper interjected that Cathy was comparing apples to oranges
14 and objected to the technology analogy. Cathy noted the objection.

15 Cathy Hasbrouck said that several suggestions have been made about different approaches to
16 defining the pieces. The method she believes is most likely to succeed is the one where they
17 figure out a chunk and integrate it into the existing bylaws. One approach would be to sort out
18 the uses, connect the proposed and the existing uses and come out with a final list. That list
19 would be installed in Article 2 of the adopted bylaws. She thought they would also have a
20 version of the proposed bylaws reflecting those changes.

21 She thinks there are parts of the bylaws they need to focus on, a list of uses that everybody feels
22 is appropriate and workable. There are all of the requirements in Article III in the proposed
23 bylaws, specific uses with specific standards associated with them and that there was a whole
24 slew of geographical standards – ponds, walls and things like that which are equivalent to what is
25 in Articles III and V, road designs, and Article VI about floods. Cathy said a lot of people seem
26 to support a review, once they settle those issues, by zoning districts. The people from the zoning
27 districts can get together and go over uses and standards, as was done by the commission with
28 Stone Village. Cathy commented it would involve more work than if they did it all at once, but
29 it would be more likely to succeed and there is more room to get citizen input that way. Cathy
30 ended her comments as chair.

31 Tim Roper added that he has also heard from citizens and they are in favor of implementing a
32 single document at one time. He was surprised Cathy was hearing the opposite. Cathy stated that
33 is what people were telling her.

34 Barre Pinske said as an artist he doesn't like rules, but as an artist, he wants to do something until
35 it's finished and move on. He is willing to be a part of the team and go with the group and he
36 doesn't have a strong opinion, but he is getting a funny feeling about hearing what people think
37 when he doesn't see a lot of letters or names and doesn't know who the people are. When
38 someone is on a board and it's their job to figure it out and nobody is talking to them, they ask
39 who are these people. Barre said Chester has 3,200 people in town and questioned who the
40 people are making the citizens comments.

41 Cathy Hasbrouck said the Planning Commission had received a letter last week and Barre
42 responded that it was one letter out of 3,200 people. Cathy mentioned that Bill Lindsay had
43 asked for a moment to speak. Barre used the analogy of a YouTube video that gets two terrible

1 reviews, but isn't taken down because of that. Barre would like to get more of a consensus of
2 what people are thinking and he stated some people are more involved than others and we have
3 to respect them, but he doesn't believe there is the outpouring of negativity that is being
4 conveyed.

5 Scott MacDonald offered to address Barre Pinske's comment in 30 seconds regarding why
6 people don't step up. Barre reminded the commission that his good neighbor, Bill Lindsay, was
7 waiting to speak at the podium.

8 Bill Lindsay, as a former Select Board member, Planning Commission member, and a person
9 who has done business in Chester, offered his comments. Bill felt the current restrictions would
10 be expensive to property owners and defeat people attempting to start a business due to the
11 regulations. He had listened to conversations among board members the past few months and
12 found them interesting. Bill stated there are avenues of the regulations that need to be discussed
13 and if there is no coherence among the board members as to what the town is looking for, he said
14 maybe they should speak to more members of the town.

15 Bill added in reference to someone who mentioned how long they have lived in Chester, Bill
16 stated that he came to the town 47 years ago as a flatlander. He was told Chester was very
17 unfriendly to business. Bill said there were difficulties in running a business. He commented
18 that when you're trying to put together a package that has major changes, you're discouraging
19 people from going to meetings because board members themselves are having difficulties. He
20 stated he believes the regulations should be broken down and people only pay attention when it
21 affects their property. If someone lives in that district, they will be more likely to participate.

22 Bill said to put all the regulations into one or two meetings will require having the best memory
23 in the world. He urged the public hearings be conducted in different sections, possibly district,
24 giving some indication of what the effects will be to both residential and business. He added
25 that's why people aren't coming out, or are making statements that in some cases aren't true. Bill
26 said many people probably haven't read the regulations which he said are not easy to read. He
27 said it is necessary to mark the sections with paperclips to see how the sections affect each other.
28 He stated some people can do that well, but that he's running out of paperclips.

29 The point Bill said he was making was if a presentation is going to be made to the public, there
30 are two things: property rights and tax application. He said he hasn't heard much discussion
31 about the tax implication and would urge, as a citizen and former planning board member and
32 select board member, that the regulations are broken down for presentation to the public, so the
33 public participates and is in favor.

34 Barre Pinske and Tim Roper thanked Bill Lindsay for his comments. Tim proceeded to ask him
35 questions about Bill's suggested path forward regarding separate hearings based upon the zoning
36 hearing. Bill said yes, because people who live in the district would be more likely to come out
37 and ask questions. Tim told Bill he liked that path and thanked him for taking the time to read the
38 documents. Tim said one of the reasons he keeps saying the regulations are more business
39 friendly is the list of permitted uses is greatly expanded. Tim asked Bill what specifically he is
40 seeing that makes him believe it is less business friendly. Bill replied with an example of owning
41 a laundromat and if he wanted to change the parking lot, he would have to hire a specialist in
42 developing water runoff conditions, and also landscaping. Both of those conditions would
43 require him to spend money instead of just fixing his parking lot for the benefit of the business.

1 Tim said he thought that was a misconception the way he understood it. He pointed out that if the
2 parking lot is being repaved, none of those things are triggered, but if it's being expanded beyond
3 a certain size, that is when they come into play. Bill Lindsay explained that just because you're a
4 business, especially in the town the size of Chester, doesn't mean you have unlimited funds to
5 comply with the requirements. He further explained that there are all kinds of regulations you
6 can add to the way you want it, but what about the overall community when you take into
7 account the median income for Chester. He was amazed how low the income was and referenced
8 a study that was done in relation to putting in a water tank for Chester. Bill reminded the
9 commission that soon they will need to do work at the sewer plant which will be paid for by the
10 property owners. He urged the commission to break things up because they need to be able to tell
11 people what they are and how they will be affected.

12 Barre Pinske asked Tim Roper if he could comment and Tim said he wanted to clarify one thing
13 first. Tim said the site plan review that would trigger landscaping or drainage issues would be for
14 a parking lot larger than 10,000 feet. Others disagreed and referenced 3.01.6, Section 11 (1:20).
15 Barre said it was very clear and added that when he was on Cape Cod, he spent \$11,000 in
16 concrete for his parking lot and he had to base the size of his septic system on the size of the
17 building.

18 Barre used the parking lot at Smitty's as an example. He said it is doesn't have good access and
19 doesn't hold the cars to support the business. Barre said with new zoning, you want to make sure
20 you don't have another parking lot like that. He addressed drainage and the reason behind
21 modern bylaws. It prevents melting snow on a corner in front of his building going downhill and
22 covering Depot Street with ice. Barre said we can choose to keep Vermont as it is, with ice on
23 the road and funny parking lots, but that's what is addressed with new zoning – looking at what's
24 gone wrong in the past by trying not to recreate the same problems. Barre said water running
25 down the road was something the consultant felt Chester didn't want in the town anymore, and
26 having proper egress and parking lots and so forth. He said even though he isn't "a rules guy," he
27 thinks it is good, because if someone wants to build a grocery store in town, they should make a
28 parking lot that works and contain the water on the property and not run out onto the road and
29 that's why these rules are necessary.

30 Peter Hudkins added there is a specific section that deals with resurfacing and that is what Bill
31 Lindsay was referring to. Barre Pinske added that if someone resurfaces, they should do things to
32 keep the water from running on the road.

33 Bill Lindsay added that particular water problem has been addressed and the sidewalk and road
34 in front of Barre's building were going to be redone and there was a plan in place and money set
35 aside to do that. Bill said those issues that Barre was talking about can be addressed with the
36 Select Board and not necessarily through the Planning Board. Bill said the Planning Board has a
37 different set of rules to follow and if they are road problems, they need to go to the Select Board.
38 Bill said to pick particular interests to support changes in the planning regulations is not fair.

39 Cathy Hasbrouck gave the floor to Scott MacDonald who had wanted to speak. Scott commented
40 that everyone was doing an impossible job and he commended them. Scott mentioned Barre's
41 comment about the lack of letters and agreed with him. Scott added that people who grew up in
42 Chester are different from those who didn't. Scott believes people in Chester have done what
43 they needed to do and minded their own business and now they are being asked to change who
44 they are and their lifestyle, to some degree. Scott commented that just because people are not

1 writing letters or showing up at meetings doesn't mean they aren't thinking or that they don't
2 care, but that many question what the point is. Scott thanked the board.

3 Cathy Hasbrouck asked for additional comments.

4 Hugh Quinn commented about whether to do a wholesale bylaw adoption or in increments. Hugh
5 said for him, it didn't matter whether it was a planning activity or large coordinated activity. He
6 believes the bottom line is if the changes are done as a wholesale adoption, more risk will be
7 underwritten. Hugh said when changes are implemented in smaller chunks, a large-scale risk is
8 mitigated. Hugh said it is probably a decision the Select Board can make.

9 Tim Roper said Hugh made a good point and that certainly wholesale change is a bolder move.
10 Tim said he has studied leadership and leaders lead with bold visionary moves and that may help
11 people understand why he has taken the position he has. Tim also felt Hugh's comment about
12 the Select Board having an appetite to underwrite the potential risk was good. Tim said it was the
13 Select Board and the Town Manager who asked the Commission to undertake a full rewrite of
14 the Unified Development Bylaws.

15 Hugh Quinn said a full rewrite doesn't necessary imply a wholesale adoption in one fell swoop.
16 Hugh has no issue with a full re-write, but with implementation in stages or all at once. Hugh
17 said they are two different things. Tim Roper agreed that one is fast and one is slow, then he
18 added not fast, but one is slow and one is really slow.

19 Barre Pinske said he has no strong feelings how the commission moves forward. Barre agreed
20 with Hugh's question as to what's really important to have done. Barre said he feels like he's
21 being thrown under the bus and that his goal is to have the best bylaws they can. Barre said he
22 doesn't mind looking at things to try to have them be the best. He wants to hear people's
23 opinions, but feels like they have already done that between the meetings, the charts and the
24 graphs they had at Town Hall and Newsbank. Barre said he just wants to move on and that he
25 didn't have an issue with bringing them in pieces and was in favor of that early on after hearing
26 Jason. Barre said he doesn't think the bylaws are a bad thing or anything that people should fear,
27 but thought there is room for improvement. Barre said there is huge fear of change that people
28 should not be afraid of.

29 After asking if anyone else wanted to speak and getting no response, Cathy Hasbrouck
30 summarized the evening's discussions as follows: One idea discussed was splitting up the
31 hearings or having workshops by zoning districts and/or some other way to breaking the package
32 apart, so the commission wasn't looking at the whole set of bylaws all at once. In addition,
33 independent of the method of review chosen, should the board implement the whole package or
34 split the package into pieces and implement.

35 Peter Hudkins moved to implement the bylaws in pieces. Cathy Hasbrouck asked if there was a
36 second and when nobody answered, she asked if she could second the motion. Barre Pinske said
37 yes, Cathy could second the motion as a board member. Cathy seconded the motion. Discussion
38 followed.

39 Cathy Hasbrouck said she was concerned about presenting the whole package given the Select
40 Board's indication they aren't in favor of implementing the whole package at once and wondered
41 how people would feel. Tim Roper asked who on the Select Board had indicated they were not in
42 favor and Barre Pinske joined Tim in his question. Cathy said she had heard from individuals on
43 the Select Board and Tim responded that wasn't the board, but individuals. Cathy wondered if

1 the Planning Commission could ask the Select Board for an opinion. Cathy said she was curious
2 how people who want to put the entire package in at once would feel if it was not approved.

3 Barre Pinske said his feeling is that he didn't have an issue presenting it in pieces. He said he had
4 previously thought it would be easier to do that way, but he thought the commission would have
5 a specific number of pieces no greater than three. Barre said he didn't think it could be left
6 vague. He thought Peter's motion should be amended to make it a certain number of pieces no
7 greater than three. Tim Roper questioned which Select Board members had expressed their
8 concerns to Cathy. Cathy answered that she didn't know.

9 Arne Jonynas spoke about the issue with the Select Board. He referenced the statement made by
10 Cathy Hasbrouck about what Select Board members had said. Arne told Cathy that was okay that
11 members were speaking with her, but he wanted to make clear that when they do that it's not a
12 board decision or board action, but their opinions. Cathy thanked Arne for the clarity and asked
13 him to continue. Arne said when the document is amended, he could see that mechanism
14 happening, but that he didn't see how parts of the proposed bylaws could be brought to the board
15 to be combined with the adopted bylaws. Arne did not understand the logistics of how that could
16 work. It would be a lot more confusing than implementing a whole package of new bylaws.

17 Arne said he could see parts of the document being worked on and then put aside and once
18 review of the whole document was completed, bringing it before the Select Board for approval.
19 Arne said he didn't see a path where it would come before the Select Board in pieces. Arne said
20 the total re-write was requested by the Select Board back with the introduction of the Village
21 Master Plan. The goal was to make the center of Chester more business friendly. Arne felt that
22 goal had been accomplished.

23 He stated the document was first brought about because 80% of the parcels in the center of the
24 village didn't conform with the adopted zoning regulations. He said the intention was to make
25 that area more business friendly. Arne said there was probably some controversy on the outside
26 of town with the R18 and R6. He thought there were some good points brought up, but as far as
27 the path to take and how to present it, he did not see it working if it was presented to the Select
28 Board in that manner. Arne said he was not speaking for the board, but speaking for himself.

29 Peter Hudkins said the zoning bylaws have always been amended in pieces. He said Jason
30 Rasmussen, who had worked with them though bylaw updates in the past, recommended that
31 approach so you don't lose a grasp on it. Peter said the document is too cumbersome. He said
32 Cathy's idea that you go to Village 12 and fix that particular part and then amend the current
33 bylaws, which can be done.

34 Peter said the current bylaws do such a good job of doing deeds, which the proposed bylaws
35 completely drop. He stated the board has a way that adjudicates, that works, and not putting
36 something in there that is more confusing and people are not used to. Peter stated he couldn't see
37 saying that it could be done in three sections, by chapter maybe, but Articles 3 and 4 all have
38 interacting problems. He agreed with Arne Jonynas about amending the part of the document so
39 it works and keep working in small pieces. Peter said it aligns with what Jason Rasmussen had
40 said previously. The part of that didn't work for Peter the most was that it wasn't Chester, but
41 what the consultant said. He feels there needs to be more of Chester in the document.

42 Barre Pinske commented that it was coming full circle and he was really too busy for this. He
43 said he was on the downtown master plan committee and spent a lot of time working on it and

1 he's spent a lot of time on the Planning Board. Barre felt that what Peter was talking about were
2 his ideas and the way he thinks. Peter is still part of old boy system and that's the way he wants
3 to do it. Barre gave Peter's thinking as a reason why there is ice running down the road because
4 they don't want somebody stepping up and doing what's necessary. Barre said they can all work
5 together, but believes that they can't have the new chairperson saying members of the Select
6 Board said, so we should really do this, because then we're getting back to who's drinking the
7 Kool-Aid. Barre stated he was really upset and didn't like it at all. He believes he's a flexible
8 individual, good person, and wants to listen. He stated he doesn't like getting manipulated or
9 scapegoated and doesn't like putting a lot of work into things and then tossing it out. He told
10 Peter, with no intention of disrespect, that if he was going to build a railroad, Peter would
11 measure out every spike to a sixteenth of an inch and would never get it done.

12 Tim Roper started to make a motion and Cathy Hasbrouck reminded him that there was a motion
13 with a second on the table that required a vote or would need to be tabled.

14 Cheryl Joy Lipton interjected with a comment that there were numerous items that are not only
15 applicable to one zoning district or another, so it would be difficult to split up by zoning district,
16 so the commission would need to take that into consideration. Cathy Hasbrouck stated she's been
17 thinking a lot about it.

18 Hugh Quinn said he didn't think he was ready to vote on incremental implementation given what
19 he was hearing. He felt a little work needed to be done before a decision could be made about
20 whether it was feasible to implement in sections by retrofitting changes back into the bylaws. He
21 believes there are potential complications with that. Hugh believes if they can't get consensus or
22 agreement on the proposed Development Standards (Article 3) then nothing else really matters.
23 Hugh recommended if there wasn't an agreement on Article 3, the Commission shouldn't move
24 on to standards and maps. Hugh believed that foundation is needed for any general agreement.

25 Cathy Hasbrouck said Hugh's proposal had been sent in the packet. She said she was afraid to
26 look at Article 3, because it was so big. She thought they could start with something as limited as
27 dimensional standards and implement them with a boundary for the Village 12 District and
28 perhaps a little more for the Village 4 district. The next piece would be to come to some
29 agreement about the list of uses and how the Performance Standards would support regulating
30 the impact of a use. She liked the use categories in the proposed bylaws. She thought they might
31 be helpful when someone proposed an unusual use such as a dog exercise park. Cathy said once
32 there was an agreement on uses, they could put the uses into the adopted bylaws and then look at
33 individual zoning districts and permitted uses. She said her approach involved looking at
34 dimensional standards and uses first, but she could see merit in other approaches. Cathy said she
35 is aware that several people thought there were many unintended roadblocks in Article 3 that
36 weren't thought out.

37 Tim Roper said Cathy's statement was a great statement, as he agreed a lot of what was being
38 objected to was unintended and things that the commission talked about revisiting but kept going
39 in circles. Tim the public workshops at Town Hall were well attended and generated a lot of
40 good feedback. Brandy had made a list of items that people had questions or concerns about.
41 The commission had addressed every single one and came to a majority consensus or unanimous
42 consensus on how to correct those things. Tim said the document is not a complete document. He
43 thinks the commission needs to focus its energy on the unintended situations that have been
44 created.

1 Cathy Hasbrouck stated that it appeared there was some agreement that Article 3 was a piece
2 some people wanted to review carefully. She stated she didn't think reviewing Article 3 would
3 stand in the way of either breaking down the implementation into sections or a whole package.
4 Cathy suggested the board could step forward and look at Article 3 with a critical eye. It would
5 be a step forward that they all agreed needed to be done. She then asked if anybody else had
6 thoughts on it.

7 Barre Pinske said there was still something on the table and it sounded like the subject was being
8 changed to something else. He didn't want Cathy to lose focus. Cathy replied she was trying to
9 find some way forward and that Hugh indicated he wasn't ready to vote on whether the package
10 should be broken down. She stated she was aware there was a motion on the table. She suggested
11 they could vote. Tim Roper stated he wasn't ready to vote. Barre Pinske told Cathy she was
12 missing his point. Barre explained he was suggesting the motion be taken off the table since the
13 subject had changed so they could move forward with the new plan. Tim questioned whether the
14 motion could be withdrawn in the interest of moving ahead and Barre agreed. Cathy said it was
15 up to Peter to withdraw the motion. Peter responded since there were three people who were not
16 ready to vote he would table the motion. Barre thanked him. Cathy announced the motion was
17 tabled and Barre said they could move forward.

18 Cathy Hasbrouck asked Hugh Quinn if they were to examine Article 3, would he have a
19 suggestion as to what would come first. Hugh said not necessarily and stated some may feel
20 because he was the new guy, why do they need to revisit this, but Article 3 is the foundation for
21 everything that happens in the bylaws after that. It contains the definitions and if it isn't agreed
22 upon, the document will be flawed from the get go.

23 Peter Hudkins said he was more than in favor of doing that but it needed to be done line by line
24 rather than people coming in with questions. He thought the line-by-line approach was the only
25 way to get through the process because the document was so massive. Hugh Quinn responded
26 that he looked at Article 3 and he wasn't excited about going through it line by line, but if there
27 wasn't a high confidence that everything was right going forward, everything will be suspect.
28 Cathy Hasbrouck suggested Table 4-01 as a jumping off point into Article 3, since everything in
29 Table 4-01 pointed to Article 3. She said it was easier to get a sense of reality about how a
30 regulation would work in real life if they took examples and ran them through Table 4-01. Cathy
31 stated she was very concerned the business community would feel they had been sent a poison
32 pill when they looked at Table 4-01.

33 Barre Pinske let the board know he was done and said goodbye and signed off Zoom at 8:11 p.m.

34 Tim Roper said nobody is talking about passing the bylaws right now – they have to be
35 reviewed. Cathy Hasbrouck said that's why they need to look at Table 4-0. Tim agreed and
36 stated he fully supported doing so. Cathy made a motion that at the next meeting the Planning
37 Commission would work on Table 4-01 and the articles that it points to. Peter Hudkins said
38 Article 3 was a killer but it was a place to start. Tim said he wasn't opposed to going through
39 Article 3 line by line if needed. Peter Hudkins said a year ago he was in favor of the proposed
40 bylaws, but studying Table 4-01 and Article 3 made him lose confidence in the document. Tim
41 told Peter he didn't do a good job of expressing that when he was the chair. Peter said he had no
42 problem with that.

43 Cathy Hasbrouck stated it sounded like four members were in agreement and that at the next
44 meeting, reviewing 401 was the way to go. Tim Roper asked if it was better to start there or with

1 Article 3. He asked if going through Article 3 would force a rewrite of Table 4-01 or change
2 things in 4-01. Peter Hudkins said when working through a real-life example will show the
3 problems. Tim said it sounded like a good path forward and the others agreed.
4 Peter Hudkins moved to adjourn and Tim Roper seconded the motion. All voted in favor of
5 adjourning and the meeting was adjourned at 8:15 p.m. The next meeting will be May 17, 2021.