

1 **TOWN OF CHESTER**  
2 **PLANNING COMMISSION**  
3 **May 6, 2024, Minutes**

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5 **Commission Members Present:** Cathy Hasbrouck, Jeff Holden, John Cummings, and Hugh Quinn  
6 at Town Hall; and Barre Pinske via Zoom.

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

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11 **Citizens Present:** Jason Rasmussen, Executive Director of MARC, Larry Semones, and Peter  
12 Hudkins at Town Hall; and Arne Jonynas and Steve Mancuso via Zoom.

13  
14 **Call to Order**

15  
16 Chair Hugh called the meeting to order at 6:30 p.m. He welcomed Jeff Holden, recently appointed  
17 member, and welcomed back John Cummings who had been on leave for fire training, which he  
18 passed.

19  
20 **Agenda Item 1, Planning Commission Re-Organization**

21  
22 Because the previous meeting did not have a quorum, this agenda item had been postponed until  
23 today. The first thing was to elect a chair. Cathy moved and John seconded a motion to nominate  
24 Hugh as Chair. There were no other nominations and the motion carried unanimously.

25  
26 Hugh nominated Cathy Hasbrouck as Vice Chair and Jeff seconded the motion. The motion  
27 carried unanimously.

28  
29 Hugh questioned if they should nominate a secretary and Preston said that Sue was their paid clerk  
30 so a secretary wouldn't really do anything, and Hugh said that made sense.

31  
32 **Agenda Item 2, Adopt PC Rules of Procedure**

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34 In everyone's packet were the Planning Commission's Rules of Procedure, which were unchanged  
35 from last year and provide the guidelines to operate as a body and make decisions. Hugh opened  
36 the floor for anyone who had questions or discussions about the rules. Preston said state statute  
37 simply says they must have rules and procedures and the Vermont Planning Information Center  
38 (VPIC) that has suggested rules of procedures and that's what they were. Preston said they're never  
39 needed, except when there's a crisis. It gives the Chair the ability to limit how long people can  
40 speak, and when the Chair can say a member is out of order, and similar things. Hugh asked if  
41 there were any comments or questions. Cathy said it allowed the Chair to maintain order but not  
42 the ability to limit how long anyone can speak, and they don't limit the number of times someone  
43 can speak. Preston thought they had but noted Cathy may have read them more carefully and Cathy  
44 said it was number 6. Hugh recalled discussing the same topic last year and they felt the nature of  
45 their works hasn't necessitated that much structure in public or member participation. Preston

1 stood corrected and said the VPIC model offers some guidance on how long people can speak but  
2 they may have chosen not to do that. Hugh remembered doing that and the rationale he recalled  
3 was they weren't typically a body that was overly concerned about someone dominating the  
4 meeting or folks not getting a chance to have their say so they erred on the side of allowing people  
5 to have their say but if it became an issue, they could modify the rules. Hugh thought that was  
6 okay. Hugh read #2, "At the end of an agenda item but before action is taken, a chair may limit  
7 the time allotted for public comment." Cathy noted that was public and number 6 addressed  
8 members speaking. Hugh was okay with that and wanted the members to be heard.

9  
10 There were no other comments on the rules of procedure, other than including Jeff's name and  
11 updating the Vice Chair. Hugh moved to adopt the PC Rules of Procedure as written with Cathy  
12 seconding the motion. The motion carried unanimously.

### 13 14 **Agenda Item 3, Adopt Conflict of Interest Policy**

15  
16 It was the policy used by all town employees. Hugh felt unless they were to create their own  
17 separate conflict-of-interest policy, they were bound by the policy that exists for town employees.  
18 Hugh didn't think it was a matter of them not liking it or not having one because one was needed.  
19 Their choice was to use the town's or create their own. Preston said the Selectboard expected it to  
20 cover everyone involved in the town and covered all public officers and defines one as a person  
21 elected or appointment to perform administrative, legislative, or quasi-judicial functions for the  
22 town but doesn't include municipal employees, so employees are under a different one. Hugh was  
23 in favor of using something that had been adopted and understood and put it primarily as an agenda  
24 item to remind everyone they were bound to abide by the conflict-of-interest.

25  
26 Hugh moved and Cathy seconded a motion to adopt the conflict-of-interest policy currently in  
27 place with the Town of Chester. The motion passed unanimously.

### 28 29 **Agenda Item 4, Approve March 18, 2024 Meeting Minutes**

30  
31 Hugh knew that both John and Jeff were not at the March 18<sup>th</sup> meeting, but there was a quorum  
32 present because Hugh, Cathy, and Barre had attended the meeting. Hugh moved and Cathy  
33 seconded a motion to approve the minutes. Jeff noted he had read the minutes to bring himself up  
34 to speed. The minutes were approved as written.

### 35 36 **Agenda Item 5, Citizens Comments**

37  
38 There were no comments.

### 39 40 **Agenda Item 6, MARC Consultation on Municipal Planning Efforts**

41  
42 Jason said they were supposed to come to town twice, every eight years, and ask them what was  
43 going on and how they could help. They like to review the town plan and open it up for discussion.  
44 The town plan was last adopted in 2020 and was missing the table of contents which was  
45 frustrating. Jason thought some of the data was old, especially housing related data. He suggested  
46 they revisit the land use section after all the zoning work that had been done. Jason thought housing

1 was the thing to look at and flood resilience and thought they had learned some things and may  
2 want to tweak some things in the plan. Jason didn't notice the town plan maps on the website and  
3 said they should be there. Preston and Cathy would investigate that. Preston added that he had  
4 made his own table of contents because he found it frustrating that he couldn't find anything. Jason  
5 thought the sections could use some refresh and it didn't expire until 2028. Jason especially thought  
6 housing should be addressed. Preston said it takes about 2 years to update a town plan with 1 year  
7 to write it and 1 year to go through the advertising and hearings so it should be started in 2026.  
8 Hugh wondered, rather than cracking the town plan open every 8 years if it would make sense to  
9 make iterative changes to the plan every 18 months but would involve more regular changes so it  
10 may not be practical given what is required for approval. Preston said it was the same as with  
11 zoning doing it in pieces, which was a bother but would produce a better product.

12  
13 Peter Hudkins said education section had been done not that long ago when they did the energy  
14 section and Cathy said there also were modifications to the business section. Jason thought it was  
15 good to amend something that was out of date. Jason said sometimes changes to one section affect  
16 other sections, so it isn't always easy. Preston thought when they finish the bylaws, they would  
17 start on the town plan and thought they would approve a chapter but not move it forward to the  
18 Selectboard and public hearing. Cathy said the approval process was the same for the bylaws and  
19 the plan. Hugh thought if they could carve out time along the way for updates, it would be better.  
20 Preston agreed with Cathy that the approval process was the same but needed the Regional  
21 Commissions approval, and they wouldn't have a valid town plan until they approved it. Preston  
22 said sometimes the Selectboard sends it back for changes which slows it down. Jason said some  
23 towns are trying to have less words and more photos and graphics and it could be an opportunity  
24 to overhaul. Hugh wasn't against that. Preston said they can't get any state grants without an  
25 adopted town plan. Jason said when the town adopts it, it's not required but asking the Regional  
26 Planning Commission to approve it makes them eligible for Village Center Designations and  
27 grants and all kinds of stuff. Preston knew of some towns who didn't have an adopted plan and  
28 although was optional, created an issue for when they wanted to do things. Jason said when the  
29 plan expires, zoning can't be amended until there's a new one. Hugh understood the importance  
30 and wondered if the Regional Commission or another body had guidance for best practices for  
31 what level of content and detail are in a town plan or if every town is winging it. Jason said they  
32 have guidance and look at their matrix that spells out all the required stuff. Jason said the state had  
33 a planning manual that could be helpful and suggested using both things as a starting point. Preston  
34 said much of his career has been dealing with Two Rivers who takes their adoption process  
35 seriously. Jason said part of the metric they consider is if it's consistent with the regional plan and  
36 that Two Rivers is more rigid and retail is only allowed in the village center, in his opinion, and  
37 we are more nuanced and will allow retail in other areas. Preston added there was a court case  
38 involving a similar situation to Hartford. Jason was engaged with the housing commission and  
39 knew about the zoning updates and possibly an update to the town plan in the future and wondered  
40 what else they could help with. Preston asked if the state still wanted evidence that they were  
41 achieving some of the goals in their plan and Jason said it was part of the confirmation step but  
42 was easy to prove they were doing those things and Preston agreed. Hugh believed it was a gap  
43 and had been involved in more than one discussion that said Chester needed to do better with an  
44 economic development plan and wondered if it could be encompassed in a town plan. Hugh saw  
45 it as a weakness from a business point of view. Jason had also heard that and said it was a chapter  
46 in the town plan, but they could also have a separate economic development plan and was part of

1 the conversation they could have. Hugh saw a clear linkage between a strong economic  
2 development plan with the ability to bring jobs and funding to create mechanisms for more  
3 housing. Hugh understood there was a housing issue they were working to solve but saw the two  
4 interests as compatible with an economic development plan. Jason said Bob Flint was in a few  
5 years ago and it may be time to revisit that. Preston said when he was hired, the board made it very  
6 clear they wanted Chester to be business friendly and they all use the term, but nobody has defined  
7 what business friendly means. For Preston's job, when someone calls and wants to start a business,  
8 he's supposed to be nice and encouraging and when they want a permit, he's supposed to help  
9 them obtain one. Preston said every town in the state wants to stay small and charming but wants  
10 to grow. Hugh agreed and said they want to see kids in schools and houses. Jason thought they  
11 may want to focus less on those platitudes and more on concrete things. Preston thought expanding  
12 their water and sewer will make a big difference in being business friendly. Jeff added those two  
13 utilities are vital and limiting to what businesses can come to Chester. Hugh said if Steve Mancuso  
14 were at the meeting, he would advocate for something infrastructure wise in the electricity field.  
15 Jason thought the plan was weak in those areas and infrastructure was key so it was something  
16 they should look at.

17  
18 Jason said if something came to mind after the meeting, they could always contact MARC. Hugh  
19 thought it was good to set up because right now, the Planning Commission was trying to get  
20 through the bylaw updates but once they get to the tail end of it, they could address it. Jason said  
21 if the Act 250 bill passes and becomes law, conversations will be needed about the regional plan  
22 and thought it would be an opportunity to talk. Hugh thought it didn't draw the lines and Jason  
23 said there were areas that need to be flushed out more but if it passed, the regional plan would have  
24 a lot of weight to it. Jason said if it passes, he will be present to discuss it more.

25  
26 Cathy said Chester was a small and charming town but if they couldn't get bigger, they could get  
27 more diverse, especially in terms of age. They could work to make it friendlier for families with  
28 children to come in and that could be their focus. Jason thought that was a good idea.

29  
30 **Agenda Item 7, MARC Continue Review and Discussion on Rural District Map and UDB**  
31 **Updates**

32  
33 Hugh thought most people were comfortable with the way the maps looked and the way they  
34 renamed zones and redefined them. They started from the middle and worked their way out which  
35 led to the creation of Residential 2 district and a new district called Rural Mixed Use. They started  
36 to think about how to take the massive part of town all zoned as Rural 3 and turn it into Rural 4  
37 and Rural 8. At large, they had taken a shot at maps representing those things. Most recently, they  
38 looked at the language, uses, and dimensional standards with respect to the new zones and areas  
39 to make sure they had everything covered. Hugh was open to making sure everyone understood  
40 what they'd done so far given John was returning and Jeff was new. Hugh said they had gotten  
41 through Village Mixed Use and Residential 2, and Residential Mixed Use with a good consensus  
42 on things like uses. Hugh asked if there was anything else they wanted to add and if any Planning  
43 Commission members had questions or comments. Jason told Hugh it was a good summary but  
44 added that previously, they were focused on the Village which got adopted. The Village vastly  
45 increased the amount of development that could happen in town. Jason thought it was business  
46 friendly and housing friendly kind of stuff. They have shifted gears and are in the rural part of

1 town. Jason added that Hugh said was right and Rural 5 and Rural 8 was what they now called the  
2 two districts. It was a significant change in minimal lot sizes to 5 acres and 8 acres but was more  
3 flexible. The way it was written was smaller lots could be made but the overall density needed to  
4 meet the 1 to 8 ratio. Jason said they were giving and taking to preserve rural character and some  
5 other things. Jason wanted to point that out. Hugh thought that was a good point and that the way  
6 they were labeled some people may think they were 5 and 8 acres. Jason thought it was good that  
7 it was more flexible.

8  
9 Cathy wanted to go over earth extraction and processing. Jason thought the tiny house and  
10 extraction thing were outstanding issues they hadn't figured out yet. Cathy said earth extraction  
11 was not quarrying rock and the assumption was it was much quieter. She wasn't sure crushing  
12 gravel was quieter and said it had been a hangup in the past and wondered what people thought.  
13 Cathy said it was a sore subject for the town's pit at the school. She wondered if the crushing was  
14 so loud it was horribly disruptive. Jeff said the good thing about crushing was it was limited to the  
15 amount of time. The town may only do crushing in the summer months. Jeff said it's getting harder  
16 to find good gravel and there should be a certain number of concessions for crushing if they expect  
17 to have the gravel. Jeff didn't see the crushing worse than quarrying because the drilling and  
18 blasting was more interruptive. Jeff thought they should work to accommodate the crushing even  
19 if they limit the hours it can be done. Hugh was hearing Jeff and thought they were trying to create  
20 a boundary between earth processing, which was blasting, hammering, manufacturing, stone goods  
21 and trying to separate that from a typical gravel pit. Hugh recalled they had discussed gravel for  
22 earth extraction operations wasn't viable if you couldn't do crushing and remembered some level  
23 of crushing was a deal breaker for earth extraction. Removing crushing would make it a  
24 meaningless use. Cathy asked if they could indicate a limit would be imposed on crushing and  
25 Hugh didn't know if it would be included in the definition but thought he read somewhere it was  
26 a conditional use, and in the permitting process, they could include language that implied the  
27 ability to limit the crushing time would be one of the conditions. Jeff said it was a conditional use.  
28 Preston said there was specific criteria in 3.9. Jason said it was typical to indicate the hours of  
29 operation and that crushing hours can't be on Saturday or something similar and limits being  
30 imposed by the DRB were typical. Jason had been struggling with the language and said most  
31 towns lump them together and had some level of noise and trucks, and excavators. Jason said earth  
32 extracting was basically sand and gravel operations, which include crushing. Jason thought the last  
33 two meetings they discussed materials from that process could fit through a 24" sieve. Earth  
34 processing was more dimensional material that couldn't fit through that sieve and that was the  
35 distinction. Hugh thought the definitions side by side agreed with what Jason said. Cathy asked if  
36 it would make more sense to use sand and gravel extraction and dimensional stone extraction and  
37 if it would limit the product. Peter said the noise factor was the drilling and hammering and the  
38 noise study was based on the drill and there had been a crusher above the high school for years  
39 that nobody complained about. Cathy agreed. Peter said the crushing is much wider and the  
40 problem they run into is trying to break bigger rock up with a hammer and they were trying to  
41 avoid that and requiring it to fit through a 24" sieve takes care of that. Cathy didn't have an issue  
42 with the separation and thought it was a good idea. She said the quarry under siege now was  
43 operational for 18 years and nobody complained and there is one a mile away with no complaints,  
44 so it wasn't that dimensional stone had to be disturbing but was disturbing as it was being practiced  
45 by the Julian Brothers. Cathy thought this would help limit that kind of behavior. Preston asked  
46 Larry when he was doing gravel extraction if he also crushed. Larry said they were discussing two

1 different things. They were talking about crushing stone and breaking it up versus sand and gravel.  
2 Sand and gravel availability in this area is getting scarce and what some people have done is go  
3 into a quarry, blast rock, put it through a crusher and create material that is needed on the road in  
4 the winter. Larry saw that as the future, so implementing a restriction was putting themselves  
5 behind the eightball. Hugh clarified Larry was advocating for not separating the two definitions.  
6 Larry said mother nature has more control over the product than they do. The people Larry spoke  
7 with left Vermont, because it was too difficult and, in many places, they blast rock creating  
8 material for the roads in the winter. Larry said when they were crushing, they were in a remote  
9 area, and it was down in the ground, and they never had a complaint. Jeff agreed and said the noise  
10 would be determined by the location of the pit. If the pit was on the side of the hill, it would echo  
11 through the valley but if machines were put in a pit, the noise would be diminished. Larry thought  
12 the town would be crushing what was pulled out of the river and they would learn quickly how far  
13 the sound would travel. Hugh said Larry made sense and there were places where blasting,  
14 quarrying, and crushing operations were probably not the best location around houses and a main  
15 road. They were reacting to it and trying to separate blasting and hammering to make sure it doesn't  
16 get too close to major roads in residential areas. Hugh said maybe they would allow traditional  
17 operations where they were digging through sand and stone and a little bit of clay and working it  
18 out and allowing it in places that they wouldn't allow blasting and hammering. Hugh said that  
19 was the reason for creating the separation but didn't think they should allow blasting, hammering,  
20 and crushing close to Route 103 and houses. Larry said they would still get the material, but it  
21 would cost more. They used to bring it in by train and much of what was used currently was trucked  
22 in from Walpole and a lot from Rutland. Larry found it difficult to separate the two but wasn't  
23 saying he was correct. Jeff remembered during Irene all bets were off and they were hauling stuff  
24 from everywhere trying to put roads back and for 8 weeks, there were no restrictions. Cathy said  
25 it was a big cost to the town to deal with Julian Quarry, so there was a reason to be smart about it  
26 and before them and their cheap way of running it, people were okay with the quarry, so it was  
27 technique and process and she wasn't sure how they could legislate technique and procedures but  
28 noted that nobody wanted to skid on slippery roads. Larry said Julian Brothers did what they  
29 wanted without regulations. Jeff was amazed they weren't constantly sued because he had  
30 witnessed some of their blasting and the rocks landing on 103 and they were lucky that they didn't  
31 land on a vehicle. Cathy said MSHA had fined or dinged them for their bad behavior and a resident  
32 who knew about mine safety got MSHA to look but it didn't stop Julian. Jason cautioned them  
33 against discussing Julian and to look at it more broadly. Jason thought the reason for splitting  
34 dimensional stone and gravel was the Residential 2 district and the lot owned by the town. Jason  
35 suggested not splitting them apart but in the Residential 2 district, saying any kind of extraction  
36 operation must be smaller in scale and the noise less because they were closer to the school and  
37 people. Hugh thought they shouldn't be split but combined and just needed to be more careful  
38 about where they allow it. Hugh didn't know the answer but if they weren't dealing with the one  
39 parcel, everyone on the Planning Commission would say earth extraction and processing should  
40 not be allowed use in Residential 2. Cathy said Hartford has performance standards for noise like  
41 Chester's except they say noise shall not be permitted above 70 or 80 decibels above the property  
42 line. Cathy suggested changing the word "at" to "beyond" in the bylaws and it would have stopped  
43 Julian. Jeff wasn't against disallowing it in Residential 2 but said he had worked for the town for  
44 34 years and started in the Highway Department where they used to be able to get their sand in  
45 Rockingham or Chester. The town uses 16,000 to 20,000 yards each winter and they hear it if  
46 someone's road hasn't been sanded to their liking. They need to consider if they will need to haul,

1 it will cost more, and they will still need the same amount of sand. Hugh understood and was okay  
2 with combining them into a single definition and making it a conditional use in Residential 2. Hugh  
3 said it's possible the only candidate in that area may be the townland and if it goes the other way  
4 and turns into a housing project, the problem goes away and they could amend their bylaws to  
5 make it not an allowed use in the future. Barre said back in the day, probably more than now,  
6 people went to work and now they had more retirees and leisure people, and people working from  
7 home who wanted quiet in the middle of the day and for a lot of people like him, they work in the  
8 middle of the day and make noise so it isn't their job to keep quiet all day long so someone can sit  
9 in their chair and read a book, as they were still a working class town. Barre said it would be nice  
10 to have a picturesque place in the woods without noise but wanted them to remember not everyone  
11 was retired or working from home. Hugh didn't disagree with it in general but did not picture  
12 Residential 2 and gravel extraction going together as there were a lot of places in Chester. Barre  
13 said that's why they have performance standards and just wanted to make sure they didn't forget  
14 that. Hugh wondered if he was gaining traction combining the two and making it a conditional use  
15 in Residential 2. Peter said the two biggest pieces in the town were the high school and town piece  
16 which could be moved to Rural 5. Hugh agreed it was another possibility. Peter noted there was a  
17 ton of gravel at the high school and would be a great way to pay some of the school costs and they  
18 didn't want to just block it out. Preston said the Selectboard and Julie wanted it in Residential 2  
19 because of the possibility of affordable housing. Preston said they discussed that they could always  
20 change the bylaw if affordable housing came along, and they may have to tell the Selectboard that.  
21 Hugh remembered that conversation with the board members but noted there was also feedback  
22 from them that said not to create a zoning regulation for something that may happen in the future  
23 because right now, on the ground, it was more of a gravel pit than a neighborhood. Hugh said it  
24 would support putting it in another district like Rural 5 and allowing it there but not in Residential  
25 2. If the parcels were decided to be used for affordable housing, they could deal with it in the  
26 future. Preston said they really shouldn't be in the Residential 2 district, and it was amazing what  
27 people think is spot zoning and if they changed the zoning just for those 2 areas, it wasn't spot  
28 zoning and said the courts have decided spot zoning is when something is changed to benefit an  
29 individual. Jeff suggested extracting gravel for the next 10 years and then making it affordable  
30 housing. Jeff didn't want them to limit themselves. Hugh was hearing to move the parcels into  
31 Residential 5 and combine the extraction and processing operations back into a single and not as  
32 an allowed use in Residential 2. Jason said that would work and asked if the part where the gravel  
33 extraction would be was the same place where the housing would be and Preston said there was  
34 an idea if the high school and town could swap land, the gravel pit could be a precursor to making  
35 a better site for housing.

36  
37 Jason said initially they had discussed a tiny house community and the more he considered it, the  
38 more it didn't make sense to him. For tiny homes on wheels, they had talked about something  
39 almost like a campground, but nicer. Tiny homes and RVs being similar, they had talked about  
40 treating them the same. Jason looked at examples from Two Rivers and wrote a cottage court type  
41 thing which was a cluster of tiny houses, ones on wheels, or more permanent housing, but smaller  
42 up to 900 square feet. At the last unofficial meeting due to the lack of a quorum, they had discussed  
43 it. Jason wondered what their thoughts were. Hugh felt the current definition under 3.32, he was  
44 okay with. Hugh didn't care if it was on a slab, or wheels, or if someone had an RV that met all  
45 the requirements of a dwelling. It mattered if it was a permanent dwelling and needed to be  
46 permitted as such and meet the rules for that zone. When it became a full-time residence, it needed

1 to meet the permitting requirements. Jeff had no issue with tiny houses if they were connected to  
2 all utilities but wondered how they were taxing tiny houses on wheels. They have 6 months they  
3 can be there before they're considered taxable. Hugh hadn't considered that but in the spirit of the  
4 discussion, they don't tax people with an RV. Jeff said RVs must be registered and can't be in the  
5 same position on the property for more than 6 months. Preston said he talks about it with people  
6 on occasion and the issue isn't whether it's movable but if it gets moved. Generally, the taxation  
7 is the same for occupancy, if you're there more than 6 months, you're permanent and once you're  
8 permanent, you get taxed. A tiny house treated like a recreational RV and move it but if like a  
9 hunting camp, it's there all the time and gets taxed. The same applies to a mobile home. Preston  
10 wasn't sure how vigorous Chester was about it, but RVs that sit there all year for a hunting camp  
11 are how they get taxed. Any vehicle that is road worthy and gets registered, is not taxed. Hugh  
12 asked if tiny houses with wheels were registered with the Department of Motor Vehicles and Cathy  
13 indicated they were, and Jason and Preston agreed. Cathy noted the house couldn't go anywhere  
14 without a plate and Jason said some were used like a trailer. Preston said if they weren't wider than  
15 8 feet, they could be considered a trailer. Jason said a tiny house on a foundation would be treated  
16 like a house or accessory dwelling unit but a tiny house on wheels that's connected to utilities and  
17 lived there more than 180 days a year was a house. Anything else was an RV. Jeff said they are  
18 usually registered and insured as an RV. Jason said it was very common now. Jason said  
19 technology is coming and they have houses that unfold and storage container homes and other  
20 moveable homes. If they're connected to septic, sewer, and water, it's a house. Hugh agreed if they  
21 were there more than 180 days, it's a dwelling unit, needs a permit, gets taxed, and meets the rules  
22 of the zone. Preston has been following the tiny companies and the charm is fine but 8 feet wide  
23 is limiting. They are starting to make ones that are bigger, not on wheels, and are assembled on  
24 site but use the word tiny home because it's a cache word.

25  
26 Jason didn't think he had gone over the section in a lot of detail previously. Peter wasn't sure the  
27 math worked, and Jason was open to comments. Jason said they were trying to allow on a smaller  
28 sized lot a cluster of 10 smaller homes to address the housing needs.

29  
30 As a tradesman, Steve has been involved in many of the tiny homes in town and they work for a  
31 retired couple but not for a young couple who come to town, which is what everyone wants. Steve  
32 said the state's definition is wheels or no wheels and moves or doesn't and that's when he pulls a  
33 permit to do his thing.

34  
35 Hugh said he didn't have any point of view of cottage courts for the lot size or number of dwellings  
36 per unit but thought they need to allow it in some fashion and didn't know if it was ever going to  
37 be taken advantage of but not allowing it would close the door. Hugh thought they all agreed it  
38 should be a slight variation of what they call a PDU without taking on PDU baggage. Hugh  
39 believed in the two things but didn't have the details and would rely on others to set. Jason said  
40 they had started with a Planned Unit Development and as written, it was a conditional use review.  
41 It could always be changed but was what Two Rivers had which was a little easier. Preston said  
42 mobile home parks fell under a HUD definition where other things didn't fit. Even though they  
43 could change the PUDs, the idea behind it was ski areas with a condo and open space where you  
44 make up for the condo and that was just not what they were discussing. Preston thought it was an  
45 ability to have a mobile home park concept with smaller things on a smaller scale. Preston agreed  
46 with Hugh that whether people use it or not, they needed to open the door to allow it. Jason



1 suggested amendments at some point, if needed. Preston said they wouldn't know how it worked  
2 until some people tried to run it. Jason said Lebanon, NH has something similar and was new for  
3 everyone. Per Preston, American Planning Magazine had an article about 30,000 zoning bylaws  
4 in the country and someone with AI is considering a national database.

5  
6 Hugh was glad they tackled the things surrounding extraction and the tiny homes to get them closer  
7 to where they needed to be and felt they were making some progress. Hugh scanned the uses in  
8 the use table and looked at both village and rural mixed-use for something that wouldn't make  
9 sense and the only thing he questioned was art studio and gallery as a permitted use in village  
10 mixed use but was a conditional use in rural mixed use and wasn't sure he understood the logic  
11 behind it. Hugh expected from a business point of view, if it was allowed in one, it should be  
12 allowed in the other. All Preston could remember was they designated some of the zones around  
13 Gassetts and the Adaptive 3 zone on Route 11 West as mixed use but were tiny lots and currently  
14 they are 3 acres, so they did rural mixed use which had bigger lots. Preston couldn't recall a  
15 discussion about changing the uses in mixed-use only that the village lots were too small for those  
16 areas, especially when water and sewer were missing. Hugh thought they should permit art studio  
17 and gallery in the rural mixed use, so they were consistent.

18  
19 Hugh thought for a future meeting they needed to look at the tiny house community use and  
20 determine what zones made sense to make it permitted or conditional use so they knew where it  
21 would be allowed. Jason thought having a different number of units allowed where there was  
22 septic, so the language included different sizes for 1 and 2 acres. Preston said for aesthetics, it  
23 didn't belong in the Village Green. The Catholic Church is in Village Center so they thought it  
24 should be permitted there. Cathy wondered if they were looking at tiny home communities  
25 differently than trailer parks because tiny homes were smaller. Jason thought yes. Cathy wondered  
26 if it was the size and cute factor and Jason said that was a very good question and thought they  
27 were looking at them differently and there was a gray area. Preston said state law doesn't allow  
28 discrimination against mobile homes except in historic districts. When the Adams Funeral Home  
29 burned down, someone could have parked a mobile home there. Peter said mobile home parks  
30 have requirements for square footage and length per mobile home and they are big rectangles and  
31 tiny homes wouldn't be that way. Jeff added that property is usually owned by one owner, and lots  
32 are rented. Peter said, and Cathy agreed, that they could rent lots with tiny houses. Cathy didn't  
33 want to invent a new category of rules if it wasn't that meaningful. Jason initially wondered if a  
34 tiny house community was a campground or a mobile home park and said it could be both. Jason  
35 thought the image of a tiny house was nicer than a mobile home and they were trying to target it  
36 that way but wasn't sure if that was right. Jeff assumed it would be under the fire marshal's  
37 jurisdiction and they would all need a pedestal for their power as opposed to a meter. Jason wasn't  
38 sure. Jeff said even doublewides require pedestals. Preston thought if doublewides did, then tiny  
39 homes would. Preston had thought tiny homes were generally made of wood and not like a mobile  
40 home. Jason would make some changes and send everyone a new version.

41  
42 Hugh said they had separated auto sales and service from automotive fuel and the rationale made  
43 sense but there was no discrimination of where the uses were. Hugh thought if they were creating  
44 separation for a reason, the uses should be allowed in some places and not in others and he didn't  
45 see that so he thought it may need to be revisited. Jason agreed. Hugh remembered the discussion  
46 about automotive fuel, and they decided automotive fuel was a conditional use in rural mixed use

1 because they thought it would be good to have a place for trucks to turn around in Gassetts. Jason  
2 recalled Gassetts was part of rural mixed use, and they thought auto sales and service should go  
3 there and later someone suggested auto fuel, so they added it back in. Hugh said they had separated  
4 it because when you thought about auto fuel, it was a bigger place with a convenience store and  
5 pumps and more traffic which was a different category of use than someone with a repair garage  
6 where they are just fixing cars. Hugh was comfortable with that separation but thought there should  
7 be more scrutiny. Cathy wondered if anyone had started writing rules about charging stations  
8 versus gas stations, hydrocarbons versus electrons. Jason said they should but had not seen much  
9 of it, nor had Preston. Preston said the current environment is second guessing about charging  
10 stations and even possibly helium. Preston was more comfortable using the word fueling in a  
11 generic way. Cathy was curious if anyone had begun to differentiate. Preston said the flow of  
12 traffic in and out was more the zoning question and when it was petroleum, it was underground  
13 and electric, it wasn't, and he wasn't sure about helium, but it was more a matter of the vehicle  
14 traffic in and out and whether they were tractor trailers or regular vehicles and was more of the  
15 planning issue. Jason said a lot of them were scattered all over the place, like the side of a  
16 McDonald's or a town hall. Preston said charging stations could be tucked in a lot of places and  
17 Cathy added if there was a parking space for the vehicle to fuel. Preston said it was difficult to  
18 make money on fuel alone, so they were coupled with a convenience store. Preston thought it  
19 would be difficult to predict how to do it. Jeff said the power utilities were scratching their heads  
20 because the electric grid can't handle too many charging stations. Jeff thought the charging stations  
21 were 400-amp service and Preston agreed it needed to be gutsy. Cathy noted it was a good point.  
22

### 23 **Agenda Item 8, Adjournment**

24  
25 Jeff moved to adjourn, and Cathy seconded. A vote was taken, and it passed unanimously. The  
26 meeting was adjourned at 8:12 p.m.