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**TOWN OF CHESTER
PLANNING COMMISSION
October 16, 2023 Minutes**

Commission Members Present: Cathy Hasbrouck, Hugh Quinn, Tim Roper, and Barre Pinske at Town Hall.

Staff Present: Preston Bristow, Zoning Administrator/Town Planner, and Julie Hance, Town Manager, at Town Hall.

Citizens Present: Peter Hudkins, Jason Rasmussen of MARC, Randy Miles, Steve Mancuso, Kathy Giurtino, Chuck Giurtino, Larry Semones, Ed Grossman, Joan Grossman, Nick Boke, Frank Esposito, Gerald Gleason, Susan Goodfellow, James Goodfellow, Matt Prescott, and Bill Lindsay at Town Hall; and Daniel Shapiro and Evan Parks via Zoom.

Call to Order

Chair Hugh Quinn called the meeting to order at 6:31 p.m.

Agenda Item 1, Review and Approve Minutes from October 2, 2023, Meeting

Tim moved and Barre seconded a motion to approve the October 2, 2023, minutes. A vote was taken, and the minutes were approved, as written.

Agenda Item 2, Citizen Comments

Randy Miles, who said he was present two or three months prior, asked about the R-40 district and the restaurant portion that was removed in 2017. He wanted an update and to know the difference between the white area and the R-40 District. Hugh said they would cover it during the meeting when they reviewed the zones. Preston thought Randy's property was located outside the area they were covering and was in the white, which was the next phase. Preston said some of R-40 would be covered at this meeting but not where Randy's property was located. Randy asked about putting restaurant back in his district. Hugh said when they addressed the districts that were in the white, they would address that, and it was in their next block of work after they finished completed this. Preston said he hadn't forgotten his request, but it was wise to continue to remind them about it.

Steve Mancuso applauded their good work and thought it all seemed to be in step with Act 47 making it easier to exist as a Chester resident. His one concern was the camper ban and he asked them to consider amending it.

Agenda Item 3, Municipal Planning Grant for Housing (Julie Hance)

Julie is applying for the next round of Municipal Planning Grant funds to hire a consultant to conduct a feasibility study for the pros and cons of developing a neighborhood on town land where the water tank and gravel pit are. It would require bringing someone in to consider the development of the land and the portion of the school property that abuts it. Julie had chosen the property

1 because it was the one that was ripe for development. Access and other things would be addressed
2 by the feasibility study and would provide conceptual ideas and an implementation plan. The
3 Housing Commission, who will hold their first meeting next week, could use the study as a tool to
4 work with a contractor if they got funding. Julie expected that it would be a competitive grant and
5 was seeking approval from the Planning Commission before asking the Selectboard for approval.
6 The Planning Commission needed to authorize their Chair to sign the resolution that the town
7 supports the grant application. Hugh thought it sounded like a great idea and any money they could
8 get to pursue the feasibility of creating additional housing was consistent with many of the things
9 they were trying to do but asked for the other members' input. Tim asked Hugh to read the
10 resolution. Hugh said it was paperwork that authorized Julie to apply for the grant. The wording
11 of the grant Hugh didn't have. The members passed around the relevant paperwork. Hugh
12 emphasized that Julie couldn't apply for the grant unless they said yes. Barre asked if they were
13 developing town land, how it worked legally with the town owning the land. Barre has often
14 thought if the town could be run like a real country club, it would be better for the town and
15 wondered if the town had to sell the land to a developer before it was improved or and if the town
16 could make money from it and asked Julie how it worked. Julie said they don't run the town like
17 a country club, or she couldn't afford to live there. She said the towns are being creative with
18 respect to development and thought Jason could address it better. She said it was step one, and out
19 of her wheelhouse, and hoped the Housing Commission, of which Jason was part of, could help.
20 Her understanding was towns could donate the land to a developer and the town would have
21 caveats or restrictions it could place as far as the types of housing, prices, and thought there were
22 towns that did rentals but wasn't proposing Chester did that. Julie said it was a relationship with
23 developers and non-profit housing trusts and other organizations to help fund a project. Julie, at
24 this point, was not proposing the town be landlords or do the building. She said when the town has
25 a plan for the development of its property, it makes it attractive. Barre compared it to an industrial
26 park and zoning creating incentives. Julie agreed it would help them to begin having conversations.
27 Jason said the study would consider their options and provide the next steps. The town could decide
28 to sell the land for one dollar, have an RFP invitation to developers. Jason saw the town bringing
29 in a private developer to do the work and either give the land away or sell it cheaply. Julie said
30 there would be a lot of community discussion before those levels of decisions were made and this
31 was just the beginning of the process. Julie pointed out that because it was at the end of the town
32 water and sewer lines, there was lot of acreage, and it was town owned, it had potential for this
33 type of development. Julie asked Tim if that answered his question, and it did.

34
35 Cathy moved and Tim seconded a motion that they authorize Hugh to sign the authorization for
36 Julie. A vote was taken, and it passed unanimously.

37
38 **Agenda Item 4, Public Hearing for Village District Proposed Bylaw Updates.**

39
40 Hugh thanked everyone for attending and noted it was likely the highest attendance at a Planning
41 Commission meeting for a while. Hugh said the hearing was to review the changes they had
42 proposed for the Village Center District. Hugh said they had been working on updating the Unified
43 Development Bylaws to align with the town plan and make sure they were not in violation of state
44 law. The Housing Bill S100 was driving several changes to the way they view zoning. As part of
45 the grant with Mount Ascutney Regional Commission, they had been working with the Planning
46 Commission to understand what was happening with zoning and at the state level and to adjust the

1 bylaws to be consistent with that. Hugh said the meeting was to review the proposed changes,
2 which included collapsing zones that were redundant, and present maps to explain the zones.

3
4 Jason Rasmussen said Julie, who is very good at grant writing, obtained a grant for Chester within
5 the past two years that was a bylaw modernization grant program. It was intended to look at
6 housing. The parameters were to evaluate zoning and bring it up to date. A lot of zoning was
7 subject to rules implemented in the 1970s which oftentimes prohibited certain types of building.
8 The grant allowed them to review the rules to see if they made sense. Although the grant was
9 focused on housing, they were also using it to consider village revitalization and businesses. They
10 were focusing on the center of town where there is infrastructure and water and sewer, some
11 sidewalks, and understand what is doable and the rules made sense and aligned with the town plan.
12 The process was started in April of 2022 and halfway through the process, the state enacted the
13 Home Act also known as both Act 47 and Senate Bill 100, which were all the same things. The act
14 included a lot that pre-empted zoning. Jason said Chester's zoning should be consistent with state
15 law. Jason said the hearing was to listen to the community and after the hearing, the Commission
16 would decide whether to send the changes to the Selectboard for adoption or to make more
17 changes. Once received by the Selectboard, they would hold their own hearing and vote on
18 adopting the changes. Jason told the audience that the map on their left was the existing zoning
19 and the map on their right was the proposed changes. The outlying areas were blank because they
20 would be the next step and they were currently focusing on the center districts: the Village Center
21 District (brown) and the Village Green (yellow dot) within it; the Mixed-Use District, (blue)
22 currently the Residential Commercial District; the General Business District, (pink) currently the
23 Commercial Industrial District; the Stone Village District (gray) with proposed changes; and the
24 Neighborhood District (orange) which is R-20 and portions of R-40. They remapped and rezoned
25 based largely on where there was water and sewer infrastructure. Preston noted the Open-Space
26 District had already been adopted by the Selectboard.

27
28 Hugh said because the Village Districts were serviced by water and sewer, lot sizes and setbacks
29 were getting smaller to create more housing density. They were making it straightforward to have
30 multi-family homes for up to four. It was primarily about density. They spent a lot of time focusing
31 on uses and what made sense for the new areas.

32
33 In the Village Center District, the minimum lot size was 20,000 square feet and they were reducing
34 it to 1/8 of an acre or 5,500 square feet. The setbacks were decreased from 20 feet to 10 feet for a
35 front yard. It was based on state law combined with existing conditions and the town plan. Where
36 there is water and sewer, units of four apartments or less need to be allowed as a permitted use.
37 Cathy asked if anyone present lived in the district and was curious about it.

38
39 Ed Grossman, of the Stone Village, recalled 20 to 30 people attending meetings before COVID
40 talking about the proposed changes to the zoning and bylaws. A concern was some of the changes
41 proposed for the Stone Village. Some housing there has an acre or more that would allow for
42 adjacent buildings to be built. One of the things he said was brought up that was not included on
43 the list for adoption was annexing the residential three acres behind the Stone Village. There was
44 a presentation with 1/4 acre zoning which would allow for 39 houses changing the entire nature of
45 the Stone Village. With 1/5 of an acre zoning and annexing the 3-acre residential area, he was
46 trying to imagine the homes adjacent to him having streets, traffic lights, and congestion in the

1 historic Stone Village encouraging denser residential and thought there was a way to do it without
2 having 1/5 of an acre zoning in an already busy section of town. Ed said many of his neighbors
3 have moved or moved on and the vision of why they moved there had completely changed.
4 Unhosted short-term rentals were also an issue. Preston thought that was helpful and saw the issue
5 on the North side and asked if it was okay to go to the river on the South side the way it was. Ed
6 was speaking for the Stone Village as defined and understood that some of the setbacks had
7 changed from 30 to 16 feet, which he could live with, but found issue with the whole nature of the
8 village changing. Barre thought one of the houses would need to be torn down to gain access to
9 the 3-acre residential area and someone would need to purchase it to develop it. Barre wondered
10 if it affected the field behind where the houses are and if they could limit the footage behind the
11 houses so not to include that land or would it go against the town's idea of trying to increase
12 housing. Barre wondered who owned the land. Ed, speaking about his property, was also talking
13 about the southbound side where there is another large parcel and the parcels across the street. The
14 original plan didn't include the one on the left and the new plan covered what used to be 3-acre
15 zoning. Ed has around 10 acres of that to the right of his property which was a substantial
16 development. Ed thought the houses would triple with that kind of development. Barre told Ed
17 because he owned it and had the passion to preserve it, he could put covenants on it so it couldn't
18 be developed in the future and then zoning wouldn't matter. Barre thought people in Stone Village
19 would appreciate it, but his great grandkids may rather that he sold it to a developer and then they
20 could buy a sports car. Barre thought it came down to the people who owned it and what they
21 wanted to do with it, and it would be better if the private sector preserved it. Ed said it was
22 something that had been presented to him, but he wasn't just speaking for himself but the other
23 parcels surrounding his property. Preston thought Ed had made an interesting suggestion to narrow
24 the Stone Village to accommodate the houses along the road and not have it so wide which would
25 not be a difficult change to make and thought it was worth discussing. Barre agreed with Preston.
26 Barre said their concern was housing and workforce or affordable housing and finding a flood-free
27 zone for housing. Ed appreciated their willingness to consider the original definition for the Stone
28 Village. For clarity, Jason was hearing the existing zoning map depicted the Stone Village ending
29 in the smaller parcels along the road and other map included more that went up the hill. Ed agreed.
30

31 Jim Goodfellow appreciated the purpose of increasing density. Once someone took advantage of
32 the increase in density, he wondered if anyone in the town reviewed the properties being built and
33 approved the plan. Hugh deferred to Preston because his thought was no unless it was a
34 subdivision. Preston said the answer was not really, as Chester had never gone for design control
35 or review. Preston said they dip their toes in with supplemental standards that have to do with
36 character of development. Preston didn't know how much power they had, and they had also said
37 in the Village Green and Stone Village that no formula businesses were allowed. Jim thought that
38 could be an issue if they increased density and building and nobody had any say as to what would
39 be built or the materials used. Jim said with density comes the need for parking and knew the town
40 was looking at Airbnbs and the rule for an Airbnb is for every bedroom, two people can stay plus
41 one, so a four bedroom Airbnb in the Stone Village would allow for 9 people to stay in the house
42 that night so unless they come in a bus, there could be several cars which would increase the need
43 for parking. Jim knew parking regulations would be reduced per the material and he wondered
44 where the cars would be parked. Barre said one of the interesting things about being on the
45 Planning Board in Chester was much of the land already has structures and it didn't have as much
46 of an affect as you might think because there wasn't much space to put things. Barre thought Jim's

1 concerns were valid but the reality of the town being changed a lot wouldn't happen because they
2 didn't have a lot of room to put things. Jim said if they increased development in Stone Village,
3 he wondered where they would park. Barre said that was one place where it could happen. Hugh
4 agreed density was increasing and primarily what would be permitted was multi-family housing
5 and he didn't know if there would be parking issues. Hugh thought density related to a business
6 would be a conditional use and would require going before the DRB. Hugh wondered if Jim's
7 concern was higher density for properties or businesses. Jim said a home with 4 bedrooms
8 becoming a multi-family building would come with more cars that needed a place to park. Cathy
9 said in 1860 there were 3,000 people living in Chester and there were still that many 160 years
10 later. Cathy said this would make things possible but there was no pressure from any developer
11 who wanted to build because the bylaws wouldn't allow it. Jim said he has come downtown many
12 times and is unable to find a parking spot. Cathy informed Jim of the parking lot behind the Green.
13 Jim said it was difficult to find and there was no sign for it. Jim wanted them to consider the issues
14 that come with increased density. Both Preston and Barre said they were considering it. Preston
15 said the state feels parking requirements have been too high in the past and with the cost of owning
16 a car, many units are not owning two cars and the state is telling them to dial it back. The state is
17 also hoping for more public transportation. Jason said Vermont was a Dillon's Rule state as
18 opposed to a home rule state and the town can't do things that aren't enabled. The Home Act had
19 dialed down what can be done with parking. Jason thought the Planning Commission had thought
20 about it long and hard, but the Home Act said in the part of town where there is water and sewer,
21 the parking can generally only be one space per unit. Jason noted they were minimums and the
22 DRB, through the course of a review for an apartment, could require more for parking. Preston
23 said it would be 4 spaces minimum for a 4-unit.

24
25 Frank Esposito of Stone Village was confused with the town's goal by trying to become denser,
26 have more people, and more traffic. He and his wife decided to retire here and fell in love with
27 Chester and the open space, and the New England character and it seemed to him that the
28 Commission wanted to change the character. He didn't understand. He said he had fallen in love
29 with the big Victorian houses and now they wanted to change that and make them four units. Frank
30 said he was a flatlander from New Jersey, and he has seen this happen in his hometown and came
31 to Chester to get away from that and if that was the direction Chester was going, he and his wife
32 will find someplace else to spend the rest of their retirement because they bought the house for the
33 open space and what he sees in the morning when he goes outside, a mountain and not condos and
34 townhouses. He thought they were opening Pandora's box but said he could be wrong. Barre said
35 the core issue with housing was the fact that Smitty's must close sometimes because they can't get
36 help. Frank asked why that was. Barre said because the rents were high. Frank said that was the
37 same everywhere in the country. From Barre's perspective, the goal was to have housing for
38 employees that will work for a reasonable wage so the businesses can afford to employ them. It
39 didn't mean millions of condos but enough for the workforce. Second homeowners and Airbnbs,
40 and retirees can afford more for their house than the working-class people, so the goal was to make
41 a few affordable houses for the people who work there. Frank said 18 years ago he bought his
42 house in Chester, and it was at the height of the housing market, and he probably paid way too
43 much for the house, but the town was different and had people who worked there. Frank didn't
44 think the problem was the lack of housing but the way the world was now. The federal government
45 has raised interest rates making mortgages unaffordable and he wondered how increasing density
46 would change that. Frank said it was beyond their control. Barre said that was a good point and

1 they were just trying to do the best they could. Frank said if the direction continued, he would sell
2 his house and they could put a lot of houses behind his, although he doesn't own the land. Jason
3 said it wasn't all due to the state telling them what to do but he and Preston had spent a lot of time
4 looking at the existing pattern of development and a lot of the existing zoning has setbacks that
5 are too big. They spent a lot of time trying to figure out what the setbacks should be. Some of the
6 density changes aren't making it denser but realizing what's in some parts of the town. That makes
7 it easier when someone wants to do an addition and they don't have to go through a variance.

8
9 Gerry Gleason of Flamstead Road said they heard about the mandates from the state and what
10 they're being forced into under the new bill and wondered what items they had flexibility with and
11 what ones they didn't. Jason said the state had certain parameters in the Home Act like 1/5 of an
12 acre lots where there is municipal water and sewer. Jason added there was no state mandate on
13 setbacks. 1/5 of an acre could be a duplex, a single-family house, or a fourplex. Gerry wondered
14 if it could be 10 stories high and Jason said state law said 5 units per acre. Gerry asked if it was
15 limited by square footage of a home. Hugh said you could build a structure that could hold five
16 dwellings and once you were above five, they have complete control. Gerry said his question was
17 what state law required and Jason thought it was five units per acre. Preston said they can only
18 send required conditional use review for a unit that is more than four. Preston said the current
19 bylaw allows a duplex by permit, which he issues, and for a third unit or more, it requires a
20 conditional use hearing by the DRB. This would allow 4 or 5 units on an acre. Hugh said for the
21 purposes of this discussion, if you had 1/5 of an acre and you had town water and sewer, you could
22 go to Preston and ask him to issue a permit to build a house with four units. As soon as you go to
23 a fifth unit, you go before the DRB. Jerry asked if setbacks were mandated by the state or
24 determined by the town. Jason said they were not mandated by the state but five dwelling units on
25 an acre with a minimum of 1/5 of an acre could not have larger setbacks per the math. Hugh said
26 the existing bylaws only allow for 35% of lot coverage so for 1/5 of an acre, with 35% lot coverage
27 doesn't allow much to be built so the lot coverage increases from 35% to 80% and the setbacks
28 get smaller to accomplish the building of a four-unit house on 1/5 of an acre. Jerry asked if the
29 final approval was decided by the Selectboard, and it was. Preston pointed out he was at the right
30 meeting to discuss substantial changes because once it goes to the Selectboard, it's thumbs up or
31 thumbs down, but they can't make changes. Tim said the point had just come up regarding
32 limitations on density and allowing higher density building and to Cathy's point, nobody was
33 beating down the doors of the Chester Zoning Department requesting a subdivision to build 50
34 units. Tim noted that had never happened and he had been here since 1994. Tim said they needed
35 to consider, especially for Stone Village, without water and sewer, you don't get 1/5 of an acre
36 and must have 30,000 square feet. Tim said if someone wanted to divide their 14 acres, they
37 wouldn't be able to without extending the water and sewer which would add a huge expense. Tim
38 noted one of the challenges with housing currently is the expense of building, which was mainly
39 building materials, which they don't control. Tim said the reason housing values had increased so
40 much was because of supply and demand. It is cheaper to buy an existing house than build a new
41 one.

42
43 Nick Boke lives on Meadow Road and has been paying attention to what the state has been doing
44 and thought they were doing the right thing. He has gone through the zoning revisions and thought
45 Chester had done the right thing. He understood it would involve change if things happened, and
46 noted things change and he has three or four friends in the area who can't find a place to rent. Even

1 though it was a national problem, it didn't mean they should ignore it. He said they needed to make
2 it so young people don't have to live with their parents, grandparents, college roommates, or
3 whomever. They need to make it so people can find a place to buy or rent and live relatively near
4 where other people do their work and people who they want to be around. Nick admired what they
5 had done and wished them the best with it.

6
7 Larry Semones, who lives on Eddy Road on the West end of town, had heard a lot about growth
8 and concern for growth and had lived in Chester since 1968 and not too much is different. Larry
9 referenced Cathy's comment about the population being the same as it was in 1860 with 3,000
10 people. Larry asked that assuming they find folks who are willing to part with parcels to build, did
11 anyone know how many houses could be added and if the changes went into place, how many
12 could they do when they took into consideration the flood plain and the steep terrain without
13 getting into the whole thing about where they work. Barre thought they could all remember in
14 2008 when everything was for sale and how inexpensive things were. Barre mentioned the
15 Lindsays' house down the street from him took 10 or 12 years to sell and noted that things change.
16 Barre said some of the things they are currently doing may all change if housing collapses because
17 everything is overpriced. Barre thought Larry had a good point that they live in a place with steep
18 slopes and rivers and there's not a lot of high ground or developable land and it's a small town.
19 Barre wanted them to be able to plan and have good planning for the future. Hugh added on to
20 what Barre and Tim said and they could look at the changes and conjure up the worst that could
21 happen, but it probably wouldn't match the reality of what was going to happen. There are other
22 factors that will cause increased density to not be possible, including the fact that for hundreds of
23 years, the town's population hadn't changed much so maybe it wouldn't in the future. They were
24 trying to not be in a position where they wanted to create the density and it was a good idea, but
25 the bylaws prevented that from happening. Hugh said they were currently in a situation where if
26 they had the best plan and it was absolutely the right thing to do, they couldn't do it because the
27 bylaws would prevent it. So, what they were trying to do was realize the worst-case scenario
28 probably wouldn't unfold but in the best-case scenario, they didn't want the bylaws to block doing
29 the right thing. Jason said they wanted to make it easier to do what Hugh was talking about. Larry
30 belongs to a land use organization that looks at the same questions broadly in many towns and
31 there was one glaring need in every town they've ever seen, and it was if anyone had sat down to
32 determine what Chester would look like in 10 years and what they would need to survive. Larry
33 asked how many teachers, chefs, policemen, and truck drivers were coming to town and looking
34 for jobs. Larry wondered if they needed affordable housing, regular housing, rentals, and Airbnbs
35 and if there was any thought as to what Chester needed and if the zoning could be adapted
36 accordingly. Larry wished some authority in Chester would consider what Chester would look like
37 in 10 years and plan for it. He said a lot of stuff was happening without a plan. Jason said three
38 regional planning commissions worked together on a study and there was an estimate of housing
39 needed in each town. Jason thought Chester's may have been 50 houses needed in the next 10
40 years. The hard part was it costs half a million to build a modest house now and what should those
41 houses look like. Developers aren't building them because they can't make money so unless things
42 change, it will require property owners like him to become a developer by converting an old barn
43 into an accessory dwelling unit or converting an old farmhouse to three units and that's what it
44 will look like if they're going to succeed. Tim said they know they have a housing shortage which
45 is driving the change. They have lost teachers who accepted jobs at the high school and couldn't
46 find a place to live so they rescinded their acceptance. They are looking at a housing crisis. Barre

1 said the town just started a housing committee, so they could attend the meetings.

2
3 Susan Goodfellow was concerned about the decisions surrounding Airbnbs. She mentioned what
4 had happened in Ludlow and other communities and it was difficult to have affordable housing
5 when you can stuff your house full of people and make a lot more money. She trusted they would
6 decide in the best interests of their town, but it looked like they needed to find more creative ways
7 for people to be able to work there and provide for things to make Chester go. She thanked the
8 Commission for their work.

9
10 Kathy Giurtino found it hard to sit and listen when there are houses in town turning over that need
11 work. When Kathy was young, she would renovate a house. They didn't have money, but they
12 could move into a house that needed work, renovate it, and move on if they wanted. Young people
13 don't have that option today because when a house goes for sale on the internet, someone from
14 away wants to use it as an unhosted short-term rental, takes it off the market, sells it at an inflated
15 price and people who live in the area and want to stay here or a teacher who wants to move into
16 the area, doesn't stand a chance to buy that house and until they curtail letting houses go for
17 unhosted short-term rentals, as they're only adding to the problem. Kathy thought it was unfair to
18 let it continue. Kathy said people were still buying houses because the ones on her street are turning
19 into unhosted short-term rentals. Those are houses young families could move into and work on.
20 She said you couldn't discuss one without addressing the other.

21
22 Bill Lindsay said he had put his name in for the Housing Committee. He moved to Chester as a
23 flatlander in 1971 and the population has not grown. When Bill moved from Brooklyn, it was so
24 quiet at night that he couldn't sleep. Bill said the population hasn't changed and it was partly due
25 to people having less children so the need for housing isn't quite as great. Bill pointed out that
26 there wasn't a drug store or laundromat. Bill said he bought a starter house in 1975 and started a
27 business to supplement his income. Chester doesn't have attractions for young people to shop or
28 go to a family style restaurant. The high-end restaurants are taken care of on the weekend when
29 people come off the mountain. Bill said they need community people to support Chester. Bill said
30 two college guys got together because the rents were high and bought a starter house and fixed it
31 up and sold it. He said they had to make Chester attractive for people to come here. He didn't think
32 the answer was to reduce setbacks so much that everyone was putting up a temporary garage and
33 turning them into apartments and didn't think it was healthy for the community.

34
35 Jason said they are looking at ways to make it easier to permit businesses. Tim said in general, the
36 proposed bylaws attempt to make it easier for people to open a business and make more areas
37 available for business with conditional use. They tried to streamline the process for people who
38 wanted to open a business and not only for restaurants.

39
40 Hugh said they were all realizing it wasn't an easy problem to solve. He heard a combination of
41 an economic development plan was necessary to figure out what the town wants to be when it
42 grows up and that will drive the types and amount of housing needed in 10 years. Hugh noted that
43 Vermont has the second oldest housing stock in the country, only second to Maine. Vermont has
44 a ton of broken-down houses, and nobody is building anything new so they can't ignore that reality.
45 Hugh also heard that there's effectively a wealth inequality problem, a living wage problem, and
46 the short-term rental and Airbnb issue, so there are many contributing factors that need to be

1 considered when doing this work. Hugh said they recognize all of them and are trying to keep them
2 top of mind but there was no silver bullet. Hugh said the bylaws would never solve all the problems
3 and their job or part of it was to make sure the bylaws don't get in the way of doing the right thing.
4 He heard everyone's concerns about the fact that changing the bylaws wouldn't solve all the
5 problems about housing and availability and wages, but he thought it was great everyone came out
6 and spoke to those things because it told him they understood. Tim thought Hugh said it well.
7 Barre thinks about these things often and talks with people in his gallery and Chester is part of
8 national problems. Barre said he is on the Black River Coalition and they're trying to work with
9 addiction and do cultural change with young people by advertising and their goal is to do it in a
10 small town and with kids at school. Barre thought it was cool, as a planning board, that they had
11 the resources, and they were doing the best they could. Barre thought if Steve's business coalition
12 could communicate with people buying properties, so they don't do things like remove the kitchen
13 as the owners who bought the Free Range did, making it difficult to have a restaurant there. Barre
14 said they were meeting every few weeks trying to do the best they could and the more people who
15 got involved and recognized what's going on and steered them in the right direction like Kathy
16 was doing with the Airbnbs and that would bring change. Barre thought Bellows Falls was kicking
17 Chester's butt as a lot of businesses had gone there. Barre thought they could do more with all the
18 business coming down Route 103. Hugh did a quick scan of the changes and in the Village
19 Districts, and they had added 3 to 10 uses, so it meant they were adding more capabilities to create
20 more business opportunities in the village zone. It wasn't just that they were shrinking lots and
21 reducing setbacks, but they were adding uses to create more business opportunities.

22
23 Steve Mancuso thought they were making a lot of sense and the point about interconnect ability
24 was stellar. In trying to keep in step with Act 47 in the bylaws, the state's responsibility to housing
25 has been rentals. Steve was interested in the Commission's opinions as it was a direction the state
26 wanted them to go in.

27
28 Larry Semones understood it was a fine line they were trying to waiver between, and he
29 appreciated that. Back some time ago, he asked someone in town offices how many homes were
30 owned by residents versus non-residents and at the time, the person said there was a study done
31 and 40% were owned by out-of-state people and the comment was also made 5 years later that
32 50% were owned by out-of-state people which contributes to the housing shortage. He didn't know
33 the answer and saw positives and negatives, because they brought money to town, but it was part
34 of the issue.

35
36 Peter Hudkins told Barre that Act 100 voided covenants, so if you had a covenant on your property
37 and it was in municipal water and sewer, any covenant put on there was void. So, it would not
38 allow behind Stone Village to use a covenant to exempt it. Barre suggested voting next year if
39 someone felt their rights were being taken away.

40
41 Jason asked for questions from attendees on Zoom and there were none.

42
43 Barre wondered because water and sewer didn't go to the back of the land if the law would apply.
44 Peter said it would not be that hard to put sewer and water in. Barre wondered if it wasn't currently
45 there if it would apply. Peter said whether water or sewer was there now, or if it was in that district,
46 it would apply. Peter said if water and sewer is available, covenants are gone as there is no covenant

1 that would restrict land growth.

2
3 Daniel Shapiro of Dodge Road asked if there was any way to control or restrict multiple units
4 being built on an acre being turned into short-term rentals. Barre said the Selectboard was working
5 on it and Tim said it was on the Selectboard's agenda for Wednesday. Daniel wondered if it was
6 possible for them to control or beyond their ability and Tim said that was what they were
7 discussing.

8
9 Barre thanked everyone for coming out. Tim echoed that and said a lot of the work they do is in a
10 vacuum and only 1 or 2 people attend the regular meetings so it was great to see so many in
11 attendance.

12
13 (Hugh closed the hearing at 8:02 p.m.)

14
15 The members discussed the public's input at the hearing. Hugh was surprised that nobody had
16 paperwork to refer to and Barre thought they should have been given packets. Hugh noted it was
17 on the website. Preston thought Ed Grossman's idea was interesting and mentioned they had
18 carried it forward because it was on Brandy's map. Tim said it was discussed at length at that time
19 and wondered where they would put more houses but hadn't proposed reducing lot sizes. Barre
20 thought that was the dilemma in the town. Barre and Tim weren't sure that Peter was correct about
21 the covenant not being enforceable if there wasn't already water and sewer in place. Tim gave the
22 scenario of Ed and Joan deciding to subdivide their 14-acre property into 1/5 of an acre lots and
23 maximize the houses because they had the money to develop it and there is no water and sewer
24 there. Cathy said logically, they would extend it and it would not be expensive to do. Barre thought
25 that was something the town would have to agree to. Tim was saying it didn't currently exist so he
26 didn't see how the covenant wouldn't be applicable. Hugh recalled a similar discussion the
27 Commission had about Remington Road, and they decided not to create bylaws with the
28 assumption that someday someone would figure out how to solve the problem of water and sewer
29 and everything else that would be needed for Remington Road to enable smaller lot sizes. They
30 could anticipate or wait for it to happen and adjust the bylaws. Tim recalled that and said they
31 couldn't imagine and plan around every possibility. Barre's struggle was whether it was their job
32 when considering the town to keep a pastoral view for a homeowner in the Stone Village. Barre
33 said if they didn't allow land to be developed, they became preservationists, and it could be a
34 choice if they wanted a romantic town. Barre said they had a Jiffy Mart and a Dollar General and
35 a car wash and a bunch of mini storage units and it wasn't that romantic anymore. Barre wondered
36 if it was too late. Tim said they need housing, and it would change the way the town looks. Tim
37 recalled the character of Chester being a top item of importance in the survey they had conducted.
38 But without going to an architectural review board or design review, Tim wondered how much
39 control they had over it. Cathy said the changes they were considering made it possible for the big
40 flat field next to her home to become something more than one more house. She said it was a
41 small building envelope even though the field is enormous. She said there was a barn and chicken
42 coup that could be converted into housing, but she couldn't do that now. Barre almost liked Ed's
43 idea of shrinking the Stone Village because it gave some protection and allowed the land to have
44 something else happen at some point because they weren't making it a wildlife refuge and they
45 were almost doing something to help without overstepping their bounds to protect someone's view
46 in their backyard in a specific part of town when they represent the whole town. Tim thought if

1 you didn't want the view of your fourteen-acre lot to change, to hold on to your land and enjoy the
2 view. Hugh felt they agreed to some extent and wasn't a big fan of changing their strategy because
3 there were a handful of homeowners who could potentially be affected by it in the future. In
4 general, he wouldn't support taking that approach because once you head down that road, it never
5 ends. However, just like when they discussed Remington Road, if they decided about the lots in
6 the rear of Stone Village, he could do that and sleep at night because there is no water and sewer
7 there and he wouldn't be preventing the creation of additional housing because there were several
8 prerequisites that needed to be met before the zoning was an issue. He thought if they put water
9 and sewer back there, they would change the zoning and make it dense. Barre said it was the Stone
10 Village and was historic. Barre said they did that with Cape Code, and it was charming, and he
11 didn't want the Stone Village to get wrecked with a trailer park behind it. Tim reminded Barre
12 there was a process for subdivision that required approval. Barre thought if it was a little thing they
13 could do, it might be nice. Cathy clarified that the Stone Village has municipal water supply
14 through it and not sewer. Tim and Barre thought it had sewer but stopped around the triangle. Barre
15 said Peter wouldn't say it had it if it didn't. Cathy thought it could be sewer, water, or both, and
16 said some lots didn't sign up for both when it was put in.

17
18 Hugh thought all the feedback was great but didn't think any of the other feedback, except possibly
19 the Stone Village discussion, caused him to want to change anything. There were concerns about
20 short-term rentals that were weaved into the discussions. Hugh thought the comment about
21 economic development and understanding where Chester would be in 10 years, and some design
22 oversights were good points but weren't things that would change their proposal. Hugh had
23 scanned his notes about what people were concerned about and wasn't finding anything that would
24 cause him to think they needed to change anything else, except maybe tweaking the Stone Village
25 map. Tim was shocked that nobody paid attention to the business uses, except Bill Lindsay who
26 brought it up, and then nobody was concerned about it. Hugh said he and Cathy discussed it a
27 couple of weeks ago and she had predicted it. A lot of people are homeowners and don't care about
28 the uses, just their lot sizes and setbacks. Cathy said they don't have a lot of businesspeople
29 pounding the door looking for a place to have their business. Tim and Preston agreed that most
30 people don't like change unless they initiate it.

31
32 Preston said Steve is very unhappy with the decision not to allow people to live in campers and is
33 worried about ADUs. Hugh was not putting campers in the same category as ADUs.

34
35 Tim wondered if they wanted to wait until the next meeting to vote and put it forward or wanted
36 to discuss it at this meeting. Barre wondered if they would have to resend it all if they made a
37 change. Preston said the only thing that gave him pause was they didn't include on the agenda that
38 they would vote on it at this meeting, other than that, he had no problem. Preston said some people
39 may have stuck around if they knew they were going to vote on it. Tim pointed out that a vote
40 would not put it into law but only send it to the Selectboard for consideration. Preston said the very
41 worst that could happen was someone could ask for it to be put on the agenda and then to vote on
42 it. Cathy asked if they wanted to wait until the map was changed. Tim asked what had changed
43 and Cathy said they were going to trim the Stone Village, but Jason was unclear about that. The
44 others said they hadn't decided. Tim wondered if they would decide on that at the next meeting
45 and vote to move it forward or if they would do it now. Barre wanted to do it now but didn't know
46 if they could. Tim said Preston was coming from an open meeting law point of view and erring on

1 the side of caution to maybe wait until the next meeting where they could vote whether to send it
2 forward. Jason said the other aspect of the conversation was if they were changing the Stone
3 Village and would they have to warn a new hearing. Barre said if the whole point was to have a
4 review, discussion would be expected. Preston said it was his opinion they could make a change
5 without warning a whole new hearing. Barre proposed they shrink the size of the Stone Village to
6 the back of the lot of the existing houses and exclude the undeveloped land in the back to not be
7 part of what the Stone Village is now. Hugh asked Barre if it was a motion, and it was. Cathy
8 seconded the motion. Cathy questioned Preston about the vote not being on the agenda and Preston
9 said the safest would be to wait until it was on the agenda but if they voted tonight, would anyone
10 object? Tim added that it wasn't the last opportunity for people to object and they weren't
11 finalizing anything. Tim went to the map and counted and said they were adding pieces of 5
12 properties but weren't adding anymore lots by sticking with it as it was. The homeowners would
13 have to decide to subdivide their property and develop it before anything would change. Hugh said
14 that was a great point and even though Ed is concerned about it, he's in control. Tim told Barre
15 that the 14 acres was Ed's lot and wondered why they needed to remove it. Barre said if it was
16 sold to someone else, they could develop it. Jason said one thing to consider was there was a
17 purpose statement for the Stone Village which talked about protecting the unique character of the
18 Stone Village, the backdrop being the pastoral hillside behind the buildings. Jason said if it was
19 cut off like it currently is, it would still allow housing and other things. Tim said the hillside is the
20 view. Jason said if it was included in the Stone Village, it could be developed. Barre said the
21 difference would be the lot sizes and Jason agreed. Jason said if it was R-40, it would be 40,000
22 square feet instead of 30,000 square feet unless they ran sewer up there. Barre said if they ran
23 sewer, it would go to the 8,000. Barre asked even if it was the other district, at some point, they
24 could run sewer and it could go to the small lot too. Jason and Tim said they hadn't discussed that
25 district yet. Jason's point was it wouldn't suddenly make it preserved. Tim said the person
26 objecting to adding more of the back lot to the Stone Village with the smaller lot size potential is
27 the largest landowner there and wondered how the Commission would rationalize changing it to
28 suit his needs when he has control there presently and he's the only one objecting. Hugh could
29 only rationalize it one way if someone asked why the Commission had shrunk the Stone Village
30 back down to street level he could only say because we assumed about water and sewer and the
31 mandate was to create more lots where water and sewer is accessible, but because there is no water
32 and sewer there, it shouldn't be zoned that way. Hugh said if that didn't fly, he would have nothing.
33 Tim said if Ed had not voiced the objection at the meeting, nobody else would have. Barre thought
34 Frank had too. Barre found it interesting that most people would want the ability to develop the
35 land if they owned it, but Ed wanted to preserve it, which encouraged Barre to also view it that
36 way. Barre said if Ed was forced to sell, he didn't want others to build on it. Tim didn't hear that
37 but heard Ed didn't want his view to change. Barre thought it was the same thing. Tim disagreed.
38 Barre said as current owner, Ed controls the land, and his view wouldn't matter if he no longer
39 owned the land, so Barre thought his reasons were different for wanting to preserve it. Tim heard
40 differently. Tim heard that Frank came to Chester and the Stone Village because they liked the
41 views and the open land and that's why they were there. Barre assumed he was talking about
42 preserving the land. Tim said it was illogical for them to change it because he controls the land
43 now. Cathy heard someone who wasn't thinking logically and was concerned that if the bylaw was
44 changed, tomorrow there would be dump trucks and bulldozers on his land. Cathy said he
45 expressed the same opinions the first time they discussed Stone Village. Tim said they were
46 considering changing what they had done to suit one person because he has concerns about

1 something that he has control over. It didn't sit well with Tim changing the work of the whole
2 neighborhood for one person. Tim noted that he liked Ed who was a great guy. Barre said no
3 group, other than Stone Village, had been passionate about their area. Tim commented, "So far."
4 Barre said they are concerned about their neighbors and what's going on. Barre didn't think they
5 had done that much work, and would be doing something for the character of the town if they
6 helped preserve the nature of the Stone Village without creating smaller density. Barre jokingly
7 said Tim wanted to put grocery stores in Mountain View and run over kids and now he wanted to
8 put trailers in the Stone Village. Hugh asked what the original rationale was for extending the
9 Stone Village to include the back properties. Cathy mentioned that Preston had said it was on
10 Brandy's map. Tim said it was discussed at length and Barre bought into it at that point and it was
11 agreed upon by a 5-member Planning Commission that it was a potential place to add housing in
12 Chester and there aren't that many potential places to do it, so it was a good strong argument for
13 creating it. Hugh said to assume that was true and they asked the Selectboard what was more
14 important, the ability to create housing or the ability to create a pastoral view. Barre thought the
15 view. Hugh asked if the Stone Village was special, and Barre said it was and was listed in Vermont
16 as a historic area and was nationally recognized. Tim said it would still be there and his point was
17 nothing would happen. Ed Grossman owns the property that he's worried about being developed.
18 Cathy said across Trebo Road where she lives it is subdivided into 30 pieces for years and Tim
19 added that it became a solar field. Barre thought it would be a nice thing to do. Hugh asked the
20 non-voting members if they had a point of view about it. Preston wanted to see the boundary
21 shrunk to the current level because the Stone Village is historic and special. Jason tended to agree
22 with Preston, but it depended on what the hillside became with the other zone and it may not be
23 saving all that much. Jason was a little on the fence with what the other zone is and allows. Barre
24 said it would potentially be developed at some point, but they were talking about changing the
25 boundary with density. It would have greater density than what they're doing now and less density
26 if they move it back but they're not preserving it. Tim said they didn't know about density because
27 they hadn't discussed density in the next district that it would become part of. Preston said it was
28 currently a 3-acre district, but they hadn't discussed what it would become. Tim said what they
29 were talking about now was 30,000 square feet unless sewer and water were put into a subdivision.
30 Hugh noted 30,000 versus at some point in time the white areas on the map that were currently 3-
31 acre, and they didn't know what it would be in the future. Tim didn't know how far the lot went
32 up the hill. Tim said there was only a little bit before it got steep. Hugh was beginning to lean
33 toward Barre's point of view because they didn't know what the zone would look like in the future,
34 and it doesn't currently have water and sewer. Hugh felt like it was a decision that could be deferred
35 without creating hardship but at the same time, he understood how it would unfold. They would
36 either get behind this or invoke their special meeting with John Cummings as a tiebreaker. Barre
37 said if the owners showed up at the Selectboard meeting and argued for it, it would slow down the
38 whole process so if they just jumped ahead, they wouldn't derail the process and down the road it
39 could be changed. Tim liked that point. Cathy understood Tim's logic, but it was a place where
40 logic wasn't a useful tool, and someone had expressed a strong feeling, and it wasn't a lot of skin
41 off their noses if they concede that.

42
43 Hugh asked Barre to restate his motion. Barre moved to shrink the size of the Stone Village to
44 what it is currently - the original map rather than the size they had put forward. Cathy seconded
45 the motion. A vote was taken. Barre, Cathy, and Hugh voted aye, and Tim voted nay.

46

1 Preston had looked at the calendar and noted the Selectboard would normally meet on November
2 1st and the 15th. If they voted to go forward, the Selectboard would have enough time to discuss it
3 on either date. If the Planning Commission didn't vote on it at this meeting, they wouldn't meet
4 again until November 6th and the Selectboard wouldn't consider it until December 6th, so a month
5 would be lost. Preston thought it may be worth voting on and doubted anyone would raise an issue
6 with it. Barre asked if they needed a motion and Preston said to submit it to the Selectboard for
7 consideration.

8
9 Tim moved to submit the changes to the village districts to the Selectboard and for public hearing
10 and approval. Cathy seconded the motion. A vote was taken, and the motion passed unanimously.

11
12 **Agenda Item 5, Adjournment**

13
14 Cathy moved to adjourn, and Tim seconded the motion. The motion carried unanimously. The
15 meeting was adjourned at 8:46 p.m.

DRAFT