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**TOWN OF CHESTER  
SELECTBOARD MEETING  
October 16, 2024 Minutes**

**Board Members Present:** Lee Gustafson, Arne Jonynas, Arianna Knapp, Tim Roper, and Peter Hudkins at Town Hall.

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

**Visitors Present:** Hugh Quinn, Cathy Hasbrouck, Preston Bristow, Paul Bidgood, Jason Rasmussen of MARC, Amy Mosher, Brian Mosher, Shawn Cunningham of The Chester Telegraph, Derek Suursoo, Renee Nied, Robert Nied, Scott Kilgore, Nick Boke, Tom Williams, Mike Randzio, Scott Richardson, and Scott Kilgus at Town Hall; and SAPA TV, Kirk MacGinnis, Nick Boke, Craig Lindsey, Noah Alan, Noah MacGinnis, Rick Green, Logan, Ashlynn’s iPhone, and AJW Adrienne via Zoom.

**Call to Order**

Chair Arne Jonynas called the meeting to order and reconvened the hearing at 6:30 p.m. with the Pledge of Allegiance and welcomed everyone and asked that they sign the sign-in sheet.

**Agenda Item 1, Reconvene Hearing on Unified Development Bylaw Amendment**

Arne noted at the last hearing there were questions and comments brought up and the Planning Commission was tasked with taking those concerns and questions back and reviewing the recommendations they had for the last two districts. They started in the center of the town and worked their way out and they were doing a great job. Arne hoped they were there to finish the job and see where they went from there. Hugh and Cathy of the Planning Commission were present, as were Preston, and Jason Rasmussen of Mount Ascutney Regional Commission.

Hugh said after the last hearing, the Commission met to re-examine some items in the proposed Rural 10 and Rural 5. They thought there could be some confusion about what they were proposing for density-based zoning. While they had encouraged more density in the village areas served by infrastructure, they meant low-density based rural zoning. Jason and Preston had authored a statement about what they were trying to accomplish, and it was important for people to skim through the statement to understand. They are reducing density by 40% in R-120 and 50% in Conservation/Residential. It was realized the statement wasn’t included in the packet, so Preston made copies to distribute. Hugh gave them time to read it. They wanted to clarify confusion about the terminology as their goal was to reduce density of development in the rural districts while providing flexibility for landowners to get the best and highest use from their property. They were doing it because the current zoning in R-120 and Conservation/Residential allows for a higher level of development which some people would call forest and farm fragmentation, and some people as urban sprawl. They are larger lot sizes where people pepper their houses and it’s something they don’t want to continue to promote. They’re trying to maintain larger blocks of open space reducing density while allowing landowners some flexibility in terms of suitability to

1 take advantage of the parts of their property that are ideal for development while reducing density  
2 overall. Hugh asked if there were any questions. Lee asked if there was a state driver pushing them  
3 in that direction. Hugh thought there was but deferred to Jason. Jason said partly yes. Fish and  
4 Wildlife had been talking about the fragmentation issue for many years and recognized the 3-acre  
5 minimum lot sizes. Jason said they were trying to promote flexibility with lower density overall.  
6 Jason wouldn't say they were calling for density-based zoning, necessarily, but wanted to see less  
7 fragmentation. Lee asked if there was an issue with fragmentation and if it was preventing wildlife  
8 populations from moving or if it was just a future preventative. Jason said it was a problem but  
9 unsure if it was specifically in Chester but was in other parts of the state. The Commission was  
10 looking for large lots of forest land that would have biodiversity and connections in between and  
11 the zoning map was trying to reflect that so there was more wildlife and places to hunt. Lee asked  
12 if topography was considered in their decisions. Lee said a lot of his property is unbuildable and  
13 wildlife could easily cross his property and wondered if that was considered with the proposed  
14 bylaws and if someone had a certain number of buildable acres if it was considered. Jason thought  
15 they had. Hugh said it created large open spaces for wildlife to travel through but understood it's  
16 a reality for land in Chester and wanted to create a model that would allow landowners flexibility  
17 to use the land that was better for building. Hugh thought if they weren't bound by a large  
18 minimum lot size restriction, they could take advantage of areas of land to build if they had a large  
19 piece of land. Lee thought it was counterproductive for low density because they had an area that  
20 had a high density of buildings, but the overall density of the parcel is low density. Hugh said in  
21 other areas where there are large parcels that are possibly buildable, rather than one house scattered  
22 every 10 or 15 acres, it would be better to have a cluster of houses in a smaller amount of acreage  
23 in a more open space. Lee asked why that was and Hugh said as soon as they create that patchwork  
24 of single dwellings on very large lots, that's part of the fragmentation problem they're trying to  
25 solve and it drives up the cost of everything associated with living: infrastructure, roads, private  
26 driveways, and other things. Hugh said they weren't precluding it but didn't want to require it. Lee  
27 understood what Hugh said but didn't see the driver behind it. Lee has 80 acres and doesn't want  
28 to see his neighbors and is in an area that isn't buildable. If he had a neighbor that could divide  
29 their property into 4 or 5 lots, he would see a bunch of houses. Lee said his house is in the middle  
30 of 80 acres and he couldn't see anyone. Lee guessed he understood the rationale but wasn't seeing  
31 an urgent driver for it because he didn't see the problem in Chester and wasn't sure he agreed with  
32 Hugh's premise of the conclusion. Hugh said they weren't seeing a burning problem that needed  
33 solving but the work they do isn't about solving problems, because if it was, they wouldn't have  
34 to do anything because things don't change around Chester much, but they are looking to the future  
35 for evolving land use. Part of it is a problem that needs to be solved now, and part is looking to the  
36 future. It is important to keep in mind at some level that everyone looks at change and tries to see  
37 the worst-case scenario and drum up doomsday scenarios but at the end of day, most doomsday  
38 scenarios don't come to fruition. Hugh said with the changes they were making, there was less  
39 likelihood for Lee's neighbor to subdivide and create houses near his land because if he did, there  
40 would be less houses. Lee said he would need to do the math and asked if they had considered  
41 unintended consequences. Hugh said they tried to consider all the scenarios as part of the process  
42 and didn't view them to be more dire than what could happen with the current zoning. Hugh asked  
43 if there were more questions. Arianna thought it all made perfect sense, liked the direction it was  
44 going, and agreed with the philosophy but had the same question as last time, which was if they  
45 included a minimum lot size within for the smaller lots, she wondered what they would lose. Hugh  
46 said nothing and it was a great segway into the second part of the takeaway. Hugh said they

1 discussed related to frontage, setbacks, wastewater, and water what was a practical minimum lot  
2 size. Hugh consulted with a local certified septic designer who does a lot of work in Chester and  
3 asked questions. They said in a perfect world on a perfect piece of land you can meet all Vermont's  
4 requirements on 1 or 1 ½ acres. That restriction, along with frontage and setbacks, concluded there  
5 was no downside to creating a minimum lot size with the density-based approach of 2 acres. What  
6 Preston had just handed out included a minimum lot size of 2 acres in Rural 5 and Rural 10. They  
7 felt the land and physical constraints would drive the requirement without having to write it down  
8 and at the end of the day, the net outcome is the same and they validated that with the septic  
9 designer. Arianna asked Hugh if there was a stipulation that the septic and well had to be on the  
10 designated lot. There wasn't one. Arianna said, as it existed in the current zoning, there was latitude  
11 for people's wells and septic to not be on their own lot. Hugh agreed. Arianna said that was the  
12 unforeseen circumstances that scared her, and she was concerned that someone who owned 80  
13 acres could subdivide it and have properties with well and septic not on their lot and asked if it  
14 bothered anyone. Arne had spoken with a stat officer who said it wasn't an issue of land size for  
15 shared septic and it wasn't a size problem but a legal problem and would require a covenant,  
16 easements, and whatever else was legally necessary to have shared septic or wells. No matter  
17 what Chester has for zoning, it's still possible. What would stop it is the legal part that's necessary.  
18 Arne said when he looked at the revised regulations the Commission brought forward, he thought  
19 they accomplished everything they were looking for as part of the discussion at the state level for  
20 affordable housing. To Arne, a cluster of houses was a village and driving through Vermont, a  
21 cluster of houses where they found land made sense and was how they developed. He didn't think  
22 there were many lots like that available now, especially in our area because of topography. It would  
23 accomplish more affordable housing because of the flexibility in the zoning regulation and the  
24 caveat was it was less overall density because more area surrounding it would need to be left open.  
25 Fragmentation would happen in one area where there was a cluster of houses. Arne thought going  
26 into the mountains and having mansions, tennis courts, pools, and driveways was more of a  
27 fragmentation. Arne agreed that getting a septic on 2 acres would be fortunate due to limitations  
28 and it would more than likely require 4 acres. Hugh said Brian Rappanotti, was more in favor of  
29 this approach conceptually because in some cases, it would allow him to get a system in on a lot  
30 if they didn't need to meet a strict 5- or 10-acre minimum lot size. Brian was in favor of a minimum  
31 lot size because 25% of the work he does is with accessory dwelling units and a family compound,  
32 which sometimes are put in with shared septic systems, but when the family compound dissolves,  
33 there should be enough land under each dwelling to support its own system if they had to break  
34 away from the shared system. Having a 2-acre minimum would provide a backstop if there was a  
35 scenario where someone had a tiny house on a quarter acre lot where they were hooked up to their  
36 family's shared system and then suddenly, the family breaks up and the tiny house wants to stand  
37 alone. If they didn't have the minimum lot size requirement, it would be more difficult.

38  
39 Arne asked if there were any more questions.

40  
41 Derek Suursoo asked if they would re-warn the whole thing because it was a change, and people  
42 may not be aware the change had been made and required discussion. Arne thought this was a  
43 major change. Hugh pointed out there was no agenda item adopting it and said the game plan was  
44 to close the hearing and re-warn another with the content discussed tonight. Derek agreed it was  
45 appropriate. Derek had an instinctual and visceral feeling about the lack of a minimum lot size  
46 even though they are now potentially adding a small minimum lot size. Derek felt in 10 to 30 years

1 when it had a chance to cook, they would see unintended consequences. Derek thought there were  
2 only 2 other towns in Vermont to adopt this and hoped Chester wasn't trying to be first and  
3 experimental while the rest of the state was deciding if they liked it, as it was a big change. Derek  
4 noticed in the Planning Commission meeting minutes of the past meeting, there was a discussion  
5 from Barre that Derek would approve of the 2-acre lot minimum and Derek didn't care for someone  
6 representing his viewpoints, unless they came from him, so it was hearsay. Derek appreciated the  
7 change to the 2-acre minimum, but it wasn't what he would approve of. In R-10, Derek wanted a  
8 3-to-4-acre size and in R-5, he wanted a 3-acre size. In R-10, while having the density, which he  
9 agreed with, it would also have a minimum lot size which is currently 5 acres down to something  
10 less but allowing for elbowroom. R-5 would remain unchanged. Derek wished he had an  
11 opportunity to hear Brian Rappanotti so he could question him. Derek wanted to see houses  
12 peppered around large lots and didn't care to see his neighbors. Derek thought there were places  
13 where clusters were fine, but not as a general way of doing business. For ADUs, Derek thought  
14 they could have one and apply for a second and do not need to go through the conditional use  
15 process, but Hugh said conditional use was required for the second ADU. With respect to the  
16 housing shortage, Derek thought 3 to 4 acres in R-10 and 3 acres in R-5 might be more conducive  
17 to putting in an ADU or a second one and would be harder to squeeze one on a smaller lot, and  
18 admitted he didn't necessarily know how it worked. Derek said he wasn't in favor of minimum-  
19 density zoning as they have it and would prefer to see minimum lot sizes. If they had to have  
20 minimum-density zoning, which he understood why, he would prefer to see it with a lot size of 3-  
21 4 acres in R-10 and wanted the people in R-5 to consider 3 acres in their area.

22  
23 Arne thanked Derek and asked if anyone else wanted to speak.

24  
25 Amy Mosher read from her letter which is attached hereto, as requested by her. The members  
26 thanked her.

27  
28 Arne asked if there were any more comments or concerns and stated there would be another  
29 hearing to voice their concerns or ideas.

30  
31 Preston said since it sounded like they were going to close the hearing, and he didn't want to  
32 advertise another for a vote just for it to fail if they weren't satisfied with the Planning  
33 Commission's proposed changes. Preston asked the board if the consensus was to not do density-  
34 based and go back to what they had always done, because if that was the consensus, he thought  
35 they would likely do that. Arne asked what the consensus of the board was. Arianna said there  
36 were two residents who identified discomfort but willing to accept it with greater lot sizes in the  
37 minimums, so she didn't think it was a bathwater situation yet but wondered if it was worth it for  
38 the Commission to explore the concept while supporting the historical desire for larger lot sizes.  
39 Hugh said because they were talking about small lot sizes in R-10 and R-5, continuing to increase  
40 the minimum lot size within that construct was, in his opinion, reducing the benefit of a density-  
41 based approach. Hugh thought if it made sense to increase the minimum lot size, the minimum lot  
42 size in R-120 already is 3, so it would mean to do nothing and go from 2 to 4 in R-10. It may make  
43 sense to go back to larger fixed minimum lot sizes in both districts. For Hugh, to Preston's point,  
44 the Commission's goal is to get the job done and if the town feels they're not ready for low density-  
45 based zoning in rural areas, he was okay with that, and they wanted to make sure they could put  
46 forth a recommendation at the next public hearing that would likely be adopted. Hugh said Derek

1 mentioned it and Preston was able to research that there were two other towns in Vermont,  
2 Waitsfield and Bristol, that implemented density-based zoning and East Montpelier is considering  
3 it, so there aren't a lot of towns considering it. If Chester doesn't want to go in that direction, they  
4 just need to give the Commission some guidance so they can bring something back so it will work.

5  
6 Tim is a proponent of density-based zoning. A year ago, they conducted a survey of every property  
7 owner in town and 72% wanted to maintain the rural character of Chester and it was the quality-  
8 of-life point that was most important. Tim heard from those objecting tonight that they also want  
9 to maintain that rural character. Tim wondered if there was a lack of complete understanding about  
10 the long-term impact because it was clear to him, and he had to go back to four years ago when a  
11 consultant brought the concept of density-based zoning to the Planning Commission. It took Tim  
12 a while to get his head wrapped around it and once he did, he was a strong proponent for it. If there  
13 was a rash of development, which is yet to be seen, although they'd like to promote development  
14 in the village area, every time a subdivision happens, a larger piece of property is subject to  
15 conservation. Tim has been an amateur ecologist most of his life and something he values in  
16 Vermont, especially in Chester where there are large, wooded areas. It is important to conserve  
17 large, wooded areas in perpetuity not just for aesthetics but logging, hunting, backpacking,  
18 mountain biking, and hiking, which Chester has a great hiking trail system. On social media, every  
19 time a bear walks into town, it's all over the place and we are encroaching on wildlife. Tim said  
20 wildlife needs a place to live and if they fragment and stay a minimum lot size of 3 or 5 or whatever  
21 people are comfortable with and if someone subdivides a 100-acre piece of land, it's 10 lots with  
22 houses and heavily fragmented versus this plan where the homes are on the buildable areas and  
23 the rest of the land is conserved. Tim was agreeable to the 2-acre minimum and a good compromise  
24 from where they were at the last meeting. Tim thought if everyone could understand it, it would  
25 be best for the town in the long run. Tim mentioned a story where they uncovered 50 preserved  
26 Viking-aged skeletons in Denmark and was an important discovery because they were from 700  
27 AD. Tim looked up a satellite view of the town where they were found and noticed the farms and  
28 wood lots and that Europe has done a fabulous job of conserving the village with the rural character  
29 outside. Tim fully supports density-based zoning. Tim noted that his grounding principle was  
30 trying to look 50 years ahead and they can see worst-case scenarios but also see best-case scenarios  
31 and Tim thought the goal was for Chester not to look much different 50 years from now. Tim said  
32 they could all think of places where houses are that he thought were unbuildable and if people have  
33 enough money, they can put a house anywhere. Tim was fully in support of the changes to the  
34 rural districts, as proposed to be amended by the Planning Commission.

35  
36 Brian Mosher asked if there would be another Planning Commission meeting before the next  
37 noticed meeting, as he thought they had a lot more work to do in the rural areas. The proposed  
38 changes in R-120 from a 3-acre minimum to a 5-acre minimum and scenarios for someone with  
39 more than 6 acres but less than 10 under the new rules would only allow 1 buildable lot. For the  
40 proposed R-2, which is up Trebo Road and along Route 103 and out Route 10 to Gassetts,  
41 previously all R-120, Brian didn't think it had been given enough consideration or public input.  
42 At the last meeting, the answer to why the change was it looked like a good area for residential.  
43 Brian thought it looked residential already and was developing at a nice organic rate. Brian didn't  
44 think there had been enough outreach to those people as they hadn't heard anything about it. Brian  
45 thought the Planning Commission should do more outreach and had read in the minutes that there  
46 wasn't a lot of discussion about the changes in the purple area. The board thanked him.

1 Arne confirmed nobody else wanted to speak.

2

3 Peter has been involved with development all his life and for twenty years, a 3-acre minimum was  
4 required for sewer and water and he hadn't seen the miracle sewer system. Peter said at the meeting  
5 that Hugh said 1 ½ to 2 acres, but now said something else. Peter said the reason for 3 acres was  
6 for well and septic and they know it works well. Peter said sharing a sewer system was nothing  
7 like sharing a driveway and thought the minimum they could do was 3 acres. Arianna asked if the  
8 3 acres was something he would contemplate. Peter said 3 acres worked well everywhere. Tim  
9 respected the fact Peter had experience in development, had sat on the DRB, and overseen a lot of  
10 it, and asked Peter if a perk test was common for subdivision and Peter said it had to be or it was  
11 listed on the plat that they waived their development rights. Tim wondered why anyone would  
12 carve out a 2-acre lot if it wouldn't perk for septic and Peter said, as a DRB member, he had signed  
13 his name for subdivision approval where the septic wasn't on the same lot. Arne said it doesn't  
14 happen often, but the state allows for 25 people in a cluster where they do an inspection for a well  
15 or shared septic and it's already in place. The state inspector for this area said the legal part would  
16 dictate it and under ideal conditions, you could get away with 1 ½ acres but it didn't happen much.  
17 Arne said a lot of it would be regulated by the land no matter what they did. Arne thought there  
18 was more fragmentation from 5 and 10 acre lots than from a small cluster surrounded by more  
19 protective land. Arne thought they all agreed about trying to preserve the rural character of  
20 Vermont but were looking at it through different eyes. Arne said the Planning Commission did a  
21 lot of hard work over 2 years and it wasn't decided over a couple months and often it's not until  
22 the end that people react instead of being more involved in the process. Arne thought what they  
23 were trying to accomplish was worthy and would agree to vote for a 2-acre minimum. They needed  
24 to come up with a consensus to guide the Planning Commission and if they needed another meeting  
25 to discuss it, they could meet. Arianna said typically when they're faced with a decision it's black  
26 and white, but these are opinions from respectable members of community, and they were well  
27 researched and thought-out plans to keep the rural character. Arianna wanted to put on the record  
28 it wasn't just what was right or wrong, but the community felt strongly, and she didn't think anyone  
29 was wrong and it felt like opinions. Tim interjected that the Planning Commission had brought in  
30 experts who recommended this approach. Lee appreciated the work Jason, and the Planning  
31 Commission had done but did not see the value of changing things now. Lee thought the state was  
32 pushing the agenda. Arne asked where it left them, and Tim was hearing general support with  
33 concerns in the background but Lee and Peter disagreed. Peter said the economics of fragmentation  
34 weren't there and they couldn't afford to do it. Arne thought that was an argument for having the  
35 zoning that they wanted, and Tim agreed. Peter said if they went to Lancaster, Pennsylvania where  
36 this zoning had been done, you can't see the Amish barns because they're behind rows of houses  
37 along the road. Peter thought what they wanted to see would be inaccessible because of the houses  
38 along the road. Tim didn't think it was a fair comparison but got Peter's point.

39

40 Arne asked the members if they would go for density-based zoning. Peter said no. Arianna said  
41 she was interested in the 3-acre minimum but liked the concept of density-based zoning, so she  
42 was struggling. Tim added there was another consideration about the affordability of building on  
43 a 2-acre lot versus a 3-acre lot because they could afford the 2-acre lot and if that helped with the  
44 housing shortage, it would be a potential. Tim said there was nobody beating down their doors to  
45 subdivide. Arianna said she goes to Tim's 50-year scenario and thought someone who has 200  
46 acres now learns about it and wants to develop it. Arianna was thinking 50 years from now, of a

1 30-year-old who buys the land not knowing that there isn't septic on it. Arne pointed out they  
2 would be back at the table in less than 50 years and more likely in 3 to 5 years. Arne said if  
3 something happened and it seemed like a bad example, there may be one development that doesn't  
4 work out but then they change the regulations. Arne said the opposite could work and work well.  
5 Arne agreed nobody would be knocking down anyone's door because of the price of housing. Tim  
6 was fine with 2 acres and Arianna was considering 3 acres. Lee and Peter were against it. Arianna  
7 said they have often wished the citizenry would be involved earlier in the process and said based  
8 on those present, and people she's spoken to on the street, all she had to reference was what went  
9 on in Londonderry, what went on in Chester, and other anecdotal stories and didn't know what it  
10 would mean for Chester if they moved forward on something not universally appreciated. Arianna  
11 thought the Commission had more to tell them beyond density-based zoning. Hugh thought when  
12 they left the last public hearing, the board was okay with the other proposed changes. Arianna said  
13 the only other outstanding issue was the one Brian raised about the Trebo Road area. Hugh said in  
14 the areas that went from R-120 to Residential-2, it was largely done because most of the lots under  
15 Res-2 are small lots. 90% of them are under 2 acres already. They changed some of the uses in R-  
16 2 to be more residential. When you move into R-120, the uses aren't what you would expect to see  
17 in a residential area and that was the driving motivation for the changes in Res-2. If density-based  
18 zoning isn't a concept that will fly and they don't want to change it, it's useful guidance for the  
19 Planning Commission but if they don't like density-based zoning but want less development in the  
20 rural areas, the flip side of the coin is if you start changing R-120 from minimum lot size of 3 acres  
21 to 5 acres and Conservation/Residential from a minimum of 5 acres to 10 acres, they would get  
22 the flip side and people will say they are taking from them and would have the same potential  
23 pushback. Hugh saw density-based as allowing the landowner to preserve some value. If they were  
24 going to abandon density-based zoning, Hugh recommended a do-nothing approach. Arne thanked  
25 him and said they would have another discussion at another meeting so they could offer the  
26 Commission some guidance on where to go and would provide time to digest what was going on  
27 and give the public an opportunity to comment more. Arne closed the hearing and thanked  
28 everyone for participating.

29  
30 (Hearing closed - 7:51 p.m. with a short 3-minute recess)

31  
32 Arne called the Selectboard meeting to order.

33  
34 **Agenda Item 2, Additions or Deletions to the Agenda**

35  
36 There were none.

37  
38 **Agenda Item 3 Approval of Minutes from the Selectboard Meeting dated September 18,**  
39 **2024**

40  
41 Lee moved and Arianna seconded a motion to approve the minutes. Lee noted on page 13, line 1,  
42 that Tunbridge was misspelled. The minutes were approved, as amended.

43  
44 **Agenda Item 4, Citizen's Comments**

45  
46 Kirk MacGinnis appreciated being able to speak about the Class 4 road and saw the town desired

1 to improve access to the natural resources at Wyman Falls and believed the proposed change was  
2 a violation of his property rights. The transformation of this road into a public trail would severely  
3 restrict access to the use of his land, making it a de facto landlock. He has received no  
4 compensation for the public's increased usage resulting in negative impacts on his property. Kirk  
5 noted that his son, Noah, was on Zoom listening. They are native Vermonters trying to preserve  
6 the natural character of the landscape. Kirk liked the idea of a trail and had been dealing with Jeep  
7 caravans and people who don't have compassion for ancient stone walls mudding through the  
8 brook and throwing the stones into the brook. The problem Kirk had was they were turning part  
9 of his driveway into a nature trail that would block him out of his own property. If they make Class  
10 4 a trail, he's landlocked from reaching his upper property, which is a camp at the top of the hill.  
11 Kirk wanted to bring it to the board's attention. Arne thanked him but said under citizens  
12 comments, they weren't going to discuss the topic but understood his concerns about what was  
13 going on and wanted his input when there was a conversation regarding that. Arne said there were  
14 some ideas about what would happen to the Class 4 road but before that happened, they would  
15 reach out to all the neighbors for their input. Arne asked for his contact information for that purpose  
16 and Kirk said they had it because they were collecting \$3,000 annually from him for taxes. Julie  
17 confirmed she had it. Kirk felt the other neighbors would be concerned and added that he lives in  
18 Florida and had just experienced two hurricanes and saw the chairman cutting brush like it was his  
19 property and it rattled Kirk's cage down in Florida. Arne got that from the conversation they had  
20 over the speakers there. Arne pointed out the brush being cut was along the side of the road and in  
21 the Town's right-of-way. Arne said they should discuss it when it's a warned agenda item and  
22 could include the public and board and would issue a letter to the other neighbors so they could  
23 have input and Kirk agreed if they were going to conduct it in a slow, methodical, legal way. Kirk  
24 said he is an American citizen and should have property rights and had spoken with the town  
25 manager. Kirk said regarding a possible parking lot east of his mailbox and his neighbors'  
26 mailboxes, it sounded possible, but he saw the town graders and tractors cutting brush it upset him.  
27 Arne said they would discuss it at another meeting. Kirk thought his son, who was in Nashville  
28 and online, would like to speak but his son said nothing when offered.

29

30 Arne asked if there were any other comments, and there were none.

31

32

### **Agenda Item 5, Old Business**

33

34 Report by Town Manager:

35

#### Solar Field

37 Jim and Julie have been discussing the documentation with Greenbacker and have concluded they  
38 need an attorney who specializes in municipal solar fields, so they have contracted with David  
39 Gurtman. Solar companies in the state use his firm who is familiar with this. Attorney Gurtman  
40 will follow up with Julie when he's done reviewing the documents from Greenbacker and will  
41 discuss them with the board in executive session and the process for the town to own the solar  
42 field. Jim and Julie are comfortable moving in this direction.

43

#### Bailey Hill

45 There will be an executive session with Jim Carroll next Thursday regarding Bailey Hill.

46



1 Budget

2 They are advertising that the town will be working on the budget. There will be posts on Facebook  
3 trying to get more involvement from the public in the budget process. On November 6, the budget  
4 will be Administration, Zoning, and Listers. On November 20, Recreation and Facilities. On  
5 December 4, it will be Highway and Cemeteries. On December 18, it will be Water and  
6 Wastewater.

7  
8 Arne mentioned the discussion about Class 4 roads began about a year ago and started because of  
9 a question from a landowner about whether a Class 4 road was thrown up and there has been a lot  
10 of work and interest and was the spark for discussing all the Class 4 roads in Chester and the  
11 discussion has been going on for almost a year and would be going on longer. Arne wanted people  
12 to be aware that the discussion was not new.

13  
14 **Agenda Item 6, Reappraisal Compliance Plan**

15  
16 The Listers are proposing a complete reappraisal, and it would start in 2027 and be completed in  
17 2029. The state sends money to municipalities annually for the purpose of funding reappraisals  
18 down the road. By the time it begins, the funding will be there, so there will be minimal cost to  
19 the taxpayers. The Listers need a signature on the plan they need to submit to the state by early  
20 November. Cathy Hasbrouck said they must do it, and their general appraisal rate is quite a bit  
21 lower than market rate so they need some kind of revision, and noted it is a moot point to worry  
22 about whether it would be done if it weren't for state education funding. Cathy said they needed  
23 to revise it, and this was the earliest anyone was available to do it. There is a project happening at  
24 the state level to come up with a different way to appraise towns. Chester is doing it because it's  
25 under orders and must do something, but Cathy would be surprised if it is done in 2027 and  
26 expected it to change, but they need to go through the motions now. Ed Clotfelter did not want to  
27 do a simple statistical appraisal but an inventory and adjust the cost and land tables and come up  
28 with new values for everyone. Cathy said when they hire an expert, they will hear from them. It  
29 could change but they need to prepare in case it doesn't. Tim thought statistical was quicker and  
30 less expensive and Cathy agreed but said the consultant who works for the company who writes  
31 the software that maintains the Grand List isn't willing to do it. Julie thought there may be a feeling  
32 that the inventory was not up to date. Hugh said in the discussion with the vendor, they asked them  
33 if they could do a statistical rather than a full re-evaluation and he said based on the disparity that  
34 currently exists between Chester's assessed value and market value, the State will not accept a  
35 statistical re-evaluation. Chester is currently on a list where the State wants a plan by November  
36 15<sup>th</sup>. Tim thanked them for explaining. Arne asked if it was because the CLA dropped below 80  
37 and Cathy agreed and said they track their sales versus assessments and when they're too far apart,  
38 the feeling is they're not fair to other towns in the state. The last time it was done was in 2018 to  
39 2020. A vote was not needed, only signing of the contract. Shawn Cunningham asked if they asked  
40 for a statistical appraisal and the state didn't turn them down, if they would be getting the CLA  
41 more in line and lowering taxes quicker. Hugh said it may be true but regardless of whether they  
42 did a statistical or full, the vendor would not be able to do it any sooner. Hugh said the vendor's  
43 resources were a factor, as well as they are bound by the state mandated grievance period and  
44 grievances can only be heard a certain time of year regardless of how fast the work is done, so that  
45 window is what drives the ability to get things done and that there are only a small number of firms  
46 in Vermont who are certified to do this and they're all backlogged.

**Agenda Item 7, Upstairs at Town Hall request for funds**

1  
2  
3 Arne noted Upstairs at Town Hall was a group who had been doing some fantastic projects  
4 upstairs, including music shows and events and were seeking seed money to become a 501(c)(3)  
5 so they could accept donations. Arne thought it would be a great use of funds coming from the  
6 marketing budget and was part of the community and a plus to have everything going on there.  
7 They have sponsored some great shows and just need a little help to get started. Robert Nied said  
8 it was an informal group of community volunteers who had been working to bring cultural, art,  
9 and community events to the space upstairs. So far, they have had the poet laureate reading from  
10 his book and doing a book signing, and open mic for teens to encourage aspiring musicians,  
11 dancers, and singers to perform in front of a welcoming audience. They had a remarkable event  
12 that Arianna coined the phrase, “proof of concept” which it really felt like. They had world-class  
13 jazz musicians performing, and it was successful, they filled the room, and what stood out to him  
14 was people attended from Putney, Andover, Dummerston, so it illustrated that it can become a  
15 performance space and attract people to the community. The next event on November 9<sup>th</sup> is the  
16 Vermont Symphony Orchestra String Quartet, who are world-class musicians, and it will be a  
17 remarkable program. They will present “Bach to the Beatles” where they will perform both  
18 classical music and popular music in the style of a string quartet. The goal is to bring events to  
19 town that are unique and many here wouldn’t be able to see them unless they went to Brattleboro,  
20 Keene, or Weston, and they want to make this a hub for cultural events and make it accessible to  
21 everyone in the community. Admission has been by donation, and they would like to maintain  
22 that, so everyone has an opportunity to see these performances. They have proven they can get  
23 some remarkable events in the beautiful space upstairs. Robert has spoken to the director of the  
24 Vermont Jazz Center who they worked with to get the last performance and the consensus among  
25 the musicians was it was a “beautiful night” which meant they felt the interaction with the audience  
26 and the same feedback was received from the audience. They are willing to come back at any time,  
27 so it could become an annual event. The VSO program director is coming to the performance  
28 because she thinks it’s a space where they can perform often and is anxious to see it. They are  
29 dependent on amazing volunteers who work hard. The lighting and sound are all done by amazing  
30 volunteers. The catch-22 is to get this quality, they must pay people. The string quartet are union  
31 musicians getting paid union rates because it’s what they’re worth. Up until now, except for some  
32 donations, they’ve been self-funded but it’s not sustainable long-term. To solicit underwriters,  
33 supporters, and donors they must have an entity, so they will need to incorporate as a non-profit,  
34 obtain an EIN, become a 501(c)(3), so they can do that. If they could get help to go through that  
35 process and help pay for the next event, it would be wonderful. Robert said they have been in  
36 negotiation with a modern dance company from Albany, who has agreed to put on an original  
37 performance upstairs and those three performances would range from \$1,300 and \$2,500 per  
38 performance. Once they get rolling, they think they can get it covered by underwriters and donors.  
39 Arne said it was part of the spirit of the space upstairs. Renee Nied, who is a hard-working  
40 volunteer, said they would hear applause and people coming in and out with the board’s help.

41  
42 Arne said when they first went for the funds to remodel upstairs, those were some of the dreams  
43 they had, including performances and movies, and it was getting used but has a long way to go.  
44 Arne thought these shows coming up would be steppingstones for future grants and would help  
45 the town in the long run. Julie said there were funds in the marketing line of the budget, and it  
46 made sense to take from there. Lee asked how much the request was and it was \$2,000. Tim noted

1 the potential positive economic impact it could have and wondered if the economic development  
2 fund was something they could consider. Julie said they could in the future, and the current amount  
3 was a one-time request which could be drawn from the budget. Julie said she would be requesting  
4 economic funds for electrical work to be done at a future meeting. Arianna said marketing was the  
5 logical place and supporting it was great and expected to review it next year for other ways to  
6 support it. A motion wasn't needed because it was already budgeted. Arianna offered Robert's  
7 group drapery she had, and he responded the timing was great because volunteers would be  
8 working on Monday. Robert said none of this would be possible without the vision of the town  
9 and remarked about what an incredible space it was and added that people from other towns didn't  
10 realize it existed and thought it was fantastic. Lee said he was in full support of it but wondered if  
11 the town had a policy relating to what the space is used for. Julie said they would be addressing it.  
12 Arne said it has been used for aerobics and wrestling and other events and having a policy in place  
13 would be helpful. Arne and Peter, both said it was a fantastic idea. The board thanked Robert.

### 14 15 **Agenda Item 8, Draft Budget Review – Public Safety Department**

16  
17 Three chiefs, Tom Williams, Mike Randzio, and Scott Richardson were present. Julie said they  
18 had before them the first round of the budget which included police, fire, ambulance, and  
19 communications. There are a few modifications that need to be made. The insurance rates were  
20 just received so the increases will be reflected. Public safety is down \$4,000 and a big part has to  
21 do with the implementation of the transfer service. They've been working hard to keep their  
22 expenses as low as possible and are working hard to be at or below the rate of inflation. They are  
23 happy where it stands even with the added insurance rates. Peter said they had done a great job.  
24 Arne said it is hard to have an issue when the budget has gone down, which is unheard of, and  
25 with the professionalism they bring, Chester is lucky to have them. Peter pointed out it was the  
26 revenue that had increased and was very impressive. Arne said the discussion began years ago and  
27 was coming to fruition. The new ambulance is arriving in the next week or two. Once in service,  
28 the old ambulance will be put into play for transfers. They are confident they will land where  
29 budgeted and likely exceed. They have been conservative in the revenue budget. Arianna  
30 appreciated their hard work and had read every line item. Arne said everything was itemized and  
31 explained and clearcut and was very helpful when people question where their tax dollars are  
32 going. Arianna asked if they wanted to share anything, and Mike said they will keep doing what  
33 they're doing and grow and strengthen their departments. They have ideas of how to get ahead.  
34 Act 167 just released a study on all healthcare in the State of Vermont. Their three major findings  
35 were more affordable housing, consolidation of hospitals, and regionalization and  
36 professionalization of the EMS field. Mike hoped that by keeping their department growing, they  
37 would be ready to go down the path of regionalization if the State decided to go that route. Julie  
38 noted Chief Randzio has started schooling. Tom said they do their things individually in their  
39 departments but also as a group while having coffee at the kitchen table and it works better  
40 approaching it as a team. Tom thought operating under an umbrella was useful. Julie appreciated  
41 them making her look good. Arianna told Julie she appreciates not being surprised with respect to  
42 the budget. Arne thanked the chiefs for their patience. The board thanked them for all they did.

### 43 44 **Agenda Item 9, Review Personnel Policy**

45  
46 Arne noted that changes to the personnel policy had been in the works for a long time. Julie said

1 it would be on the November 6<sup>th</sup> agenda. Peter said he had read the entire policy. Julie said there  
2 was no adds to full-time benefits and the purpose of modifying the policy was because it was from  
3 2012 and out of compliance with state law. They hired Theresa Neiley, an HR specialist from the  
4 private sector who has been guiding municipalities over the past few years. The policy was  
5 Theresa's template that Julie and Laurie had reviewed. They were pleased with it and found it  
6 much more professional. Julie and Laurie learned a lot in the process. The policy adds pro-rated  
7 benefits and recognizes regular part-time employees. Chester doesn't draw part-time employees  
8 well because they've never offered part-time benefits. Part-time employees who are regularly  
9 scheduled 24 hours are required by Vermont law to pay municipal retirement. They have two  
10 employees who are 24 hours, and it would be nice to provide those benefits. There is pro-rated  
11 PTO (paid time off) and pro-rated health insurance cost and Chester has an opt-out option if they  
12 can prove they have health insurance elsewhere, they can get 40% of the premium paid. It gives  
13 them the benefit but doesn't require the town to insure them so it's nowhere near as expensive for  
14 the town. By having part-time benefits, the hope is they can draw part-time employees which are  
15 less expensive for the town. The policy also switches Chester over to PTO. Currently, they have  
16 vacation, personal, and sick time, which is a nightmare for the town. Vacation and personal time  
17 can be paid out after separation with the town, but not sick time. Julie has 1,800 hours of  
18 accumulated sick time which she would not be paid for if she left tomorrow. They were finding a  
19 lot of employees don't use sick time so when they merged the buckets into one PTO bucket, they  
20 removed 40 hours of sick time. They found that at the end of every year, people had 80 hours of  
21 sick time in accumulating these balances. They removed 40 hours of sick time in PTO bucket but  
22 at the end of year they can do something with 120 hours rather than 80 hours. Currently, at the end  
23 of the year, you can roll over 80 into the following year or pay out 40 and roll over 40. The  
24 maximum is still only paying out 40, so it doesn't affect the budget. Julie formed a committee with  
25 employees and no department heads, and everyone understood it wasn't for the purpose of adding  
26 benefits but getting a policy that worked. Everyone was onboard with the policy and the goal was  
27 the board would adopt it. There is an employee benefits day on November 13<sup>th</sup>, which is mandatory  
28 for all full-time staff. Their benefit providers will be available to onboard them, and Julie will  
29 review the new policy with them at that time and they will all sign off that they accept the policy  
30 terms. There are no impacts to the budget except small dollars for the two twenty-four-hour  
31 employees. Peter was impressed that everything was itemized in the budget.

32  
33 Arne added the police had their own contract. Julie said the police have a union agreement for  
34 union employees but there are police in the department who are not union. Arne asked if they were  
35 happy with it and if they would ever consider coming back to the town policy. Julie thought the  
36 only reason for wanting union is they defend them and why police departments have them and it  
37 protects the town as well. So far, Julie has not had any issues with the union. They will begin  
38 negotiations for the next round halfway through next year and Julie was not expecting any big  
39 asks. What the employees get and what the union employees get are pretty much the same and one  
40 department is not more valuable than another. Arne asked about a residency requirement and Julie  
41 said it was distance for response time and said highway and emergency services must be able to  
42 respond because they are on-call.

43  
44 Arne asked if there were any other questions and there were none. Julie would distribute a revised  
45 up-to-date policy before the next meeting.

46

1                                   **Agenda Item 10, Liquor License – Stone Hearth Eatery**  
2

3 Lee moved to approve the outdoor consumption license permit and the first-class restaurant bar  
4 license for the Stone Hearth Eatery and Arianna seconded the motion. Arne said it was good to see  
5 a lot of cars parked there the past weekend and Tim agreed it was busy. Arne said they did great  
6 at the town fair and both he and Tim thought they had put a lot into it. The motion passed  
7 unanimously.  
8

9                                   **Agenda Item 11, New Business/Next Agenda**  
10

11 The next meeting will be the budget for Administration, Zoning, and Listers. The discussion  
12 regarding the Unified Development Bylaws for the Planning Commission. The Housing  
13 Commission at the meeting on November 20<sup>th</sup>. They will be presenting things related to the  
14 Housing Trust and how to fund that. Tim said it was exciting.  
15

16                                   **Agenda Item 12, Adjourn**  
17

18 Lee moved to adjourn, and Peter seconded the motion. The motion carried, and the meeting was  
19 adjourned at 8:55 p.m.