

1 **TOWN OF CHESTER**  
2 **SELECTBOARD MEETING**

3 **October 19, 2022, Minutes**

4 **Board Members Present:** Arne Jonynas, and Lee Gustafson at Town Hall; and Heather Chase and  
5 Leigh Dakin via Zoom. Absent: Ben Whalen.

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

8 **Visitors Present:** Shawn Cunningham of The Chester Telegraph, Preston Bristow, Cathy  
9 Hasbrouck, Josh Schroeder, Cheryl Joy Lipton, Tim Roper, Peter Hudkins, Hugh Quinn, Russell  
10 Fearing, Nick Boke, Kathy Giurtino, Judy Hallberg, John Velit, Jessy Pierce, Todd Parah, Keith  
11 Hall, II, Robert Brown, Dawn Perniciaro Brown, Nancy Lindsay, Bill Lindsay, Jeff Holden, Naomi  
12 Johnson, Ian Montgomery, and Lori Quinn at Town Hall; and Joe Pierce, Ian Montgomery, Melody  
13 Reed, Susan Fairchild, Jeff Buxbaum, Robert Nied, Randy Shoemaker of SEVT, Evan Parks, Susan  
14 Goodfellow, Steve Mancuso, Heidi Malaby, SAMA Yoga VT, Joy Slaughter, Gene Czarnecki, Nena  
15 Nanfeldt, Tom Diak, Nick Boke (also signed in), and Deb Velto via Zoom.

16  
17 **Call to Order**

18  
19 Chair Arne Jonynas called the meeting to order at 6:30 p.m. with the pledge of allegiance. He  
20 welcomed everyone to the meeting.

21  
22 **Agenda Item 1, Approve minutes from the October 5, 2022, Selectboard Meeting**

23 Lee moved and Heather seconded to approve the October 5, 2022, minutes. Lee noted that Susan  
24 Goodfellow was present at the meeting via Zoom. There were no other changes. A vote was taken,  
25 and the minutes were approved, as amended.

26 **Agenda Item 2, Citizens Comments/Answers from Previous Meeting**

27 Randy Shoemaker Southeast Vermont Transit wanted to let the Selectboard know they are  
28 contemplating a route change in Chester. Route 61 that runs through Chester in the wintertime and  
29 they will use those hours and funding to run a route at Okemo this year, but Route 57 will run  
30 Monday through Friday through Chester and will run it every weekend day in the middle of the  
31 winter and year-round per their proposal. He hoped that was good news for Chester.  
32 MOOVER.com is their website where information can be found as well as contact information.  
33 Arne was curious if the ridership was utilized much. Shoemaker said 4 or 5 years ago they had  
34 1100 to 1200 rides. The route went from Bellows Falls, Springfield, Chester to Okemo. Last year  
35 they did less than 500, so it was not productive. They will have a lot more rides to Ludlow with  
36 one route and a lot more service to Chester with the other. Shoemaker thanked the board for their  
37 support.

38 Josh Schroeder of Chester and the GMUSD Board spoke about the proposed bond for renovations  
39 at the schools. The bond mainly focuses on the high school with about \$16 million in renovations  
40 and the Cavendish and Chester elementary schools. He has a son at high school. The high school  
41 is 50 years old and has been maintained at a high level. He has been a facility manager most of his  
42 life and understands the maintenance investment. They have made small upgrades and

1 improvements but were now in an end-of-life scenario. Most of the environmental and life safety  
2 systems are now outdated. Maintenance costs and facility operating costs are increasing. It's time  
3 to make upgrades. The focus is heating and ventilation, but they also want to replace the windows,  
4 upgrade the kitchen, and electrical transformers. Some improvements will provide a rebate and  
5 they are looking at \$85,000 annually in operational costs. They want to paint ceilings and remove  
6 asbestos and upgrade lights. There are videos at TRSU.org and there are many informative videos  
7 explaining the project, including student commentaries. With his experience, he believes it's time  
8 to do something. They want to improve the elevator. They plan to be on the agenda on November  
9 2<sup>nd</sup> for more questions and information. Chester/Andover has similar needs like replacing  
10 subpanels, improving the fire alarm, improving lighting, and conversion from oil to propane. They  
11 want to improve the drop off design. The window upgrade is a big item. They want egress for little  
12 folks to get out if necessary. While focused on efficiency, it is also life safety for staff and children.  
13 Cavendish school is in a little better shape, but they want to upgrade the heating system, update  
14 the fire alarm, and provide a decent playground. Schroeder said he could be reached via email  
15 which is on the website or by his cell at 603-313-4448.

16 Todd Parah, the facilities director for TRSU and a resident of Chester, advised that everyone  
17 should receive a mailer with a brief description of the bond. They will have a walkthrough at the  
18 high school on October 27<sup>th</sup> and everyone is welcome. An information meeting will take place and  
19 they can also set up tours of the elementary schools. The Agency of Education a school facility  
20 inventory assessment report included 305 schools and Chester was rated in the top 10 for most  
21 major heating and ventilation systems depleted or at end-of-life. He said they should have gone  
22 out for bond earlier. The high school had a new roof and a new boiler in 1988. They want to make  
23 sure everyone knows what they're doing and have worked on. They realized it was a lot of money.

24 Arne said it was important and people needed to do their homework about what they were voting  
25 on and most importantly, vote. He would be happy to put it on the agenda. He hoped the town and  
26 people were behind it. He appreciated them coming.

27 Bill Lindsay spoke about voting and said many were not aware they needed to come to Town Hall  
28 and pick up a ballot to vote, as ballots were already mailed out. Lindsay said it would add a large  
29 amount of money and he hoped people would participate.

30 Steve Mancuso praised the Planning Commission for their work. Arne hoped Steve could stick  
31 around for the other infrastructure issues on the agenda.

### 32 **Agenda Item 3, Old Business**

33 Report given by the Town Manager:

#### 34 Charging Station

35 Charging is no longer free. Billing will begin on November 1, 2022. Notices have been posted.  
36 (Leigh Dakin reentered the meeting via Zoom.)

#### 37 Property Cleanups

38 The owners of the Amsden Hill Road property are making efforts to clean it up and no longer want  
39 to go through the program.

#### 40 Cummings Road Property

41 It will be a minimum of 90 days before they proceed with attempting to enforce the health order

1 more than they already have. The property has been barricaded.

2 Police Chief Search

3 There are four applicants to date, it has been advertised in the ICMA, the International Chief's  
4 Organization, and has been extended to October 28<sup>th</sup>.

5 Fire Tanker

6 The town was awarded a \$475,000 grant for the purchase of a new fire tanker. Some guys from  
7 the fire department formed a committee and went out to bid and they will be going with E1 who  
8 came in the lowest, a little under the \$475,000, which was great, and they will be able to get the  
9 larger engine. All vehicle purchases are now put in a \$15,000 contingency in case of price increases  
10 which puts it at \$488,000. If they don't need the contingency, they will get the money back. The  
11 committee did a great job getting a tanker at the price they did.

12 Firehouse Subs

13 They were awarded a \$35,000 grant from Firehouse Subs for the purchase of ambulance and fire  
14 equipment. The grant will replace old equipment but also provides 7 sets of turn-out gear for the  
15 ambulance personnel.

16 Better Back Roads Grant

17 They were awarded a grant for the work on Lovers Lane.

18 FEMA Grant

19 FEMA has a grant available where the match is only 10%, which is unheard of. It will be for the  
20 purchase of a generator for Jeffrey Well site which is long overdue. They will apply for funds since  
21 it is a low match for the remaining construction work of Route 35. Arne said it was an expensive  
22 road.

23 Academy Building

24 Brookside Bridge is almost done and looks amazing. The bridge and trail are accessed near the  
25 Academy Building which can be dangerous in the winter. \$10,860 would cover the installation of  
26 snow breaks on the roof of both sides of the building. It would block the snow and ice. It would  
27 also prevent damage to the abutting barn. Julie expected to come to the board with a funding  
28 request at the next meeting. It was the best alternative for access to the trail.

29 Leigh asked about snowpack building up and was concerned about it backing up and wondered  
30 how it would release itself without damaging the roof with the weight. On sunny days it gradually  
31 melts away and new snow comes. Julie offered to have Steve come to the next meeting to explain.  
32 Arne valued the roofing company's expertise and suggested they could verify how it all worked.

33 Cheryl Joy Lipton suggested using the right-of-way between the two buildings. Julie said they  
34 would have to remove the trees in neighboring yards to create the path.

35 **Agenda Item 4, Chester Garden & Greenhouse Update**

36 Cheryl Joy Lipton announced they had gotten 165 supporters and at least 125 of them were from  
37 Chester. She said there were more people that supported them than have signed the statement.  
38 Many were looking forward to being able to garden on the site. It was a community building project  
39 for the entire town. In talking to people, she learned previous uses for that site were a carnival,  
40 skating rink, kids and adults hanging out or riding bikes. Gardening was gentle compared to those

1 uses.

2 She and other board members spoke to 9 people who are fine with it, 2 are not against it, and 6 are  
3 very much in favor. She had decided not to bug one person because she's fine with it, so she  
4 decided not to knock on her door. One of the abutters is not close, legally abuts, but on the other  
5 side of river up a hill so was not right there. They have assets of more than \$60,000 to \$80,000 so  
6 it would not be an issue removing the garden if necessary.

7 Arne thanked her for the update and said the board was waiting for the survey. Julie had heard  
8 from Gary, and he would walk it with Arne. He didn't feel it would take much to survey it and  
9 would just be updating. Arne said it would help define the perimeter. Cheryl didn't think that  
10 should have bearing on approval but just the design details of the garden. It was a 3-acre lot.

11 Arne asked for comments.

12 Jeff Holden, Water Superintendent, thought it was great for a community project. It was still listed  
13 as an emergency backup well. They would have to issue a boil water order and hook the pipes back  
14 up. It doesn't have the capacity but if it became a dire emergency, they could conserve water and  
15 make it a little while longer. He wanted to make sure they didn't get ahead of themselves by doing  
16 away with emergency backup. Julie said they can have gardens on top with no chemicals. Lee  
17 mentioned at the September 22<sup>nd</sup> meeting they had asked to see a long-term plan and he hadn't  
18 seen anything yet. Cheryl said they would do more work on plantings when they got approval. Lee  
19 wanted to see it before he gave approval. He wanted to see the time frame and what types of  
20 plantings would be where for the long-term plan. Cheryl responded to Jeff's comment regarding  
21 the chemicals, and said they are totally organic gardening. As far as gardens and planning for the  
22 plants, she offered to work with them in having acceptable things. They have invested a lot of time  
23 into it. The plan for planting was very basic and she wasn't sure about the details, what plants, and  
24 when. She said they would just put in garden plots, and they had hoped for some apple trees, but  
25 it was too late to happen this year. Lee had heard plantings as screening, orchards, and he wasn't  
26 sure what was included. He appreciated the amount of time they had spent but wanted details. He  
27 wasn't speaking for the entire board but for himself, so he was comfortable. Cheryl Joy said she  
28 could make a detailed plan, but it would take more time. Lee thought she had a plan and wanted  
29 her to put it in writing. Cheryl Joy said she understood.

30 Heather recalled at one point it was a greenhouse and they had a letter of agreement, but she had  
31 asked for the terms and thought they were going to go to the attorney and find out if they needed  
32 an agreement and what the process was. Julie said Jim felt a lease was necessary and could be  
33 simple.

34 Cheryl Joy asked what Julie found out from other towns. Julie said there was a mix across the  
35 state, and many were not on town property but private property. In some municipalities, the  
36 gardens are maintained by the recreation department. Some municipalities have a simple lease,  
37 and some have been operating without a lease and have never had an issue. Arne thought the  
38 project was simple and straightforward and was afraid they would get so involved in the legal  
39 process that they would lose the spirit of the project and the people behind it. He suggested it could  
40 be a cooperative between the garden group and the recreation department. He thought they kept  
41 putting up blockades to a project that sounded simple. If it was the greenhouse and there was more  
42 to it, he would agree.

43 Julie said it was up to the board whether they wanted a lease and what they decided would dictate

1 the next steps.

2 Heather thought they needed at least a simple lease which included the length of time and who  
3 would clean it up if they disbanded. She added if they got the greenhouse, it would be a whole  
4 other approval process and those were the things she thought should be in writing.

5 Leigh was concerned about liability on town property.

6 Lipton pointed out she wasn't asking for a 20- or 30-year lease. Heather was just looking for a  
7 simple lease and for the terms to be spelled out.

8 Holden said, as Water Superintendent, it was his job to make sure the town has a clean adequate  
9 supply of water. He asked if the greenhouse would be erected on the site. He hoped it would be  
10 cleaned and painted because it may have lead paint they wouldn't want that over the water supply.

11 Tim Roper, a former Greenhouse and Garden board member who is no longer directly involved,  
12 wanted to see the project move forward as it was positive for the town. He was encouraged to hear  
13 Lipton's report that the abutters seemed to be in favor of the gardens. He was sensitive to both  
14 sides of the discussion around a lease. It had a lot of momentum at one point and would be nice to  
15 get it back and moving again. He pointed out that inflation with food, except for fuel, had gone up  
16 faster than anything else and thought the garden would assist those who were food insecure. To  
17 him, it was a no-brainer to let people help themselves by planting a garden. He understood Lee  
18 was an engineer and liked details. He thought the community garden would be fluid and a way to  
19 handle it would be to grant several lots stating additional lots would be subject to board approval.  
20 Roper said it was a program that would cost the town nothing and benefit the citizens of Chester,  
21 some financially. He added in times of political polarization, gardening is apolitical. People come  
22 together in a garden and talk about gardening. It was a way to bring the community closer together.  
23 He saw nothing but positives.

24 Lipton said there were people that needed plots now who don't have their own land for it.

25 Arne was hearing a simple lease was a practical way to go with some of the minor points put down  
26 on paper and amended in the future for project additions to keep the town in the loop. As Mr.  
27 Roper was saying, it was a fluid thing. He thought they may be heading in the right direction and  
28 still be able to benefit the town. Julie thought for the abutters not in favor because of the unknowns,  
29 phasing it in would let them see and experience and issues could be addressed rather than suddenly  
30 having a big orchard and garden plots. This would help make them feel more comfortable.

31 Lipton asked if the board could give the go ahead for the lease if she gave the details for the  
32 plantings going in right away. Heather said she was 100% not ready to say that. She needed to see  
33 terms before she voted on something. Arne didn't foresee action happening tonight, but they had  
34 a clearer path in the right direction. Leigh agreed. Julie would start working on the lease. Lee wrote  
35 a very brief list of what he was looking for: 1. Develop X number of plots in Spring of 2023,  
36 plantings restricted to whatever, chemicals be prohibited; 2. Plant fruit trees in Spring of 2024; 3.  
37 Develop other plantings for screening purposes in Spring of 2025. That's what he was looking for,  
38 something along those lines. He thought that would give abutters a comfort level. Julie asked  
39 Lipton to send that to her when she had it completed.

#### 40 **Agenda Item 5, Secondary Well Update, Dufresne Group**

41 Arne said it had been on the minds of Jeff Holden and others to have a backup well to the original  
42 well for some time.

1 Naomi Johnson of Dufresne Group said the Jeffrey Well had been there for 40 years. Demand  
2 increased because of the pandemic. What the State looks at for permitting wells is the highest  
3 demand for 24 hours 1 day of the year. That amount doubled in 2020 because of additional people  
4 in town. Chester is now required to start planning because it reaches 90% of the permitted yield of  
5 the well.

6 At this point, they had done preliminary and had a 5-page document that establishes a need for a  
7 secondary well and prospective sites for the well. Putting another well at the existing site of Jeffrey  
8 Well was one alternative. The other two were on Green Mountain Turnpike and the town  
9 recreational facility.

10 The recommendation from the hydrogeologist is to do a test well drill at the Jeffrey Well site to  
11 establish the yield and determine if it could be a prospective site for a second well but would also  
12 go to one of the other sites and do a test well. The work is funded by the State. It goes in phases.  
13 The first is to establish the need; second is to look at the hydrogeological investigations; and from  
14 there you would pick a well site and design. It is interest free money not payable until you go to a  
15 construction phase in the future. She said they would be reimbursed for costs. The work is eligible  
16 for a subsidy of 28%. They are requesting to apply to the State with a scope of work for the  
17 hydrogeological investigations. It would be one of the planning stages before they went any  
18 further. There was also a 28% forgiveness piece to that loan. Naomi had estimated the cost at  
19 \$140,000 but it would be less than that. She had just received an estimate for \$75,000 for drilling  
20 two test wells and the associated permitting. They would repay 72% of the amount for both sites.

21 The testing procedure was discussed. It would be conducted at Jeffrey Well and the Green  
22 Mountain Turnpike sites.

23 Although a vote wasn't required, Julie wanted permission to complete step one which would give  
24 them funding for the hydrogeologist and didn't require funds now. It was a subsidized loan of 28%  
25 with payback over 5 years. Arne asked if all the taxpayers would foot the bill or the water users.  
26 Julie said changing it to the entire town would require a town vote. Arne asked if they needed to  
27 put their water commission hats on. Julie said for this, no, but once got farther the water  
28 commission would need to approve. It was important to get the planning in place because it was  
29 possible that funding would be available to pay for the well and if they weren't ready, they could  
30 miss out.

31 Naomi said the total project cost is \$700,000 to \$800,000 which was included in her report. It  
32 included all the permitting, a standby generator, a wellhouse, the connecting main, and the well,  
33 and the costs they were discussing at this meeting for the hydrogeologist.

34 Heather asked the estimate for capacity. There was a trend upward even without the pandemic  
35 numbers. 5 years ago, they were at 150,000 gallons per day and now 180,000 gallons per day  
36 average which is well below what the well can put out. In 20 years from now, it's a slight increase  
37 but not doubling. The board agreed to proceed with the process.

38 **Agenda Item 6, Wastewater Asset Management Plan, Dufresne Group**

39 Naomi said they have talked for several years about doing a wastewater asset management plan.  
40 Part of it is the additional wastewater flows that go to the plant during storm events. There are  
41 connections from sump pumps in people's basements that are going to the treatment plant. One  
42 reason to look at the town is to see if it's not only this region that's having higher flows but others.  
43 The objective is to take inventory of the facilities and do a survey of the manholes and do a

1 comprehensive mapping. There would also be cleaning and interior televising to look at the water  
2 mains' conditions and conduct flow metering. Most of the system was constructed in the 60s. This  
3 would be the Clean Water State Revolving Loan Fund which offers programs and potentially a  
4 50% subsidy on the program. Julie said another benefit of the project would give them what is  
5 needed to apply for funding to replace the forest main on Depot Street. Arne thought having that  
6 information was important to do anything and do it correctly. Julie said in 2023 they would plan  
7 for the sewer plant upgrade. It tied into the housing discussion. The asset management would cost  
8 \$78,000 with a potential of a 50% grant. The timeframe was 3 to 5 months mostly because it's  
9 weather dependent.

10 The Planning Commission had just discussed the sewer system and it was not clear where  
11 everything was, including manholes.

12 The Board agreed to proceed with the application.

13 **Agenda Item 7, Housing Discussion**

14 Julie and Preston had been talking about housing for months and it was an appropriate time to have  
15 the conversation in public. There is a lot of money coming into the State and a lot of the money is  
16 going into housing. The biggest concern is workforce housing versus affordable housing, and what  
17 affordable housing means today versus what meant 10 to 15 years ago and the need at all levels.

18 There is potential for development in Chester of the 139 acres the town purchased. There are  
19 constraints such as slopes, and access stuff to be worked through. In general concepts, roughly 100  
20 acres that is left over, right at the end of the existing water and sewer lines, and they are getting  
21 ready to do an upgrade of the water and sewer and the timing is appropriate to look at what Chester  
22 can do.

23 They have connected with the right people and there are state agencies that are interested. There  
24 is funding and pilot projects. Creating a new neighborhood has an impact on town so it was good  
25 to start the conversations. The first thing Chester needs to do is establish a housing committee.  
26 They don't need a housing authority or trust but a committee that would have some authority  
27 behind it to look at housing issues. The Planning Commission has done work on Accessory  
28 Dwelling Unit Bylaws and modifying bylaws. There's funding coming from the State to help  
29 people create accessory dwelling units. Julie and Preston, as Town Planner, would be connected.  
30 They would assemble people knowledgeable in all facets of housing.

31 Julie suggested they look at ways Chester can help incentivize ADU conversions and those types  
32 of things. The water and sewer connection fees are pricey. It's \$5,000 just for the tapping fee.  
33 There is no direct cost to the town to do the tap. It was an area where they could cut the price and  
34 make it more affordable. They have a large economic development revolving loan fund that is  
35 sitting stagnant right now. They could offer interest rates much lower than banks. There may be  
36 small loans to help people convert structures into units to help people. Arne said they were  
37 interesting points. Arne said the Planning Commission had been doing a great job to amend the  
38 bylaws to encourage this type of action.

39 Lee said it reminded him of Ben Whalen's comment at the last meeting about people needing a  
40 home and that's what they were trying to incentivize, and foster was people viewing Chester as  
41 their home. He thought it was a great place to start.

42 Julie pointed out that affordable housing, as defined by the State, was your mortgage and insurance  
43 should not exceed 30% of your income. The median income for Chester gives an idea of the range

1 of what mortgages and rent should be.

2 Julie said if they were not opposed to the housing committee, she would discuss it with Preston  
3 and come back to the board with some ideas.

4 Arne noted the Mount Ascutney Regional Commission had just approved their new regional plan  
5 and there was a whole chapter devoted to housing. Keys to the Valley was another initiative MARC  
6 referenced. The housing issue is everywhere but was hitting Chester harder because of its  
7 proximity to a resort destination. Julie said the new municipal planning grants had opened. There  
8 was a possibility of using a grant to do a housing study.

9 Steve Mancusso said the Planning Commission had done a lot of work orbiting infrastructure and  
10 had gone over and above the call of duty.

11 Peter Hudkins said they need to start identifying sites and money sources and studying it wasn't  
12 even going to come close to the problem. They know the problem is there. Julie asked if they had  
13 obtained enough data to know what their needs are. Hudkins said the money comes at 28 units and  
14 that would get the funding. There was a horrendous need, and it doesn't take long to look at it.  
15 Hudkins said worker housing was needed and they needed to find a site in town to hold 28 units  
16 which could be spread out.

17 Hugh Quinn said the Windham & Windsor Housing Trust had spoken with the Planning  
18 Commission about ways to create more housing. The 28 units that Hudkins was talking about  
19 would allow the builder to make money and still have rents or costs to the homeowner reasonable.  
20 The other way to solve the problem, which they had already started talking about, was where could  
21 they make an accessory dwelling unit and how were they helping to facilitate that. If affordable  
22 housing is 38% of income and people in the community are making between \$18 and \$40 an hour,  
23 the number is different for everyone. Wealth inequity will always be an issue having people who  
24 need to live and work here have a place they can afford.

25 Cathy Hasbrouck thought they could find several places in the village to add some housing. If they  
26 did a couple, it would be easier, and they could do a couple more and that's where it would work.  
27 Julie thought that's where town incentives may help. Hasbrouck agreed.

#### 28 **Agenda Item 8, Short Term Rental Ordinance**

29 The latest version was included in the packet. They had removed unhosted and the fees were made  
30 uniform so there was no distinction between residents and non-residents. The penalties are  
31 basically the same. The fines changed a little bit because of what wasn't there. The ordinance is 4  
32 pages and 2 felt heavy because language regarding enforcement is required in Vermont. On a  
33 bigger ordinance, the enforcement language wouldn't stand out but did here because this was a  
34 short ordinance. Legal counsel still had to review the ordinance.

35 Arne asked if it was still cost neutral getting the agency. Julie said they hoped it was but was a  
36 guess. Lee asked about collecting the data without subscribing and that wasn't an option. They  
37 were only asking for registration. There was no cap. If the rental was over 8 people, per law, the  
38 State would be involved. It would open the door to allow other things. The attorney will review  
39 and possibly they could vote on it at the next meeting. Heather thought the housing committee  
40 could look at the whole picture. She was happy they were getting a broader understanding of  
41 community housing.

42 Russell Fearing asked if they rented to over 8 people and didn't pass the State's inspection, how



1 long would they have to cure that. He said the ordinance was silent on that. Preston said it wasn't  
2 satisfying the town but the State. If they had a rental in the basement that had one entrance, the  
3 State would say it was completely unsafe and had to be fixed. But if suggesting a bigger alarm  
4 system, the State may give them provisional approval. It's up to the State to decide and not the  
5 town. Preston said if it was a rental of more than 8, before the town issues registration, they must  
6 have an inspection from the State. Fees and penalties were assessed not for safety but advertising  
7 without having a permit from the town. The fine would tie into a violation if they couldn't get a  
8 state permit but continued to rent.

9 Shawn Cunningham asked if the state regulation was in force now so that if someone was renting  
10 to more than 8, they needed an inspection. Preston said the law was in force but before registration,  
11 many people were doing it and the State wasn't enforcing it. The State was pleased Killington  
12 required registration because people had to contact them. Preston said they're not asking for  
13 anything they aren't supposed to be doing, it was just that some people were not doing it.

14 Fearing asked about the data collection service. Preston said Host Compliance is owned by  
15 Granicus. Fearing wondered what information they would receive and who would have access to  
16 it and what they would do with it. Preston said from his previous experience, the company will  
17 match an ad from the host platform with the property on the Grand List so you can identify the  
18 person renting their property out. The town wants to know site specific, who is renting the property  
19 out and how to reach those people. Fearing said he would feel comfortable if they could exclude  
20 the data they didn't need. It wasn't Preston's desire to have any personal proprietary information.  
21 Preston said he could go back to Host Compliance to see what information it would be. They don't  
22 like to ask those questions due to public records requests. It wasn't information they needed.

23 Quinn said they could follow-up with Granicus, but his belief was, from the meetings they had  
24 with them and discussions how their software platform worked, their software will look at all the  
25 hosting providers and whatever is available to the public through those sites. The data gets matched  
26 to the Listers' file so the registration process can be managed. Arne thought it would be interesting  
27 to see a form they would fill out. Preston said it had slipped his mind but would have a form.

28 Ian Montgomery had not seen a copy of the revised ordinance. Julie told him because it wasn't an  
29 active ordinance, it wasn't on the website yet. He didn't want them to decide tonight, and Arne  
30 informed him they would not be. Montgomery wondered if there would be a grace period for  
31 people renting something larger than 8. Preston said renting to over 8 requires a state inspection  
32 and they won't issue a permit until they meet the requirements, and they dictate any grace period,  
33 not the town. Montgomery thought in Vermont, people do things without registering and plead  
34 ignorance and people should be brought on board gently. He viewed Granicus as an Orwellian Big  
35 Brother. He used to live in a country that was highly regulated and immigrated here to be free. He  
36 thought the Granicus people should be wiped off the face of the Earth. Preston envisioned they  
37 would give people 6 to 12 months from the time the ordinance was rolled out but that wasn't what  
38 the bylaw said, so he thought it would need to be the policy or protocol of the Selectboard to grant  
39 6 or 12 months for people to get in the program if they adopted the ordinance. As it was with any  
40 new regulation, Julie agreed.

41 Dawn Perniciaro Brown was there with her husband. She asked if the registration would be self-  
42 policing and Arne said it would for under 8 people. Her experience had been those who were honest  
43 would do it, and those who weren't wouldn't. She wondered what initiated the proposed ordinance.  
44 Quinn said the issue of short-term rentals is in the news everywhere. From the Planning

1 Commission's research, they found many municipalities have addressed it anywhere from  
2 registering them to controlling and eliminating them as a business model. They are doing it in  
3 reaction to all the things people don't like about short-term rentals. There are two sides to the coin  
4 and all the folks impacted by short-term rentals have a point of view and all the folks who operate  
5 them have a point of view. The thing they couldn't deny was that it was more of an issue now than  
6 a few years ago. In Chester, short-term rentals have doubled in one year. Brown asked what the  
7 negative of that was. Quinn wasn't there to judge but that the genesis of the ordinance was to  
8 position Chester to understand the short-term rental landscape and enact some very basic health and  
9 safety measures because it was the right thing to do. The ordinance has no regulation in it of any  
10 sort. Brown said she had no problem with it but wondered why it came about and how it would be  
11 implemented. She has had both short- and long-term rentals and her long-term rentals have been  
12 disasters. People stay in a place too long and she ends up spending all the money they have paid by  
13 putting it back into the place again. Because she uses a platform to rent out her short-term rentals,  
14 she is rated, and she rates the renters. She thought the short-term rentals that are rented through a  
15 real estate agent are typically the ones that have large numbers of people in the house. She thought  
16 having short-term rentals would keep people coming to the area and continue to create a need for  
17 workers and housing. She thought it was positive, if done properly. It sounded like they were trying  
18 to prevent a big problem from happening in the future.

19 Kathy Giurtino was sorry to see that hosted and unhosted were being removed because every  
20 unhosted was an empty house. She suggested having a cap. Young families cannot compete with  
21 the money that buys these homes for short-term rentals. She agreed it's easier to have short-term  
22 renters than long-term tenants, but they can't look past the fact that it takes housing away from  
23 people who want to live here full-time. She thought the idea of developing housing was excellent  
24 but pointed out that not everyone wants to rent and there are those who want to buy. She has a friend  
25 who rents a cottage whose rent this year increased dramatically and she thought the landlord  
26 realized they can make more money by turning it into a short-term rental. It would be interesting to  
27 see what they did when they finally drove these tenants out. She thought without a cap and without  
28 distinguishing between hosted and un-hosted, housing would become increasingly difficult. If the  
29 proposed housing developments were to happen, it would still take a couple years for them to be  
30 ready. Giurtino said Chester was looking at a \$20 million bond to improve the high school which  
31 she thought they should do but noted that they only graduate between 50 to 55 per year and possibly  
32 5 years down the road it would be down to 25 because families can't afford to live here. There  
33 would be a beautiful high school they all pay for with nobody to attend. Ludlow was a perfect  
34 example. She noted Killington has 300 fewer homesteaded properties than they did 10 years ago. It  
35 was something we should consider.

36 Arne said the Board had two ordinances before them and the big difference was between hosted  
37 and unhosed and it would be up to the board to see which document they wanted to go with. They  
38 would not vote on it today. There was enough input and public discussion to proceed with it at the  
39 next meeting after the document had been legally reviewed. He said he was okay with the original  
40 document and the different fees of hosted and unhosted. The hosted seemed more like a side  
41 business and unhosted was more like a business. When you use your home as a money-making  
42 entity, and you don't live there, it changed the perspective for him. He understood it was a gray  
43 area for some people and understood that, but the document wasn't asking that much. A lot of it  
44 was for the safety of the people renting and for the people in the neighborhood.

45 Lee wanted to see the results of the legal review and the form Preston was going to come up with

1 and they would deal with it at the next meeting. Heather agreed with Lee and thought it would be  
2 interesting to see what Jim Carroll had to say. She thought it was a good start.

3 Leigh agreed. It was a discussion that was necessary, and they would go forward and get their  
4 information and keep it on the agenda for the next meeting. Julie asked which version they were  
5 sending, and they agreed that he review both. Heather asked for the reason they chose not to have  
6 the definitions. Julie said because some groups fell in the middle, and it was less confusing to not  
7 distinguish. Heather thought it was still positive if they eliminated the distinction and just collected  
8 the information to keep on top of it. Arne stated down the road if there was no distinction, they  
9 would eliminate options if they wanted to carry it further because they wouldn't have the  
10 distinction between the two and any issues that arose would to apply to both groups. It was decided  
11 it could be amended.

12 Dawn Perniciaro Brown suggested the distinction wasn't necessary because if people registered,  
13 they would have contact information. Quinn said originally, it was to distinguish between someone  
14 who rents their whole house and someone who rents part of their home and is on the property. In  
15 this case, it didn't matter because there were no regulations and just a registration. Down the road,  
16 if there were regulations, hosted and unhosted may have to be introduced. From the ordinance  
17 standpoint, it didn't matter. People rent whole homes and aren't there and people rent part of their  
18 homes and live there, so they followed that convention in terms of creating the definition in the  
19 draft ordinance. Brown said she had no problem with registering.

20 Giurtino noted she had spoken with 14 towns. She learned Conway, New Hampshire was hit with  
21 it like a tidal wave and was not prepared. Marriott is buying houses and people from Europe are  
22 buying houses sight unseen to rent them out as short-term rentals. The community is being  
23 destroyed. Ludlow now has 93% of their houses owned by people from out of state. They don't  
24 have a school anymore. She thought they should look at what has happened in other communities  
25 and consider a worst-case scenario and prepare. Rockland, Maine had instituted a cap and had no  
26 problems and was considering raising the cap, as they have had no problems. She wanted to sit on  
27 her porch and see a neighbor across the street 5 years from now. She didn't mind a few short-term  
28 rentals but if no cap is put in anticipation of a problem, they will have a problem. Buying a house  
29 for a short-term rental is denying locals from buying because they can't compete with the money.

30 Fearing asked if they only had to register if they were using a platform to rent their house out.  
31 Preston said if they were renting for up to 14 days, they could do it without registering. Preston  
32 said the way they know they're renting is by advertising. The ordinance requires registration  
33 whether you use a platform or not.

34 Roper said the gist of the ordinance was to gather data to understand how many short-term rentals  
35 are hosted and unhosted. To Giurtino's point, one thing to watch for as they collect data is an entity  
36 or individual suddenly buying a lot of homes and not living here or contributing to the community.  
37 He strongly urged to keep the hosted and unhosted definitions in the proposed ordinance.

38 Julie would send both versions to legal counsel for review, Preston will draft a registration form,  
39 they will clarify and nail down what data they will collect and add language about phasing in for  
40 grace period during the initial startup.

41 Arne thanked the Planning Commission members for attending.

42 **Agenda Item 9, Constable Appointment**

43 Lee moved to appoint Jeff Holden as Town Constable and Heather seconded. Heather thanked

1 Holden. Julie said it was primarily for service of process. A vote was taken, and the motion passed  
2 unanimously.

3 **Agenda Item 10, Vendor Permit, Meditrina**

4 Meditrina wanted to have a food truck, SunnySide Taqueria, on Friday, October 21<sup>st</sup> from 4 p.m.  
5 to 7 p.m. No motion was needed, only signatures for the permit.

6 **Agenda Item 11, New Business/Next Agenda**

- 7 • First draft of the budget at the next meeting. Department heads are developing 5-year work  
8 plans of anticipated projects and desires and top priorities for 2023. They are trying to be proactive  
9 instead of reactive.
- 10 • Julie wanted approval at the next meeting for the division of new hires over the next 5  
11 years. Several long-standing employees are eligible to retire so they are looking to fade out of the  
12 100% insurance currently offered and phase in a contribution for new hires. She hoped to be phased  
13 out of 100% insurance in 5 to 7 years. It would not be a tremendous contribution as they need to  
14 be competitive in the current market. She wanted to make an addendum to the current policy.
- 15 • In December, Ted Brady, Executive Director of Vermont League of Cities and Towns has  
16 a goal of touring every Selectboard in Vermont. They invited him to Chester. He will come to talk  
17 about the League and some of the policies established this year. He used to be Deputy  
18 Commissioner of Economic Development for the state and is now the Executive Director for  
19 VLCT.
- 20 • The school will be on the next agenda to discuss the proposed bond.
- 21 • Short-term rentals if counsel has reviewed the proposed ordinances.
- 22 • Lease for Community Gardens.
- 23 • Preston and Julie have a few ideas for the Housing Committee. They don't want just anyone  
24 who volunteers but rather people skilled in different facets of housing. It would likely be a  
25 committee of 5 with possibly a finance person, a contractor, a developer.
- 26 • Leigh asked about the Route 57 and 61 proposals and was told it had been brought up  
27 during citizens comments, which she had missed due to technical difficulties.
- 28 • Julie said the Fire Department has a swift water rescue team which had been selected to be  
29 part of the State of Vermont Urban Search and Rescue (USAR) Team. If there is a flood or swift  
30 water event, Chester's team would be called to respond to other sites to assist. Chester will be  
31 reimbursed by the State for labor and equipment usage. If any equipment is damaged, it is paid for  
32 by the USAR Team. They will also inspect Chester's equipment and repair or improvement, if  
33 necessary, is paid for by the program. They are a good team and have been recognized by the state  
34 and it will provide revenue if they are called out. Leigh remembered the great rescues that the  
35 Chester team did during Irene.

36 **Agenda Item 12, Adjourn**

37 Heather moved to adjourn, and Lee seconded. A vote was taken, and the motion passed  
38 unanimously, and the meeting was adjourned at 9:24 p.m.