

1 **TOWN OF CHESTER**  
2 **PLANNING COMMISSION**  
3 **June 5, 2023, Minutes**

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5 **Commission Members Present:** Cathy Hasbrouck, Barre Pinske, Tim Roper, John Cummings,  
6 and Hugh Quinn at Town Hall.

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

10  
11 **Citizens Present:** Arne Jonynas and Jason Rasmussen, of MARC, at Town Hall.

12  
13 **Call to Order**

14  
15 Chair Hugh Quinn called the meeting to order at 6:30 p.m.

16  
17 **Agenda Item 1, Review and Approve Minutes from May 1, 2023, meeting**

18  
19 Tim moved and Cathy seconded a motion to approve the May 15, 2023 minutes. Hugh noted  
20 Arianna Knapp should be listed under citizens present. Tim noted page 9, line 16, “The only people  
21 building are wealthy. Who can afford to.” should read “wealthy people who can afford to.” Hugh  
22 agreed. Tim also noted page 11, line 4 “Why wouldn’t the town take over the maintenance.” should  
23 have a question mark after it. The minutes were approved as amended.

24  
25 **Agenda Item 2, Citizen Comments**

26  
27 There were no comments.

28  
29 **Agenda Item 3, Review Proposed Final Edits for Administrative UDB Amendments**

30  
31 This item was a follow-up to the lengthy discussion had at the last meeting on how they were going  
32 to address some of the feedback from the Selectboard as it related to the changes to the  
33 administrative section of the bylaws. This was to review what they decided so it was ready to  
34 resubmit to the Selectboard. Preston said the Open Space District was recommended forward but  
35 the minutes said Jeff Holden wanted to be sure the Legion could put up a bathroom structure on  
36 the property across from the treatment plant road. There was corner of high ground along Route  
37 103 and the treatment plant road that was not in floodplain, out of the Open Space District and it  
38 had enough room to meet setbacks to put something there. Barre said his friend, Lee, had  
39 considered turning it into a festival ground. Barre said when they put the sewer pipe up the hill to  
40 Drew’s, part of the arrangement was to put the land under Act 250 even though it was under 9  
41 acres. It was 7 acres and Barre thought most Act 250 projects had to be over 9. If it hadn’t changed,  
42 Barre thought they would need an Act 250 permit to do anything on that land. Preston said that  
43 was unfortunate but thought it wouldn’t be difficult because most of what they wanted to do didn’t  
44 involve structures. Preston said they could set up porta potties which wouldn’t be an issue, but Jeff  
45 was talking about a physical permitted bathroom station. Barre thought possibly because it was

1 civic oriented and only bathrooms, it may not be a big issue. Barre wasn't trying to throw a wrench  
2 in it but wanted them to be aware it had been a hurdle. Hugh asked Barre if he knew the history of  
3 why it was under Act 250. Barre said there was a tradeoff for some reason when the sewer pipe  
4 went to Drew's and Act 250 got control of it and saw the result of the trade was the whole  
5 community suffering. At one time, there was a bridge that went to the water treatment plant and  
6 over the railroad tracks. Barre said the railroad tracks and the low bridge were the reason that area  
7 flooded. He said when they took out the bridge that went over everything, they put a gravel road  
8 up to the tracks and put a small culvert in there that couldn't hold the water. If Barre was in a  
9 position of authority, he might argue they get some excavators to dig a ditch big enough to hold  
10 water alongside the railroad tracks to work like a dike and have a legitimate bridge and large  
11 enough culvert up to the railroad tracks to allow the water to flow that is dammed up and forced  
12 through the Legion parking lot and that land. Hugh said as much as it made sense, it wouldn't  
13 change the fact it was still in the floodplain, but Barre argued it would create flood mitigation. The  
14 amount of water that ran through there during Irene was substantial but wasn't that much and it  
15 ran through the middle. Barre said if all the low ground was next to the railroad tracks and acted  
16 like a dike and it was made available to run past the dike and get back in the river under the other  
17 bridge on Savage's land, it could run along there and go out. Barre said in other parts of the country,  
18 they do this thing all the time. It was a large piece of land that Barre said was useless because of  
19 flooding and Act 250 and he thought creating a giant culvert and cleaning it out there would make  
20 a big difference for moderate floods. Barre had attended a lot of meetings about that waterway.  
21 Hugh thought it was good information to have about that area and they had followed up as Jeff  
22 had requested.

23  
24 Hugh asked Preston to take them through the items that constituted the outcome of what they  
25 expected to do with the administrative bylaw updates by resubmitting them to the Selectboard.  
26 Preston addressed what had generated a lot of discussion at the May 15<sup>th</sup> meeting about what to do  
27 with campers and travel trailers and renewable energy facilities and if they should exempt some  
28 things. He took away from that discussion that they should leave the language for self-contained  
29 travel and camper trailers as it is and that's what he recommended they take to the Selectboard.

30  
31 Preston said they started out under renewable energy facilities saying things that went to the Public  
32 Utilities Commission were exempt and they didn't regulate them. Then they considered exempting  
33 rooftop solar of all types. Then they suggested exempting solar panels of all types. Then it was  
34 suggested exempting winds of all types. At first, Preston thought maybe but then realized Section  
35 3.22 in the bylaws said everything must go to the DRB so they would need to eliminate that  
36 chapter. Preston thought they should move the administrative UDB amendments forward and leave  
37 exempting some of the energy uses to another discussion. Preston said their practice was to consult  
38 with the DRB before they eliminated any of their powers and he was afraid if they did that, it could  
39 delay things quite a bit. Preston said he would be happy to exempt the solar facilities due to the  
40 cost of going before the DRB and the time it takes, but the bottom line was he didn't want the  
41 entire package of the administrative amendments to be bogged down by it. Hugh said they  
42 wouldn't drop the topic of exempting non-grid connected rooftop solar and renewable energies but  
43 defer it to another round of updates because to make that update, they would need to reconcile 3.22  
44 which requires it to go to the DRB. They would want to do that, but it means they would need to  
45 take it to the DRB, so they understood what the Commission was doing. Hugh said this was a  
46 matter of not stopping the train for everything else. Preston said the good news was that most solar

1 and wind applications go through the Public Utility Board. And as Lee had noted at the previous  
2 meeting, he put some on his own property that aren't net metered and he hadn't asked because he  
3 didn't know he should have gone through the DRB. Hugh said one of the advantages was that  
4 while they were suggesting they defer the rooftop solar exemption, because they were doing this  
5 incremental roll out, once they iron it out, they could just patch it in with one of the upcoming  
6 updates. They had the flexibility to miss it here and pick it up in another round. Hugh thought it  
7 made sense because it would probably take time to reconcile it with 3.22 and make sure the DRB  
8 was on board, so everyone was on the same page. Barre liked the idea and suggested in the future,  
9 if they were concerned about having things fly on the first try, they could add a few things to test  
10 the waters to find out what hurdles they would need to solve down the road and get ahead of the  
11 game. Hugh said the original bylaw had nothing and they recommended the language they had  
12 there. Barre was thinking about Arianna's argument about campers in Manhattan. Barre didn't like  
13 to debate people too much in a public meeting but said she was talking about movie set trailers in  
14 the city. The Lincoln Center is one of the biggest cultural institutions in the world and Manhattan  
15 is plumbed and wired like our house over the entire city, so comparing it to Chester and stating if  
16 they can manage their waste, they can do it here, wasn't a logical argument. Hugh understood and  
17 to Preston's point, they covered a lot of different topics at the last meeting. Hugh went through the  
18 minutes to refresh his recollection of how they summarized and left it and he thought most in the  
19 meeting, including the Selectboard members, agreed allowing people to live fulltime in travel  
20 trailers wasn't optimal but given the times we are currently in, they agreed one way to handle it  
21 was putting the regulation in as is and the Selectboard would have latitude of how the regulation  
22 is enforced. If Preston identified a violation and it turned out there were good reasons or there was  
23 a remediation plan, they could allow them to live that way temporarily and help folks by finding  
24 out their game plan. Hugh found it to be a good balance between leaving a regulation in rather  
25 than not having compassion from an enforcement point of view with respect to the Selectboard's  
26 ability to enforce the bylaw with empathy. Barre thought what may help from a pollution  
27 perspective was to require documentation people were disposing of their waste properly such as a  
28 ticket from the facility in Springfield. Barre didn't think they should allow someone to rent to  
29 people with campers if they didn't provide hookups. Barre didn't want to be mean but if someone  
30 was making money off someone without having a permitted campground, that wasn't right. Hugh  
31 thought the language addressed Barre's concerns and the regulation would not only manage waste  
32 but also multiple campers and those not abiding by setbacks and other issues related to campers.  
33 Hugh agreed with Barre that someone should not rent their land to someone with a camper if they  
34 didn't have hookups, and this would prevent it because you could only have 2 on a parcel and you  
35 could only be there for 180 days. Tim recalled they had discussed that wastewater comes under  
36 state jurisdiction and not the town. Tim was comfortable with it if everyone else was. John said he  
37 was. Preston said it was hard to codify the conversation in a way the future would know. Preston  
38 said he worked for a town where the Selectboard was unwilling to enforce when a family lived in  
39 a camper, but the Health Officer required they provide documentation they emptied their waste.

40  
41 Preston thought the administrative bylaw changes were ready for resubmission. Cathy moved to  
42 resubmit the administrative amendments. Tim seconded. The motion carried unanimously.

43  
44 **Agenda Item 4, Review the Proposed Updates for the Five Chester Center Districts**

45  
46 Hugh said they all generally agreed to look at the districts that were in the center of town and figure

1 out what they would look like and bundle them up as a round of changes to go to the Selectboard.  
2 They looked at Village Center and Neighborhood and now they were looking at the five Chester  
3 Center districts. They had pulled in everything that wasn't rural so they could go through it, the  
4 language, and the maps and button it up and send it as a unit for public hearing and submission to  
5 the Selectboard. Hugh asked if they wanted to look at the language or maps and was fine with  
6 Jason and Preston making that decision. Jason pointed out that generally, in aggregate, the five  
7 center districts in Chester and the Village Green were largely the parts of town entirely or partially  
8 served by water and sewer. For the most part, this is the part of town the bylaw modernization  
9 grant is focused on. In Jason's mind, once they finish them, the grant reporting requirements will  
10 be satisfied. The grant is through January of this year, so they have until that time to finish, and  
11 Jason thought they were a little ahead of schedule.

12  
13 Jason said they changed the formatting and were now showing the new language in red and a  
14 strike-out in blue which were the proposed deletions. Hugh liked that because he and Barre had  
15 thought it would be great to see the proposals against what was being stricken. Jason thought it  
16 worked well but could always tweak things if necessary. Village Center has always been Village  
17 Center. Neighborhood was R-20 and a portion of R-40. The Village Center map has changed quite  
18 a bit. Jason pointed out the Mixed-Use District is currently the Residential and Commercial District  
19 and has changed slightly but is largely the same. General Business is what they are currently calling  
20 the Commercial and Industrial District, which has some subtle differences but is largely very  
21 similar. Hugh liked the names better and thought they made more sense. Jason said most of the  
22 mapping was based on what Brandy and the Commission had done a few years ago. Preston and  
23 Jason had not changed Mixed-Use and General Business beyond what they had done before when  
24 they were making changes to Village Center. Barre referenced the water pipe that went to Drew's  
25 and the land by the Legion and land the town owns with the new water tank going into the  
26 Neighborhood District, which got him thinking when they were discussing potential housing  
27 developments and he realized they had a housing development right next to the new water tower.  
28 Barre said the development next to the new water tower hadn't been selling because there was no  
29 water and sewer. Prior to the new tank, the water was up on the hill on the other side of town and  
30 that's probably why the development had no water and sewer. Now they had water next to an area  
31 that was plotted out for a potential development and Barre noted it was also close to the water and  
32 sewer treatment plant. Barre thought it would make sense to include the development that already  
33 was subdivided into the Neighborhood District in addition to the town land that wasn't developed  
34 and should encourage the town to bring water and sewer there. Preston confirmed Barre was  
35 talking about the Remington Road project and he wasn't opposed to it. Preston said the Remington  
36 Road project was a big subdivision approved some years ago with approximately 22 lots with state  
37 water and sewer septic permits. It hasn't sold out well, even in the climate of COVID. One of the  
38 difficulties of why it hadn't sold, Preston said, had to do with Act 250 restrictions and where the  
39 houses could be built, and a lot of buyers don't like the sites that were chosen because they don't  
40 have million-dollar views. The other reason is the town is not willing to take the road over and no  
41 homeowner's association has been set up yet, so it is like a wild west of who will take care of the  
42 road. Preston said the road was probably too steep for the town to take over and didn't know if  
43 providing water and sewer would change the dynamics. Cathy noted the lots weren't small so  
44 many families wouldn't be served by bringing in water and sewer. Preston agreed the current setup  
45 was not affordable lots. Tim said there were 14 lots. Barre said one hurdle was septic cost. Barre  
46 thought any housing would be helpful because it was a supply and demand issue. Barre wondered

1 if there was a reason, they wouldn't want the rules they had applied in other areas to apply there.  
2 Preston said if they went the route Brandy had, it would be a 3-acre rural district, which wouldn't  
3 affect the lots at all because they were all bigger than 3 acres. Preston said the question was if it  
4 was logical to send water and sewer there. Barre recapped that it was already subdivided with lots  
5 there, a road, and wasn't selling, and partly because there wasn't water and sewer. Maybe it could  
6 be looked at differently with smaller lots. Cathy said there were several people there who probably  
7 wouldn't want smaller lots. Preston said the town could choose to send water and sewer there  
8 regardless of the zoning district. The reason they tend to zone around water and sewer is if they're  
9 going to pay the cost of infrastructure, they want high density and small lots, and the Remington  
10 Road project is big, and would be costly. Preston said sewer line to there may cost more than a  
11 private septic. Hugh thought what Barre was saying made some sense, but he wasn't sure about  
12 what Cathy said about people not wanting smaller lots. Hugh said if they made it so they could  
13 have smaller lots, people with larger lots could subdivide. If water and sewer were to go in  
14 someday, the zoning could already be there to support smaller lots. Hugh said they would want to  
15 change it from Rural to Neighborhood if the town decided to put water and sewer there. Tim was  
16 thinking along the same lines and wondered if it was the town's responsibility to put water and  
17 sewer there or would the subdivision and homeowners pay some portion of the cost. Tim agreed  
18 it would be easy enough to add it to the Neighborhood District at a later point. John didn't think  
19 the town would invest \$2.2 million there in the hopes someone would come there. Hugh saw the  
20 risk of changing it from Rural to Neighborhood now as the current homeowners may be upset for  
21 the potential of a high-density neighborhood when that's not what they wanted. Hugh suggested  
22 they leave it alone and if the town put water and sewer there, they could revisit it as their strategy  
23 is where water and sewer are, they want to create density. Tim agreed. Barre thought they could  
24 be forward thinking, and he didn't see the problem with it becoming smaller lots. John questioned  
25 the ability to do that because Preston said there were limitations. Because it is Act 250, it would  
26 be difficult to know what they would agree to if they wanted to re-think the whole thing. Preston  
27 added there was the issue of the current homeowners being upset because they changed the lot  
28 sizes from the original plan when they purchased their properties. Cathy noted there had been some  
29 sales there recently, but for one sale, the people decided they didn't want to build because of the  
30 restrictions so they sold it and moved on. Cathy thought the development was 40% sold. John said  
31 he had sent some people there. Preston said during COVID, people were buying almost anything,  
32 but some people passed when they saw the lots. Barre asked Jason if he was wrong about a big  
33 hurdle being water and sewer but the town taking it on could be an even bigger hurdle. Barre  
34 thought it may be easier to put water and sewer there than on the town's land and thought it may  
35 be worth considering. Cathy thought it would be hard for the town to get involved in \$300,000 and  
36 \$400,000 houses. John said there were requirements about the home size and which way it must  
37 face. Hugh understood Barre's suggestion but didn't think changing it would make it more  
38 attractive, or the town solving the problem because the road is too steep. Changing the zoning  
39 regulations to allow for it in the future was not enough of a win to overcome all the things stacked  
40 against it. Barre thought that was unfortunate because it may not sell for a long time. John thought  
41 prices may come down and people would reconsider. Jason was hearing they would leave it alone.

42  
43 Jason asked if there were any more questions on the map. Hugh, Barre, and Tim were fine with it.  
44 Cathy wondered about the white spots near the Open Space District and Hugh said he also  
45 wondered. Preston said they should be blue and would change it. Jason said it made sense and  
46 Hugh agreed. Jason thought the only change was mixed-use under the conditional use list was now

1 multi-purpose. They didn't want to confuse the multi-purpose building with the mixed-use zoning  
2 district. Preston said they liked the name Mixed-Use District and decided to change the building.  
3 Hugh called attention to permitted use, they had started changing from multi-family to multi-  
4 household. They would correct that.

5  
6 Jason said in the past, home occupation had been lumped in with accessory use and they wanted  
7 to be clearer, so they removed it and added #7 to be clear about it. To make it easier to create  
8 housing, multi-households with up to 4 units can now get a zoning permit under the proposed  
9 changes. Everything else being 5 or more units would need to go through the DRB. Hugh said  
10 whenever they go to a district, from the past, they tweaked definitions of things. Hugh suggested  
11 they be consistent and if they change the name of something, they should tie it off. Jason said that  
12 was a good point. Jason noticed in the General Business District, they had lumped together heavy  
13 construction trades with building construction trades but had not in the current section and  
14 suggested it should be done here to be consistent. Preston said the current bylaw distinguishes  
15 between construction trades and heavy construction and they felt for their purposes it wasn't  
16 necessary to have that distinction. Jason said they had talked at previous meetings about a home  
17 business being a carpenter and his truck but no outside storage of equipment and materials. As it  
18 related to building and construction trades, the definition seemed limiting. Heavy construction had  
19 included asphalt plants and excavation machinery. Preston said they both go to the DRB and didn't  
20 think it necessary to highlight they were open to business to asphalt plants. Hugh said if the  
21 recommendation was to collapse the two and not discriminate between them, he was completely  
22 in favor. Jason suggested they do it in the Mixed-Use District as well as the General Business  
23 District for consistency. Cathy asked if there was code to prohibit an asphalt plant in the Mixed-  
24 Use District. Jason said they had to meet all the supplemental standards which would be difficult  
25 for an asphalt plant or a contractor's yard.

26  
27 Cathy questioned if the minimum lot frontage for mixed-use needed to be 120 feet. The only  
28 dimensional standard they considered changing was coverage, but all could change if they thought  
29 it appropriate. Jason asked Preston for his thoughts about the frontage. Cathy noted it was currently  
30 120 feet and there was a variety of frontage in town, including 60 feet and less. Preston said it  
31 could be as low as 50 feet if they were looking for density, as it was the recommended width for a  
32 driveway right-of-way. Jason said it was 120 x 170 and was wider than a typical residential lot and  
33 thought 100 made sense. Hugh thought they should make it larger than what they were doing in  
34 residential and said if several people were comfortable with, he would probably be fine with it.  
35 Barre asked if the lots were already developed, and they were. Jason said some were big and could  
36 potentially have subdivisions. Cathy said she had 1 ½ acres in this district, and it could be made  
37 into three lots. Hugh thought it would be unfortunate if they created a ton of non-conforming lots  
38 by making it 75 feet. Cathy said if they lowered the frontage, fewer lots would be non-conforming.  
39 She was thinking 100 feet. Jason and Preston thought 100 was safe. There seemed to be consensus  
40 among the members that 100 was a good number.

41  
42 Jason said they had increased the coverage but thought 35% was small for a 20,000 square foot lot  
43 so they went with 70% and wondered if the members thought it was reasonable. It was. Jason  
44 asked if there were any other changes they wanted. Barre said when they worked with Brandy, she  
45 was adamant about gas stations. Barre asked Tim if he remembered, and he did not. Barre  
46 wondered if what they were proposing for mixed-use contained gas stations, and it did, would it

1 allow for the old hardware store near Town Hall to be torn down and changed to a gas station.  
2 Barre said that was Brandy's concern so she wanted a separate section for gas stations so they  
3 couldn't be placed anywhere they had the same zoning as the gas stations. Barre thought they should  
4 think about it. Hugh asked if Brandy's message was that gas stations were bad. Barre thought it  
5 could change the character of the town like Dollar General and Jiffy Mart had. Tim wondered if  
6 the character of development section would cover a gas station changing the character of the  
7 neighborhood. Tim thought Barre's example was a good one. Cathy noted the railroad and feed  
8 store were there and it would fit in. John thought it made sense. Tim said it was an opinion and he  
9 disagreed. Hugh said if they didn't want a gas station in mixed-use, they could remove it. Cathy  
10 pointed out that the two gas stations were in mixed use, so that wouldn't work. Barre didn't know  
11 if they had a special district for gas stations under Brandy. Hugh didn't remember that. Jason didn't  
12 know the answer offhand and thought a gas station would go along 103 South and maybe along  
13 Pleasant Street, so it made sense to him. Jason said the next question would be what standards they  
14 wanted for a gas station and thought the character of the area language for that area went away to  
15 try to protect things like that but wasn't sure it was bulletproof. Barre thought Cumberland Farms  
16 would be successful at getting a gas station with their money and attorneys. Barre said he tries to  
17 do what is best for the town, but his personal feelings were coming into play, and he wouldn't  
18 want a gas station with a convenience store in the middle of the charming area across from the  
19 Town Hall. Tim shared that sentiment. Barre saw it as an opportunity not to allow it before it came  
20 in and suggested they create a special zone for where the gas stations currently are. John questioned  
21 why gas stations and if it was a personal vendetta. John said there were other businesses that they  
22 may not want to go in there. Barre admitted he was making an opinion and even though that  
23 hardware store isn't being used, from a romantic perspective, he wanted to see them as an art store  
24 or shops and he wouldn't want to see a Cumberland Farms or something else because the town  
25 would lose some of its charm, which he thought they had already lost some of. Barre wondered if  
26 they wanted to trade a historic type of building that may have a unique use and keep with the  
27 character of the town for something modern and new that changes it and that was the argument.  
28 Tim said under supplemental standards, character development, a) Chester Depot new buildings  
29 and modifications of existing buildings shall be of similar building mass and orientation, and it  
30 would be hard to do with a gas station with a canopy and a bunch of lights. John thought that  
31 covered it as stated. Tim thought it attempted to but that it was lacking teeth. Preston thought  
32 because the Cummings Hardware building was historic and attractive, it could switch from blue to  
33 Village Center, and it may be the simpler way. Tim questioned if the limit for retail was 7,000  
34 square feet. Preston suggested that across from Town Hall on the other side of the railroad tracks  
35 should become Village Center. Tim thought the apartment house should also be Village Center.  
36 Jason liked the area being Village Center. Tim said there were 2 lots. Preston said one was  
37 Cummings and the other was the hardware store. They decided to make the area Village Center.  
38 Cathy asked if it would limit the feedstore and Preston said it would stay blue. Barre asked what  
39 the other blue triangle was. Tim said the big one was the feedstore. Preston suggested the other  
40 blue triangle should not be blue. Barre wondered if the feedstore would be torn down if a gas  
41 station could be put in. Preston said the railroad property includes the large parking lot that once  
42 was the turntable and wondered since the railroad wasn't running tourist trains anymore if they  
43 would choose to sell the property someday. Cathy asked if anyone was aware of gas stations  
44 wanting to move in. Preston thought it should stay blue because it was vacant land except for the  
45 railroad station and Erskine's, and the large parking lot and had potential for something. Tim said  
46 if all the lots around it were Village Center, they would have one lot that was mixed-use. Preston

1 thought it was sounding better and better. Hugh agreed and said he wasn't a fan of creating a  
2 special zone for gas stations. Tim wondered if they were creating a special zone for the one lot but  
3 was okay with it. Tim suggested Smitty's be mixed-use, but Preston clarified they were general  
4 business which was alright.

5  
6 Barre said for the downtown master plan they got an \$80,000 grant and spent a year of their time  
7 on the pocket park, and they were getting a sidewalk. Barre said one of the things they discussed  
8 was utilizing the parking lot next to Erskine's more efficiently. Barre said a lot of communities  
9 have municipal parking and his idea was to build a boardwalk from the railroad parking lot to  
10 Smitty's. Barre thought they should utilize the land better and create a walkway which would be  
11 more convenient for the working folks to park and walk to Smitty's. Tim noted the alumni parade  
12 assembles there so it was getting some use. Barre pointed to the parking problem at Smitty's some  
13 days and said there was a big space across the street from Smitty's and in the city, you often park  
14 somewhere and walk to get to the store, and they aren't utilizing it. Barre thought if they had a  
15 walkway that wasn't a mudhole, it would reflect on the town and look nice. Cathy pointed out it  
16 was the railroad's land. Barre said the railroad was owned by the state and thought they could have  
17 a better relationship with them. Tim asked if they could wrap the discussion up.

18  
19 Jason questioned what the real difference was between mixed-use and Village Center. In mixed-  
20 use, you could do an animal hospital, automotive, fuel service, sales, building and construction  
21 trades, and open market. Other than that, it was all the same stuff, so was it worth splitting hairs?  
22 Hugh was hearing the rationale for putting the Cummings building into Village Center was they  
23 wouldn't have to worry about it becoming a gas station. The feedstore would stay mixed-use and  
24 Jason wondered why. Hugh asked if he was suggesting Cummings and Erskine's should go to  
25 Village Center and Jason was. Cathy said that land would work well for a farmer's market, and  
26 they didn't have open market in the Village Center. Barre wondered if they had talked with the  
27 Legion about having the farmer's market there. Tim asked where a gas station would fall under  
28 use and Hugh said it would be automotives/service/sales. Hugh said if they want Erskine's to be a  
29 market, they would either need to add to Village Center as a conditional use or leave it in mixed  
30 use. Barre wondered if they could add open market to Village Center. Preston said open market  
31 implies a big piece of land, but he had no problem with it. Cathy said Sharon Baker's pop-up  
32 market isn't on a big piece of land and was working well. Barre said his neighbor's land could  
33 work as a farmer's market if it was added to that zone. Preston didn't think it harmed anything to  
34 add open market to Village Center. They thought everything in the Depot should be in Village  
35 Center. Preston said all the blue around the railroad station would become Village Center.

36  
37 Jason addressed general business. Home occupation and merging heavy construction and building  
38 construction trades were the only use changes proposed. There were a lot of dimensional standards  
39 they were changing and thought setbacks seemed too big. They increased the lot coverage to 70%.  
40 Tim wanted to make sure he understood the minimum side setbacks were 15 feet unless it was  
41 abutting a residential property and Jason agreed. They would have to have greater setbacks than  
42 30 if there was a business next to them. Tim and Hugh liked that. Jason pointed out it currently  
43 existed, and they were only readjusting the numbers from 25 to 15 and from 50 to 30. Preston  
44 didn't think the character of development had a lot of teeth and didn't make sense in this district,  
45 so they were eliminating it. Hugh thought it meant sense for general business and was in complete  
46 agreement.



1 Jason addressed the last one for the night, which was Stone Village. They didn't think building  
2 and construction trades made sense or broadcast facilities. They added restaurant. Cathy said it  
3 wasn't there because the residents didn't want it. Tim thought it would make a good area for a  
4 restaurant since it was a walkable community. Preston noted times change and now everyone wants  
5 restaurants, so they didn't want to make that difficult to do. John had spoken with some people  
6 recently who agreed the area needs a good restaurant to frequent on a regular basis. Barre said the  
7 people that bought the Free Range took the kitchen out so anyone who wants to have a restaurant  
8 would need to install a kitchen, and that Stone Hearth is doing takeout only. Hugh said take out  
9 only was temporary. Barre added the other restaurant was now a vet clinic and that they couldn't  
10 regulate what people do with the buildings but should recognize the needs. Hugh said they moved  
11 home occupation to its own line item and single and two families should go to household. Jason  
12 said they were both oversights. Hugh said they were choosing not to allow 3- and 4-unit dwellings  
13 in the Stone Village even though it was served by water and sewer. Jason was wondering if it was  
14 an oversight. Preston said he and Jason had not addressed that in Stone Village and wondered if  
15 the state law changed about allowing 4-plexes if it was on water and sewer. Jason said Senate Bill  
16 100 was signed by the governor and Jason thought the change should be made here. Preston said  
17 they had said making it go before the DRB was discouraging and difficult and they couldn't do it,  
18 so Jason thought they had to make that change since the bill had been signed. Barre asked if it  
19 applied to historic districts. Jason wasn't an expert on the bill and didn't know if it addressed that.  
20 Preston didn't recall there being a carve out about historic. Hugh thought someone may plop in a  
21 fourplex but said someone could take a stone house and make it into a fourplex. Barre said the  
22 type of people the town is getting as renters probably aren't working class, eat in our restaurants,  
23 shop in our stores people, as much as a small community like ours needs to support it. In an area  
24 as nice as Stone Village, Barre didn't want to see Section 8 housing. Hugh thought Barre was  
25 making a big leap. Barre saw that happening because the state would pay the rent and the state is  
26 on the side of the renter and you can't evict people, so a lot of landlords rent to people where the  
27 state pays the rent, so rent is guaranteed. Hugh thought that if it was okay everywhere in town  
28 except Stone Village made no sense. Barre wanted to see more families in houses where there were  
29 kids in schools with working parents. Hugh pointed out that allowing multi-family housing would  
30 provide everything Barre suggested. Barre wondered if they had done a housing study. John said  
31 he has an apartment in town off the Green and everyone goes to school with his kids, and they  
32 work locally and pay their rent. Barre was glad it was working for John.

33  
34 Tim didn't see pub or brewery mentioned and wondered if it would fall under restaurant. Preston  
35 said he would call it a restaurant. Tim asked if there was a definition for restaurant. Cathy read  
36 from the definition that a restaurant was a licensed premises where food and drink were served  
37 and consumed, primarily within a principal building. There was discussion about whether a pub  
38 fell under restaurant. Preston said restaurants that provide dancing and stage shows and that operate  
39 primarily as a drinking establishment are allowed under arts and entertainment. Tim questioned  
40 whether drinking was an art and Barre said it was dancing. Preston said he could look into it if  
41 they wanted. Tim wanted to make sure that if someone wanted to open a pub, they could. Hugh  
42 thought they wouldn't want a night club in Stone Village and that should be clarified in the  
43 definition. Tim said historically, there were taverns in Stone Village. Hugh thought for him, a  
44 dance club, and a place where you listen to loud music is a bar and different than a pub but didn't  
45 know how to articulate that. Cathy said parking was an issue that would control it, as well as the  
46 noise ordinance. Cathy said before Hugh was part of the Planning Commission, there was a

1 meeting and the people in Stone Village clearly didn't want a restaurant. She thought it was a great  
2 opportunity. She knew they wouldn't want arts and entertainment but thought a restaurant may get  
3 by. Barre said when they went through the whole process and tried to engage residents, the Stone  
4 Village residents were the only ones who showed up at a meeting at The Pinnacle so it could be  
5 held in open space during COVID. Barre agreed with Tim about having a restaurant, but it would  
6 go against what the effort was from that meeting. Hugh said, currently, arts and entertainment is a  
7 conditional use in Stone Village, so they could put up a dance club and suggested they strike it.  
8 Preston noted the definition states it does not include adult-oriented businesses. Barre said they  
9 wouldn't want to limit a gallery, a small theater such as the church who has poetry readings and  
10 music, or a potential for a museum. Barre didn't see anyone opening a dance club in Chester  
11 because there wouldn't be the patrons to support it. Tim wondered if dance club should be its own  
12 definition and Preston agreed. Hugh said they knew when they began this process, they would  
13 have to look at the definitions to see if they still made sense and if arts and entertainment was so  
14 broad, they need to be separated. Cathy said Brandy's document was very specific and this  
15 document was more general to provide flexibility. Barre questioned if the DRB could shut it down  
16 if it had to go before them. Jason thought it made perfect sense to separate club from pub. Jason  
17 asked if they wanted to allow restaurant and pub in Stone Village. Hugh and Tim, both thought it  
18 should include restaurants and taverns but minimally restaurant. Tim said there had been a turnover  
19 of citizens there. Cathy thought they should run it by them again.

20  
21 Preston said they should have one more session. Hugh said they agreed under permitted uses in  
22 the Stone Village that they would add 3- or 4-unit dwellings. Under dimensional standards, Jason  
23 suggested using 80 feet for frontage since they were shrinking lot sizes and setbacks. Jason was  
24 open to suggestions and said they could take another look at it. Cathy said it was the same ratio.  
25 Jason thought Stone Village frontage could be 80 feet. Cathy said the Stone Village is proud of the  
26 fact that the buildings are lined up a certain distance from the road. Jason wondered if Brandy's  
27 numbers were on target, as Preston and he had been using them for a guide. Cathy said she would  
28 look. Jason said they would revisit and make some tweaks. Hugh thought they were 90% through  
29 it. Preston agreed. They will make another round of edits based on the discussion.

### 30 31 **Agenda Item 5, PC Roundtable**

32  
33 Preston mentioned the Julian Quarry had made an application which was better news than Preston  
34 filing a notice of violation. Preston told them he would file the violation on June 1<sup>st</sup>, and they made  
35 their application on May 31<sup>st</sup> at 4:00 p.m. The application was for all three sites. The application  
36 can be viewed on the website. Preston said the 7-page narrative letter was the easiest thing to read.  
37 He said they were talking about consolidating all the stone cutting at the main quarry in Gassetts  
38 and shutting it down from Chandler Road, which was good because it would eliminate the truck  
39 traffic. They talked about lowering the floor of the quarry by 30 feet and using entailments to make  
40 a berm to control noise and using state of the art to filter the stone dust. What they were weak on  
41 was they are still talking about blasting and hammering and they say they hired noise experts for  
42 an analysis, but the letter doesn't address how they will make it less obnoxious. There will be a  
43 hearing on July 10<sup>th</sup> and the neighbors can all attend. Hugh and Tim thought it was a great update  
44 and sounded positive. Preston was concerned they may not follow through because of their history  
45 but considered it more positive than going after them in court. John thought they had hired the  
46 noise experts for their own benefit. Preston said they have to comply with both the town process

1 and Act 250 and have to look at passing both and noise was the number one issue, so they had to  
2 address it. Barre said there was a history of mining stone in Vermont for a long time and part of it  
3 involves blasting and just because everyone had become paper pushers instead of hammer  
4 swingers didn't mean an occasional boom isn't something we can't live with. Preston said he tells  
5 the neighbors all the time that they look at the performance standards and say there shouldn't be  
6 any blasting because it's higher than the noise limit but the quarries have been in continuous use  
7 from before zoning, so they have certain acquired rights. Barre said there was an element of noise  
8 that was sustainable because it was a part of life, including a quarry in Vermont blasting now and  
9 then. Barre said the noise people talked about buildings in the city that had AC units humming  
10 24/7 and a neighbor would be driven nuts by the noise.

11  
12 John didn't have anything for the group except that he was still acclimating to the Commission.

13  
14 Tim was going to talk about roads but decided to save it for another meeting.

15  
16 Cathy noted open space amendment had been forwarded to the Selectboard. Hugh asked if it was  
17 scheduled yet and it wasn't as Cathy had just submitted it. Hugh asked if the administrative  
18 amendments could go with it. Cathy said they were two separate packages and didn't see an  
19 advantage in combining them. She said she expected the hearing to be about 3 ½ minutes. Hugh  
20 thought if getting hearing time on the Selectboard's calendar was difficult, he was thinking of  
21 killing two birds with one stone and combining open space with the administrative updates. Cathy  
22 would tell Julie they were within two weeks of submitting the administrative package and Hugh  
23 and Julie could work out the logistics of scheduling. Arne said the schedule was light in June and  
24 they were considering cancelling the second hearing and July was light. Preston said it took three  
25 weeks to warn the hearing.

26  
27 Hugh and Barre didn't have anything.

28  
29 **Agenda Item 6, Adjournment**

30  
31 Tim moved to adjourn, and Hugh seconded the motion. The motion carried unanimously. The  
32 meeting was adjourned at 8:29 p.m.