

1 **TOWN OF Chester**
2 **PLANNING COMMISSION**
3 **September 6, 2021 Minutes**

4 **Commission Members Present:** Peter Hudkins, Tim Roper, Hugh Quinn, and Cathy Hasbrouck
5 at Town Hall.

6 **Staff Present:** Preston Bristow, Zoning Administrator, at Town Hall; and Susan Bailey,
7 Secretary, via Zoom.

8 **Citizens Present:** Bill Lindsay at Town Hall; and Steve Mancuso and Thom Simmons (Thom
9 joined at 7:12 p.m.) via Zoom.

10 **Call to Order**

11 Chair Cathy Hasbrouck called the meeting to order at 6:35 p.m. (4:05 on recording)

12 **Agenda Item 1, Review Minutes from August 16, 2021 Meeting**

13 Cathy asked for a motion for a review of the minutes. Tim Roper moved to review the August
14 16th minutes and Peter Hudkins seconded the motion.

15 Discussion included:

16 Tim called attention to line 24 on page 2, “the Community Yard Center” and thought it should
17 say “Contemporary Art Center” and attributed the error to difficulty hearing.

18 Tim also noted on line 27 on page 5, Barre said “1974 to 2001 was a large amount of time” and
19 Tim assumed it was probably 2021 and suggested the recording should be checked to confirm
20 same.

21 The minutes were unanimously approved, as corrected.

22 **Agenda Item 2, Citizens Comments**

23 (6:38 p.m. - 7:39 on recording)

24 Cathy asked for citizens comments on anything that was not on the agenda.

25 Steve Mancuso referred to the latest document the subcommittee created and said, as far as the
26 business community was concerned, it was a step in the right direction. He applauded their
27 efforts, especially on Labor Day, and was looking forward to hearing more about it and possibly
28 being involved, if needed. He thanked them for their efforts.

29 Bill Lindsay wanted to address the handout: the information with the 6 items that was the next
30 part of the agenda, at that time.

31 **Agenda Item 3, Discuss and Approve Each Business-Friendly Guiding Principle in the**
32 **Memo from Proposed Bylaw Review Subcommittee**

33 (6:40 p.m. - 8:58 recording)

34 Cathy announced that since Preston authored the document being presented, he was the best
35 person to lead the discussion.

36 Preston said the subcommittee was going through the process of reviewing the V-12 District but
37 that they weren’t ready to present it to the board. But they thought for the purpose of

1 encouraging discussion and consensus, they would come up with business-friendly guiding
2 principles. Their thinking was there has been a lot of talk about whether the current document
3 and proposed bylaws are business-friendly, so they decided to put into writing what they
4 considered business-friendly as they would like the V-12 or the Common area to be business-
5 friendly. They are also trying to run the current properties through both the current and proposed
6 bylaws to see if they qualify as business friendly.

7 Preston presented the items one by one.

8 Item number 1 addressed having fewer permits that would require DRB hearings. The current
9 bylaws have many triggers for DRB hearings which involve advertising the hearing, holding the
10 hearing, deliberation, and appeal which is difficult to complete in 3 months. If someone wants to
11 open a business, they must pay \$200, write a lengthy submission, have a public hearing, and
12 notify all their neighbors, and it can take 3 months and can be discouraging to people. They
13 would like a bylaw that has more possibilities for administrative review by the Zoning
14 Administrator and less categories to trigger the need to go before the DRB. He was going to try
15 to keep the conversation neutral, but he didn't know if anyone wanted to say anything re fewer
16 DRB hearings being a goal.

17 Hugh said he totally agreed with the concept. He said if there was a way to streamline the
18 process and eliminate the need for so many people to have to go before the DRB, it made sense.
19 Hugh asked Preston to elaborate on the last sentence under item 1 regarding to minimize the
20 number of changes of use categories that trigger the need to go before the DRB.

21 Preston said whenever you switch from one category of use to another then you get DRB review.
22 He gave an example that if there was a category of use for a clothing store versus hardware store
23 versus grocery store, any change in those uses would require going back to the DRB.

24 Hugh asked if that was even if it was a permitted use and Preston said no, it was a conditional
25 use. Preston said if it was a permitted use, each time it was changed it would need a permit, but it
26 wouldn't go through a conditional use review and hopefully it wouldn't go through much in the
27 way of site planning.

28 Cathy said any conditional use changes would require a DRB Review.

29 Preston said the way the current bylaws are set up, the permitted uses are generally residential
30 uses, and the conditional uses are business uses.

31 Hugh said it was good clarification.

32 Preston said Cathy did the first draft (of the 6-item document) and then he put it in the form it
33 was in.

34 Hugh said it was really a change in conditional uses. Cathy clarified it was a change to a
35 conditional use. She said it didn't matter what you were coming from but what you were going to
36 that caused the trigger.

37 Preston cautioned that the more triggers they have, the more that must go to the DRB.

38 Tim asked if one of the best ways to address that was to have a strong list of permitted uses
39 which would not require DRB hearings.

40 Preston said absolutely, to have permitted versus conditional was true. He would make a note of
41 that and make sure they were clear.

1 Tim suggested if they were voting, they would want to edit changes to a conditional use
2 category. He asked if the intent was to vote.

3 Cathy said she wanted to be sure and thought taking a vote would be the best way to accomplish
4 that. She thought the important words were “fewer permits requiring DRB hearings.” She said
5 that was the issue and she didn’t want to lock anyone in but felt the principle was important and
6 they should talk about it as a group.

7 Tim suggested if they were voting on it, they should just vote on the bold and not the rest of the
8 language because it was too confining. Everyone appeared to agree with that. Preston said he
9 was perfectly happy with that, and Tim said he was all for it.

10 Cathy thanked Bill for coming and asked if it worked for him, and he said yes. She asked Steve,
11 but there was no reply.

12 Cathy asked for a vote on the bold, “fewer permits requiring DRB hearings” and it was approved
13 unanimously.

14 Preston said the second bold was a non-technical site plan review process. He thought everyone
15 was aware there are major development projects that need to be highly technical, but if the goal
16 is to set up a business-friendly environment for smaller businesses, the site plan review plan
17 should be as informal as possible. If you need to rely on professionals such as surveyors,
18 engineers, or even landscape architects, it will take time and money. They believed the goal of a
19 non-technical site plan review process was desirable.

20 Tim said the devil was in the details. To him, if it was an existing property that met the
21 permitting requirements, they should absolutely make it non-technical. When he permitted his
22 garage, he drew a sketch on a piece of notebook paper and that was his site plan. This is
23 something that is on file and if the owner doesn’t put it there, it will be on the permittee. He said
24 they need to understand what constitutes major. He was in favor of the concept to make a less
25 technical site review plan process but thought some would be technical.

26 Preston said to bring up the elephant that is always in the room, you want the site plan for Dollar
27 General to always be rigorous.

28 Cathy pointed out they were thinking of the V-12 District which would require raising the whole
29 district, or at least half of it, to accommodate something like the Dollar General.

30 Tim suggested fewer technical site plan reviews. Preston suggested to have a non-technical site
31 plan review process for minor development.

32 Hugh thought when he read number 2 that it wasn’t that significant or weighty and would not
33 require all the professional people to contribute to the process, where other things would. He
34 asked if there was a way to discriminate between something that looks like it can be streamlined
35 or fast tracked while this other thing that needs to go through the whole nine yards. If that was
36 something they were trying to achieve with number 2, Hugh was completely in favor of it. He
37 thought they were all trying to say the same thing – a category of request that doesn’t require as
38 much time or professional services.

39 Cathy suggested that square footage of a building may be one way to decide if a detailed site
40 plan was required. She said many of the lots on the Green were between seven and eight
41 thousand square feet.

1 Peter offered one way they may get in trouble with square footage is if someone put in a
2 McDonald's, you would end up with all sorts of traffic and it's not a very big building.

3 Preston said they were talking about guiding principles and shouldn't worry about how to do it
4 yet. He said they were thinking it was only for the V-12, but if thinking broadly, they should
5 keep the site plan review non-technical for smaller projects.

6 Hugh suggested using the notion of major and minor or big and little.

7 Peter said they could say it is up to Preston to pull the trigger on a tighter plan. At any time, he
8 can pull the trigger and require a real drawing, because it is easier for him to kick it up.

9 Tim said he thought it needed to be defined, but they didn't need to get into the details right now.
10 To him, it is about site disturbance. He said converting the old drugstore into a boutique would
11 not change anything and wouldn't require a site plan review. Unless someone tears something
12 down in V-12, there isn't going to be a site plan review – or unless someone put in a parking lot.
13 To him, it was about site disturbance and construction that would be a potential trigger.

14 Preston said that was a good way to sum it up, but if they were going to vote, they needed to
15 decide what the bold words would be. He suggested to keep the site plan review process non-
16 technical for smaller projects.

17 There was unanimous approval to use: keep site plan review process non-technical for smaller
18 projects.

19 (6:53 p.m. 23:53 on recording) Preston said #3 was easing the parking requirements. He said
20 although they were talking about V-12, any of the village districts have parking constraints. He
21 said he looked at the Better Places document and what their parking requirements are. He said
22 they aren't too much different than Chester's current or proposed. They will say 1 car for 3 seats
23 in a restaurant and Chester says 4. The cars per retail floor space was about the same. To make
24 housing more reasonable, they say 1 car per unit and not 2, which is what Chester's current
25 bylaws say. Preston was at a recent webinar and Jacob Hemmerick, the guy in charge of planning
26 at ACCD, was going on about parking lots being a waste, and how they're a blight and make any
27 development look like a strip mall and to get rid of them. Preston has had to go to places like
28 Boston and NYC when people are parked 2 and 3 deep. There must be a balance. The Better
29 Places document also talks about how to count spaces. Businesses parking lots that aren't used in
30 the evening, like People's Bank, should be recognized or on street parking. They suggested being
31 easier on how to count where people park. Preston asked if they should just generally say going
32 easy on parking requirements is a desirable thing in terms of whatever bylaw they adopt is a
33 goal.

34 Tim suggested easing parking requirements where practical.

35 Preston said he has only been with Chester 3 ½ months but has seen decisions, in the past, where
36 DRB has waived parking requirements. There are just some buildings that don't have the
37 parking.

38 Hugh remembered reading where as much as you try to create parking standards, at the end of
39 the day, businesses usually try to figure out how much parking they'll need. If they're going to
40 set themselves up in a situation where they'll fail as a business because there is no parking, they
41 figure out how to handle that. So, having it all spelled out in the bylaws may not be necessary.
42 He was fine with using Tim's wording – easing parking requirements where practical.

1 Cathy said it was an interesting thought.

2 Tim said the idea of a parking study came up in the last meeting and he thought Julie had
3 mentioned she was going to investigate the possibility of grant money, which may be helpful and
4 informational with this.

5 Preston said it would be great to have some more parking lots that were behind the buildings.

6 Cathy said or a formal agreement with a place like People's Bank whose parking lot sits empty
7 most of the time. Preston said the parking lot is empty quite a bit. Cathy said Preston has had an
8 application for the American Legion building who will need parking. She said he pointed them
9 to the People's Bank. Hopefully they will come to some agreement.

10 Tim mentioned TD Bank in Waterbury that allowed public parking after hours and when the new
11 bank took it over, they implemented pay parking. That could be a possibility, as well, to put a
12 carrot out for People's Bank, who will soon be M&T Bank. Tim said if there was resistance on
13 the bank's part, that might be some middle ground.

14 Peter said MacLaomainn's has a right to park with the bank now and the old funeral home had a
15 right to park with the bank. That was part of the DRB condition.

16 Preston said if that was a condition of the DRB, they were likely bound by it. Peter added the
17 same arrangement existed with the Contemporary Art. Preston said he would look that up.
18 Preston added that banks are aggressively trying to get people to bank online, so eventually they
19 may not need a building at all. Tim joked that was where the brewery will go. Hugh added he
20 never goes to the bank. Cathy said the Family Center still needs the banks because people still
21 use cash.

22 Cathy asked Steve if wanted to say anything. Steve said he was listening and taking it all in and
23 applauded their efforts again.

24 Cathy conducted a vote on number 3 adding "where practical" to using a parking requirement. It
25 was approved unanimously.

26 Preston addressed item number 4, allowing micro or boutique shops. He mentioned 78 Common
27 Street, which he had visited that afternoon. He said there were 6 shops there: Down to the Roots;
28 The Little Art Supply Store; Hugging Bear Forever; Sharon's on the Common; Sage Jewelry and
29 Gifts; and Chester Candy. He said one of them, Sharon's on the Common, was in a barn in a
30 separate building in the back yard. Preston said tourists like to discover things like that. They felt
31 if they were in the business of talking about business friendly, they don't want a bylaw that
32 discourages or doesn't allow multiple shops within one building or even the use of an accessory
33 building.

34 Tim asked if it was currently mentioned in either set of bylaws.

35 Preston said it wasn't. He offered that they could be silent and let the Zoning Administrator say it
36 was okay, or they could say it. He was concerned it should be clear a business could occur in an
37 outbuilding, because then you have two structures on one lot that have a business in them. He
38 said both the existing and proposed bylaws don't say much about it. Cathy thought there was
39 only one permit for 78 Common and it was retail.

40 Tim said if the building owner is permitted for retail space, it's up to them how they divvy the
41 space up. Preston said that was his interpretation. Tim said Preston had a good point regarding

1 the potential for someone who had a shed out back that they wanted to convert to a jewelry shop.
2 Cathy said there were several buildings still standing behind the big inn that are sizeable
3 buildings.
4 Tim suggested a garden center or something. He said he was in favor of allowing micro boutique
5 shops.
6 Hugh said from reading the language in both bylaws, it sounded like a mixed-use question. If he
7 had a building and a bunch of uses and they were all permitted, it should be okay. That's how he
8 thought about it and wondered if it would matter if they were all retail. He asked what if it was
9 just mixed permitted uses for the zone.
10 Tim said if the use was permitted, it should not be an issue.
11 Preston said the subcommittee has had a fair amount of discussion about the term mixed-use and
12 what to do with it. Preston thought they generally feel it is a good thing and this may solve it.
13 They should be clear either in the introductory language or in the permitted uses that mixed uses
14 are allowed.
15 Tim said certainly in V-12 and probably other.
16 Cathy asked if anyone else wanted to say anything.
17 Hugh asked how they would think of this one if it was effectively a materially similar use. It's
18 not listed, not prohibited, not permitted, but as a zoning administrator, would Preston get to make
19 the call to say that use was or wasn't permitted. Hugh asked if that would come into play in one
20 like this or was that another discussion about materially similar use language.
21 Preston said it was a good point. When talking about mixed use, like 78 Common, it's all retail
22 except for the apartments upstairs, which they had as a later category. He said you could have
23 professional offices, which was under a different category. They even have one application for
24 someone who wants to do commercial bottling in the kitchen in the restaurant and ship it
25 somewhere else. He said it was a little bit of a light industrial use, but similar. Preston thought if
26 any mixed use were allowed, it may open the door for light industry, which may not be wanted.
27 Cathy said foreman's standards would help in that situation. Preston agreed.
28 Preston said for so many of these things it was a matter of scale.
29 When Hugh read the language about materially similar use, the way he thought about it was they
30 would do the best they could to create the permitted uses and the conditional uses and everything
31 else was prohibited. But if an idea came along that seemed like the right thing to do and wasn't
32 in the permitted or conditional use list, he thought as Zoning Administrator, Preston could apply
33 similar use to the situation.
34 Preston asked if he wanted to change the wording to allow micro or boutique. Hugh didn't think
35 that was necessary. Preston said he would write down materially similar.
36 Tim said in the past they had scenarios arise where people wanted to use a property in a way that
37 wasn't addressed anywhere. They then went to the zoning administrator who brought it to the
38 planning commission who wrote it in the bylaws. Tim said it was impossible to think of
39 everything. Tim said it wasn't that he didn't trust Preston, but that Preston would only be there
40 so long and then someone else would be zoning administrator, so he was leery of giving too

1 much authority to that position.

2 Cathy asked Tim if he was thinking of the fuel station, and he said he was. She said fuel stations
3 were heavy and needed regulation so they would want the bylaw to say it was allowed, but
4 specify they talk to the state and have permits.

5 Tim asked where the line was between a kitchen and light industrial application. He said there
6 needed to be some line there. He anticipated that no matter how good a job they did, there would
7 be situations where the ZA wouldn't be sure what to do with it and would ask them what they
8 wanted to do.

9 Preston said quite often bylaws state the ZA, at their discretion, can send any decision to the
10 DRB. But it still requires trust of the ZA. He said zoning is always a risk benefit analysis. If you
11 are always hyper focused on risk, you will write a bylaw where nothing can happen because it's
12 too tight. And if you're hyper focused on business friendly, you open the door wide open and
13 then you have risk.

14 Tim said it was a great point.

15 Preston said there is a fine line, and the line will be what the community ultimately feels it's
16 comfortable with. He also suggested when the economy is strong, you can be more rigid and
17 when it's weak, you must open the doors more. He said things can go more smoothly if you trust
18 them to your ZA, but sometimes they make decisions you don't always agree with.

19 Tim added it can lead to trouble, as Chester knows.

20 Hugh suggested they leave materially similar use out for now. He felt the way it was written for
21 multiple mixed permitted uses people can agree on.

22 Peter said the only thing he would change on 4 is because it only says micro boutiques and shops
23 and there are real estate professionals there, it should say businesses and that way it isn't limited
24 to retail. Everyone appeared to agree with boutique business.

25 Cathy asked if all were in favor of 4 as amended, and it was approved unanimously.

26 (7:13 p.m. - 43:13 recording) Preston said number 5 was to avoid creating non-conformities. In
27 the zoning world, a non-conformity was legal before the bylaws were adopted in 1976; or it was
28 legal under a previous bylaw but suddenly became non-conforming under a new bylaw. Preston
29 said currently, Chester bylaws say if a non-conforming use lapses more than 2 years, that use is
30 no longer allowed. He said they're questioning whether that practice is good. Preston mentioned
31 again about the podcast with Jacob Hemmerick who also said downtowns are great places but as
32 planners, they come in and find fault with everything. So, if what is great about the Common is
33 the tiny little lots with cute little buildings and people like that, the bylaws should allow them.

34 Hugh said he had read number 5 multiple times. He was aware it was written in the context of V-
35 12 and it made sense in that context, but when he started to abstract it for the general principle
36 for zoning, it became a two-edged sword in that in some cases, the bylaw is created to stop the
37 proliferation of something that isn't liked anymore and people get grandfathered, but going
38 forward, you do it on purpose. The way it read to him seemed like everything they've done
39 anywhere in Chester was great and so they shouldn't do anything that would prevent that going
40 forward. Although he didn't tend to agree with that, it was written in the context of V-12, so he
41 understood it. He was just trying to figure out if there was anything they would do differently so
42 it would have more durability once they started looking at other zones.

1 Preston mentioned local businesses: Bux Auto, Heads Up Motorsports, and Baba Louis. The
2 buildings are there, the businesses were there, and people don't seem to mind them. There seems
3 to be a general resistance to change. They're in residential districts and we may not want to say
4 everything in that district should go that way because then it's not a residential district anymore.
5 If they can ease up and say there are some nonconformities there that people are so used to,
6 they're benign, and they don't go crazy and radically change them. Preston stated that's why
7 they brought them up for the group to talk it through and see how they felt.

8 Tim said in the context of V-12, they talked quite a bit about permitted and conditional uses for
9 that area. He didn't remember the details but remembered a lot of discussion The list they settled
10 on for the draft proposed bylaws was agreed to. He was curious if there were businesses there,
11 other than home-based, that wouldn't comply and wouldn't be permitted or conditional use
12 potential under the draft proposed bylaws that are there now.

13 Preston said the draft proposed bylaws had a lot of wording about lot size, density coverage, and
14 things like that.

15 Tim said just for uses is what he was talking about - types of business.

16 Preston didn't think that was a problem.

17 Hugh said from a non-conformity, that would cover uses but also dimensional standards and all
18 the other things.

19 Preston said their thought is they should try not to throw any of the current business properties in
20 the V-12 District into non-conformity because of the dimensional standards. He didn't see any
21 problem with use that he could think of.

22 Cathy said the single family and two-family dwellings were an issue.

23 Preston said the proposed bylaws state no single-family dwellings and he suspected it was
24 because it was a commercial district and they wanted it to stay commercial, but the
25 subcommittee thought it was too restrictive. They feel if some of those properties couldn't
26 continue as a business, it would be hard to tell them they couldn't turn them into residences.

27 Cathy said meaning an apartment, or a whole house.

28 Preston said to be clear, that was one of the things they were talking about – the proposed bylaws
29 concerning residences seem to be too restrictive.

30 Hugh said what he was hearing was if they agreed there were some changes to the dimensional
31 standards to make it better for what's on the ground in the Common, they should look at that.
32 With respect to Tim talking about uses, Hugh said one thing he remembered was in V-12 there
33 were going to be no single or two-family dwellings left. He said that didn't make sense to him,
34 but he would defer his comments about that until they got to number 6. Referring to number 5,
35 when they talked about it the way they did in the context of V-12, he agreed. He said this
36 principle for him may not scale once they move out into the other zones, but they could figure it
37 out when they move out later.

38 Tim said he agreed 100% with all of that.

39 Cathy said there was one thing about nonconformities outside of V-12 that kept popping up. She
40 said that it seemed every single one- or one-and-a-half-acre lot wound up in the Zoning Office
41 complaining about how they couldn't do anything because the setback was 50 feet and the lot,

1 they're on was 125 feet wide so they only have a 25-foot strip they could put a house on. Those
2 lots were created in the 1960s, way before zoning. She would like to see something about if the
3 lot is half the size of the minimum lot size, they should scale back the setbacks.

4 Tim suggested to allow for variants, but Cathy wasn't sure they could have variants.

5 Peter said they could talk the whole night about nonconformity, but to just work through the list
6 they should say to avoid creating nonconformities in the V-12 district. Peter said he totally
7 agreed that what works in the V-12 district would not work elsewhere. He suggested they should
8 say to avoid creating non-conformities in V-12.

9 Tim said it worked for him.

10 Steve Mancuso asked if he could comment, and Cathy gave him the floor. He said the last
11 sentence got him and while he applauded the spirit of it, he could see there may be Sisyphean
12 efforts to make it occur. He told them they were really aiming high considering they had 300
13 pages where anyone could be painted as non-conforming.

14 Cathy said Steve had a point.

15 Hugh asked Steve to help him understand a little better.

16 Steve said he could do it through anecdotally analogy. As an electrician for almost 4 decades, he
17 collects old code books going back to the 1950s. The generation before his, could put them in
18 their back pocket. Now, he could stand on the code book to change light fixtures. If he were to
19 get into a dispute, which he has before, or if he were to bring an issue before inspectors, of which
20 he is one, it's so extensive that he can get 3 different answers from 3 different qualified people.
21 That's what the commission is facing. They have something on par with bureaucracy that is
22 going to be interpreted more than anything else. And how are they going to do that to create less
23 non-conformities is really aiming high.

24 Hugh said he understood a little bit better now.

25 Cathy said the modification to number 5 was to add the words "in V-12" to the bolded type. The
26 modification was approved unanimously.

27 (7:26 p.m. 56:16 on recording) Preston said the last one on the list, number 6, was allowing
28 mixed use: businesses and apartments in V-12. He said part of that came up because there are
29 three of them who are planners who think they know planning and felt it wasn't completely clear
30 what the status of the apartments were since many of the businesses downtown have apartments.
31 They wanted to make it clear and decided to apply it to the business-friendly guiding principles
32 to make sure they liked having apartments downtown. Preston said there were occasionally
33 mixes where people living in the apartments don't like dumpsters getting dumped at 5 a.m. and
34 there may be times when the businesses owners don't like the apartment dwellers playing their
35 music. The apartments also take up parking spaces. But they generally think one of the things
36 about Chester is there are a lot of people who live in the Common District. Preston said they
37 could get into the nitty gritty detail but if everyone agrees with the concept the apartments in the
38 Common District are good, then that's all they were saying.

39 Tim agreed and thought it was just an oversight that it didn't get in the draft bylaws.

40 Preston said their impression was it is implied, but their goal is to try to be clear and that's why
41 they put it in there. Tim had no objection.

1 Preston said where he lives in Woodstock, a lot of the upper floors aren't available as apartments
2 because they are so strict on the parking requirement and that's the decision that community has
3 made, that parking is more important, but it looked like Chester was trying to make it work.

4 Cathy just wanted to verify when they discussed number 5, they talked about whether it was
5 okay to have a building that was single family in the V-12 District, that they said yes. Preston
6 said the subcommittee said yes. Peter suggested it be item number 7. Tim didn't think it was
7 necessary because there are currently single-family homes there that are non-conforming. Cathy
8 didn't think they were non-conforming, and Tim clarified that they would be under the draft
9 bylaws.

10 Cathy said they may be, but someone couldn't get a permit to build them fresh. She said the
11 building west of Inn Victoria is a mixed-use building – it's a business and people live there. She
12 said the building west of that is a multi-family. All the buildings on the Green are mixed use:
13 they all have businesses and apartments. She said they had given thought to what would happen
14 if the lodging industry fell apart. They thought residential use would be a backup if they couldn't
15 find a business to move in, it could be converted to living space. If someone wanted to buy the
16 Inn Victoria and have an 11 bedroom/11 or 12 bath home, then good for them. They wanted to
17 make sure that was the backup plan, and it was acceptable.

18 Tim said that was something they would need to talk about when they got back to adopting or
19 proposing bylaws for adoption. But his understanding of what they had just voted on included
20 that.

21 Hugh said he was looking at the future. Hugh said he was thinking of the Inn Victoria scenario
22 and if they decided they were done and nobody else wanted to run an inn and it turned into an
23 11-room house, and then the next day all of the rooms had been turned into Airbnbs. He thought
24 when the time came when they are deciding what to do with short-term rentals, they would have
25 to also think about the decisions they are making with single family homes in the village area to
26 make sure they are not creating something undesirable. Hugh said for now, he was good.

27 Preston said Hugh was right. He thought the bottom could fall out for some of the smaller inns,
28 but that would be a natural default to turn them into Airbnbs.

29 Peter said the interesting thing in the current bylaws was as soon as you're an Airbnb, if you
30 accept money for lodging, a permit is required but it just isn't enforced.

31 Preston said he would review that before he gave an answer. He has been taking the position that
32 the current bylaws don't require that.

33 Peter said the way he read it, it did. Preston said if that is true, he needed to identify all the
34 Airbnbs in town and tell them they needed a permit.

35 Cathy noted Preston had just dealt with junkyards and now Airbnbs.

36 Cathy asked if there was any other discussion about 6.

37 The vote was unanimous in favor of 6, as stated.

38 Preston said it went well and he was done. Cathy thanked him for coming and was glad they had
39 accomplished it.

40 Bill Lindsay thanked the board for all their efforts. He said regarding V-12, the wording was
41 interesting particularly on 5, which everyone was aware there were several non-conforming

1 properties now. He asked if there would be a review of those properties against the bylaws that
2 have not yet been adopted to see how those properties fit within that. He thought the narrative
3 information contained a very good point. He said Chester had several non-conforming business
4 properties that could not be reinstated, which was a waste and loss of potential business
5 opportunities. He thought that to be very true and had heard discussions about Baba Louis
6 Bakery. Bill said having businesses like Baba Louis got people to come to Chester on the
7 weekends to visit and to take back goodies or whatever, either locally or out of state. He said he
8 had been an antique dealer. He said having businesses, and everyone in the same business is in
9 competition, but the more people who come to your shop, the more people it brings, and
10 everyone benefits from people coming to town. He remembered one of the non-complying places
11 was a country store that had sandwiches and they ran into a propane problem with the state under
12 Act 250.

13 Cathy asked where the store was located.

14 Bill said it was located at the corner of Route 103 and Silvan Rd. He continued that anything that
15 brought people to one business, somehow also brought business to other businesses. The point he
16 wanted to make was to get the non-conforming properties back into shape should be a priority of
17 the board. He said he was a big believer in the grand list and the tax situation. He indicated he
18 also felt the same about Airbnbs and would be there for those discussions. He said you want
19 people to come to your town and spend money, but those businesses should be taxed the same
20 way as regular businesses. He said he would save that discussion for another night. He felt this
21 type of information getting out to the public should help a lot in getting the adopted bylaws. He
22 told them they've heard all the negative.

23 Tim thanked him for the positive.

24 Cathy asked for any comments from Steve and Thom.

25 Steve thanked them for the good meeting and good job and asked them to carry on. He said they
26 gained a good direction and thanked them, especially on Labor Day, from the business
27 community.

28 Thom said he was just following along to see what was going on. He said planning was near and
29 dear to his heart and he had done it for 10 years when he was the Administrator for the Martha's
30 Vineyard Planning and Economic Development Commission before he moved to Vermont. He
31 offered as a general principle; the detail of the Chester bylaws was incredibly complex to him.
32 He thought for a small town, the effort to regulate and have a rule for every possibility is not
33 realistic. He has seen that in many places throughout New England; making rules for what might
34 happen. He said it doesn't work that way. He gave an example. When he was in the Vineyard,
35 they argued for 8 years about the number of parking spaces a video rental should have. He said by
36 the time they reached an agreement; video stores were obsolete. As a general principle, he
37 thought the simpler, the better. He said they should be flexible because towns grow from the
38 bottom up and not the top down. He said it is hard for a lot of people to understand that. He
39 thought the setbacks in every district were way too big. He said if Chester burned down, they
40 couldn't rebuild half of it tomorrow. He said the setbacks should be reduced. He's looked at the
41 setbacks on Grafton Street and not a single house that exists could be rebuilt between Main
42 Street and High Street. He thought zoning and planning should reflect the town and not be a
43 vision of what it should be or could be or what they want it to be. He said it should reflect who
44 they are. He said it was just a general principle and would leave it at that. His plan is to be more

1 involved than he has been in the past because he knows a lot of these issues are coming to the
2 town soon. He can only plead that they be less restrictive than more restrictive.

3 Cathy thanked Thom and told him Preston was in his office Monday through Wednesday from 9
4 a.m. to 5 p.m., if he wanted to stop by and say hello.

5 Thom said he knew Preston from when he worked with the U.S. Department of Commerce but
6 didn't know if Preston remembered him. Preston apologized but didn't remember him. Thom
7 said they worked on generating enthusiasm. Preston said it was good to connect.

8 **Agenda Item 4, Discuss the Agenda and Set the Date for the Next Meeting**

9 Cathy said they would take the information back to the subcommittee. She asked if anyone had
10 anything they wished to deal with at the next Planning Commission meeting. She said there were
11 items left over from the last one that she didn't want to try to cover at this meeting.

12 Tim thanked Preston for the data on permits and asked if he could pull the data on subdivisions.
13 Preston said he didn't forget but thought they were keeping this meeting simple. Tim said to get
14 it at the next meeting was fine.

15 Tim made a motion to adjourn the meeting and Hugh seconded it. The meeting was adjourned at
16 7:43 p.m.