

**TOWN OF CHESTER**  
**DEVELOPMENT REVIEW BOARD**  
**MINUTES**

*November 14, 2016*

**BOARD MEMBERS PRESENT:** Phil Perlah, Ken Barrett, Carla Westine, Harry Goodell, Frank Bidwell and Amy O'Neil

**STAFF PRESENT:** Michael Normyle, Zoning Administrator, Cathy Hasbrouck, Recording Secretary

**OTHERS PRESENT:** Bill Lindsay, Angela Rauscher, Jacqueline Langeveld

**CALL TO ORDER**

The meeting was called to order at 6:00 P.M. by Chair Carla Westine, followed by reciting the Pledge of Allegiance and an introduction of board members present. She noted that a site visit at 225 Pleasant Street had taken place at 4:00 PM that afternoon.

**AGENDA ITEM 1**

Approve Minutes from August 22, 2016

The minutes from the August 22, 2016 meeting were reviewed. There was no hearing at the meeting, it was primarily a meeting to elect officers and adopt the conflict of interest policy. Amy O'Neil moved to accept the minutes. Phil Perlah seconded the motion. There was no discussion. A vote was taken and the motion passed.

**AGENDA ITEM 2**

Conditional Use Application #491

Chair Carla Westine opened the hearing. The only audience member who wanted to give testimony, Angela Rauscher, was sworn in.

Harry Goodell, whose property abuts the applicant's, recused himself from the hearing. His place was taken by alternate Frank Bidwell.

Chair Carla Westine reviewed of the documents presented as exhibits in support of the application as follows:

- A Notice of Public Hearing on Town of Chester letterhead, announcing the site visit at 225 Pleasant Street at 4:00 PM on November 14, 2016 and the hearing to follow at 6:00 PM the same evening at the Chester Town Hall. Amy O'Neil moved to accept the Notice of Hearing as Exhibit A. Ken Barrett seconded the motion. A vote was taken and the motion passed.
- A site plan of the proposed project titled The Karass Inn. Amy O'Neil moved to accept the site plan as Exhibit B. Ken Barrett seconded the motion. A vote was taken and the motion passed.
- An application for a hearing before the Development Review Board. The application was dated September 13, 2016 and was signed by Angela Rauscher as the applicant and Michael Normyle, Zoning Administrator. Amy O'Neil moved to accept the application as Exhibit C. Ken Barrett

seconded the motion. A vote was taken and the motion passed.

- A letter from the applicant, Angela Rauscher, to Zoning Administrator Michael Normyle describing the operation of the Karass Inn at 225 Pleasant Street. Amy O'Neil moved to accept the letter as Exhibit D. Ken Barrett seconded the motion. A vote was taken and the motion passed.
- A Vermont Department of Environmental Conservation and Natural Resources Project Review Sheet. The Review Sheet was signed by Stephanie Gile, Terrence Shearer and Jacqueline Carr. The document states that no Act 250 permit or Wastewater System and Potable Water Supply Permits were required. Amy O'Neil moved to accept the Project Review Sheet as Exhibit E. Ken Barrett seconded the motion. A vote was taken and the motion passed.
- A letter from Jeff Holden of the Town of Chester Water Department addressed to the Development Review Board members. Jeff stated that the Water and Sewer Departments have adequate capacity for the intended use. Amy O'Neil moved to accept the letter as Exhibit F. Ken Barrett seconded the motion. A vote was taken and the motion passed.
- A letter on Town of Chester Fire Department letterhead addressed to Angela Rauscher from Fire Chief Matthew Wilson. The letter stated that Chief Wilson saw little impact on the Chester Fire Department based on the information provided him. He recommended that all smoke and fire detectors be hard wired and connected together between the home and business. He encouraged Ms. Rauscher to consider having the home and business monitored 24/7 by a fire alert system. Amy O'Neil moved to accept the letter as Exhibit G. Ken Barrett seconded the motion. A vote was taken and the motion passed.
- A letter on Town of Chester Police Department stationery from Chief of Police Richard Cloud addressed to Michael Normyle, Zoning Administrator. Chief Cloud said he did not think traffic safety would be an issue if the permit was issued. Amy O'Neil moved to accept the letter as Exhibit H. Ken Barrett seconded the motion. A vote was taken and the motion passed.
- Vermont Division of Fire Safety Fire Inspection Results. Occupancy was granted effective 12/11/2015 with two conditions by Assistant State Fire Marshall Paul Spicer. Amy O'Neil moved to accept the Fire Inspection Results as Exhibit I. Ken Barrett seconded the motion. A vote was taken and the motion passed.
- A copy of Vermont State Board of Health licenses to operate lodging and a restaurant. The licenses were issued to the Karass Inn, Inc. effective 12/10/2015. Amy O'Neil moved to accept the licenses as Exhibit J. Ken Barrett seconded the motion. A vote was taken and the motion passed.

Chair Carla Westine then began the Conditional Use review, starting in Section 4.7 of the Chester Unified Development Bylaws.

Section 4.7.C.1 General Standards. The proposed conditional use will not have an undue adverse effect on:

- a) the capacity of existing or planned community facilities. Chair Carla Westine cited letters from the Chester Police Chief, Fire Chief, and Water and Wastewater Superintendent stating that no adverse effect was anticipated from the project.

b) the character of the area affected. Angela stated that the inn's size is in harmony with other residences in the area. It is two doors down from the Pizza Stone restaurant, which is the only other business in the immediate area.

c) traffic on roads and highways. Angela said that the inn will be not be receiving frequent truck deliveries. Trash will be picked up by truck. Guests will be arriving in cars and will come and go over the course of their stay.

d) bylaws in effect are found in section 2.4, Residential-Commercial district. Conditional Uses listed for the Residential Commercial district (2.4.C) include Tourist Lodging, which is the proposed use for this project. The Supplemental Standards that applies is section 2.4.E.2 Landscaping & Screening. Angela said she plans no changes to the exterior. She has no plans for new landscaping or fences. The landscaping is in character with the neighborhood: small shrubs and trees.

e) Utilization of renewable energy. Angela said no immediate use of solar was planned. The roof of the building is not ideal for solar collectors and trees block too much sunlight to make a ground solar installation feasible. She is considering passive solar preheating of water, but not in the near future.

Section 4.7.C.2 Specific Standards was examined.

a) Chair Carla Westine noted the lot is preexisting. Angela said the lot is 1.7 acres. This meets the minimum standard of 20,000 square feet.

b) distance from adjacent uses: Angela said that one neighboring residence is 150' away, the second is slightly closer. The Pizza Stone restaurant is a few doors down.

c) required off street parking. The site plan shows 9 regular parking spaces plus one handicapped space. Angela testified that one of the regular spaces is in the detached garage and that a stencil to mark the handicapped space on the ground is expected shortly. Chair Carla Westine said that this appeared sufficient for the inn's 5 guest rooms and the owners.

d) Landscaping and fencing. Angela said there is a picket fence on each side of the property. On the right (east) side the fence is 6 feet tall, on the left (west) it is four feet tall. At present no new fencing is planned.

e) Design and location of structures and service areas. Angela had testified that garbage was stored inside the building. Angela said the only item she thought might be stored outdoors was firewood.

f) Size, location and design of signs. Chair Carla Westine referred to the site visit where 2 posts were observed in front of the building. Angela said she plans to put up a sign between the posts. The sign is currently being designed. Angela said she will be applying for a sign permit. Chair Carla Westine pointed out some of the sign regulations in the Bylaws. Angela said she planned to light the sign with exterior downward facing lights.

g) refers to the Performance Standards enumerated in Section 3.22

- Section 3.22.A Noise. Angela said the primary source of noise would be conversation

between guests on the porch. No outdoor events such as weddings are planned.

- Section 3.22.B Air Pollution. Angela said the kitchen was a residential kitchen with no deep fryer or other commercial appliances which could cause air pollution.
- (There is no Section 3.22.C or D)
- Section 3.22.E Glare, Light or Reflection. Angela said the spotlight at the back of the property which illuminates the parking area is activated by a motion detector. She thinks that spotlight does shed light past the property boundary. Angela also said she was considering removing the spotlights on the front gable. Amy O'Neil asked if Angela could accept a condition on the permit that required removing flood lights. Angela said she could accept removing the front gable floodlight.
- Section 3.22.F Safety Hazards. Angela could not think of any aspect of the inn that would compromise fire safety. She said the inn has a fire protection system that is monitored 24 – 7 by Countryside Lock and Alarm.
- Section 3.22.G Electromagnetic Disturbances. Angela doesn't expect that any part of running the inn will create an electromagnetic disturbance.
- Section 3.22.H Underground Storage Tanks. Angela said there were no underground tanks on the property. Phil Perlah asked how the building was heated. Angela said the building had oil heat and the tanks for the oil were in the basement.

The final part of the permit review involves Section 4.7.C.3, Special Criteria for the Residential Commercial District

- a) New construction and any exterior alteration will adhere harmoniously to the over-all New England architectural appearance. Angela said the new exterior paint is compatible with New England traditional colors. She doesn't anticipate any changes to the exterior.
- b) Exterior trim and decorative features will blend comfortably with existing buildings in the district. Angel said no changes are planned to the trim.
- c) Use of native, traditional building materials. Angela said no additional building is planned.

Amy O'Neil asked who owned the fencing on the east and west sides of the lot. Angela said she did not know. Harry Goodell, who owns an abutting lot, said that he owned the fencing on the east side. Chair Carla Westine noted that Harry could therefore change the fencing if he wanted more privacy.

No other comments were heard from citizens. Angela thanked the board for their time.

This concluded the Conditional Use review. Amy O'Neil moved to close the hearing for Conditional Use permit #491. Ken Barrett seconded the motion. The motion passed. The Findings of Fact and Conclusions of Law and Order will be issued within 45 days.

### **AGENDA ITEM 3**

Comments from citizens

Bill Lindsay asked whether the town should be doing anything to regulate use of Air B&B by private homeowners in Chester. The casual nature of this online business can avoid issues such as traffic

safety, setbacks, and taxes. Angela said that beginning October 1, 2016, Air B&B started collecting Rooms and Meals Tax from its customers. Michael Normyle said that the state of Vermont is also looking into the impact of unregulated rentals.

**AGENDA ITEM 4**  
Deliberative Session

At this point, the meeting went into deliberative session.