

**TOWN OF CHESTER
PLANNING COMMISSION
November 6, 2017
Minutes**

Commission Members Present: Naomi Johnson, Tim Roper, Barre Pinske, Claudio Veliz, and Cheryl Joy Lipton.

Staff Present: Cathy Hasbrouck, Recording Secretary.

Visitors Present: Frank Bidwell, Terry Christenson, Phil Perlah, Jessica Pierce.

Naomi Johnson opened the meeting by welcoming the newest member to the Planning Commission, Cheryl Joy Lipton.

Agenda Item 1, Review minutes from October 16, 2017 meeting

Barre Pinske moved to accept the minutes from the October 16, 2017 meeting. Tim Roper seconded the motion. There was no discussion. A vote was taken and the minutes were accepted.

Agenda Item 2, Citizen Comments

No citizens had comments.

**Agenda Item 3, Review Barre Pinske's October 5, 2017 e-mail.
and Agenda Item 4, Review Draft Proposal from Naomi Johnson, Short Term Plan for
Chester's PC meetings**

Naomi Johnson gave a brief summary of the e-mail, which asked for clarification on procedures, responsibilities and objectives of the Planning Commission. Barre Pinske confirmed that he was looking for a plan and a direction in writing the e-mail, and that Naomi's draft proposal of a Short-Term Plan for Chester's Planning Commission meetings answered most of the questions he put into the e-mail. Barre noted that 3 of the 5 commission members are new to the commission and a discussion of these topics would be very helpful.

Naomi Johnson discussed the proposed short-term plan. She began by reviewing the requirements for re-adopting the Chester Town Plan. With the change to the state statute, the Chester Town Plan is not required to be re-adopted until July, 2023. It may be modified or fully re-written before that. Each time the town plan is changed, a Reporting Form must be written and sent to the Selectboard, which must then hold public hearings and vote on adopting the changes. This is in addition to the public hearings the Planning Commission holds. The Reporting Form is also sent to surrounding towns and the Southern Windsor County Regional Planning Commission for review. Naomi said that, when the Commission began the process of updating the town plan more than a year ago, it expected to be updating every chapter. Now that the town has retained a consultant to do an audit of the bylaws, and may make extensive changes

to the bylaws as a result, it makes sense to incorporate recommendations from that process before moving forward with an extensive re-write of the plan. The audit of the bylaws is expected to be finished by May of 2018.

Naomi then listed a schedule for some immediate updates to be considered. Chapters which could be updated soon are the utility, education and energy chapters, as well as incorporating the results from the Village Center Master Plan. The utility chapter of the town plan has had some changes made and is only waiting for input from department heads before it can be finalized. This would be done in December 2017.

The education chapter is waiting for input from the Boards of Education. The completion date for that chapter is January, 2018. The energy chapter, which will rely, in part, on the results of the survey the Commission is planning, will be updated in February, 2018. Claudio Veliz asked if third-party input would be needed for the energy chapter and Naomi explained that this is not the enhanced energy plan being encouraged by the state of Vermont, and third-party input, beyond the survey will not likely be needed.

Naomi said she had scheduled a discussion of the vision statement for the Town Plan for March of 2018. She acknowledged that public input will be wanted and it may take longer to gather the input and discuss it. That chapter may not be finished in March 2018. After that step she proposed to submit the group of amendments to the Selectboard and go through the adoption process.

The Zoning Audit was discussed. The proposed completion date is May 2018 and Claudio and Naomi acknowledged that the Commission would probably have a public hearing to give input to that project. Completion date for a re-write of the bylaws is shown on the proposal as December 2018. Naomi said the date is not at all firm, it is essentially a place-holder at this point.

Naomi then discussed the list of proposed amendments to the bylaws currently before the Commission. These included noise regulation, the list of issues a member of the Selectboard brought up at a Selectboard meeting earlier in 2017 (which has not been formally presented to the Planning Commission), possible permitting for Air B&B's, group home regulation and timing for the demolishing of an original house when a replacement home is permitted.

Barre Pinske asked how the specific topics get addressed by the Commission. Is an individual member assigned to work on a topic and bring the result to the Commission to discuss? Naomi said that, in the past, the work mainly took place at the public meetings with reading and discussions. The Commission has also had help in the past from the Southern Windsor County Regional Planning Commission, who had presented information on specific topics at public meetings, and who had also facilitated special public meetings where participants broke into groups to discuss individual topics and then presented their findings to all the participants. She said that the process the Commission is currently using for the press release and the survey, where the work is being done by an individual and shared with the group, has not been done much in the past.

Frank Bidwell asked if the Commission had any plans about regulating drones. He said a possible tenant for the old survey building was a firm that worked on drones. Tim Roper said the FAA was in charge of drone flight. Claudio Veliz said that towns could work with the FAA on regulations for their local jurisdiction.

Barre Pinske said he noticed at the presentation on Noise given for the Planning Commission and the DRB, that the DRB was concerned about lawsuits and did not want to accept evidence from an inexpensive smart phone application. It wanted evidence from a calibrated sound meter. He felt that bylaws could be written to reduce the risk of a lawsuit. He offered to draft a new noise regulation for the Commission to consider. Cheryl Joy Lipton said clarity and specifics in a bylaw would be essential so that there would be no gray area. Barre said there should be both clarity and enough gray area to allow for fairness.

Naomi recapped the discussion on how work will get done by saying that the three chapters she scheduled for December to February, utilities, education and energy, would be collaborative efforts on the part of the Commission. After the Zoning audit is complete, portions of the work may be assigned to individuals.

Claudio asked about working on the transportation chapter. It is not on the list from Naomi. He said he believes that Uber is planning on sending New York City residents to ski areas in self-driving cars within 2 years. The need for parking could change considerably in the next few years given these trends. Naomi said that items could be added to the list, particularly after the April 2018 goal of presenting the first three Town Plan chapter changes to the Selectboard.

Naomi reviewed the processes planned to gather information for the three chapter updates. She mentioned the attempt to gather more information from town department heads for the utilities chapter. Claudio Veliz said he had good luck asking the town department heads to appear in person, as opposed to asking for information in writing. He said written requests must be followed up by phone calls and conversations. Naomi said she hoped the school boards could provide information about the Act 48 consolidation for the town plan, either by attending a meeting or with a couple of written paragraphs. She listed ideas to gather feedback for the Vision statement and said those would be addressed at a future meeting.

The Commission's procedures for updating documents and planning and preparing for meetings were reviewed. All documents distributed to the Commission members for discussion at a meeting will be made available for review by the public. Frank Bidwell said he believed the Selectboard's packet information was being e-mailed to them and could be e-mailed to other citizens if they request it. Naomi said she liked that idea, or the idea of publishing the packet on the town's website. Cathy Hasbrouck said she had learned from Julie Hance that a system was being set up for the Selectboard to accomplish that goal and if it worked out well it would be extended to the Development Review Board and the Planning Commission.

Frank Bidwell said he understood the Selectboard was working on a vision statement and wondered if that would be coordinated with the vision statement for the Town Plan. Claudio and Naomi answered that the vision statement the Selectboard was working on was an outgrowth of

the Village Center Master Plan project. Naomi said the Planning Commission would consider the Selectboard's vision statement when constructing the vision statement for the town plan.

The role and responsibilities of the Zoning Administrator and the Development Review Board in regard to permit applications was discussed. Some Commission members and citizens felt that permit applications were not complete when they were presented to the Development Review Board, resulting in delays and confusion. Barre Pinske wondered if the Bylaws could be amended to insure sufficient preparation for a hearing. Phil Perlah said it would be helpful if the bylaws were unambiguous and if the applicants were better prepared. He gave the example of hearings for a subdivision which involve a licensed surveyor who is looking at the requirements set out in a section of the bylaws. He said it is rare, despite the clarity and completeness of the list of requirements and the license and education of the surveyor, that nothing is missing from the plat.

Naomi Johnson said the Planning Commission can work on making the bylaws unambiguous. Barre Pinske asked who is ultimately responsible for preparing applicants for the hearing. Naomi said it was the Zoning Administrator. Barre asked who the Zoning Administrator reported to and Naomi said on a day-to-day basis it was the town manager. Naomi felt it was important for all three boards, the Planning Commission, the Development Review Board and the Selectboard to meet occasionally and discuss issues, and particularly for the DRB and the Planning Commission to meet and discuss how the bylaws are working out and if changes are needed.

There was extensive discussion about what it takes from a Zoning Administrator to prepare applicants for a hearing, schedule the hearing and post notices for it in a timely manner. There was also discussion of how much Zoning Administrator time the Town of Chester is willing to invest in the process. It was agreed that the Planning Commission could only write the bylaws, it was not charged with enforcing them.

The energy survey and the third draft of the press release were discussed and edited.

Agenda Item 5, Deliberative session to review and finalize recommendation for Zoning Administrator position

At this point, the meeting went into executive session. At the end of the session it was decided that the next meeting will be November 20, 2017 at 7:00 PM. Tim Roper moved to adjourn the meeting. Claudio Veliz seconded the motion. A vote was taken and the meeting was adjourned.