

TOWN OF CHESTER
SPECIAL SELECTBOARD
UDB PUBLIC HEARING

February 1, 2017
Minutes

PRESENT: John DeBenedetti; Ben Whalen; Dan Cote; Heather Chase; David Pisha

VISITORS: Julie Hance; Lillian Willis; David Willis; Gail Stewart; Jerry Stewart; Shawn Cunningham; William Lindsay; Randy Miles; Brandy Todt; Laura Martinez; Prescott Warren; Julian Martinez; Joanne Warren; Hannah Monier; Russell Monier; Carla Westine; Philip Perlah; Kelly Arrison; Barry Goodrich; Amy Mosher; Bill Dakin; Roy Spaulding; Laurie Goodrich; Palmer Goodrich; Roger Batchelder; Ruthanne Batchelder; Marilyn Mahusky; Barre Pinske; Roy Spaulding, Jr.; Claudio Veliz; Maureen Savage; Margaret Straub; Ron Chute

The meeting was called to order at 7:00 p.m. Everyone stood for the pledge of allegiance.

John DeBenedetti stated that the Selectboard will begin by taking comment and discussing Chapters 1 and 2. He stated that the Board would like to limit the comments to 3 minutes per topic. John DeBenedetti began by reading the Notice of Public Hearing.

A motion was made by Dan Cote to open the Public Hearing. Seconded by Heather Chase. The motion passed.

Phil Perlah read his letter into the record. A copy of said letter is attached to the minutes.

Marilyn Mahusky stated that she has concerns regarding the purpose stated in Article 1. Specifically that the conformance with the Town Plan has been stricken. She stated that the DRB needs to be clear that they are comparing all permits to the UDBs and the Town Plan. Marilyn Mahusky stated that on page 2, (c) she would like to add the word "lawfully" so that the sentence reads "any permit previously adopted or issued lawfully".

Marilyn Mahusky stated the largest number of her concerns are related to Article 2. She stated that there are many uses that are not consistent with the Town Plan. She stated that during the Planning Commission process, it was suggested that zoning overlays be created.

Amy Mosher read her letter into the record. A copy of said letter is attached to the minutes.

Carla Westine, Chair of the Development Review Board, stated that the reference to the Chester Town Plan was a suggestion made to the Planning Commission. She stated that this language confuses applicants and the DRB with regard to its weight. Most of the language in the Town Plan is aspirational language. The DRB is most effective when it does not use aspirational language. When the DRB first implemented the UDBs they found many errors within the new document. She stated that there were typos, uses that were defined were not identified within districts, uses that were located within districts were not defined, and there was language that didn't make sense. She further stated that the Master Plan involves the Village Center area as defined in the Village Center Designated Area which is not the same as the Village Center District in the bylaws. Carla Westine stated that she would ask the Selectboard to move these bylaws forward.

John DeBenedetti asked Julie Hance about the process that is followed for adoption. Julie Hance will check with Jim Carroll, the town attorney, regarding whether or not the Selectboard can move portions of the UDBs forward only.

Michael Normyle stated that the Reporting Form was reviewed by the Town attorney on two separate occasions. He stated his opinion that the Reporting Form covers all of the larger, general changes that were made.

Marilyn Mahusky stated that she disagrees with the Zoning Administrator. She stated that she does not feel that the Reporting Form accurately reflects the changes that are being made. She also stated that there are inconsistencies within the document. Marilyn Mahusky stated that she found very little support for why changes were being made. She stated that she saw individuals asking for the UDBs to be changed so that they can start a business. She stated that this is a form of spot zoning and is inappropriate. She further stated that there needs to be more planning involved. Marilyn Mahusky stated that the changes in Article 2 will have an adverse impact on the town.

John DeBenedetti stated that one of the letters submitted suggests that there were statutes that were violated and he would like to research this.

Barre Pinske stated that, in his opinion, there are people in place to write these plans. There was public input and comment that was taken. Barre Pinske stated that zoning is about a plan, not specifically identifying every use that should be allowed.

Gail Stewart stated that she is before the Selectboard requesting that the Animal Kennel be allowed in the Commercial Industrial District. The use of Animal Hospital is currently allowed. She further clarified that the use of Animal Kennel was not a request that they had made, regardless of what has been reported. She stated that they are not asking for special treatment, but they are requesting that this use be allowed so that they can work with the DRB. Gail Stewart gave a history of her property on Elm Street and her ultimate desire to build a small home on the same property where the storage shed is currently located.

Prescott Warren stated that he is not currently a resident of Chester, but his family has been in this town for 6 generations. He stated that his property is located next to the Stewarts' property. He stated that his property would be the most affected by the use and he is fine with the use that has been proposed.

Randy Miles stated that he is the owner of Front to Back Landscaping in the R40 District. He stated that the bylaws that are in effect are not perfect and the future ones will not be either. He stated that he came to the Planning Commission for clarity relating to his property. He stated that these bylaws provide clarity on many issues and he would like to see these move forward.

The hearing was recessed until February 15 at 7:00 p.m. prior to the Selectboard meeting.