



# TOWN OF CHESTER

556 Elm Street  
P.O. Box 370  
Chester, VT 05143

(802) 875-2173  
Fax (802) 875 2237

## SELECTBOARD MEETING AGENDA

March 16, 2022

6:30 p m.

Please note new meeting start time

1. Approve Minutes from the March 2, 2022 Selectboard Meeting
2. Citizen Comments/Answers from Previous Meeting
3. Old Business
4. Chester Townscape Request for plaque on Church Street Bridge
5. DRB appointment
6. Local Cannabis Control Commission
7. Liquor Licenses/Entertainment Permits:
  - First Class License: MacLaomainn's LLC
  - Second Class License: Globel Montello Group (Jiffy Mart)  
Dollar General Store
  - Third Class License: MacLaomainn's, LLC
  - Outside Consumption: MacLaomainn's, LLC
  - Entertainment Permit: MacLaomainn's, LLC
8. New Business/Next Agenda
9. Executive Session – Planning Commission Appointment Discussion
10. Planning Commission Appointment
11. Executive Session: Town Manager Review
12. Adjourn

***Meeting will be held at Town Hall and via Zoom.  
See the Town's website for the link to join the meeting.***

# Selectboard Memo

March 16, 2022

## Citizen's Comments from Previous Meeting

No Citizen's Comments.

## Old Business/Last Meeting:

Public Safety: Fire, Police and Ambulance will be hosting a community breakfast on the first Saturday of the month from 7:30-10:00 during the months of June – September. The cost for breakfast will be nominal. This will be an opportunity to open the building and create community events. They are also working on an EMS day for sometime in August or September.

Solar Field: I am doing some research with other town managers regarding solar fields owned by municipalities. Jim Is still researching on his end. Stay tuned.

## Chester Townscape Request:

Enclosed in your packet is an email from Chester Townscape. They would like to place a commemorative plaque on the Church Street Bridge recognizing Tory Spater for her work with Chester Townscape. Tory is leaving Chester and moving to Burlington this spring to be closer to her kids.

## DRB Appointment:

Appointments for Harry Goodell and Phil Perlah will be for 3 years to expire in March 2025.

## Local Cannabis Control Commission:

Should you decide to establish a Local Cannabis Control Commission, this should be done by motion and then appoint the members. These members can simply be the Selectboard or community members. Retailers are allowed to submit permit application in April. However, they are not allowed to sell Cannabis until October.

I have enclosed the Guidance for Municipalities document again for your reference.

1 **TOWN OF CHESTER**  
2 **SELECTBOARD MEETING**  
3 **March 2, 2022, Draft Minutes**

4 **Board Members Present:** Arne Jonynas, Ben Whalen, Lee Gustafson, Heather Chase, and Leigh  
5 Dakin at Town Hall.

6 **Staff Present:** Julie Hance, Town Manager, at Town Hall; and Susan Bailey, Secretary, via Zoom.

7 **Visitors Present:** Bill Lindsay, Harry Goodell, Phil Perlah, Shawn Cunningham for the Chester  
8 Telegraph, Sharon Huntley, Shawntae Stillwell, Editor of Vermont Journal, at Town Hall; and Tim  
9 Roper, Scott Blair, Cynthia Prairie, Linda Diak, iPad (identity unknown), and SAPA TV via Zoom.

10 **Call to Order**

11 Julie Hance called the meeting to order at 6:02 p.m. with the pledge of allegiance. She welcomed  
12 everyone to the meeting. She said they would start with nominations for Chair. Heather made a  
13 motion, which Lee seconded, for Arne as Chair. The motion passed unanimously, and Julie handed  
14 the meeting over to Arne. Arne thanked the board for their confidence in him.

15  
16 **Agenda Item 1, Reorganization**

17 Arne asked for nominations for Vice Chair. Leigh nominated Heather and Ben nominated Lee for  
18 Vice Chair. Arne asked if there was any discussion. Ben thought they were both great options.  
19 Heather was willing to continue to do it if the board wanted her to. She was also okay with the  
20 board shaking it up a bit because Lee was a good guy. Lee said he wouldn't mind taking on the  
21 role. Arne wondered if they needed a paper ballot. He took a roll call vote. Lee got 2 votes and  
22 Heather had 3. As a result, Heather became the Vice Chair. Lee congratulated her.

23 Arne said nominations for Clerk to the Selectboard. Leigh nominated Lee. There were no other  
24 nominations. The board voted and Lee became the Clerk to the Selectboard.

25 Ben asked if they would discuss meeting dates and times, which had been the first and third  
26 Wednesdays and was working well. Arne was aware that when Ben had previously been on the  
27 board, the 6:00 meeting time was a little tight for him. Ben agreed and suggested Tuesdays at 6:30,  
28 if it worked for others. Heather said she could do Tuesdays but had committed to something for  
29 the next three months. Arne said he also had a conflict. Ben suggested continuing Wednesdays but  
30 at 6:30. There was discussion that the meetings had at one time, been 7:00 p.m. Ben realized 7  
31 p.m. was late. The members were willing to compromise to 6:30 p.m. The board voted  
32 unanimously to hold meetings on the first and third Wednesdays at 6:30 p.m.

33  
34 **Agenda Item 2, Approve minutes from the February 16, 2022, Meeting**

35 Lee moved to approve the February 16<sup>th</sup> minutes and Leigh seconded. Arne asked if there were  
36 any corrections. Leigh said on page 3, line 2, the word tables should have been tabs. The motion  
37 passed unanimously with the correction.

38 **Agenda Item 3, Citizens Comments/Answers from Previous Meeting**

39 Tim Roper requested Leigh to move her mike closer so they could hear her better. Leigh forgot  
40 and thanked Tim for reminding her.

1 Linda Diak thought Julie had been doing a fantastic job. Arne said given they were in the middle  
2 of her evaluation, he appreciated it and thought that would go a long way.

3 **Agenda Item 4, Old Business**

4 Report given by the Town Manager:

5 Winter Carnival

6 Winter Carnival weekend was a great success this year. Matt McCarthy tried a few new things,  
7 and they had a Winter Carnival committee. They had some new features. They brought in a  
8 gentleman who did ice carving. They also had fire sculptures. They had a snowshoe hike, but due  
9 to the lack of snow it was more of a hike. They plan to include them in future years, as they were  
10 great additions. A lot of people were at the Pinnacle on Saturday and a lot attended the broom  
11 hockey on Sunday. Next year they are hoping to get additional teams and Julie will be talking to  
12 Chester Fire Department about a team. It was a big draw for Chester. She thanked Matt McCarthy,  
13 Scott Blair, and Lee Witting. Arne mentioned the little snowmobiles for the kids were a hit. Julie  
14 added they also loved Peter Hudkins with the horses. Arne said the horses were over 2,000 pounds.  
15 Leigh enjoyed the ice sculptures on the Academy lawn.

16 Speeding

17 Julie received an email from a property owner on Andover Road with concerns about getting the  
18 speed radar signs erected. They have been ordered and are on backorder with an anticipated arrival  
19 date of May. As soon as it is received, it will go up. The police are patrolling more often and  
20 working hard to be more visible.

21 Public Safety Department

22 They have had a few meetings and will meet again on Friday. They are looking to start adding  
23 some community events over the summer, such as a community breakfast on Saturdays. It would  
24 be a way to bring community members in. They are looking at hosting an open-house type event  
25 in late summer or early fall and would consist of demonstrations in the field that's been cleared.  
26 Stay tuned for details on the community events they are working on.

27 Solar Farm

28 Jim and Julie have had some lengthy discussions involving the solar farm and she hoped it would  
29 be on the next agenda. The first hurdle they need to overcome is that Jim isn't entirely of the  
30 opinion the town had the authority to own a utility. He is researching it. Julie has emailed other  
31 municipalities to learn how they do it. The ones they are aware of are not owned directly by the  
32 municipality but a separate entity within the municipality. Jim is looking into the finer details to  
33 find some precedence. Lee said in his mind, the solar field is not a utility but a generation facility.  
34 Julie said if they were to purchase the solar field, they would be generating as well as selling  
35 because they would be buying a contract from two other people who are purchasing solar. Unless  
36 they figure out how to buy out the contracts, they would be the utility owner generating and selling  
37 power to these two other entities. He is researching the law and precedence to see what is involved  
38 and if there is authority before they spend any more time. Lee would ask for clarification from  
39 someone he works with about this. Lee thought even if they were selling, they would just be a  
40 generating facility that has excess power they would be selling to someone else. Arne wondered if  
41 there were no contracts to honor, would it be enough to supply all of Chester's electrical needs.  
42 Lee thought so, or at least a lot of the town's bill. Ben thought after 25 years they would start

1 making less power. Lee said it was a prorated warranty and they were guaranteed to make 80 or  
2 85% at the 25-year mark. They degrade in the first few years but slowly after that. Lee said solar  
3 panels in outer space over 50 years old still make power.

4 Julie said once Jim determined if they had the authority to own it, the next step would be to do an  
5 analysis of revenue stream with the other two contracts, as well as expense. From there, you would  
6 need to authorize an appraiser. A mutually agreed upon appraiser would prepare a 2022 modern  
7 day current evaluation.

8 She didn't know it would be ready for the next meeting, but it was coming.

9 Arne asked if any board members had anything to discuss and they did not.

10 **Agenda Item 5, Annual Appointments**

11 Arne read through the annual appointments.

12 Animal Control Officer for one year: Police Chief

13 Cemetery Sexton: Jeffrey Sheldon

14 Connecticut River Authority: remains open

15 Senior Solutions: Linda Stowell

16 Emergency Manager: Town Manager

17 Fence Viewers: Frank Balch, Jack Cable, Tony Weinberger

18 First Constable: Adam Woodell

19 Green Up Day Chairman: Frank Kelley

20 Inspector of Lumber, Shingles and Wood: Tony Weinberger

21 Pound Keeper: Police Chief

22 Julie Hance volunteered to take over the position of Regional Planning Representative as  
23 replacement for Tom Bock who moved out of town. Arne thanked him for all his years of service  
24 and thanked Julie for stepping up. There is a lot that goes on there that affects Chester.

25 Regional Planning Commission Alternative: Derek Suursoo

26 Road Commissioner: Town Manager

27 Secretary to Selectboard: Susan Bailey

28 Board of Wastewater Disposal: Selectboard

29 Solid Waste District Representative: Derek Suursoo

30 Solid Waste District Representative Alternate: Alden Blodgett

31 Town Service Officer: Town Manager. Arne asked what this position did. Julie thought the Town  
32 Service Officer was if there was a lawsuit against town.

33 Transportation Advisory Council: Kirby Putnam. Arne had been doing it for the past 6 or 7 years.  
34 Kirby, who is the Town Highway Foreman, would be taking over the position, which involves  
35 roads, bridges, and a lot of things related to the work that Kirby does. Arne thanked him for  
36 stepping up. Arne will be the alternate.

1 Tree Warden: Joseph Epler

2 Water Commissioners: Selectboard

3 Weigher of Coal: Tony Weinberger

4 Arne thanked all the folks on the list for stepping up and volunteering for the community. He  
5 hoped to get someone for the Connecticut River Authority.

6 Heather moved to accept the list of 2022 appointments, as read by Arne, and Lee seconded it. A  
7 vote was taken, and the motion passed unanimously.

8 **Agenda Item 6, Paper of Record**

9 Arne said every year they must designate a paper of record. Last year they designated two, one  
10 was strictly online and the other in print and online. Shawntae Stillwell, Publisher of the Vermont  
11 Journal, said it was unfortunate they got off on the wrong foot last year and wanted to move  
12 forward and start a new chapter with the Selectboard and the town. They have continuously  
13 covered Chester's news, being selectboard meetings, school board meetings, budgets, events, new  
14 businesses openings and updates – all the highlights their readers enjoy weekly or regularly. She  
15 thought it was great the town's notices were online and in newspaper because it helped reach more  
16 people. She thought they shared the same goal of reaching as many people as possible. Moving  
17 forward, she hoped they could reconsider the Vermont Journal as their printed paper of record.  
18 She thanked them for their time and consideration. Lee asked her what their readership was. In  
19 Chester, they have about 2,000 papers going to all the mailboxes; and online, about 20,000 to  
20 25,000 viewers per month. She noted Chester is their second highest readership online in the state.  
21 Arne appreciated her speaking to them and the coverage they have had over the years. Leigh asked  
22 if \$13 per column inch was higher this year. Shawntae said she had raised rates 50 cents this year.

23 There was nobody present from The Commons.

24 Cynthia Prairie of The Chester Telegraph offered to answer any questions about service over the  
25 past year. She thought they had a good working relationship and was happy with the response  
26 they've gotten to the notices published. Lee noticed when he tried to read an article on their  
27 website, he got a pop-up blocker. To him, it was frustrating and concerning that he didn't have  
28 free access. Cynthia said last year they took their ads and gave them to a different company, so  
29 they don't host their ads anymore. If you have an ad blocker on, you can't see the ads on The  
30 Telegraph. It's a prompt to take your ad blocker off and most people do. She also suggested  
31 whitelisting The Telegraph, which doesn't cost anything. The company they contract with will  
32 walk someone through the steps to whitelist The Telegraph at no charge. They have 23 customers  
33 who insist on keeping the adblocker on but want to read The Telegraph. People have contacted  
34 her, and she connects them with the company who shows them how to do a workaround. There  
35 are so many adblockers available that sometimes people put them on their computer unknowingly.  
36 Lee asked her if it was possible to identify the ISP location and allow access to the articles without  
37 needing to disable the adblocker. Cynthia said you could disable it only for The Telegraph and no  
38 other websites. Lee thought it was frustrating to need to go through another step or two just to read  
39 an article, but he understood why they were doing it. Cynthia said maybe she and Lee could speak  
40 after the meeting and get some information about what he would like her to do because the  
41 company is very responsive and maybe she could help him out. Arne asked if the ads on the side  
42 come through. Julie said she received an email that morning from an individual in town who had  
43 the same issue. She said it was important to note that if you block ads, you're not going to see the

1 ads. Shawn Cunningham spoke about a customer that wasn't seeing the ads on the side. Cynthia  
2 noted at the top of the page is a link to the Chester Public Notices that would appear when selected  
3 even if an adblocker was installed. Arne asked if anyone else had any comments concerning The  
4 Chester Telegraph and there were none.

5 Arne said last year they had paper of record in print and a paper of record online. He asked if they  
6 budgeted both for this year. Julie said they carried the same budget as last year but kept it to things  
7 that only had to be advertised in both. She thought it was worth it to stick with both. She said it  
8 worked well and reached more people: those who only read online and those who pick up a  
9 physical paper. She said the law has not changed. Arne said he would go with The Vermont Journal  
10 over The Commons. Lee agreed with Arne. Leigh, who had an email from someone saying they  
11 weren't where they have been in the past. She also said The Commons' coverage doesn't cover  
12 the local area. Julie wanted to thank The Commons, as they had stepped up in a major way and  
13 said they saved them from an issue. The consensus of the board was to appoint the Vermont Journal  
14 and The Chester Telegraph as the official papers of record. Lee asked if they had to appoint one  
15 as the official paper of record and Julie said they both could be appointed. Heather thought down  
16 the road they may be able to have one paper of record but presently agreed with everyone it was  
17 the way to go.

18 Lee moved and Ben seconded to appoint the Vermont Journal and The Chester Telegraph as the  
19 papers of record. Ben said it was now his fifth time of doing a paper of record and it was the first  
20 time they had nice conversations. He said they may say in the future they only need to do one but  
21 if it's working well and isn't a significant cost, they are getting more viewers. Ben said he reads  
22 The Telegraph online and is certainly excited to see the Vermont Journal in his mailbox.

23 Julie said the cost hadn't changed. In 2020, with one source it was \$3,300, last year was \$3,230.  
24 In zoning notices in 2020, it was \$2,800 and this year it was \$3,800. So, they were talking \$1,000.  
25 Arne said it was well worth it to reach as many as possible. Heather agreed. Lee wanted to echo  
26 what Ben said about Shawntae and he appreciated her willingness to work with them and be open  
27 and upfront.

28 A vote was taken, and the motion carried unanimously.

29 **Agenda Item 7, New Business/Next Agenda**

30 Two next meetings will be the DBR and Planning Commission appointments. The interviews will  
31 be conducted tonight for those appointments. Julie hoped the solar farm would be on the next  
32 agenda. At some point in April, SoVerA would like to make a presentation to the board regarding  
33 a project they are working on for Chester. Lee said considering the voters approving the retail  
34 cannabis sales, he still had a lot of unanswered questions and thought they needed to have a  
35 conversation regarding things of significance and wanted it on a future agenda. Julie asked if there  
36 was anything he wanted her to come prepared with or just have it on the agenda for general  
37 discussion. Lee said he wanted to have discussion regarding adult-oriented zoning if that was  
38 something they wanted to discuss, and he didn't know if they had any say in it or could recommend  
39 to the Planning Commission it was something to look at. He wanted to figure out exactly what  
40 their role, responsibilities, and obligations were pursuant to what the state was allowing them to  
41 do.

42 Arne thought what may affect them was having a cannabis control committee at a local level. If  
43 they decided to go that route, he thought they could investigate everything Lee was talking about.

1 As far as zoning and regulations and rules, Arne thought it would be the Planning Commission.  
2 They wouldn't be able to give them direction because they would be presenting anything that  
3 comes forward to the board for approval later. If that was the case, maybe they should have a  
4 discussion as a board before making any recommendation or talking to the Planning Commission  
5 regarding the issue. He thought a good start would be the Cannabis Control Commission and they  
6 would take it from there.

7 Arne asked if there was anything else for future agenda items. There were none.

8 **Agenda Item 8, Executive Session: Interviews for Planning Commission and Development**  
9 **Review Board Positions**

10 Leigh moved and Heather seconded to go into executive session. A vote was taken and approved  
11 unanimously. The board entered executive session at 6:49 p.m.

12 Heather moved and Leigh seconded to end the executive session for interviews. A vote was taken  
13 and approved, and the board ended executive session at 8:23 p.m.

14 **Agenda Item 9, Executive Session: Town Manger Review**

15 Heather moved and Leigh seconded to go into executive session for town manager review. A vote  
16 was taken and passed, and the board entered executive session at 8:24 p.m.

17 Heather moved and Leigh seconded to end the executive session for town manager review. A vote  
18 was taken and passed, and the board ended executive session at 8:55 p.m.

19 **Agenda Item 10, Adjourn**

20 Heather moved and Lee seconded to adjourn. A vote was taken and passed, and the meeting  
21 adjourned at 8:55 p.m.

22



## Julie Hance

---

**From:** John Russell <chestertownscape@gmail.com>  
**Sent:** Wednesday, March 9, 2022 3:47 PM  
**To:** Julie Hance  
**Subject:** Commemorative Plaque for Tory Spater  
**Attachments:** 030822 russell lynn 10x8C.jpg  
  
**Importance:** High

Julie,

Tory Spater, Chester Townscape Founder, will be moving to Burlington this Spring.

New bridge boxes have been created and will be installed on Church Street in May. To commemorate Tory's legacy, CT would like to order this 8" x 10" bronze plaque (see attached image).

CT is requesting permission to affix the plaque to the center concrete post of the Church Street Bridge (northbound side, near Tory's driveway) beneath the bridge boxes.

Please let me know if this would be acceptable to the Town of Chester so I can place the order.

Thank you.

Lynn Russell  
Chair-Chester Townscape

Mail for Windows

2022

BRIDGE BOXES

DEDICATED TO

TORY SPATER

FOUNDER - CHESTER TOWNSCAPE

# The Vermont Statutes Online

## Title 7 : Alcoholic Beverages, Cannabis, And Tobacco

### Chapter 033 : Cannabis Establishments

#### Subchapter 001 : General Provisions

(Cite as: 7 V.S.A. § 863)

#### § 863. Regulation by local government

(a)(1) Prior to a cannabis retailer or the retail portion of an integrated licensee operating within a municipality, the municipality shall affirmatively permit the operation of such cannabis establishments by majority vote of those present and voting by Australian ballot at an annual or special meeting warned for that purpose. A municipality may place retailers or integrated licensees, or both, on the ballot for approval.

(2) A vote to permit the operation of a licensed cannabis retailer or integrated licensee within the municipality shall remain in effect until rescinded by majority vote of those present and voting by Australian ballot at a subsequent annual or special meeting warned for that purpose. A rescission of the permission to operate a licensed cannabis retailer or integrated licensee within the municipality under this subdivision shall not apply to a licensed cannabis retailer or integrated licensee that is operating within the municipality at the time of the vote.

(b) A municipality that hosts any cannabis establishment may establish a cannabis control commission composed of commissioners who may be members of the municipal legislative body. The local cannabis control commission may issue and administer local control licenses under this subsection for cannabis establishments within the municipality. The commissioners may condition the issuance of a local control license upon compliance with any bylaw adopted pursuant to 24 V.S.A. § 4414 or ordinances regulating signs or public nuisances adopted pursuant to 24 V.S.A. § 2291. The commission may suspend or revoke a local control license for a violation of any condition placed upon the license. The Board shall adopt rules relating to a municipality's issuance of a local control license in accordance with this subsection and the local commissioners shall administer the rules furnished to them by the Board as necessary to carry out the purposes of this section.

(c) Prior to issuing a license to a cannabis establishment under this chapter, the Board shall ensure that the applicant has obtained a local control license from the municipality, if required.

(d) A municipality shall not:

(1) prohibit the operation of a cannabis establishment within the municipality through an ordinance adopted pursuant to 24 V.S.A. § 2291 or a bylaw adopted pursuant to 24 V.S.A. § 4414;

(2) condition the operation of a cannabis establishment, or the issuance or renewal of a municipal permit to operate a cannabis establishment, on any basis other than the conditions in subsection (b) of this section; and

(3) exceed the authority granted to it by law to regulate a cannabis establishment.  
(Added 2019, No. 164 (Adj. Sess.), § 7, eff. Oct. 7, 2020; amended 2021, No. 62, § 1, eff. June 7, 2021.)

# The Vermont Statutes Online

## Title 24 : Municipal And County Government

### Chapter 061 : Regulatory Provisions; Police Power Of Municipalities

#### Subchapter 011 : Miscellaneous Regulatory Powers

(Cite as: 24 V.S.A. § 2291)

#### § 2291. Enumeration of powers

For the purpose of promoting the public health, safety, welfare, and convenience, a town, city, or incorporated village shall have the following powers:

- (1) To set off portions of public highways of the municipality for sidewalks and bicycle paths and to regulate their use.
- (2) To provide for the removal of snow and ice from sidewalks by the owner, occupant, or person having charge of abutting property.
- (3) To provide for the location, protection, maintenance, and removal of trees, plants, and shrubs and buildings or other structures on or above public highways, sidewalks, or other property of the municipality.
- (4) To regulate the operation and use of vehicles of every kind including the power: to erect traffic signs and signals; to regulate the speed of vehicles subject to 23 V.S.A. chapter 13, subchapter 12; to regulate or exclude the parking of all vehicles; and to provide for waiver of the right of appearance and arraignment in court by persons charged with parking violations by payment of specified fines within a stated period of time.
- (5) To establish rules for pedestrian traffic on public highways and to establish crosswalks.
- (6) To regulate the location, installation, maintenance, repair, and removal of utility poles, wires and conduits, water pipes or mains, or gas mains and sewers, upon, under, or above public highways or public property of the municipality.
- (7) To regulate or prohibit the erection, size, structure, contents, and location of signs, posters, or displays on or above any public highway, sidewalk, lane, or alleyway of the municipality and to regulate the use, size, structure, contents, and location of signs on private buildings or structures.
- (8) To regulate or prohibit the use or discharge, but not possession, of firearms within the municipality or specified portions thereof, provided that an ordinance adopted under this subdivision shall be consistent with section 2295 of this title and shall not prohibit, reduce, or limit discharge at any existing sport shooting range, as that term is defined in 10 V.S.A. § 5227.

(9) To license or regulate itinerant vendors, peddlers, door-to-door salesmen, and those selling goods, wares, merchandise, or services who engage in a transient or temporary business, or who sell from an automobile, truck, wagon, or other conveyance, excepting persons selling fruits, vegetables, or other farm produce.

(10) To regulate the keeping of dogs, and to provide for their licensing, leashing, muzzling, restraint, impoundment, and destruction.

(11) To regulate, license, tax, or prohibit circuses, carnivals, and menageries and all plays, concerts, entertainments, or exhibitions of any kind for which money is received.

(12) To regulate or prohibit the storage or dumping of solid waste, as defined in 10 V.S.A. § 6602. These regulations may require the separation of specified components of the waste stream.

(13) To compel the cleaning or repair of any premises that in the judgment of the legislative body is dangerous to the health or safety of the public.

(14) To define what constitutes a public nuisance, and to provide procedures and take action for its abatement or removal as the public health, safety, or welfare may require.

(15) To provide for penalties for violation of any ordinance or rule adopted under the authority of this section.

(16) To name and rename streets and to number and renumber lots pursuant to section 4463 of this title, and to require the owner of a house or other building to which a number has been assigned to affix the number, including the assigned 911 address, to the structure, sign, or number post so that it is clearly visible from the road.

(17) To regulate or prohibit possession of open or unsealed containers of alcoholic beverages in public places.

(18) To regulate or prohibit consumption of alcoholic beverages in public places.

(19) To regulate the construction, alteration, development, and decommissioning or dismantling of wireless telecommunications facilities and ancillary improvements where the city, town, or village has not adopted zoning or where those activities are not regulated pursuant to a duly adopted zoning bylaw. Regulations regarding the decommissioning or dismantling of telecommunications facilities and ancillary structures may include requirements that bond be posted, or other security acceptable to the legislative body, in order to finance facility decommissioning or dismantling activities. These regulations are not intended to prohibit seamless coverage of wireless telecommunications services. With respect to the construction or alteration of wireless telecommunications facilities subject to regulation granted in this section, the town, city, or incorporated village shall vest in its local regulatory authority the power to determine whether the installation of a wireless telecommunications facility, whatever its size, will impose no impact or merely a de minimis impact on the surrounding area and the overall pattern of land development, and if the local regulatory authority, originally or on appeal, determines that the facility will impose no

impact or a de minimis impact, it shall issue a permit. No ordinance authorized by this section, except to the extent structured to protect historic landmarks and structures listed on the State or National Register of Historic Places, may have the purpose or effect of limiting or prohibiting a property owner's ability to place or allow placement of antennae used to transmit, receive, or transmit and receive communications signals on that property owner's premises if the aggregate area of the largest faces of the antennae is not more than eight square feet, and if the antennae and the mast to which they are attached do not extend more than 12 feet above the roof of that portion of the building to which they are attached.

(20) To establish a conflict-of-interest policy to apply to all elected and appointed officials of the town, city, or incorporated village or ethical conduct policies to apply to all elected and appointed officials and employees of the municipality, or both.

(21) To regulate, by means of a civil ordinance adopted pursuant to chapter 59 of this title, subject to the limitations of 13 V.S.A. § 351b and the requirement of 13 V.S.A. § 354(a), and consistent with the rules adopted by the Secretary of Agriculture, Food and Markets, pursuant to 13 V.S.A. § 352b(a), the welfare of animals in the municipality. Such ordinance may be enforced by humane officers as defined in 13 V.S.A. § 351, if authorized to do so by the municipality.

(22) To regulate the sale and conveyance of sewage capacity to users, including phasing provisions and other conditions based on the impact of residential, commercial, or industrial growth within a town, in accord with principles in a duly adopted town plan.

(23) Acting individually or in concert with other towns, cities, or incorporated villages and pursuant to chapter 87, subchapter 2 of this title, to incur indebtedness for or otherwise finance by any means permitted under chapter 53 of this title projects relating to renewable energy, as defined in 30 V.S.A. § 8002(17), or to eligible energy efficiency projects undertaken by owners of real property within the boundaries of the town, city, or incorporated village. Energy efficiency projects shall be those that are eligible under section 3267 of this title.

(24) Upon the determination by a municipal building inspector, health officer, or fire marshal that a building within the boundaries of the town, city, or incorporated village is uninhabitable, to recover all expenses incident to the maintenance of the uninhabitable building with the expenses to constitute a lien on the property in the same manner and to the same extent as taxes assessed on the grand list, and all procedures and remedies for the collection of taxes shall apply to the collection of those expenses; provided, however, that the town, city, or incorporated village has adopted rules to determine the habitability of a building, including provisions for notice in accordance with 32 V.S.A. § 5252(3) to the building's owner prior to incurring expenses and including provisions for an administrative appeals process.

(25) To regulate by means of an ordinance or bylaw development in a flood hazard area, river corridor protection area, or other hazard area consistent with the requirements of section 4424 of this title and the National Flood Insurance Program. Such an ordinance or bylaw may regulate accessory dwelling units in flood hazard and fluvial erosion areas. However, such an ordinance or bylaw shall not require the filing of an application or the issuance of a permit or other approval by the municipality for a planting project considered to have a permit by operation of subsection 4424(c) of this title.

(26) To regulate parking lots and parking meters on public property or public highways of the municipality, including the power to set parking fees and use parking revenues for any municipal purpose. Projects relating to parking lots and parking meters under this subdivision shall constitute an improvement under chapter 53 of this title, and a municipality shall have the right of eminent domain to condemn land necessary for such projects subject to the restrictions set forth in section 2805 of this title and 18 V.S.A. § 5318.

(27) When a disaster or emergency has been declared by the Governor, a municipal building inspector, health officer, fire marshal, or zoning administrator may declare condemned to be destroyed a property that has been damaged in the disaster or emergency and is dangerous to life, health, or safety due to the disaster-related damage. The local legislative body may require that an official receive training on disaster-related condemnation before he or she may condemn property under this subdivision. The owner of property condemned under this subdivision may appeal the condemnation according to the condemnation appeals procedure of chapter 83 of this title, provided that any appeal to the Superior Court shall be to the Civil Division.

(28) Notwithstanding any contrary provision of sections 2291a and 4413 of this title or 30 V.S.A. chapter 5 or 89, a municipality may adopt an ordinance to establish screening requirements that shall apply to a ground-mounted plant that generates electricity from solar energy. In a proceeding under 30 V.S.A. § 248, the municipality may make recommendations to the Public Utility Commission applying the ordinance to such a plant. The ordinance may designate the municipal body to make this recommendation. Screening requirements and recommendations adopted under this subdivision shall be a condition of a certificate of public good issued for the plant under 30 V.S.A. § 248, provided that they do not prohibit or have the effect of prohibiting the installation of such a plant and do not have the effect of interfering with its intended functional use.

(A) Screening requirements under this subdivision shall not be more restrictive than screening requirements applied to commercial development in the municipality under chapter 117 of this title or, if the municipality does not have other bylaws except flood hazard, 10 V.S.A. chapter 151.

(B) In this subdivision (28), "plant" shall have the same meaning as in 30 V.S.A. § 8002 and "screening" means reasonable aesthetic mitigation measures to harmonize a facility with its surroundings and includes landscaping, vegetation, fencing, and topographic features.



(C) This subdivision (28) shall not authorize requiring a municipal permit for a solar electric generation plant. Notwithstanding any contrary provision of this title, enforcement of an ordinance adopted under this subdivision shall be pursuant to the provisions of 30 V.S.A. § 30 applicable to violations of 30 V.S.A. § 248.

(29) To regulate by means of an ordinance or bylaw the operation of short-term rentals within the municipality, provided that the ordinance or bylaw does not adversely impact the availability of long-term rental housing. As used in this subdivision, "short-term rental" means a furnished house, condominium, or other dwelling room or self-contained dwelling unit rented to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days and for more than 14 days per calendar year. (Added 1969, No. 170 (Adj. Sess.), § 9, eff. March 2, 1970; amended 1977, No. 61, § 2; 1987, No. 70, eff. June 2, 1987; 1991, No. 108, § 1; 1993, No. 211 (Adj. Sess.), § 15, eff. June 17, 1994; 1997, No. 94 (Adj. Sess.), § 2, eff. April 15, 1998; 1999, No. 82 (Adj. Sess.), § 1; 2001, No. 82 (Adj. Sess.), § 1; 2003, No. 42, § 2, eff. May 27, 2003; 2003, No. 63, § 51, eff. June 11, 2003; 2005, No. 173 (Adj. Sess.), § 3, eff. May 22, 2006; 2007, No. 79, § 14, eff. June 9, 2007; 2007, No. 121 (Adj. Sess.), § 19; 2009, No. 45, § 15g; 2009, No. 160 (Adj. Sess.), § 9, eff. June 4, 2010; 2011, No. 53, §§ 14a, 14d(2), eff. May 27, 2011; 2011, No. 138 (Adj. Sess.), § 15, eff. May 14, 2012; 2011, No. 155 (Adj. Sess.), § 8; 2013, No. 16, § 6, eff. May 6, 2013; 2013, No. 122 (Adj. Sess.), § 2; 2013, No. 162 (Adj. Sess.), § 11; 2015, No. 56, § 26e, eff. June 11, 2015; 2017, No. 4, § 3, eff. March 6, 2017; 2017, No. 74, § 99; 2017, No. 79, § 15, eff. June 14, 2017; 2019, No. 131 (Adj. Sess.), § 255; 2019, No. 179 (Adj. Sess.), § 3, eff. Oct. 12, 2020.)

# The Vermont Statutes Online

## Title 24 : Municipal And County Government

### Chapter 117 : Municipal And Regional Planning And Development

#### Subchapter 007 : Bylaws

(Cite as: 24 V.S.A. § 4414)

#### § 4414. Zoning; permissible types of regulations

Any of the following types of regulations may be adopted by a municipality in its bylaws in conformance with the plan and for the purposes established in section 4302 of this title.

(1) Zoning districts. A municipality may define different and separate zoning districts, and identify within these districts which land uses are permitted as of right, and which are conditional uses requiring review and approval, including the districts set forth in this subdivision (1).

(A) Downtown, village center, new town center, and growth center districts. The definition or purpose stated for local downtown, village center, new town center, or growth center zoning districts should conform with the applicable definitions in section 2791 of this title. Municipalities may adopt downtown, village center, new town center, or growth center districts without seeking State designation under chapter 76A of this title. A municipality may adopt a manual of graphic or written design guidelines to assist applicants in the preparation of development applications. The following objectives should guide the establishment of boundaries, requirements, and review standards for these districts:

(i) To create a compact settlement oriented toward pedestrian activity and including an identifiable neighborhood center, with consistently higher densities than those found in surrounding districts.

(ii) To provide for a variety of housing types, jobs, shopping, services, and public facilities with residences, shops, workplaces, and public buildings interwoven within the district, all within close proximity.

(iii) To create a pattern of interconnecting streets and blocks, consistent with historic settlement patterns, that encourages multiple routes from origins to destinations.

(iv) To provide for a coordinated transportation system with a hierarchy of appropriately designed facilities for pedestrians, bicycles, public transit, and automotive vehicles.

(v) To provide for natural features and undisturbed areas that are incorporated into the open space of the neighborhood as well as historically compatible squares, greens, landscaped streets, and parks woven into the pattern of the neighborhood.

(vi) To provide for public buildings, open spaces, and other visual features that act as landmarks, symbols, and focal points for community identity.

(vii) To ensure compatibility of buildings and other improvements as determined by their arrangement, building bulk, form, design, character, and landscaping to establish a livable, harmonious, and diverse environment.

(viii) To provide for public and private buildings that form a consistent, distinct edge, are oriented toward streets, and define the border between the public street space and the private block interior.

(B) Agricultural, rural residential, forest, and recreational districts. Where, for the purposes set forth in section 4302 of this title, it is deemed necessary to safeguard certain areas from urban or suburban development and to encourage that development in other areas of the municipality or region, the following districts may be created:

(i) Agricultural or rural residential districts, permitting all types of agricultural uses and prohibiting all other land development except low density residential development.

(ii) Forest districts, permitting commercial forestry and related uses and prohibiting all other land development.

(iii) Recreational districts, permitting camps, ski areas, and related recreational facilities, including lodging for transients and seasonal residents, and prohibiting all other land development except construction of residences for occupancy by caretakers and their families.

(C) Airport hazard area. In accordance with 5 V.S.A. chapter 17, any municipality may adopt special bylaws governing the use of land, location, and size of buildings and density of population within a distance of two miles from the boundaries of an airport under an approach zone and for a distance of one mile from the boundaries of the airport elsewhere. The designation of that area and the bylaws applying within that area shall be in accord with applicable airport zoning guidelines, if any, adopted by the Vermont Transportation Board.

(D) Shorelands.

(i) A municipality may adopt bylaws to regulate shorelands as defined in 10 V.S.A. § 1422 to prevent and control water pollution; preserve and protect wetlands and other terrestrial and aquatic wildlife habitat; conserve the scenic beauty of shorelands; minimize shoreline erosion; reserve public access to public waters; and achieve other municipal, regional, or State shoreland conservation and development objectives.

(ii) Shoreland bylaws may regulate the design and maintenance of sanitary facilities; regulate filling of and other adverse alterations to wetlands and other wildlife habitat areas; control building location; require the provision and maintenance of vegetation; require provisions for access to public waters for all residents and owners of the development; and impose other requirements authorized by this chapter.

(E) Design review districts. Bylaws may contain provisions for the establishment of design review districts. Prior to the establishment of such a district, the planning commission shall prepare a report describing the particular planning and design problems of the proposed district and setting forth a design plan for the areas which shall include recommended planning and design criteria to guide future development. The planning commission shall hold a public hearing, after public notice, on that report. After this hearing, the planning commission may recommend to the legislative body a design review district as a bylaw amendment. A design review district may be created for any area containing structures of historical, architectural, or cultural merit, and other areas in which there is a concentration of community interest and participation such as a central business district, civic center, or a similar grouping or focus of activities. These areas may include townscape areas that resemble in important aspects the earliest permanent settlements, including a concentrated urban settlement with striking vistas, views extending across open fields and up to the forest edge, a central focal point and town green, and buildings of high architectural quality, including styles of the early 19th century. Within such a designated design review district, no structure may be erected, reconstructed, substantially altered, restored, moved, demolished, or changed in use or type of occupancy without approval of the plans by the appropriate municipal panel. A design review board may be appointed by the legislative body of the municipality, in accordance with section 4433 of this title, to advise any appropriate municipal panel.

(F) Local historic districts and landmarks.

(i) Bylaws may contain provisions for the establishment of historic districts and the designation of historic landmarks. Historic districts shall include structures and areas of historic or architectural significance and may include distinctive design or landscape characteristics, areas, and structures with a particular relationship to the historic and cultural values of the surrounding area, and structures whose exterior architectural features bear a significant relationship to the remainder of the structures or to the surrounding area. Bylaws may reference National and State Registers of Historic Places, properties, and districts. A report prepared under section 4441 of this title with respect to the establishment of a local historic district or designation of an historic landmark shall contain a map that clearly delineates the boundaries of the local historic district or landmark, justification for the boundary, a description of the elements of the resources that are integral to its historical, architectural, and cultural significance, and a statement of the significance of the local historic district or landmark.

(ii) With respect to external appearances and other than normal maintenance, no structure within a designated historic district may be rehabilitated, substantially altered, restored, moved, demolished, or changed, and no new structure within an historic district may be erected without approval of the plans therefor by the appropriate municipal panel. The panel shall consider the following in its review of plans submitted:

(l) The historic or architectural significance of the structure, its distinctive characteristics, and its relationship to the historic significance of the surrounding area.

(II) The relationship of the proposed changes in the exterior architectural features of the structure to the remainder of the structure and to the surrounding area.

(III) The general compatibility of the proposed exterior design, arrangement, texture, and materials proposed to be used.

(IV) Any other factors, including the environmental setting and aesthetic factors that the panel deems to be pertinent.

(iii) When an appropriate municipal panel is reviewing an application relating to an historic district, the panel:

(I) Shall be strict in its judgment of plans for those structures deemed to be valuable under subdivision (1)(F)(i) of this section, but is not required to limit new construction, alteration, or repairs to the architectural style of any one period, but may encourage compatible new design.

(II) If an application is submitted for the alteration of the exterior appearance of a structure or for the moving or demolition of a structure deemed to be significant under subdivision (1)(F)(i) of this section, shall meet with the owner of the structure to devise an economically feasible plan for the preservation of the structure.

(III) Shall approve an application only when the panel is satisfied that the proposed plan will not materially impair the historic or architectural significance of the structure or surrounding area.

(IV) In the case of a structure deemed to be significant under subdivision (1)(F)(i) of this section, may approve the proposed alteration despite subdivision (1)(F)(ii)(III) of this section if the panel finds either or both of the following:

(aa) The structure is a deterrent to a major improvement program that will be of clear and substantial benefit to the municipality.

(bb) Retention of the structure would cause undue financial hardship to the owner.

(iv) This subdivision (1)(F), and bylaws issued pursuant to it, shall apply to designation of individual landmarks as well as to designation of local historic districts. A landmark is any individual building, structure, or site that by itself has a special historic, architectural, or cultural value.

(v) The provisions of this subdivision (1)(F) shall not in any way apply to or affect buildings, structures, or land within the "Capitol complex," as defined in 29 V.S.A. chapter 6.

(G) River corridors and buffers. In accordance with section 4424 of this title, a municipality may adopt bylaws to protect river corridors and buffers, as those terms are defined in 10 V.S.A. §§ 1422 and 1427, in order to protect public safety; prevent and control water pollution; prevent and control stormwater runoff; preserve and protect wetlands and waterways; maintain and protect natural channel, streambank, and floodplain stability; minimize fluvial erosion and damage to property and transportation infrastructure; preserve

and protect the habitat of terrestrial and aquatic wildlife; promote open space and aesthetics; and achieve other municipal, regional, or State conservation and development objectives for river corridors and buffers. River corridor and buffer bylaws may regulate the design and location of development; control the location of buildings; require the provision and maintenance or reestablishment of vegetation, including no net loss of vegetation; require screening of development or use from waters; reserve existing public access to public waters; and impose other requirements authorized by this chapter.

(2) Overlay districts. Special districts may be created to supplement or modify the zoning requirements otherwise applicable in underlying districts in order to provide supplementary provisions for areas such as shorelands and floodplains, aquifer and source protection areas, ridgelines and scenic features, highway intersection, bypass, and interchange areas, or other features described in section 4411 of this title.

(3) Conditional uses.

(A) In any district, certain uses may be allowed only by approval of the appropriate municipal panel, if general and specific standards to which each allowed use must conform are prescribed in the appropriate bylaws and if the appropriate municipal panel, under the procedures in subchapter 10 of this chapter, determines that the proposed use will conform to those standards. These general standards shall require that the proposed conditional use shall not result in an undue adverse effect on any of the following:

(i) The capacity of existing or planned community facilities.

(ii) The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal plan.

(iii) Traffic on roads and highways in the vicinity.

(iv) Bylaws and ordinances then in effect.

(v) Utilization of renewable energy resources.

(B) The general standards set forth in subdivision (3)(A) of this section may be supplemented by more specific criteria, including requirements with respect to any of the following:

(i) Minimum lot size.

(ii) Distance from adjacent or nearby uses.

(iii) Performance standards, as under subdivision (5) of this section.

(iv) Criteria adopted relating to site plan review pursuant to section 4416 of this title.

(v) Any other standards and factors that the bylaws may include.

(C) One or more of the review criteria found in 10 V.S.A. § 6086 may be adopted as standards for use in conditional use review.

(D) A multiunit dwelling project consisting of four or fewer units located in a district allowing multiunit dwellings may not be denied solely due to an undue adverse effect on the character of the area affected.

(4) Parking and loading facilities. A municipality may adopt provisions setting forth standards for permitted and required facilities for off-street parking and loading which may vary by district and by uses within each district. These bylaws may also include provisions covering the location, size, design, access, landscaping, and screening of those facilities. In determining the number and size of parking spaces required under these regulations, the appropriate municipal panel may take into account the existence or availability of employer "transit pass" and rideshare programs, public transit routes, and public parking spaces in the vicinity of the development.

(5) Performance standards. As an alternative or supplement to the listing of specific uses permitted in districts, including those in manufacturing or industrial districts, bylaws may specify acceptable standards or levels of performance that will be required in connection with any use. These bylaws shall specifically describe the levels of operation that are acceptable and not likely to affect adversely the use of the surrounding area by the emission of such dangerous or objectionable elements as noise, vibration, smoke, dust, odor, or other form of air pollution, heat, cold, dampness, electromagnetic, or other disturbance, glare, liquid, or solid refuse or wastes; or create any dangerous, injurious, noxious, fire, explosive, or other hazard. The land planning policies and development bylaws manual prepared pursuant to section 4304 of this title shall contain recommended forms of alternative performance standards, and the assistance of the Agency of Commerce and Community Development shall be available to any municipality that requests aid in the application or enforcement of these bylaws.

(6) Access to renewable energy resources. Any municipality may adopt zoning and subdivision bylaws to encourage energy conservation and to protect and provide access to, among others, the collection or conversion of direct sunlight, wind, running water, organically derived fuels, including wood and agricultural sources, waste heat, and geothermal sources, including those recommendations contained in the adopted municipal plan, regional plan, or both. The bylaw shall establish a standard of review in conformance with the municipal plan provisions required pursuant to subdivision 4382(a)(9) of this title.

(7) Inclusionary zoning. In order to provide for affordable housing, bylaws may require that a certain percentage of housing units in a proposed subdivision, planned unit development, or multi-unit development meets defined affordability standards, which may include lower income limits than contained in the definition of "affordable housing" in subdivision 4303(1) of this title and may contain different affordability percentages than contained in the definition of "affordable housing development" in subdivision 4303(2) of this title. These provisions, at a minimum, shall comply with all the following:

(A) Be in conformance with specific policies of the housing element of the municipal plan.

(B) Be determined from an analysis of the need for affordable rental and sale housing units in the community.

(C) Include development incentives that contribute to the economic feasibility of providing affordable housing units, such as density bonuses, reductions or waivers of minimum lot, dimensional or parking requirements, reductions or waivers of applicable fees, or reductions or waivers of required public or nonpublic improvements.

(D) Require, through conditions of approval, that once affordable housing is built, its availability will be maintained through measures that establish income qualifications for renters or purchasers, promote affirmative marketing, and regulate the price, rent, and resale price of affordable units for a time period specified in the bylaws.

(8) Waivers.

(A) A bylaw may allow a municipality to grant waivers to reduce dimensional requirements, in accordance with specific standards that shall be in conformance with the plan and the goals set forth in section 4302 of this title. These standards may:

(i) allow mitigation through design, screening, or other remedy;

(ii) allow waivers for structures providing for disability accessibility, fire safety, and other requirements of law; and

(iii) provide for energy conservation and renewable energy structures.

(B) If waivers from dimensional requirements are provided, the bylaws shall specify the process by which these waivers may be granted and appealed.

(9) Stormwater management and control. Any municipality may adopt bylaws to implement stormwater management and control consistent with the program developed by the Secretary of Natural Resources pursuant to 10 V.S.A. § 1264.

(10) Time-share projects. The bylaws may require that time-share projects consisting of five or more time-share estates or licenses be subject to development review.

(11) Archaeological resources. A municipality may adopt bylaws for the purpose of regulating archaeological sites and areas that may contain significant archaeological sites to make progress toward attaining the goals in the municipal plan concerning the protection of archaeological sites.

(12) Wireless telecommunications facilities and ancillary improvements. A municipality may adopt bylaws to regulate wireless telecommunications facilities and ancillary improvements in a manner consistent with State or federal law. These bylaws may include requiring the decommissioning or dismantling of wireless telecommunications facilities and



ancillary improvements, and may establish requirements that a bond be posted, or other security acceptable to the legislative body, in order to finance facility decommissioning or dismantling activities.

(13)(A) Wastewater and potable water supply systems. A municipality may adopt bylaws that:

(i) prohibit the initiation of construction under a zoning permit unless and until a wastewater and potable water supply permit is issued under 10 V.S.A. chapter 64; or

(ii) establish an application process for a zoning or subdivision permit, under which an applicant may submit a permit application for municipal review, and the municipality may condition the issuance of a final permit upon issuance of a wastewater and potable water supply permit under 10 V.S.A. chapter 64.

(B) For purposes of an appeal of a permit issued under a bylaw adopted under this subdivision (13), the appealable decision of the municipality shall be the issuance or denial of a final zoning or subdivision permit and not the requirement to condition issuance of a permit on issuance of a wastewater and potable water supply permit under 10 V.S.A. chapter 64.

(14) Green development incentives. A municipality may encourage the use of low-embodied energy in construction materials, planned neighborhood developments that allow for reduced use of fuel for transportation, and increased use of renewable technology by providing for regulatory incentives, including increased densities and expedited review.

(15) Solar plants; screening. Notwithstanding any contrary provision of sections 2291a and 4413 of this title or 30 V.S.A. chapter 5 or 89, a municipality may adopt a freestanding bylaw to establish screening requirements that shall apply to a ground-mounted plant that generates electricity from solar energy. In a proceeding under 30 V.S.A. § 248, the municipality may make recommendations to the Public Utility Commission applying the bylaw to such a plant. The bylaw may designate the municipal body to make this recommendation. Screening requirements and recommendations adopted under this subdivision shall be a condition of a certificate of public good issued for the plant under 30 V.S.A. § 248, provided that they do not prohibit or have the effect of prohibiting the installation of such a plant and do not have the effect of interfering with its intended functional use.

(A) Screening requirements under this subdivision shall not be more restrictive than screening requirements applied to commercial development in the municipality under this chapter or, if the municipality does not have other bylaws except flood hazard, 10 V.S.A. chapter 151.

(B) In this section, "plant" shall have the same meaning as in 30 V.S.A. § 8002 and "screening" means reasonable aesthetic mitigation measures to harmonize a facility with its surroundings and includes landscaping, vegetation, fencing, and topographic features.

(C) This subdivision (15) shall not authorize requiring a municipal land use permit for a solar electric generation plant, and a municipal action under this subdivision shall not be subject to the provisions of subchapter 11 (appeals) of this chapter. Notwithstanding any contrary provision of this title, enforcement of a bylaw adopted under this subdivision shall be pursuant to the provisions of 30 V.S.A. § 30 applicable to violations of 30 V.S.A. § 248. (Added 2003, No. 115 (Adj. Sess.), § 95; amended 2005, No. 183 (Adj. Sess.), § 5; 2007, No. 32, § 4; 2007, No. 79, § 15; 2007, No. 32, § 4a, eff. May 18, 2007; 2007, No. 79, § 15a, eff. June 9, 2007; 2007, No. 209 (Adj. Sess.), § 11; 2009, No. 110 (Adj. Sess.), § 7; 2009, No. 145 (Adj. Sess.), § 2, eff. June 1, 2010; 2013, No. 147 (Adj. Sess.), § 14, eff. June 1, 2014; 2015, No. 56, § 26d, eff. June 11, 2015; 2019, No. 179 (Adj. Sess.), § 2, eff. Oct. 12, 2020.)

2022 LIQUOR LICENSE RENEWAL APPLICATION  
FIRST CLASS RESTAURANT/BAR LICENSE TO SELL MALT AND VINOUS BEVERAGES

6707-001-1RST-001

Page 1

License Year Beginning May 1, 2022 ending April 30, 2023

Fee: \$230.00 of which  
\$115.00 is paid to town/city  
\$115.00 is paid to DLC  
Town: 14035 - CHESTER

MISREPRESENTATION OF A MATERIAL FACT ON ANY LICENSE APPLICATION SHALL BE GROUNDS  
FOR SUSPENSION OR REVOCATION OF THE LICENSE, AFTER NOTICE AND HEARING

Applicant: Review all of the information presented on this form, indicating any changes in the spaces provided.

Applicant: MacLaomainn's LLC

Licensee # 6707- 1

Doing Business As:

MacLaomainn's LLC  
52 South Main Street  
Chester VT 05143  
Telephone: (802) 875-6227

Mailing Address:  
PO Box 106  
Chester VT 05143

PLEASE INCLUDE EMAIL ADDRESS: deb@maclaomainns.com

Description of Premises:

Restaurant located in a one story wood framed building approximatley  
1000 square feet plus a 51x30 room behind the main bar at 52 S Main St  
Chester, Vermont

Lessor:

Deborah J M Brown  
PO Box 106  
Chester VT 05143

Last Enforcement Seminar: 01/03/2021

Filed Articles of Organization: **Yes**

Date Filed: 07/09/2007

Federal ID Number: 30-0430405

Majority of Members are US Citizens: **Yes**

ATTACH AN ADDITIONAL SHEET TO THIS APPLICATION NOTING ANY NECESSARY CORRECTIONS OR CHANGES  
AND UPDATES THAT HAVE OCCURRED DURING THE PAST YEAR.

Limited Liability

Company	Name	Address	Town/City	State	Zip Code
Member	1. Brown, Deborah J	PO Box 106	Chester	VT	05143

Has any person been convicted or pleaded guilty to any criminal or motor vehicle offense in any court of law  
(including traffic tickets by mail) during the last year? Yes  No

If yes, please attach the following information: Individual's name, court/traffic bureau, offense and date

In the past year has any person held any elective or appointive state, county, city, village or town office in Vermont  
(See VSA, T.7, Ch.9, Sec. 223)?  Yes No

If yes, please attach the following information: Individual's name, office and jurisdiction School Board

Vt. Dept. of Health Food License No.: 14536

Vt. Dept. of Health Lodging No.:

Vt. Tax Dept. Meals & Rooms Cert./Acct. No.: 440300430405F-01

Disclosure of Non-profit Organization?: Yes  No

ALL APPLICANTS MUST COMPLETE AND SIGN

The applicant understands and agrees that the Liquor and Lottery Control Board may obtain criminal history record information from State and Federal record repositories.

I/We hereby certify, under the pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan approved by the Commissioner of Taxes to pay any and all taxes due the State of Vermont as of the date of this application. (VSA, Title 32, Section 3113)

I/We hereby certify that I/We are not under an obligation to pay child support or that I/We are in good standing with respect to child support or are in full compliance with a plan to pay any and all child support payable under a support order. (VSA, Title 15, Section 795)

In accordance with 21 VSA, Section 1378(b), I/We certify, under pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan to pay any and all contributions or payments in lieu of contributions due to the Department of Employment and Training.

I/We have registered the trade name of these premises with the Secretary of State.

Continued on next page

2022 LIQUOR LICENSE RENEWAL APPLICATION  
SECOND CLASS LICENSE TO SELL MALT AND VINOUS BEVERAGES

9624-020-SECN-001  
Page 1

License Year Beginning May 1, 2022 ending April 30, 2023

Fee: \$140.00 of which  
\$70.00 is paid to town/city  
\$70.00 is paid to DLC  
Town: 14035 - CHESTER

MISREPRESENTATION OF A MATERIAL FACT ON ANY LICENSE APPLICATION SHALL BE GROUNDS  
FOR SUSPENSION OR REVOCATION OF THE LICENSE, AFTER NOTICE AND HEARING

Applicant: Review all of the information presented on this form, indicating any changes in the spaces provided.

Applicant: Global Montello Group, Corp.  
Doing Business As:

Licensee # 9624- 20

Jiffy Mart #463  
89 Vermont Route 103 South  
Chester VT 05143  
Telephone: (802) 374-0040

Mailing Address:  
800 South Street  
Suite 500  
Waltham MA 02453

PLEASE INCLUDE EMAIL ADDRESS: permits@globhelp.com

Description of Premises:

2nd class license in a single story building, located on the north west side of Route 103 South, at the intersection of Pleasant Street designated as 89 Vermont Route 103 South in the Town of Chester, Vermont.

Lessor:

Global Montello Group Corp  
800 South Street  
Suite 500  
Waltham MA 02453

Last Enforcement Seminar: ~~02/01/2020~~ 1/7/22

Fed. ID Number: 04-3443028 Incorporation Date: 10/05/2005 Valid Charter?: **Yes** State of Charter: Delaware

Majority of Directors are US Citizens: **Yes**

ATTACH AN ADDITIONAL SHEET TO THIS APPLICATION NOTING ANY NECESSARY CORRECTIONS OR CHANGES AND UPDATES THAT HAVE OCCURRED DURING THE PAST YEAR.

Corporation	Name	Address	Town/City	State	Zip Code
Director	1. Slifka, Eric	9 Clark Road	Wellesley	MA	02481

Has any director or stockholder been convicted or pleaded guilty to any criminal or motor vehicle offense in any court of law (including traffic tickets by mail) during the last year? Yes  No

If yes, please attach the following information: Individual's name, court/traffic bureau, offense and date

In the past year has any director or stockholder of the corporation held any elective or appointive state, county, city, village or town office in Vermont (See VSA, T.7, Ch.9, Sec. 223)? Yes  No

If yes, please attach the following information: Individual's name, office and jurisdiction

Disclosure of Non-profit Organization?: Yes  No

ALL APPLICANTS MUST COMPLETE AND SIGN

The applicant understands and agrees that the Liquor and Lottery Control Board may obtain criminal history record information from State and Federal record repositories.

I/We hereby certify, under the pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan approved by the Commissioner of Taxes to pay any and all taxes due the State of Vermont as of the date of this application. (VSA, Title 32, Section 3113)

I/We hereby certify that I/We are not under an obligation to pay child support or that I/We are in good standing with respect to child support or are in full compliance with a plan to pay any and all child support payable under a support order. (VSA, Title 15, Section 795)

In accordance with 21 VSA, Section 1378(b), I/We certify, under pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan to pay any and all contributions or payments in lieu of contributions due to the Department of Employment and Training.

I/We have registered the trade name of these premises with the Secretary of State.

I/We hereby certify that the information in this application is true and complete.

Dated this 3<sup>rd</sup> day of January, 2022

Signature of authorized agent  
of corporation, company, club or association

Signature of individual or partners

Global Montello Group Corp.

[Signature]  
By: Sean J. Greary, Secretary, VP of M&A and Acting General Counsel  
(Title)

Are you making this application for the benefit of any other party? Yes  No

May- April  
4/30/2023

2022 LIQUOR LICENSE RENEWAL APPLICATION  
SECOND CLASS LICENSE TO SELL MALT AND VINOUS BEVERAGES

13119  
8122-062-SECN-001  
Page 1

License Year Beginning May 1, 2022 ending April 30, 2023

Fee: \$140.00 of which  
\$70.00 is paid to town/city  
\$70.00 is paid to DLC  
Town: 14035 - CHESTER

MISREPRESENTATION OF A MATERIAL FACT ON ANY LICENSE APPLICATION SHALL BE GROUNDS  
FOR SUSPENSION OR REVOCATION OF THE LICENSE, AFTER NOTICE AND HEARING

Applicant: Review all of the information presented on this form, indicating any changes in the spaces provided.

Applicant: DG Retail, LLC  
Doing Business As:

Licensee # 8122- 62

Dollar General Store #13119  
321 South Main Street  
Chester VT 05143  
Telephone: (802) 875-8836

Mailing Address:  
100 Mission Ridge  
Goodlettsville TN 37072

PLEASE INCLUDE EMAIL ADDRESS: tax-beerandwinelicense@dollargeneral.com

Description of Premises:

Premises: XX Owned      Leased

Store - One story steel framed building approximately 8500 square feet  
in size located at 321 South Main Street in the town of Chester, VT

Last Enforcement Seminar: 04/29/2021

Filed Articles of Organization: No

Date Filed:

Federal ID Number: 36-4577242

Majority of Members are US Citizens: Yes

ATTACH AN ADDITIONAL SHEET TO THIS APPLICATION NOTING ANY NECESSARY CORRECTIONS OR CHANGES  
AND UPDATES THAT HAVE OCCURRED DURING THE PAST YEAR.

Limited Liability

Company	Name	Address	Town/City	State	Zip Code
Member	1. Taylor, Emily	1805 Otter Creek Rd	Nashville	TN	37215
Member	2. Deckard, Steven	311 Windhaven Bay	Mt Juliet	TN	37122

Has any person been convicted or pleaded guilty to any criminal or motor vehicle offense in any court of law  
(including traffic tickets by mail) during the last year? Yes / No

If yes, please attach the following information: Individual's name, court/traffic bureau, offense and date

In the past year has any person held any elective or appointive state, county, city, village or town office in Vermont  
(See VSA, T.7, Ch.9, Sec. 223)? Yes / No

If yes, please attach the following information: Individual's name, office and jurisdiction

Disclosure of Non-profit Organization?:      Yes XX No

ALL APPLICANTS MUST COMPLETE AND SIGN

The applicant understands and agrees that the Liquor and Lottery Control Board may obtain criminal history record information from State and Federal record repositories.

I/We hereby certify, under the pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan approved by the Commissioner of Taxes to pay any and all taxes due the State of Vermont as of the date of this application. (VSA, Title 32, Section 3113)

I/We hereby certify that I/We are not under an obligation to pay child support or that I/We are in good standing with respect to child support or are in full compliance with a plan to pay any and all child support payable under a support order. (VSA, Title 15, Section 795)

In accordance with 21 VSA, Section 1378(b), I/We certify, under pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan to pay any and all contributions or payments in lieu of contributions due to the Department of Employment and Training.

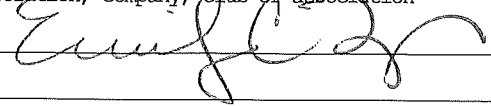
I/We have registered the trade name of these premises with the Secretary of State.

I/We hereby certify that the information in this application is true and complete.

Dated this 3rd day of March, 2022

Signature of authorized agent  
of corporation, company, club or association

Signature of individual or partners



\_\_\_\_\_

(Title)

Are you making this application for the benefit of any other party?      Yes / No

2022 LIQUOR LICENSE RENEWAL APPLICATION

THIRD CLASS RESTAURANT/BAR LICENSE TO SELL SPIRITUOUS LIQUORS

6707-001-3RST-001

Page 1

License Year Beginning May 1, 2022 ending April 30, 2023

Fee: \$1,095.00

Paid to DLC

Seasonal Fee: \$550.00
Town: 14035 - CHESTER

MISREPRESENTATION OF A MATERIAL FACT ON ANY LICENSE APPLICATION SHALL BE GROUNDS FOR SUSPENSION OR REVOCATION OF THE LICENSE, AFTER NOTICE AND HEARING

Applicant: Review all of the information presented on this form, indicating any changes in the spaces provided.

Applicant: MacLaomainn's LLC
Doing Business As:

Licensee # 6707- 1

MacLaomainn's LLC
52 South Main Street
Chester VT 05143
Telephone: (802) 875-6227

Mailing Address:
PO Box 106
Chester VT 05143

PLEASE INCLUDE EMAIL ADDRESS: deb@maclaomainns.com

Description of Premises:
Restaurant located in a one story wood framed building approximatley
1000 square feet plus a 51x30 room behind the main bar at 52 S Main St
Chester, Vermont

Lessor:
Deborah J M Brown
PO Box 106
Chester VT 05143

Last Enforcement Seminar: 01/03/2021

This Club is: An unincorporated Association? Yes XX No
A Limited Liability Company? XX Yes No
A Vermont Corporation? Yes XX No

Majority of Members are US Citizens: Yes

ATTACH AN ADDITIONAL SHEET TO THIS APPLICATION NOTING ANY NECESSARY CORRECTIONS OR CHANGES AND UPDATES THAT HAVE OCCURRED DURING THE PAST YEAR.

Limited Liability

Table with 5 columns: Company, Name, Address, Town/City, State Zip Code. Row 1: Member, 1. Brown, Deborah J, PO Box 106, Chester, VT 05143

Has any person been convicted or pleaded guilty to any criminal or motor vehicle offense in any court of law (including traffic tickets by mail) during the last year? Yes X No
If yes, please attach the following information: Individual's name, court/traffic bureau, offense and date

In the past year has any person held any elective or appointive state, county, city, village or town office in Vermont (See VSA, T.7, Ch.9, Sec. 223)? X Yes No School Board
If yes, please attach the following information: Individual's name, office and jurisdiction

Vt. Dept. of Health Food License No.:
Vt. Dept. of Health Lodging No.:
Vt. Tax Dept. Meals & Rooms Cert./Acct. No.:

Disclosure of Non-profit Organization?: Yes XX No

ALL APPLICANTS MUST COMPLETE AND SIGN

The applicant understands that he/she must maintain a list of the names and residences of paid up members, a list of club officers, and a list of employees of the club and their annual salaries. These lists must remain on the licensed premises and be available for inspection upon request.

The applicant understands and agrees that the Liquor and Lottery Control Board may obtain criminal history record information from State and Federal record repositories.

I/We hereby certify, under the pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan approved by the Commissioner of Taxes to pay any and all taxes due the State of Vermont as of the date of this application. (VSA, Title 32, Section 3113)

I/We hereby certify that I/We are not under an obligation to pay child support or that I/We are in good standing with respect to child support or are in full compliance with a plan to pay any and all child support payable under a support order. (VSA, Title 15, Section 795)

In accordance with 21 VSA, Section 1378(b), I/We certify, under pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan to pay any and all contributions or payments in lieu of contributions due to the Department of Employment and Training.

I/We have registered the trade name of these premises with the Secretary of State.

Continued on next page

2022 LIQUOR LICENSE RENEWAL APPLICATION  
OUTSIDE CONSUMPTION PERMIT

6707-001-OUTC-001

Page 1

Fee: \$20.00

Paid to DLC

License Year Beginning May 1, 2022 ending April 30, 2023

MISREPRESENTATION OF A MATERIAL FACT ON ANY LICENSE APPLICATION SHALL BE GROUNDS  
FOR SUSPENSION OR REVOCATION OF THE LICENSE, AFTER NOTICE AND HEARING

Applicant: Review all of the information presented on this form, indicating any changes in the spaces provided.

Applicant: MacLaomainn's LLC

Licensee # 6707- 1

Doing Business As:

MacLaomainn's LLC  
52 South Main Street  
Chester VT 05143

Mailing Address:  
PO Box 106  
Chester VT 05143

Telephone: (802) 875-6227

PLEASE INCLUDE EMAIL ADDRESS: deb@maclaomainns.com

Description of the delineated area is as follows:

Attached 14 x 27 wooden deck 11:00am to 12:00am Monday thru Sunday  
year round use.

I/We hereby certify, under the pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan approved by the Commissioner of Taxes to pay any and all taxes due the State of Vermont as of the date of this application. (VSA, Title 32, Section 3113)

I/We hereby certify that I/We are not under an obligation to pay child support or that I/We are in good standing with respect to child support or are in full compliance with a plan to pay any and all child support payable under a support order. (VSA, Title 15, Section 795)

In accordance with 21 VSA, Section 1378(b), I/We certify, under pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan to pay any and all contributions or payments in lieu of contributions due to the Department of Employment and Training.

I/We hereby certify that the information in this application is true and complete.

Dated this 25 day of February, 2020

Signature of authorized agent  
of corporation, company, club or association

Signature of individual or partners

[Signature]  
\_\_\_\_\_  
Owner  
(Title)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are you making this application for the benefit of any other party?  Yes  No

MAKE CHECKS PAYABLE TO AND MAIL TO: VERMONT DIVISION OF LIQUOR CONTROL  
13 GREEN MOUNTAIN DRIVE  
MONTPELIER, VT 05602

----- LOCAL COMMISSIONER SECTION BELOW -----

Upon being satisfied that the conditions precedent to the granting of this license as provided in Title 7 of the Vermont Statutes Annotated, as amended, have been fully met by the applicant, the commissioners will endorse their recommendation on the back of the application and transmit it to the Liquor and Lottery Control Board for suitable action thereon, before any License may be granted. For the information of the Liquor and Lottery Control Board, applications shall carry the signature of each individual commissioner registering either approval or disapproval.

APPROVED

DISAPPROVED

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Approved by Board of Control Commissioners of the City or Town of \_\_\_\_\_.

Total Membership \_\_\_\_\_, \_\_\_\_\_ members present

Attest, \_\_\_\_\_, Town Clerk

**TOWN OF CHESTER  
APPLICATION FOR AN ENTERTAINMENT LICENSE**

To: Board of Selectmen

From: Licensee Name: MacLaomann's LLC

Address: 52 So. Main St / Po Box 106

Town/State/Zip: Chester, VT 05143

Telephone: 802-875-1090

1. TYPE OF ENTERTAINMENT REQUESTED (write brief description): \_\_\_\_\_

Live Music, d.j.'s, small ensembles

2. HOURS ENTERTAINMENT WILL BE PRESENTED:

From 11  a.m.  p.m. Until 12  a.m.  p.m.

3. DAYS OF THE WEEK WHEN SUCH ENTERTAINMENT WILL BE PRESENTED:

Seven days as needed

4. APPLICATION FEE:

Annual Application Fee \$25.00  Single Function Application Fee \$5.00

The Town of Chester's Entertainment Regulations are recorded in the Town Clerk's Office.

Under Section 5 of these rules, the applicant may request a hearing with the Board of Selectmen to present evidence that the prospective Licensee will comply with the Town of Chester's Entertainment Regulations.

DATE OF APPLICATION: 2-25-2022

LICENSEE'S SIGNATURE: 

This request will be considered by the Board of Selectmen at their next regularly scheduled meeting. You are welcome to attend that meeting.  
Permit year beginning May 1, 2022 ending April 30, 2023