

The Vermont Statutes Online

Title 24 : Municipal And County Government

Chapter 117 : Municipal And Regional Planning And Development

Subchapter 002 : Municipal Planning Commissions

(Cite as: 24 V.S.A. § 4322)

§ 4322. Planning commission; membership

(a) A planning commission shall have not less than three nor more than nine voting members. All members may be compensated and reimbursed by the municipality for necessary and reasonable expenses. At least a majority of the members of a planning commission shall be residents of the municipality.

(b) The legislative body of a rural town, or not more than two elected or appointed officials of an urban municipality who are chosen by the legislative body of the urban municipality, shall be nonvoting ex officio members of a planning commission. If a municipality has an energy coordinator under chapter 33, subchapter 12 of this title, the energy coordinator may be a nonvoting ex officio member of the planning commission.

(c) Notwithstanding subsection (a) of this section:

(1) for an appointed planning commission, the legislative body may change the number of members that may be appointed to the commission; and

(2) for an elected planning commission, a municipality may vote at an annual or special meeting to change the number of members that may be elected to the commission.

(d) Notwithstanding subsection 4323(c) of this subchapter, if the number of members on an appointed or elected planning commission is reduced, the members with the nearest expiration of their term of office shall serve until the expiration of that term and then the office shall terminate. (Added 1967, No. 334 (Adj. Sess.), § 1, eff. March 23, 1968; amended 1969, No. 116, § 3; 1973, No. 261 (Adj. Sess.), § 2, eff. July 1, 1974; 1979, No. 174 (Adj. Sess.), § 3; 2021, No. 157 (Adj. Sess.), § 6, eff. July 1, 2022.)



TOWN OF CHESTER

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

(802) 875-2173 office
(802) 875-2237 fax
pcchair@chestervt.gov
www.chestervt.gov

March 21, 2023

Brian J. Sullivan
MSK Attorneys
275 College Street, P.O. Box 4485
Burlington, VT 05406-4485

RE: Industrial Wireless Technologies application for Chester wireless tower

Dear Brian Sullivan:

The Chester Planning Commission met on March 20, 2023, and reviewed your pre-application notice dated February 15, 2023, which was received on February 21, 2023, regarding a proposed wireless tower off Whitmore Brook Road. The Planning Commission has the following comments:

1. The tower is proposed to be 183 feet tall, about 108 feet above the average tree height. We have been informed that a balloon test has been conducted and a report on aesthetics is being prepared. This tower seems rather tall, and the Planning Commission would welcome an opportunity to review the report on aesthetics before an application is submitted.
2. Chester recently experienced a prolonged power outage in which cell phone coverage failed after about 8 hours. What would be the feasibility of this tower being able to operate for 24 to 48 hours after a power outage through a larger battery backup? What would be the feasibility of a generator backup that could allow the tower to operate for a week or more? Also, it is reported that the existing power line to the proposed tower is uninsulated wire that likely dates to the rural electrification era and is therefore not highly reliable. What would be the feasibility of upgrading the existing supply line to insulated wire, or even constructing a new line from the terminal pole of the 3-phase power line at the so-called north quarry on VT-103 to improve reliability?

We look forward to your response to these comments.

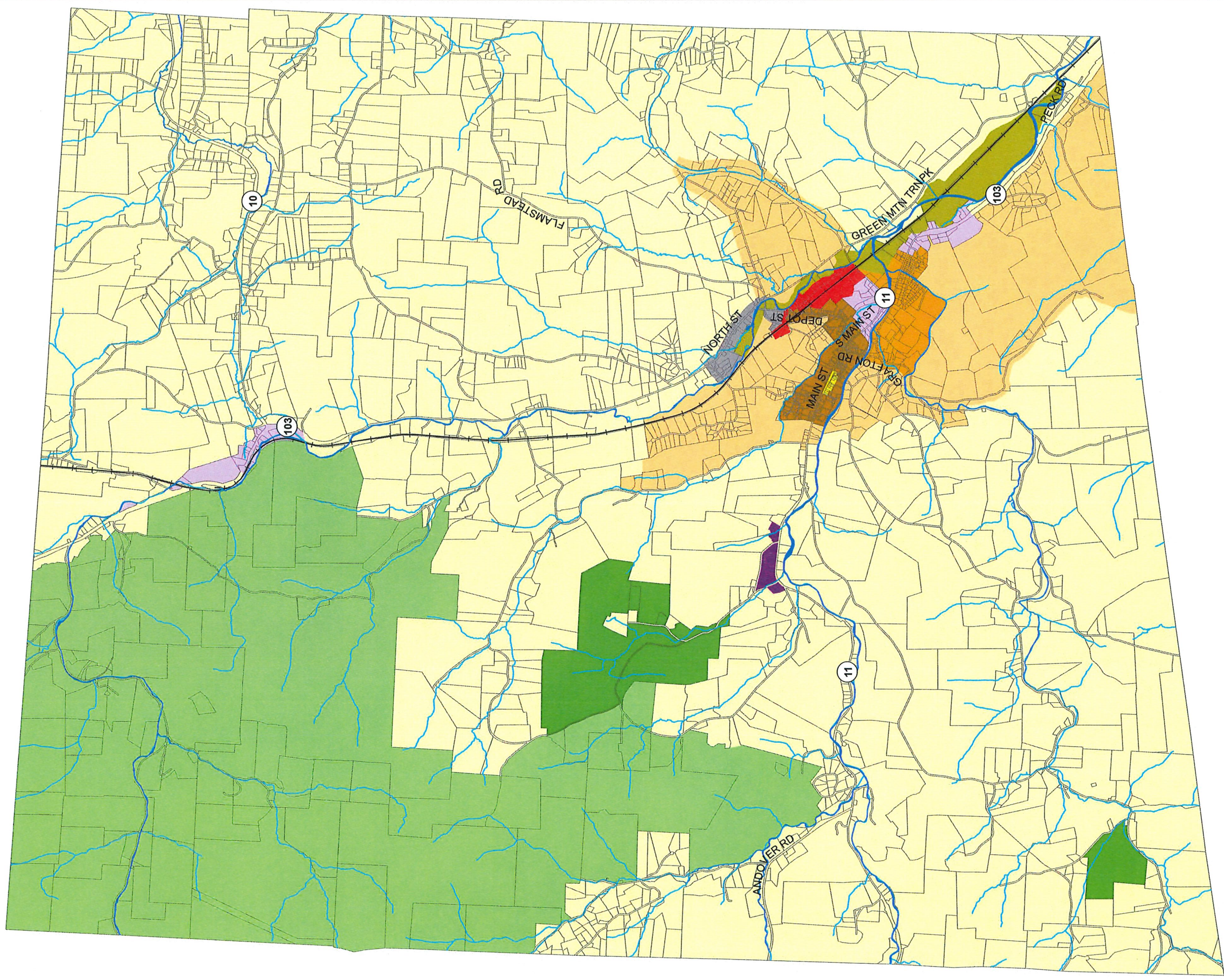
Sincerely,

Hugh Quinn

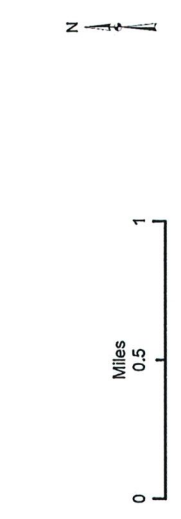
Hugh Quinn
Planning Commission Chair

**Town of Chester
Zoning Districts**

Draft: April 12, 2023



- | | |
|----------------------------|--------------------------|
| Commercial Industrial | Conservation Residential |
| Stone Village | Forest |
| Village Center | Village Green |
| Residential (20,000 sq ft) | Open Space - DRAFT |
| Residential (40,000 sq ft) | Water (in 2010 Parcels) |
| Residential (3 acres) | 2010 Parcel |
| Residential Commercial | River/Stream |
| Adaptive (3 acres) | Railroad |

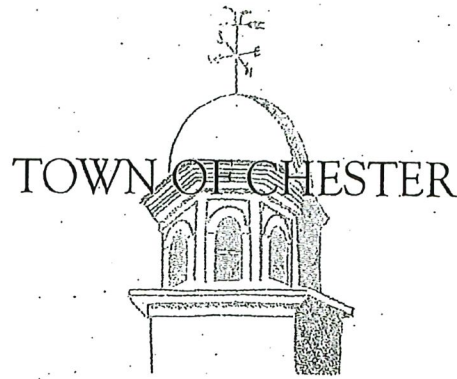


Data sources: Zoning (RPC 2017 with 2023 updates), Parcels (2010),
Road names (VTrans/VCGI 2011), Railroad (VTrans/VCGI 2003),
Streams (VHD/VCGI 2008)

VT State Plane. Meters, NAD 83
For planning purposes only.
Not for regulatory interpretation.
Map drawn: April 12, 2023



Mount Ascutney
Regional Commission
P.O. Box 320, Ascutney, VT 05030
802-674-9201 www.marvct.org



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

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April 17, 2023 DRAFT

<landowner>
<address>
<address>

Dear <landowner>:

The Chester Planning Commission is in the process of developing a recommendation for a new zoning district. The new zone will be called the Open Space District and will be located entirely within FEMA's mapped Special Flood Hazard Area. Extending along the North Branch of the Williams River from the Stone Village south to Peck Road on the main stem of the Williams River, the new Open Space District will protect existing natural flood water storage areas in the event of a major flood. Uses allowed in this new district would include agriculture, forestry, recreation, and civic, cultural and social events. This district would not be appropriate for residential use.

Because the goal of the proposed Open Space District is to protect existing natural flood water storage areas, district boundaries have been drawn to avoid all existing structures. While development within FEMA's mapped Special Flood Hazard Areas is already quite limited, this district would only allow minor structures that are anchored and not on fill.

You are receiving this letter because a portion of your land would be included in this new district. Enclosed is a map that shows how the district would affect your land. The Planning Commission is committed to being open and transparent, and we encourage you to participate in an upcoming public hearing on **Monday, May 15 at 6:30 PM** at the town hall. Whatever form the new district takes, we want it to be accurate and good for Chester, and your feedback and input is critical.

A link to participate in this hearing via Zoom can be found on the Town of Chester website home page at www.chestervt.gov. Comments via letter and email are also welcome.

Hugh Quinn, Planning Commission Chair

Parcels with Owner Information in Proposed Open Land Zoning District

	Owner Name & Mailing Address	Parcel location	Principal	Tax Parcel Number(s)	# of Acres	Acres in Open Space District
1	GEORGE & MARY BITTNER P O BOX 819 CHESTER, VT 05143	389 VT RT 103 South		61-50-45	10.6 acres	5.86 acres
2	GREEN MTN SOFTBALL INC VT RT 103 South CHESTER, VT 05143	VT RT 103 South		61-50-34	6.6 acres	6.6 acres
3	ONE CREDIT UNION 380 RIVER STREET SPRINGFIELD, VT 05156	569 VT RT 103 South		62-50-54	9 acres	
4	111 TOGETHER, LLC 1338 VT RT 11 EAST CHESTER, VT 05143	571 VT RT 103 South		62-50-54	1.6 acres	
5	American Legion Post 67 PO Box 75 Chester, VT 05143	51 Legion Way		62-50-56 44-20-36.100	4 acres 7.3 acres	
6	H M SAVAGE & SONS, INC, 29 PECK ROAD CHESTER, VT 05143	RT VT 103 South		44-20-30.400	25.99	
7	ROY W & DONNA W HOMAN 686 GREEN MT TURNPIKE CHESTER, VT 05143			44-20-09 44-20-11 44-20-13 44-20-16 44-20-28.100	82.56 3.01 0.64 0.96 220.1	
8	RDVT PROPERTIES LLC 1 GLENDINNING PLACE WESTPORT, CT 06880	2503 Green Mtn. Tpk.	Ray Dalio	61-50-31.100 61-50-95	4.08 29.6	4.08 28

Parcels with Owner Information in Proposed Open Land Zoning District

	Owner Name & Mailing Address	Parcel location	Principal	Tax Parcel Number(s)	# of Acres	Acres in Open Space District
9	GAIL & HUZON J STEWART PO BOX 465 CHESTER, VT 05143	284 Elm Street		58-50-38-100	2.84 acres	
10	GIURTINO TRUSTEES, ERNEST & KATHALEEN 267 NORTH STREET CHESTER, VT 05143	267 NORTH STREET		57-50-02	12.78 acres	
11	Mark CURRAN & Margaret Straub 475 FIRST AVENUE CHESTER, VT 05143	475 FIRST AVENUE		57-50-06	18.02 acres	
12	CHESTER TOWN P O BOX 370 CHESTER, VT 05143	VT RT 103 North		58-50-69	1.04 acres	
13	RILEY, BRIAN J, JANE & THOMAS H PO BOX 468 NEW VERNON, NJ 07976	514 First Ave.		58-50-23	4.8 acres	
14	HOLDEN REAL ESTATE TRUST, JEFFERY P O BOX 667 CHESTER, VT 05143	3096 Green Mtn. Tpke.		58-50-19-8	17.88 acres	
15	BBAM. LLC PO BOX 820 CHESTER, VT 05143	354 Elm Street		58-50-36	4.3 acres	

Parcels with Owner Information in Proposed Open Land Zoning District

	Owner Name & Mailing Address	Parcel location	Principal	Tax Parcel Number(s)	# of Acres	Acres in Open Space District
16	B & K Benson P O Box 529 Chester, VT 05143	78 Elm Street		61-50-30	4.51	4.51



267 North St.

57-50-02

1 inch = 274 Feet

April 13, 2023



www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



267 North Street

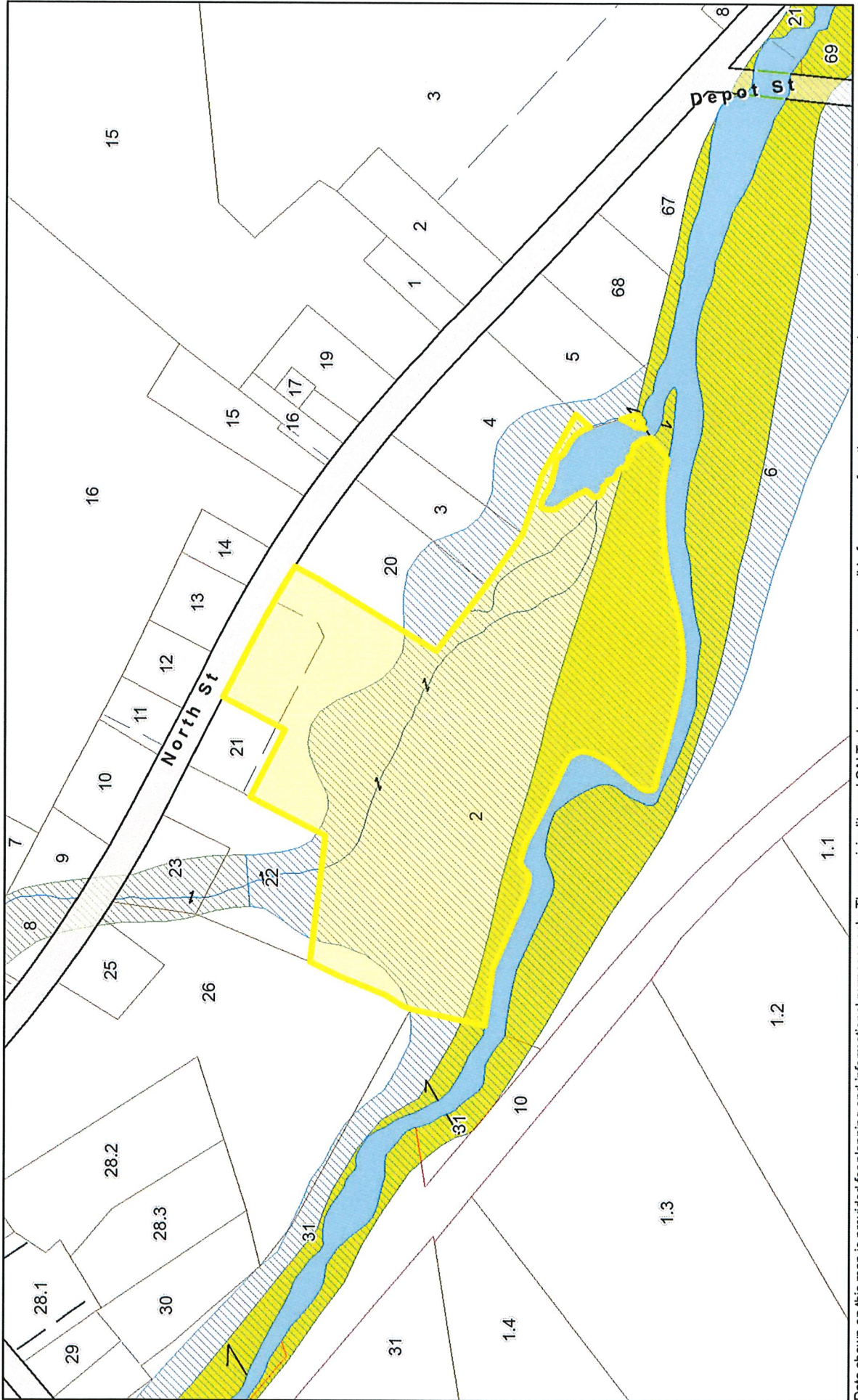
Parcel 57-50-02

1 inch = 274 Feet

April 13, 2023



www.cai-tech.com



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284 Elm Street.

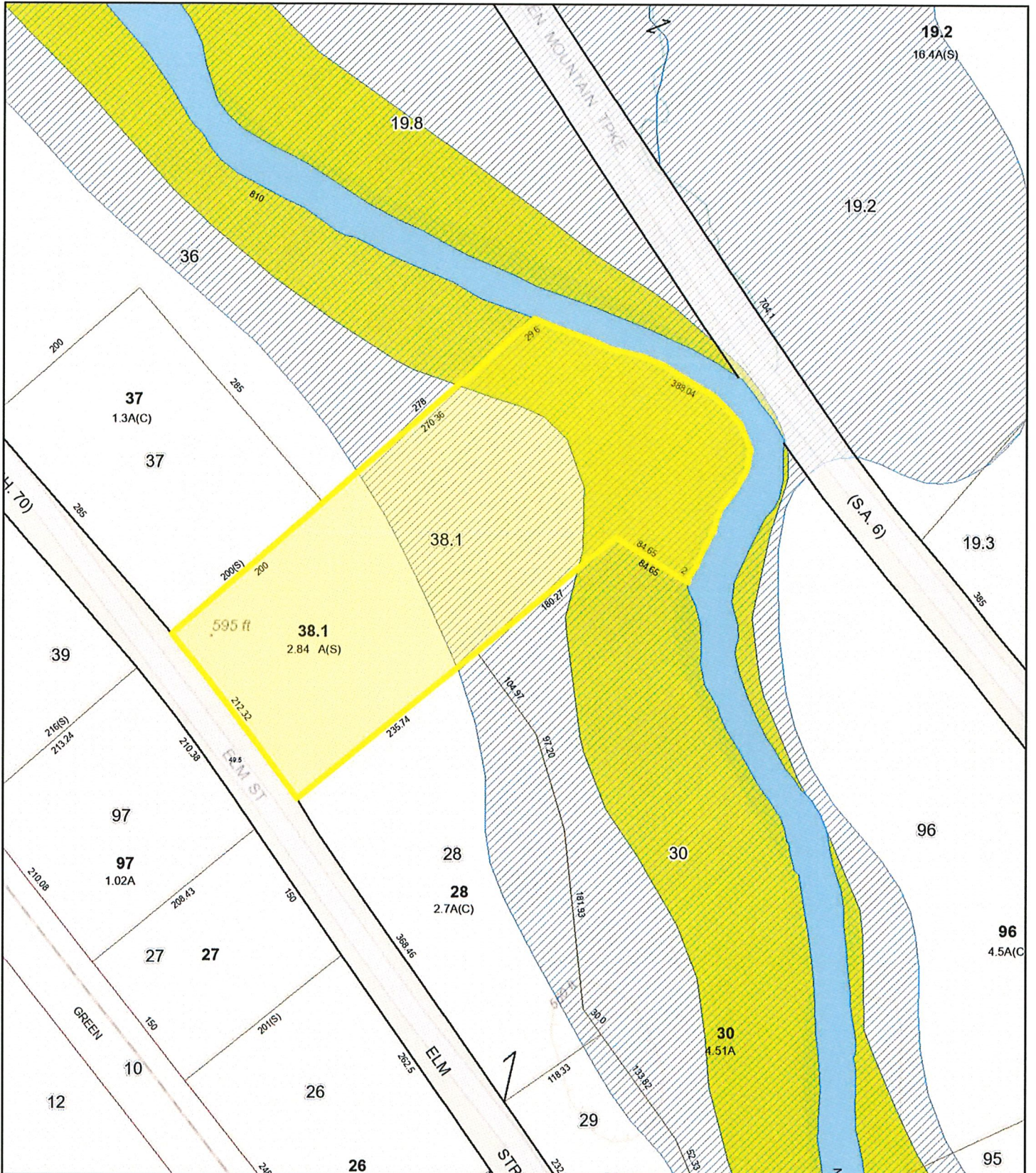
58-50-38.100

1 inch = 137 Feet



www.cai-tech.com

April 13, 2023











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**Town of Chester
Draft Zoning Districts**

Draft: March 30, 2023



-  Parcels
-  General Business
-  Mixed Use
-  Stone Village
-  Village Green
-  Open Space
-  Village Center
-  Neighborhood

Data sources: Zoning (Place Sense 2020 and RPC 2023),
Parcels (VCGI 2022), Road names (VTrans 2021)

VT State Plane. Meters, NAD 83

For planning purposes only.
Not for regulatory interpretation.

Map drawn: March 30, 2023



**Mount Acutney
Regional Commission**

P.O. Box 320, Acutney, VT 05030
802-674-9201 www.marvct.org

UNIFIED DEVELOPMENT BYLAWS
TOWN OF CHESTER, VERMONT



ADOPTED MARCH 15, 2017 EFFECTIVE APRIL 5, 2017

AMENDED JUNE 1, 2022 EFFECTIVE JUNE 22, 2022

DRAFT FOR PLANNING COMMISSION HEARING OF FEBRUARY 22, 2023

Plus Draft Zoning District Amendments 04.13.2023

ARTICLE 2 – Establishment of Zoning Districts & District Standards

2.1 Classes of Districts

For the purposes of these Bylaws, the boundaries of districts are and shall be established as shown on the Zoning Map of the Town of Chester, which map is hereby declared to be part of these Bylaws, and the area of the Town of Chester is hereby divided into the following classes of districts:

VC - Village Center

VG - Village Green

RC - Residential/Commercial

CI - Commercial/Industrial

SV - Stone Village

N – Neighborhood *(note: R20 and R40 are merged into a proposed Neighborhood District)*

R40 - Residential 40,000 square foot lots *(note: some R40 remains outside of the N Dist.)*

A3 - Adaptive 3

R120 - Residential 120,000 square foot lots

OS – Open Space District

CR - Conservation-Residential

F - Forest

APO - Aquifer Protection Overlay District

FDP - Flood Damage Prevention Overlay District

A full and detailed written description of the precise boundaries of all districts, which is a part of these Bylaws, is on file with the Town Clerk of the Town of Chester.

2.2 District Uses and Requirements

The following are district uses, lot size minimums, setbacks, frontage requirements and maximum coverage.

A. Permitted Uses

Permitted uses are those uses that can be approved by the Zoning Administrator (ZA), without action of the Development Review Board. All permitted uses shall comply with the Parking and Sign Requirements for the District.

B. Conditional Uses

Specific Conditional Uses are permitted in each district only by approval of the Development Review Board provided that the general and specific standards and special criteria outlined in Section 4.7 of these Bylaws are met.

CHESTER UNIFIED DEVELOPMENT BYLAWS

D. Dimensional Standards:

Minimum Lot Size	1/8 acre (5,445 sq. ft.)
Minimum Lot Frontage	50 ft.
Minimum Front Yard Setback	10 ft.
Minimum Side Yard Setback	5 ft.
Minimum Rear Yard Setback	10 ft.
Maximum Lot Coverage	80%
Maximum Building Height	35 ft.

E. Supplemental Standards:

1. Building Orientation. Buildings shall front toward and relate to frontage streets, both functionally and visually, and not be oriented toward parking lots.

2. Character of Development. New buildings and modifications of existing buildings shall be of a similar building mass and orientation as buildings in this District, and shall not unduly detract from the existing character of the Village. Where there are conflicts with existing adjoining buildings, building modifications or expansions of uses shall not increase the degree of conflict.

3. Landscaping and Screening. The Development Review Board shall require landscaping or other screening between incompatible uses or structures.

CHESTER UNIFIED DEVELOPMENT BYLAWS

2.3 Village Center (VC) District

A. Purpose: To provide a mix of commercial, residential and civic uses that are consistent with the traditional compact Village Center as described in *the Chester Town Plan*. Development in this District shall be of the highest density in the Town, preserve historic character, and provide a pedestrian-friendly streetscape that accommodates public transportation.

B. Permitted Uses: The following land uses require a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Accessory Dwelling Unit
2. Accessory Structure
3. Accessory Use (e.g., Home Child Care Facility)
4. Family Childcare Home
5. Group Home
6. Home Occupation
7. Private Broadcast Facility
8. Residential – Single- and Two-Household
9. Residential – Multi-Household (3- or 4-Units)

Note: previously Home Occupation was under Accessory Use.

C. Conditional Uses: The following land uses require conditional use review by the Development Review Board (see Section 4.8) and a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Arts & Entertainment
2. Civic/Institutional
3. Commercial Broadcast Facility
4. Family Child Care Facility
5. Health Care Facility
6. Home Business
7. Light Industry
8. Mixed Use
9. Personal Service Shop
10. Professional Office
11. Recreation
12. Residential – Multi-Household (5 or More Units)
13. Restaurant
14. Retail Store
15. Tourist Lodging

Removed Building and Construction Trades as a conditional use

CHESTER UNIFIED DEVELOPMENT BYLAWS

2.7 Neighborhood (N) District

A. Purpose: To provide higher-density residential neighborhoods with a mix of housing types and compatible commercial and civic uses that are consistent with the Chester Town Plan.

B. Permitted Uses: The following land uses require a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Accessory Dwelling
2. Accessory Structure
3. Accessory Use (e.g., Home Child Care Facility)
4. Agricultural/Forestry (See Sec. 4.3 Exemptions)
5. Family Child Care Home
6. Group Home
7. Home Occupation
8. Private Broadcast Facility
9. Residential – Single- and Two-Household
10. Residential – Multi-Household (3- or 4-Units)

C. Conditional Uses: The following land uses require conditional use review by the Development Review Board (see Section 4.8) and a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Civic / Institutional
2. Commercial Broadcast Facility
3. Family Child Care Facility
4. Home Business
5. Mixed Use
6. Professional Office
7. Recreation
8. Residential – Multi-Household (5 or more units)
9. Retail Store
10. Tourist Lodging

Deleted Building and Construction Trades.

D. Dimensional Standards:

	Class 1	Class 2
Minimum Lot Size	1/5 Acre (8,712 sq. ft.)	30,000 sq. ft.
Minimum Lot Frontage	60 ft.	150 ft.
Minimum Front Yard Setback	15 ft.	25 ft.
Minimum Side Yard Setback	10 ft.	20 ft.
Minimum Rear Yard Setback	10 ft.	20 ft.
Maximum Lot Coverage	50%	20%

CHESTER UNIFIED DEVELOPMENT BYLAWS

Maximum Building Height	35 ft.	35 ft.
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NOTES:

Class 1 = Municipal Water & Sewer Services

Class 2 = On-Site Water and/or Wastewater

E. Supplemental Standards:

1. Character of Development. New development in this District shall be consistent with residential neighborhoods that are within walking distance of the village, and should be compatible with a circulation system to accommodate pedestrians and other non-motorized travel.