

## CHESTER UNIFIED DEVELOPMENT BYLAWS

### 2.10 Open Space (OS) District

**A. Purpose:** This district, which is entirely within FEMA’s mapped Special Flood Hazard Area, protects critical flood plain resources including wetlands, wildlife habitat, and natural flood storage which provides erosion control in the event of a flood, and limits the uses beyond what is allowed under the Flood Damage Prevention Overlay District. Appropriate uses in this district include agriculture, forestry, recreation, and civic, cultural, educational and social events. This district is not appropriate for residential uses.

*Please note the following:*

- *Development in the OS District also requires Flood Damage Prevention Review under Section 4.11.*
- *FEMA’s mapped Special Flood Hazard Areas (the Section 2.14 Flood Damage Prevention Overlay District) include the OS District as well as areas throughout town outside of the OS District.*
- *A permit is not required for exempt uses under Section 4.3 that are not defined as Development under Section 8.2 and therefore do not require Flood Damage Prevention Review under Section 4.11.*

**B. Permitted Uses:** There are no permitted uses in this district. All applications for permits for development require Flood Hazard Review and must be reviewed by the Development Review Board as Conditional Uses.

**C. Conditional Uses:** The following uses require Flood Hazard and Conditional Use Review by the Development Review Board (see Sections 4.8 and 4.11) and a zoning permit issued by the Zoning Administrator (see Section 7.2). All allowed use terms are as defined in Section 8.2:

1. Accessory Structures (structures that are accessory to an approved or exempted use, such as a backstop, dugout and bleachers are accessory to a baseball field)
2. Arts & Entertainment
3. Civic/Institutional
4. Nursery
5. Open Market
6. Recreation
7. Sawmill
8. Wood Processing

#### D. Dimensional Standards:

Minimum Lot Size	5 acres
Minimum Lot Frontage	200 ft.
Minimum Front Yard Setback	50 ft.
Minimum Side Yard Setback	50 ft.
Minimum Rear Yard Setback	50 ft.

**CHESTER UNIFIED DEVELOPMENT BYLAWS**

Maximum Lot Coverage	10%
Maximum Building Height	35 ft.

**E. Supplemental Standards:**

**1. Prevent Fragmentation.** Development shall avoid fragmenting prime agricultural soils, active farm fields, forestlands and habitat corridors.

**2.11 Residential 120,000 (R120) District**

**A. Purpose:** To provide lower-density residential neighborhoods with compatible home businesses and working landscape 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, Home Occupation)
4. Agricultural/Forestry (See Sec.4.3 Limitations & Exemptions)
5. Family Child Care Home
6. Group Home
7. Residential – Single- and Two-Family

**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. Animal Hospital
2. Animal Kennel
3. Building and Construction Trades
4. Campground
5. Civic Institutional
6. Wireless Communication Facility
7. Extraction Operations
8. Family Child Care Facility
9. Heavy Construction Trades
10. Home Business
11. Nursery
12. Professional Office
13. Recreation
14. Residential – Multi-Family
15. Sawmill



## Update Admin UDB Amendment – joint PC-SB discussion 15 May 2023

(red changes previously proposed by PC, blue changes address revisions requested by SB)

### 3.22 Renewable Energy Facilities

(Note: Development Associated with utility, energy or telecommunications infrastructure that receives a Certificate of Public Good from the Vermont Public Utilities Commission is exempt from these bylaws. Certain roof mounted solar energy devices, including photovoltaic and thermal panels, may also be exempt from these bylaws. See Section 4.3)

### 4.3. Limitations and Exemptions

**4.3.B.19** Self-contained travel or camper trailers may be stored on a lot year-round, but occupancy of a self-contained travel or camper trailer is limited to not more than 180 days total in any calendar year. The storage or occupancy of more than 2 travel or camper trailers on a lot will be considered a campground under Section 3.3. Within the Village Center and Village Green Districts, travel or camper trailers must be located behind the frontline of the principal building or within an enclosed structure. [Leave unchanged? Delete first sentence?]

**New: 4.3.B.30** A roof mounted solar energy device, including photovoltaic and thermal panels, that will be installed on and project not more than 10 feet above the surface of a sloped roof with a pitch greater than 5%, or will be installed on a flat roof with a pitch of 5% or less.

### 5.2 Road Design

**A. New Roads.** [withdraw previously recommended change]

**H. Rights-of-Way.** In accordance with 24 V.S.A. §4412(3), rights-of-way for any existing lots that do not have frontage on a State or Town Highway require Subdivision approval by the Development Review Board. ~~and must conform to the Town of Chester's Road and Bridge Specifications.~~ A right-of-way serving ~~only one or two~~ lots shall conform to the driveway standards in section 5.2.G above. ~~Two~~ Three or more lots not having frontage on a public highway shall meet the ~~road standards~~ *Town of Chester's Road and Bridge Specifications*. The Development Review Board shall require that a professional engineer, at the sole expense of the applicant, certify that a newly constructed road was designed and constructed in accordance with the *Town of Chester's Road and Bridge Specifications* and a certificate of compliance issued by the Zoning Administrator prior to opening the newly constructed road to general use. The Development Review Board shall also require that the applicant designate a contact person responsible for future maintenance of the road.

### 7.16 Waivers

**7.16.A** Ability to waive subdivision requirements to permit multiple principal structures on a lot [Delete previously recommended change; can be accomplished through PUD]

### 8.2 Definitions

**ROADS:** Any street, highway, avenue, land, or right-of-way commonly used by the public for vehicular traffic, regardless of its length that provides access to ~~two~~ three or more lots, shall be deemed a road. An access driveway to ~~one or two lots a single lot~~ shall not be considered a road.

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 05.10.2023**

*Neighborhood & Village Center District Changes*



## 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

### 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. Multi-Purpose (revisit definition for 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**

**D. Dimensional Standards:**

Minimum Lot Size	1/8 acre (5,445 sq. ft.)	20,000 sq. ft.
Minimum Lot Frontage	50 ft.	100 ft.
Minimum Front Yard Setback	10 ft.	20 ft.
Minimum Side Yard Setback	5 ft.	15 ft.
Minimum Rear Yard Setback	10 ft.	15 ft.
Maximum Lot Coverage	80%	35%
Maximum Building Height	35 ft.	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

### 2.7 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. Multi-Purpose (revisit definition for 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:

	<b>Municipal Water &amp; Sewer Services</b>	<b>Class 1</b>	<b>On-Site Water and/or Wastewater</b>
Minimum Lot Size	1/5 Acre (8,712 sq. ft.)	20,000 sq. ft.	30,000 sq. ft.
Minimum Lot Frontage	60 ft.	120 ft.	150 ft.
Minimum Front Yard Setback	15 ft.	25 ft.	25 ft.



**CHESTER UNIFIED DEVELOPMENT BYLAWS**

Minimum Side Yard Setback	10 ft.	20 ft.	20 ft.
Minimum Rear Yard Setback	10 ft.	20 ft.	20 ft.
Maximum Lot Coverage	50%	20%	20%
Maximum Building Height	35 ft.	35 ft.	35 ft.

**E. Supplemental Standards:**

**1. Building Orientation.** Buildings served by municipal water and sewer (i.e. on Class 1 parcels) shall front toward and relate to frontage streets, both functionally and visually, but that orientation may be altered for solar advantage (e.g. roof orientation for PV solar panels, passive solar orientation).

**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 Neighborhood District. Where there are conflicts with existing adjoining buildings, building modifications or expansions of uses shall not increase the degree of conflict.

**3. Size of Retail Stores.** In this District, retail stores shall not exceed 7,000 square feet total retail floor space.

## CHESTER UNIFIED DEVELOPMENT BYLAWS

**IMPERVIOUS SURFACE:** A surface that has been compacted or covered with a layer of material that is highly resistant to infiltration by water, including building roofs, hardscapes (e.g. brick patio), sidewalks, driveways, roads and parking lots. Both paved and gravel roads and driveways constitute impervious surfaces. See Figure 8.2 which is illustrative of this term.

**INDUSTRIAL FACILITY:** A site comprised of one or more buildings dedicated to industrial use.

**INDUSTRIAL USE:** Those fields of economic activity that include the transformation of raw materials, manufacturing, processing, transportation terminals and wholesale trade, but does not include extraction operations as defined in these Bylaws.

**INN:** See Tourist Lodging.

**INTERNALLY LIT SIGN:** A sign with a light source that originates from within the materials of the sign.

**LAND DEVELOPMENT:** See Development.

**LEASE:** Lease shall not include land leased by any person for agricultural purposes.

**LEED CERTIFICATION STANDARDS:** LEED (Leadership in Energy and Environmental Design) is an ecology-oriented building certification program run under the auspices of the U.S. Green Building Council. LEED concentrates its efforts on improving performance across five key areas of environmental and human health; energy efficiency; indoor environmental quality, materials selection, sustainable site development and water savings.

**LEGISLATIVE BODY:** The Select Board in the case of the Town of Chester.

**LIFE SAFETY IMPROVEMENTS:** Improvements to buildings required to minimize danger to life from fire, smoke, fumes or similar hazard. Examples of life safety improvements include, but are not limited to, stairways, fire escapes and elevators.

**LIGHT INDUSTRY:** The processing and fabrication of certain materials and products where no process involved will produce noise, vibration, air pollution, fire hazard, or noxious emission which will disturb or endanger neighboring properties.

**LOT:** A lot or parcel of land the boundaries of which are separately described in a recorded deed or plat. State or municipal highway and railroad rights-of-way or surface waters with a drainage area greater than 10 square miles constitute a lot boundary. **Land under public rights of way shall not be used to meet Minimum Lot Size requirements.**



## CHESTER UNIFIED DEVELOPMENT BYLAWS

**LOT COVERAGE:** That part of the lot that is covered by the footprint of the building area(s).

**LOT LINE ADJUSTMENT:** See Boundary Line Adjustment

**LOWEST FLOOR:** The lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; *provided*, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.

**MANUFACTURING:** Any process whereby the nature, size or shape of articles or raw materials are changed, or where articles are assembled and packaged. (See Industrial Use.)

**MARKET VALUE:** The building value, excluding the land (as agreed between a willing buyer and seller), as established by what the local real estate market will bear. Market value can be established by independent certified appraisal, replacement cost depreciated by age of building (i.e. Actual Cash Value) or adjusted assessed values.

**MASTER PLAN:** A comprehensive, long-range plan intended to guide the growth and development of a parcel or tract of land, which may be required by the Development Review Board in accordance with Section 4. 10(A)(5).

**MULTI-PURPOSE BUILDINGS:** Buildings with a variety of complimentary and integrated uses, such as, but not limited to, residential, retail, restaurant, professional office and personal services, in a compact urban form. **Multi-purpose** buildings generally include retail, personal service, restaurant and similar uses located on the first-floor, with residential or professional office uses on the second or third floors above.

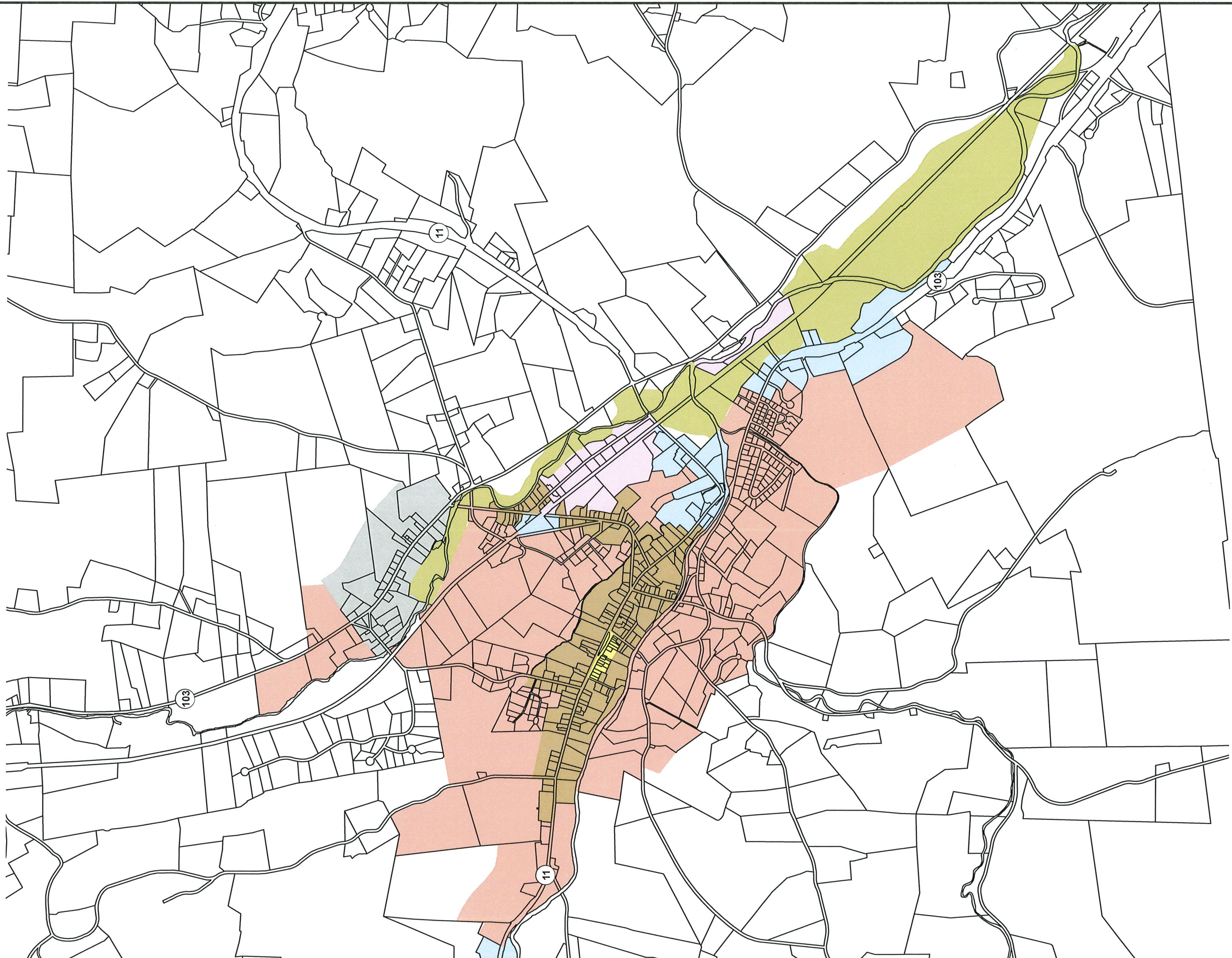
**MOBILE HOME:** A structure or type of manufactured home that is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation, includes plumbing, heating, cooling, and electrical systems, and is:

- Transportable in one or more sections; and
- At least eight feet wide or 40 feet long or when erected has at least 320 square feet or if the structure was constructed prior to June 15, 1976, at least eight feet wide or 32 feet long; or
- Any structure that meets all the requirements of this subdivision except for size and for which the manufacturer voluntarily files a certification required by the U.S. Department of Housing and Urban Development and complies with the standards established under Title 42 of the U.S. Code.



**Town of Chester  
Draft Zoning Districts**

**Draft: May 10, 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: May 10, 2023



**Mount Ascutney  
Regional Commission**

P.O. Box 320, Ascutney, VT 05030  
802-674-9201 [www.marvot.org](http://www.marvot.org)



## **Rules of Procedure for the Town of Chester Planning Commission**

### **A. PURPOSE.**

The Planning Commission of Chester, is required by law to conduct its meetings in accordance with the Vermont Open Meeting Law. 1 V.S.A. §§ 310-314. Meetings of the Chester Planning Commission must be open to the public at all times, except as provided in 1 V.S.A. § 313.

### **B. APPLICATION.**

This policy setting forth rules of procedure shall apply to the Chester Planning Commission, which is referred to below as “the body.” These rules shall apply to all regular, special, and emergency meetings of the body.

### **C. ORGANIZATION.**

1. The body shall annually elect a chair and a vice-chair. The chair of the body or, in the chair’s absence, the vice-chair shall preside over all meetings. If both the chair and the vice-chair are absent, a member selected by the body shall act as chair for that meeting.
2. The chair shall preserve order in the meeting and shall regulate its proceedings by applying these rules and making determinations about all questions of order or procedure.
3. A majority of the members of the body shall constitute a quorum. If a quorum of the members of the body is not present at a meeting, no meeting shall take place.
4. No single member of the body shall have authority to represent or act on behalf of the body unless, by majority vote, the body has delegated such authority for a specific matter at a duly-noticed meeting and such delegation is recorded in the meeting minutes.
5. Motions made by members of the body require a second. The chair of the body may make motions and may vote on all questions before the body. A motion will only pass if it receives the votes of a majority of the total membership of the body.
6. There is no limit to the number of times a member of the body may speak to a question. A member may speak or make a motion without being recognized by the chair. Motions to close or limit debate will not be entertained.
7. Any member of the body may request a roll call vote. Pursuant to 1 V.S.A. § 312(a)(2), when one or more members attend a meeting electronically, a roll call vote is required for votes that are not unanimous.
8. Meetings may be recessed to a time and place certain.
9. These rules may be amended by a super majority (meaning 4 of 5 Commission members) vote of the body, and must be readopted annually.
10. The chair may be removed at any time by a super majority vote of the seated commissioners.

#### **D. AGENDAS.**

1. Each regular and special meeting of the body shall have an agenda,. Those who wish to be added to the meeting agenda shall contact the chair to request inclusion on the agenda. The chair shall determine the final content of the agenda.
2. At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, a meeting agenda shall be posted on the interior and exterior bulletin boards at the town hall and on the town website, [chestervt.gov](http://chestervt.gov). The agenda must also be made available to any person who requests such agenda prior to the meeting.
3. All business shall be conducted as it appears on the noticed agenda, except that any deletion from the noticed agenda must be made as the first act of business at the meeting. No deletions from the agenda shall be considered once the first act of business at the meeting has commenced. Any other adjustment to the noticed agenda, for example, changing the order of business, postponing or tabling actions, may be made by a majority vote of the body.

#### **E. MEETINGS.**

1. Regular meetings shall take place on the first and third Mondays of the month at 6:30, at the Chester Town Hall and/or electronically.
2. Special meetings shall be publicly announced at least 24 hours in advance by giving notice to all members of the body unless previously waived; to an editor, publisher or news director, or radio station serving the area; and to any person who has requested notice of such meetings. In addition, notices shall be posted on the interior and exterior bulletin boards at the town hall and on the town website, [chestervt.gov](http://chestervt.gov).
3. Emergency meetings may be held without public announcement, without posting of notices, and without 24-hour notice to members, provided some public notice thereof is given as soon as possible before any such meeting. Emergency meetings may be held only when necessary to respond to an unforeseen occurrence or condition requiring immediate attention by the body.
4. A member of the body may attend a regular, special, or emergency meeting by electronic or other means without being physically present at a designated meeting location, so long as the member identifies him or herself when the meeting is convened, and is able to hear and be heard throughout the meeting. Whenever one or more members attend electronically, voting that is not unanimous must be done by roll call. If a quorum or more of the body attend a meeting (regular, special, or emergency) without being physically present at a designated meeting location, the agenda for the meeting shall designate at least one physical location where a member of the public can attend and participate in the meeting. At least one member of the body, or at least one staff or designee of the body, shall be physically present at each designated meeting location.

**F. PUBLIC PARTICIPATION.**

1. All meetings of the body are meetings in the public, not of the public. Members of the public shall be afforded reasonable opportunity to express opinions about matters considered by the body, so long as order is maintained according to these rules.
2. At the end of each agenda item, but before any action is taken by the body at each meeting. The chair may limit the time allotted for public comment. By a majority vote, the body may increase the time for open public comment and its place on the agenda.
3. Comment by the public or members of the body must be addressed to the chair or to the body as a whole, and not to any individual member of the body or public.
4. Members of the public must be acknowledged by the chair before speaking.
5. If a member of the public has already spoken on a topic, he or she may not be recognized again until others have first been given the opportunity to comment.
6. Order and decorum shall be observed by all persons present at the meeting. Neither members of the body, nor the members of the public, shall delay or interrupt the proceedings or the peace of the meeting or interrupt or disturb any member while speaking. Members of the body and members of the public are prohibited from making personal, impertinent, threatening, or profane remarks.
7. Members of the body and members of the public shall obey the orders of the chair or other presiding member. The chair should adhere to the following process to restore order and decorum of a meeting, but may bypass any or all steps when he or she determines in his or her sole discretion that deviation from the process is warranted:
  - a. Call the meeting to order and remind the members of the applicable rules of procedure.
  - b. Declare a recess or table the issue.
  - c. Adjourn the meeting until a time and date certain.
  - d. Order the constable to remove disorderly person(s) from the meeting.

**ADOPTED:** May 3<sup>rd</sup> 2023

\_\_\_\_\_ Hugh Quinn, Chair

\_\_\_\_\_ Tim Roper Vice Chair

\_\_\_\_\_ John Cummings

\_\_\_\_\_ Catherine Hasbrouck

\_\_\_\_\_ Barre Pinske