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**TOWN OF CHESTER
PLANNING COMMISSION
January 8, 2024 Minutes**

Commission Members Present: Cathy Hasbrouck, Hugh Quinn, Tim Roper, and Barre Pinske at Town Hall.

Staff Present: Preston Bristow, Zoning Administrator/Town Planner, at Town Hall; Susan Bailey, Recording Secretary, via Zoom.

Citizens Present: Peter Hudkins, Arne Jonynas, Randy Miles, Jason Rasmussen, MARC, and Bill Lindsay at Town Hall; and Steve Mancuso on Zoom.

Call to Order

Chair Hugh Quinn called the meeting to order at 6:31 p.m.

Agenda Item 1, Review and Approve Minutes from November 27, 2023, meeting

Cathy moved and Tim seconded a motion to review and approve the November 27, 2023, minutes. Tim abstained from the vote, as he was absent from that meeting. The motion carried and the minutes were approved, as written.

Agenda Item 2, Citizen Comments

Steve Mancuso thanked them for all their good work for Chester business. He asked them to consider amending 4.3 by allowing a temporary exception granted by the Zoning Administrator for one unit for more than 1 year referring to those who must exist in a camper due to their circumstances. Steve posted to chat: “15. 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. A temporary exception may be granted by the Zoning administrator for 1 unit for more than a 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.” Steve said this would give those people wiggle room and consider the circumstances of those living in a camper whether they’re renovating, building, or victims of having their homes flooded. Hugh thanked Steve for his comment and understood what he was saying and thought it was a discussion for Preston as Zoning Administrator. Preston said he would definitely look at it. Hugh summed it up that Steve was asking for language to allow the Zoning Administrator to provide an exception to the language that states someone cannot live in a recreational vehicle or camper full time. Steve agreed with Hugh’s summation but said the ZA or DRB could consider the circumstances of someone living in a camper. Preston said he hadn’t thought of that approach, commended Steve for bringing it up, and would consider it and follow up at the next meeting with his thoughts.

Randy Miles was there because he has property in an R-40 District and thought they would be

1 discussing that district, along with R-20 and had plans for his property. He read an article and to
2 him, it sounded like the R-40 district would be put into a neighborhood district and thought it
3 would take a lot of possibilities away for him. He was concerned that restaurant had been removed
4 in 2017 and he is on the outskirts of town in a good location, and he wanted to do something in 3
5 or 4 years when he retired. He asked the Commission to consider that. Randy noticed properties
6 were rezoned for smaller lots and wondered if it would help bring families to the area because he's
7 noticed numbers for school were dropping and wanted to attract families to the community. Randy
8 wanted the budget spread between more taxpayers. Hugh thanked him for his comments and said
9 in the last round of changes to the bylaws, most of what was in Village Center and R-20 and some
10 of R-40 was rezoned into Neighborhood District, whose lots are largely served by water and sewer
11 and mostly able to support a much higher density of development. They didn't want to put any
12 barriers in areas for housing where there are municipal services. Hugh thought that was one piece
13 of a larger problem that needed to be solved that has an economic development component and
14 other components about how to draw people into town to live and work here and send their kids
15 to school. Hugh didn't think the zoning changes would solve all the problems, but they were trying
16 to remove barriers in certain areas and move away from the single-family larger lot because they
17 weren't getting the best use out of municipal land where there is water and sewer. Hugh said some
18 of R-40 got pulled into Neighborhood and some parts were left alone and this meeting would center
19 around an open discussion, brainstorming, and future meetings and would give a sense of the maps
20 and language. Randy said it was a step forward in the right direction.

21 22 **Agenda Item 3, Brainstorming and Direction Setting for Rural Districts**

23
24 Jason Rasmussen from MARC brought extra copies of his memo and offered them to the audience.
25 The memo included his suggestions, and he hoped, based on feedback, they could write language
26 that made sense. Jason also had some maps with him. Hugh, Preston, and Jason met a few weeks
27 ago and Jason tried to put onto paper his thoughts from that meeting. They were talking about the
28 Brandy zoning map and initially they thought they would use it for the rural part of town but
29 decided it didn't work. Jason was proposing they used the existing district zoning map rather than
30 the previous one. Tim asked why and Jason said to him, there is never one correct way to do a
31 zoning map, but he didn't like the highway corridor buffer. The districts followed certain roads
32 and there was some logic to that, but he didn't love it. The future land use map was in the town
33 plan, and it seemed like this was a closer proximation to the town plan. Preston said when he first
34 came to the meeting, he thought they should go with the Brandy map but left the meeting thinking
35 they shouldn't. Preston's first thought was to superimpose the village centers they had done on
36 Brandy's map and see what it looked like. Preston thought what Jason had said was Brandy's map
37 had higher density districts by the roads and lower ones between and thought it looked like rural
38 sprawl. Preston said they could go through the exercise of superimposing what they've already
39 adopted onto Brandy's map and share their thoughts about what was good and bad. Tim said how
40 they landed at those corridors that looked like higher density was they were leaning toward greatly
41 reducing the density where it made sense, and it made more sense to do that in the forested areas.
42 Tim said he wasn't certain it was a bad thing and wasn't married to either one but wanted to offer
43 that background. Barre said it wasn't a business and the fact they put so much work into the other
44 map with Gabe was his struggle. Barre's concern was that it was an attempt to do something that
45 was best for the town and the fact they had put so much time and effort into it but was open to
46 doing something different and thought they would still take any good ideas from the original plan.

1 Barre said they had had concerns about light manufacturing or small business out in the woods
2 and about trucks being able to get there given the roadways. Barre didn't mind starting over but
3 wanted to point out they had put so much time into it. Tim said most of it along the road was 3-
4 acre zoning which wasn't small for him. Preston said he left the session agreeing with Jason that
5 it felt like rural sprawl but then Cathy pointed out they were already in 3-acre districts and would
6 be kept 3-acres and wondered what the difference was. Tim responded the districts away from the
7 road were lower density but was open to ideas as he wanted to do what they thought was best.
8 Hugh said the only thing he heard and could envision was when he looked at zoning districts that
9 follow major arteries, if they're not done carefully, it could potentially look like strip development
10 along the major roads, and he didn't think that was what they wanted. Hugh said speaking from
11 memory, the vision was compact development in the center which became more rural as you
12 moved out and he was afraid if they weren't careful about zoning around the main arteries, they
13 would have chunks of rural areas bisected by higher development of things they may not want.
14 Jason suggested they walk through some of the ideas and visit the maps and things may be clearer.
15 Hugh agreed. They thought it would be helpful to look at the maps and as they hit the bullets of
16 Jason's memo, they could glance at what map would be the most useful for this discussion.

17
18 Steve Mancuso thought the Commission was in a hot seat and noted the Grand List is greased by
19 business more than anything else. It's a symbiont relationship. The southern corridor is very
20 inclusive in what Jason was doing and if there wasn't business in town, they wouldn't have the
21 Grand List to alleviate the tax burden. He asked the Commission to take it into consideration.

22
23 The audience and Commission members gathered around the map. To orient folks with Jason's
24 thought process, he showed them the current zoning district map and what was in the town plan
25 with the future use map and said per state law, zoning was supposed to be consistent with the town
26 plan and thought they were. A lot of the work in the Village Center largely mirrored what the town
27 plan called for with higher densities and business activity. The purple area versus the brown area
28 combined with R-40 were similar. At the meeting, they thought if they stayed with that and not
29 the Bandy map, they could start to look at the orange areas or the R-40 as a concentric circle around
30 the village and go out of town toward conservation or forest. To Jason, they were more consistent
31 with the town plan and compared it with the Brandy or PlaceSense Map, and they superimposed
32 the new districts. In the rural part of town was what PlaceSense zoning looked like. Jason said
33 there were some differences but value and one of the things they are supposed to look at in their
34 metro resource atlas are forest blocks and habitat connectors and what they are, and this was the
35 starting point. Jason said biologists could refine it, but it was telling them the spine of the Green
36 Mountains was the most critical part of Vermont in terms of maintaining large forest blocks and
37 movement of animals and plant species over time. There were other important connections like
38 Mount Ascutney to New Hampshire and the purple blobs were also important and called highest
39 priority interior forest blocks. They're important for habitat and forest health points of view.
40 Orange are the next level down in terms of importance. Science is telling them there are important
41 connections between the larger blocks that are north and south of town. Jason was thinking about
42 the conservation residential district and if it was the right area. If the goal is conservation, it isn't
43 really doing that right now. For maintaining large lots for forestry activities, recreation, hunting,
44 and farming, Jason showed them what it should look like on the map. Tim asked what would make
45 it larger lot sizes. Jason thought the trick was the road crossing but there were a lot of larger lots
46 in the back, and he could imagine larger lot sizes with a connection by roads and showed them on

1 the map. There was discussion among the map viewers about where the connections would be.
2 Barre said previously he had gotten so upset at the lady talking about the forest block that he left
3 the meeting, but she was no longer running that division, and he has calmed down. Barre didn't
4 want to sound like he wasn't one but the picture he got from the environmentalists was the forest
5 block concepts related to people going on vacation and if you were a deer and there was forest
6 land all the way to Canada, it would allow you to walk there. Barre thought they imposed human
7 ideas onto animals and that deer live within one square mile but wasn't saying they didn't need
8 more conservation land. With respect to habitat, there wasn't a lot of food in the woods. The food
9 for animals is on the edge of the woods by the river because the trees grow dense in the forest
10 which doesn't leave a lot to eat. Animals live in the forest, but the denser population of animals is
11 along the edge. Based on what a friend who farms told him, Barre thought a lot of animals were
12 likely injured during haying in the spring because they live along the edge. Barre was concerned
13 about what landowners may think if they turned their land into conservation areas and said he may
14 be wrong but thought they needed to consider that. Barre has four 30-year-old female friends who
15 don't want kids because people are ruining the planet and that's part of why fewer children are
16 born, so cultural things affect us and saw that with the forest block roadway concept. Barre pointed
17 out that a lot of the land is already in current use. Barre noted they were a group trying to do good
18 things for people and the environment. Hugh heard what Barre was saying but wondered why
19 someone wouldn't look at the map and suggest they not change anything. Tim heard what Barre
20 was saying and noted it was hard to balance property owners' rights with environmental concerns
21 but cautioned that the people who do this are professional biologists and knew what they were
22 talking about, so they couldn't just discount it because they didn't agree. Tim said they needed to
23 be aware it was private property and sensitive and respectful of that. Tim wondered how they
24 would find the compromises of both sides. When they worked with PlaceSense, they were leaning
25 toward a much larger minimum and thought it was a hybrid between minimum lot size and
26 development density. Tim noted Jason had a comment about looking at it from a development
27 density side than minimum lot sizes that he was interested in discussing. Tim wondered if it was
28 possible to get a map of all properties that were in current use and somehow superimpose it there
29 so that would show them where there was existing connectivity. Jason thought that was available
30 but would check. Bill wondered if they were trying to establish an animal connection through the
31 land and Jason said they were partially. They weren't talking about a wilderness area or no
32 development but were trying to figure out if it made sense where the larger lots in town were that
33 weren't developed or have a lot of development, and wondered if they coincide with what scientists
34 say are important habitat areas and can there be a new conservation district that more closely aligns
35 with that. Bill asked if they were saying they could have a larger conservation area through private
36 land and Jason agreed. Jason said someone may question why they should do anything if current
37 use was doing it already and they wouldn't be totally wrong. Bill wondered if it would qualify for
38 Chester to receive some remuneration for the land basically being put in current use. Jason said
39 they don't pay a lot of taxes in current use because they have forestry and farming activities going
40 on. Bill said current use, through the state, gives some remuneration to the town and he was
41 concerned about losing tax base and the privacy issue of turning it into conservation land. Jason
42 understood. Bill said there aren't enough kids enrolled in the school which reduces income
43 received from the state. Bill said he loves where he lives and wouldn't want to see the deer leave
44 and understands connections. It seemed to Bill in situations like this, they take developed land out
45 of use and don't receive money and he gave what he called a silly scenario about a \$4 million
46 bridge for deer to cross a highway. Bill was concerned by that money spent given the housing

1 needed. Jason said the conservation residential district allows a lot: animal kennels, building and
2 construction trades, campgrounds, civil and institutional uses, extraction operations, family
3 childcare, home business, so his point was it wasn't a no-go zone but allowed for uses. Forestry
4 isn't done on lots less than 50 acres and if they wanted forestry and farming, and similar things,
5 they needed to maintain larger lots. Jason said there was a balancing act and part of what they were
6 trying to do was maintain some rural countryside where hunting and things, like forestry, can
7 happen. People could still build houses and business was welcomed, but more working landscape
8 type businesses. Hugh said they had to strike a balance, so they had to figure that out. Hugh said
9 for land in current use, the town receives state money to try to balance out what would have been
10 received in property taxes and thought putting land in current use shouldn't reduce income for the
11 town but didn't know if that was true. Peter said he had been talking with Cathy about how
12 NEMRC values property and they didn't seem to take zoning districts into consideration, so it was
13 the lot size that determines value. If it is in current use, they stamp the value and then current use
14 reduces it. Peter said his acreage in the conserved area makes no difference in value than land that
15 isn't. Hugh said land that was zoned in a way they can't do much is valued the same way as land
16 you can do a lot with. Cathy said they look at if things are level and how much is under water, but
17 they don't look at zoning bylaws about what it can be used for. Cathy said it's really the ground
18 that is rated. Barre said that was a big factor in the area and he has a friend in Georgia with rounder
19 mountains but similar topography so nature dictates what they can do. Barre thought some of it
20 happened naturally here given the topography. Tim said there was tangible value in the human
21 world of monetary but thought there was intangible value in having green hills, fields, farms, and
22 forestry that bring returns in different ways. One of the big reasons Vermont is attractive to people
23 is because it's beautiful. Tim wasn't saying anything they did in the next three months would
24 drastically impact that but asked them to consider that dollars weren't the only value to consider.
25 Barre agreed with Tim and thought having a balance and planning for the future because they have
26 had past members who were way more environmentally oriented than him and found it extreme
27 but when he visits other areas and sees junk and buildings along the highway, he appreciates the
28 beauty of Vermont. Barre was all in favor of having balance.

29
30 Jason referred to the ideas in the memo and said they would look at R-40 and asked what people
31 thought about that as an idea. Cathy thought if they weren't putting it where water and sewer were,
32 she liked the idea of making it a 2-acre minimum because people would need to supply one or both
33 and it was hard to do that on 1 acre and it felt foolish to let someone start out on 1 acre and learn
34 they can't put a house there. Tim said a lot of it was they were thinking 3-acre and part of that was
35 also about wastewater but what they were talking about didn't correspond with it well. Tim thought
36 2 or 3 acres seemed like a minimum. Tim would be fine with 3 but realized there would be a lot
37 of non-conforming lots. Cathy said they had a bunch of lots on Remington Road that are 2 acres
38 or less. Tim said Route 11 East had a lot of small lots, too, so maybe 2 was the right number. Jason
39 asked if they liked the PlaceSense map's version of R-40 more. Tim thought it lined up but was
40 different from Route 103 South. Hugh thought that was fine and the only other thing they had
41 previously discussed was an area near Marcs Drive even though it wasn't water and sewer. Tim
42 agreed. Jason asked what size the lots were, and Cathy thought 3 and 4 acres. Jason thought if they
43 labeled that area Residential 2, it wouldn't be crazy. The others agreed. Cathy noted some were
44 under 2 acres. Cathy showed Tim how to use the parcel viewer while they looked at the area of
45 Marcs Drive. Barre asked if there was a reason they wouldn't have a halfway between what was
46 in town and before it became too rural and give it a number and a color and then figure out what

1 goes there and that way it wouldn't affect the larger parcels surrounding it. Barre said they took
2 the Marcs Drive area and some of the area by the high school out of their last map and their goal
3 was to a rural district and it seemed like they were hung up in the district they had in the other part
4 before but removed it because it didn't fit and now and they were trying to make it fit. Barre
5 wondered if they could have another number or name or zone that was kind of like the residential
6 that didn't fit but not as much as the rural. Jason said that's what he was trying to do. Hugh said if
7 they looked at what was left of R-40, it may be other lots that were closer to the center but currently
8 in R-120. The notion was you shouldn't go from 1/5 of an acre to 5 acres in the very rural areas.
9 The thought was some of what was left of R-40 and some of R-120 that was still close to the center
10 that has small lots should be something else and one thing they were trying to consider. Hugh
11 thought people may look at the map and say the folks figured out what to do in the middle and
12 knew it was going to be a conservation block and didn't know what else to do and everything else
13 became R-3. Hugh said they could argue that everything that didn't fit in the middle or
14 conservation or forest block, they marked R-3 and off they went and if that was true, they needed
15 to decide if it still made sense and if it didn't, why it didn't and what should they do about it. Hugh
16 said they may get it all done and aside from fixing R-40 to make it something smaller than 3 acres,
17 once they solve that, they may decide R-3 is good and not re-zone. Jason said they would go back
18 and make some changes and show them some ideas on a map and thought after they looked at R-
19 40 and called it Residential 2 or 3, they would do the concentric circle around the village and go
20 to what was now Residential 120 also known as R-3 and Jason suggested it become Rural 5 but
21 they would need to discuss the lot size. Much of the rest of town becomes R-5 and like what they
22 talked about before, conservation residential had nothing about conservation and suggested they
23 call it a rural district with a number after it, such as R-8. Jason told Tim they could get to the
24 density he was referring to. Cathy added that the map shows connection blocks and inter forest
25 blocks and there was nothing on the map east of Route 103 and she suggested they leave that area
26 alone. Jason and Hugh agreed. She didn't see a point in riling people up if they didn't need to. But
27 they agreed there may be a small section in the northern border they shouldn't leave alone. Jason
28 said one thing that may be difficult to understand is getting rid of the minimum lot size and going
29 for a density standard. So, an R-5 district may not need 5 acres to create a new lot and could create
30 a 1-acre new lot. If they had a 10-acre lot to begin with and create a 1-acre lot, they would be done.
31 Jason said there was a level of administrative headache that went with it but would provide
32 flexibility and allow for folks to create smaller and slightly cheaper lots for their children or to sell
33 off. It would create slightly lower priced housing but maintain the overall density they may want
34 in the rural part of town. Hugh reiterated that just because they label a zone conservation didn't
35 mean they couldn't do anything with the land. Ultimately, they would have a list of uses associated
36 with that zone that would allow people to do things with their land. There would be less they could
37 do than in a strictly residential zone, but it wasn't like the land would be earmarked for nothing
38 but forestry. For density-based zoning, Hugh understood it was harder to administer but the
39 concept allowed the opportunity for housing to be there and closer together but not create a densely
40 packed neighborhood because with the density requirements, if you had a handful of houses on 1-
41 acre lots in a little community, there would need to be enough open space around it so they
42 continued to maintain the open and rural field. Hugh felt there was merit in the density-based
43 approach but thought it was harder to understand and administer. Hugh liked the concept. Tim
44 liked the flexibility and said the topography of most of the land in Chester doesn't allow for it to
45 be divided evenly. Tim thought it may allow for more appropriate density along the roads where
46 people could use their land more efficiently to make lots. Hugh agreed. Cathy said they needed to

1 consider setbacks with smaller lots and they have tiny lots scattered all over Chester and when she
2 was acting Zoning Administrator, someone wanted to add an extra chunk to their house which was
3 on a tiny lot and a strip of about 15 feet they were allowed to build on because it was a tiny lot in
4 R-120 and they would want to not make that happen. Jason agreed. Jason asked if it was worth
5 him exploring a little more in detail for them to review the next month. Tim thought so. Preston
6 told Jason if he could find some language, he would offer his opinion.

7
8 Jason wanted to talk about two more things, which were Route 103 South and the mapping
9 PlaceSense question. With respect to Route 103 South, he had heard a lot of different ideas and
10 was looking in terms of state law that wanted them to consider the village areas and then rural
11 countryside that surrounded them. To him, he thought of it as the rural countryside but understood
12 a lot of people talking about potential development along that corridor. Jason wanted to know what
13 people wanted along the corridor. Tim thought the ship had sailed as it was already developed with
14 storage units, clubs, and carwashes. Tim said given that, and that it was commonly referred to as
15 the gateway to town, their best hope was to maximize the use of it for business and beautify it to
16 soften the commercial appearance. Jason wondered if it was business, housing, or a combination.
17 Tim wondered why it wouldn't make sense to say 300 feet of the corridor or side of the road was
18 its own zoning and once off the road, it was something else. Cathy said two big chunks of that area
19 were the high school land and the water tower, which the town owns. Jason was talking about the
20 area from the high school to Rockingham and wondered what they should allow there. Cathy
21 pointed out that included Remmington Road. Jason said the blue on the zoning map was mixed-
22 use and they were allowing for all kinds of business activity in the area they were discussing but
23 wondered what they wanted south of there. Cathy said there was a development from the Savages
24 where they rebuilt the old house, there was a big garage up, and a couple of garages and land
25 cleared. The land rises steeply off 103 and then starts flattening out and rises back further from the
26 road. Barre noted the other side was river for a lot of it so much couldn't be done over there and
27 there were also a lot of houses. Barre wasn't sure how much of the land there was developable.
28 Barre thought by Sylvan Road where there was an old store, the whole area could have a flavor
29 like Gassetts. If there were more things going on there before people got to town, Barre didn't see
30 a problem. Cathy said the business on the other side of the food truck made the building look a lot
31 better. Jason was hearing a small pocket of mixed-use by the Sylvan Road area and thought maybe
32 the area between that and the high school was Rural 3 or 5. Preston thanked Barre and said they
33 were concerned about the strip down the highway but if they recognized the subdistrict, like
34 Gassetts, in between that area and Remmington Road, it could stay residential and thought it could
35 help them meet planning goals. Barre confirmed they would be addressing Gassetts at this meeting
36 and wondered if it would help to have the two parallel so they didn't have a bunch of different
37 districts and wondered if they could have two districts that didn't connect labeled the same and
38 was told they already have that. Barre thought if some of the areas were smaller rather than trying
39 to encompass so much land may help because some of the hurdles they had were related to
40 placement, topography, and what was already there. Jason said they could look at the Sylvan Road
41 area and Gassetts and make sure they made sense and come back and talk with the Commission.
42 Hugh agreed with that approach. Tim thought it looked like there had been some kind of
43 development plan including a road off Sylvan Road. Jason said they would look in more detail.
44 Right now, it looked like they had a forest district which was basically public owned land and to
45 him, that was conservation so he wondered if they should just swap names for the districts. Barre
46 wanted to be clear he understood and said the town forests were part of zoning district, but Jason

1 was saying they should define the town forest separately and label it conservation with restrictions
2 like they did with the fields in the floodplain. Jason said currently, the town forest and the state
3 forest were labeled forest district but don't allow for much beyond what was existing now to
4 happen and to Jason, that was almost the definition of conservation. The conservation/residential
5 district gave people the wrong idea, so Jason suggested they rename both. Forest would become
6 conservation and probably no other changes beyond that unless they discover something. The
7 members agreed. Jason said they gave him a lot of good changes which he would make and then
8 they could review them together at the next meeting.

9
10 Cathy suggested rural district's uses include artist studio and/or gallery and maybe something
11 about outdoor art. Jason agreed and asked if there were any uses they thought should be allowed
12 in rural parts of town that weren't currently. Jason was thinking about a retreat. Barre said they
13 previously discussed including light manufacturing and wood products and was part of why we
14 had the road zoning so if someone wanted to erect a structure next to their home to expand their
15 business but didn't know how that played in. Barre personally envisioned a factory for his wooden
16 bear company and considering where he would put that in town was a real challenge given the
17 landscape and the rivers. If roadways existed, a manufacturing facility may work where it wouldn't
18 bother neighbors. Barre didn't want to sound selfish that he was only worried about his company,
19 but others may want to expand. Tim said a wedding venue or equestrian business came to mind to
20 him. Tim asked what businesses they saw in rural Vermont and Cathy responded food processing,
21 like milking goats and producing cheese. Tim thought that fell under farming which they had no
22 control over and was fine. Barre thought quarrying or woodworking would be businesses they may
23 see. Jason thought of extraction, home businesses, and mountain bike trail network with a warming
24 shelter that evolves into a restaurant and bar, recreational facilities, or rural spa. Tim was open to
25 discussing that. Preston said Arne had been present at the meeting where there were people who
26 want a campground at the end of Whitten Road, and he thought the DRB was generally positive it
27 was a good use, but one neighbor was horrified by the thought of disrupting his quiet road. Preston
28 said that was part of zoning and land use. Tim said one thing that really stuck with him during
29 discussions about PlaceSense was the number one complaint from people on dirt roads being
30 increased traffic, so a campground would cause that. Preston said because Whitten Road was so
31 narrow, one of the conditions was widening the road so people could get by. Jason said he has 6
32 mud seasons a year now and it was an issue they needed to consider.

33
34 Hugh said Jason would take some time to assimilate what they had discussed and what maps would
35 look like and suggested the Commission members look at the rural districts, their uses, and the
36 existing bylaws so they will be prepared to discuss uses. Hugh thought sometimes they get caught
37 up in the maps and shortchange the uses discussion. While Jason worked on the next round of
38 changes, he suggested they spend the time familiarizing themselves with the current uses in the
39 rural zones, and what they thought was missing or needed tweaking.

40

41 **Agenda Item 4, Short Term Rental Status and Next Steps**

42

43 A couple of Selectboard meetings ago, there was a discussion related to regulating STRs and some
44 notion of a waiting period and density limits that would apply depending on where the person
45 lived. That meeting resulted in an action item for Preston to review the landscape and additional
46 regulations he's found and to prepare an update for the Selectboard. The purpose of this agenda

1 item was to allow Preston to talk about it and to provide feedback to Preston to guide his work.

2
3 Preston emphasized that Julie, Arne, and he had discussed what the Selectboard decided the last
4 time they discussed it, and they didn't delegate to the Commission to rank them, which Heather
5 had raised but wasn't the consensus. What they really said was for Julie and Preston to come back
6 with some sample language. Preston had 7 items and although he agreed they were zeroing in on
7 a waiting period, there were people who said they wanted a residency requirement or the owner
8 present when the use was there or a waiting period, or a registration cap. Preston had come up with
9 55 as a cap, because Peter suggested 4% of the housing stock as STR. Density limit was something
10 Peter had championed and Preston found a town in California that has density limits so it gave him
11 something to work with. Regarding the owner limit, some people don't want a proliferation of
12 people who have 6, 8, 10, or 12 rentals and are making a living at it. The prohibition on corporate
13 ownership was interesting. The example came from Portland, ME which was approved by the
14 Portland City Council and then defeated by referendum. It says a STR may only be owned by a
15 natural person and defines a natural person which may include a holding company, investment
16 vehicle, or trust owned or operated for the primary benefit of a natural person since there are many
17 ownerships of trusts. Preston found it an interesting exercise to put those concepts in writing.
18 Preston wasn't championing any of them and suggested the Selectboard take no action at this time
19 but whatever they decided, they would do it. For a waiting period, he found language from a bylaw
20 in Sierra County, California, and they were clear that the registration doesn't go with the land but
21 only with the owner, so a new owner is required to wait two years before short-term renting it.
22 Preston thought they needed to be clear letting people in the real estate community know. Hugh
23 thought if Preston had any sense of the administration burden for the different ideas, it could be
24 useful information in helping the Selectboard decide what to undertake. Preston thought that was
25 a good suggestion. With respect to registration cap and density limit, with those came the business
26 of what happened to the people who were excluded, and Hugh wondered what was necessary
27 before the next person can have a STR before the residency cap has been met and was it a first
28 come, first serve waiting list. Embedded in both registration cap and density limit would have to
29 be the process by which someone who has not been able to obtain a registration would be able to
30 obtain one. Once they were exhausted, everyone would be out of business until someone gave
31 something up and the language would need to describe how that worked. Preston thought Arne
32 was in attendance because he suggested it. Arne thought the list prepared was a good list for the
33 Selectboard to go by and the waiting period was one of the big ones and the residency requirement.
34 Arne thought with all the work on the list, it would help them decide what would happen. Arne
35 said it explained it all and provided options and covered the big one, which was the waiting period.
36 Preston noted it would be discussed on January 17th at the next Selectboard meeting.

37 38 **Agenda Item 5, Adjournment**

39
40 Tim moved to adjourn, and Cathy seconded the motion. The motion carried unanimously. The
41 meeting was adjourned at 8:08 p.m.

UNIFIED DEVELOPMENT BYLAWS

TOWN OF CHESTER, VERMONT



ADOPTED MARCH 15, 2017	EFFECTIVE APRIL 5, 2017	
AMENDED JUNE 1, 2022	EFFECTIVE JUNE 22, 2022	(Added Village Green District)
AMENDED SEPT. 21, 2022	EFFECTIVE OCTOBER 12, 2023	(Added Adaptive Reuse)
AMENDED OCTOBER 5, 2022	EFFECTIVE OCTOBER 26, 2023	(Added Legacy Uses)
AMENDED JULY 5, 2023	EFFECTIVE JULY 26, 2023	(Admin. Amendments, Open Space)
AMENDED DEC. 6, 2023	EFFECTIVE DEC. 27, 2023	("Chester Center Districts")

Draft Rural Amendments January 31, 2024

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

MU - Mixed Use

GB - General Business

SV - Stone Village

N – Neighborhood

Residential 2 Acres (RES-2) ~~R40 – Residential 40,000 square foot lots~~

~~A3 – Adaptive 3~~ (merged into Mixed Use/On-Site Water & Sewer)

Rural 5 Acres (RUR-5) ~~R120 – Residential 120,000 square foot lots~~

OS – Open Space District

Rural 8 Acres (RUR-8) ~~CR – Conservation Residential~~

Conservation 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.

- 19. Professional Office
- 20. Recreation
- 21. Residential Care Home
- 22. Restaurants
- 23. Retail Store
- 24. Tourist Lodging

D. Dimensional Standards:

	Municipal Water and Sewer Services	On-Site Water and/or Wastewater
Minimum Lot Size	1/5 acre (8,712 sq. ft.)	3 acre (130,680 sq. ft.)
Minimum Lot Frontage	75 ft.	200 ft.
Minimum Front Yard Setback	15 ft.	50 ft.
Minimum Side Yard Setback	15 ft.; or 30 ft. for non-residential uses abutting residential uses	50 ft.
Minimum Rear Yard Setback	15 ft.; or 30 ft. for non-residential uses abutting residential uses	50 ft.
Maximum Lot Coverage	70%	35%
Maximum Building Height	35 ft.	35 ft.

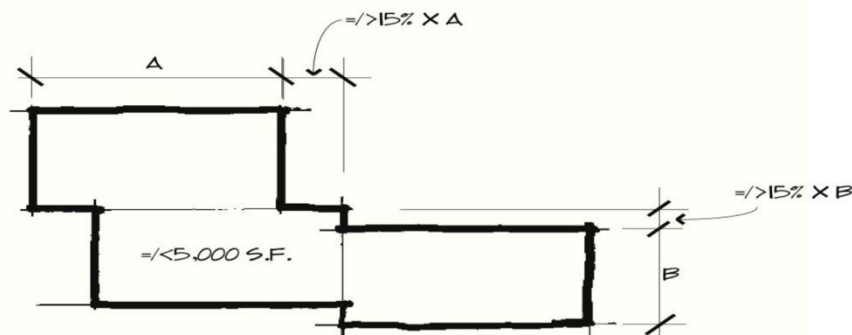
E. Supplemental Standards:

1. **Character of Development.** For the purposes of articulating the character of development, this zoning district is broken into three sub-districts:
 - a. **Chester Depot/South Main Street:** New buildings and modifications of existing buildings shall be of a similar building mass and orientation as buildings in this sub-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.
 - b. **Gassetts:** New development and redevelopment in this area shall continue in the current moderate density, with a mix of commercial, light industrial and residential uses. All new driveways and substantially reconstructed existing driveways shall meet the Agency of Transportation’s *Access Management Program Guidelines*, as most recently adopted.
 - c. **VT Route 103 South:** new buildings and modifications to existing buildings shall extend the historic pattern of higher density, mixed use village development that

CHESTER UNIFIED DEVELOPMENT BYLAWS

includes single and multi-family dwellings, civic and mixed-use buildings (e.g., residential apartments over commercial storefronts), and new public greens all interconnected via pedestrian paths or sidewalks. The desired character of this area requires a shift from vehicle-oriented development allowed under the former Zoning Bylaws, to a more pedestrian-friendly form of mixed-use development. All new driveways and substantially reconstructed existing driveways shall meet the Agency of Transportation's *Access Management Program Guidelines*, as most recently adopted.

- 2. Landscaping & Screening.** The Development Review Board shall require landscaping or other screening between incompatible uses or structures.
- 3. Rail Oriented Uses.** No setbacks shall be required for railroad-related uses from any lot line that abuts the Railroad.
- 4. Building Element.** A Building Element is a single building or distinct portion of a larger building conglomerate. No building element may be greater than 5,000 square feet in gross area. Any portion of the building element that will displace precipitation shall be included in the square footage sum. Trellises, decks, fixtures, banners, flags and their support structures shall not be included in the square footage sum and shall comply with all other applicable Town Bylaws. An attached building element must be displaced laterally from another by a minimum of 15% of the length of the larger building element common wall. Building elements shall be configured and designed to comply with all other district lot coverage, setbacks and applicable Unified Development Bylaw restrictions.



This diagram is an example of how separate Building Elements could maintain compliance with the square foot maximum called for, while being part of a larger structure. The block below and to the right of the uppermost block is attached to a wall the length of A and is offset by 15% of the length of A. The block to the right and slightly below the second block is attached to a wall the length of B and is offset by 15% of the length of wall B.

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2.8 Residential **2-Acre (RES-2) 40,000 (R40)** District

A. Purpose: To provide moderate-density residential neighborhoods with 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, Home Occupation)
4. Agricultural/Forestry (See Sec. 4.3 Exemptions)
5. Family Child Care Home
6. Group Home
7. **Dwelling** – Single- and Two-**Household**

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. Commercial Storage Unit~~
8. Extraction Operations
9. Family Child Care Facility
10. Food Truck/Food Cart/Food Stand
- ~~11. Heavy Construction Trades~~
12. Home Business
- ~~13. Nursery~~
- ~~14. Processing Construction and Landscaping Aggregate~~
15. Professional Office
16. Recreation
17. **Dwelling** – Multi-**Household**
18. Mobile Home Park
19. Tourist Lodging
20. Wood Processing

CHESTER UNIFIED DEVELOPMENT BYLAWS

D. Dimensional Standards:

Minimum Lot Size	2 Acres 40,000 (87,120 sq. ft.)
Minimum Lot Frontage	120 175 ft.
Minimum Front Yard Setback	40 ft.
Minimum Side Yard Setback	30 ft.
Minimum Rear Yard Setback	30 ft.
Maximum Lot Coverage	20%
Maximum Building Height	35 ft.

E. Supplemental Standards:

1. Driveways. All new driveways and substantially reconstructed existing driveways along VT Routes 11 and 103 shall meet the Agency of Transportation's *Access Management Program Guidelines*, as most recently adopted.

2. Character of Development. New development and modifications to existing buildings and uses shall be consistent with the existing character of the area and compatible with adjacent land uses with respect to traffic, noise, vibrations, or other impacts in conflict with residential uses.

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

CHESTER UNIFIED DEVELOPMENT BYLAWS

2.9 Adaptive 3 (A3) District

A. Purpose: To provide property owners in this lower density district, who are served by municipal water but not municipal sewer, the opportunity to take advantage of existing facilities as well as have potential for the creation of commercial and light industrial uses.

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. Private Broadcast Facility
8. 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. Commercial Broadcast Facility
6. Commercial Storage Unit
7. Family Child Care Facility
8. Heavy Construction Trades
9. Home Business
10. Light Industrial
11. Nursery
12. Professional Office
13. Residential—Multi Family
14. Tourist Lodging
15. Health Care Facility
16. Restaurant
17. Civic/Institutional
18. Arts and Entertainment
19. Retail Store
20. Wood Processing

CHESTER UNIFIED DEVELOPMENT BYLAWS

D. Dimensional Standards:

Minimum Lot Size	3 acres
Minimum Lot Frontage	200 ft.
Minimum Front Yard Setback	50 ft.
Minimum Side Yard Setback	50 ft.
Minimum Rear Yard Setback	50 ft.
Maximum Lot Coverage	35%
Maximum Building Height	35 ft.

E. Supplemental Standards:

~~1. Character of Development.~~ New development and redevelopment in this area shall continue in the current moderate density, with a mix of commercial, light industrial and residential uses.

~~2. Driveways.~~ All new driveways and substantially reconstructed existing driveways shall meet the Agency of Transportation's *Access Management Program Guidelines*, as most recently adopted.

CHESTER UNIFIED DEVELOPMENT BYLAWS

2.11 Rural 5 Acre (RUR-5) Residential 120,000 (R120) District

A. Purpose: To provide for the rural countryside and working landscape activities, while also accommodating low-density residences and home businesses 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. Dwellings – Single- and Two-Household

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. Art Studio and/or Gallery
4. Building and Construction Trades
5. Campground
6. Civic Institutional
7. Wireless Communication Facility
8. Extraction Operations
9. Family Child Care Facility
10. Food Truck/Food Cart/Food Stand
11. Heavy Construction Trades
12. Home Business
13. Nursery
14. Professional Office
15. Recreation
16. Dwellings – Multi-Household
17. Sawmill
18. Tourist Lodging
19. Mobile Home Park
20. Wood Processing

CHESTER UNIFIED DEVELOPMENT BYLAWS

D. Dimensional Standards:

Minimum Lot Size	3 acres
Maximum Density	1 blg. unit / 5 acres
Minimum Lot Frontage	175 200 ft.
Minimum Front Yard Setback	40 50 ft.
Minimum Side Yard Setback	30 50 ft.
Minimum Rear Yard Setback	30 50 ft.
Maximum Lot Coverage	20 40 %
Maximum Building Height	35 ft.

E. Supplemental Standards:

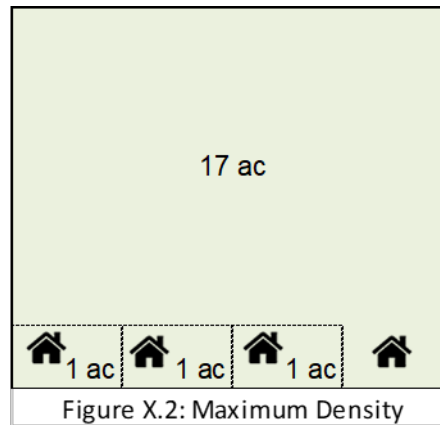
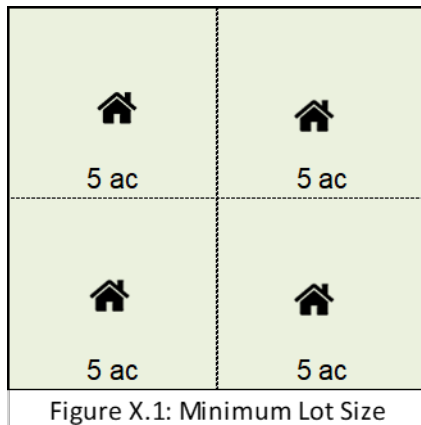
1. Driveways. All new driveways and substantially existing driveway shall meet the AOT Access Management Program Guidelines and/or the Town of Chester Road & Bridge Specifications.

2. Character of Development. New development and modifications to existing buildings and uses shall be consistent with the existing character of the area and compatible with adjacent land uses with respect to traffic, noise, vibrations, or other impacts in conflict with residential uses.

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

4. Dimensional Standards. Please note that the former minimum lot size was deleted in the 2024 amendment. It was replaced with a maximum density standard. In this district, a maximum density of 1 principal building unit (i.e., one single-household dwelling, one multi-household dwelling) per 5-acres shall not be exceeded. As an example, a property owner that wants to subdivide a 20-acre lot could create four conventional 5-acre lots (see Figure X.1). Or, that property owner could instead create three 1-acre lots and maintain one 17-acre lot, which can no longer be subdivided (see Figure X.2). The benefit of this second approach is to provide flexibility to create smaller, lower-cost lots for housing, maintaining a larger lot to reduce forest fragmentation, and maintaining an overall low density in this rural district.

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Another optional approach is:

RUR-5

Minimum lot size:	None
Density Standard:	1 building unit/5 Acres
Minimum Frontage:	200 ft *
Min. Front Setback:	50 ft. *
Min. Side Setback:	50 ft. *
Min. Rear Setback:	50 ft. *
Max. Coverage:	10% **
Max. Building Height:	35 ft.

Supplemental Standards:

1. Dimensional Standards:

- For standard sized lots of 5 acres, the dimensional standards as shown above apply.
- To encourage clustering of new lots to minimize fragmentation and allow for more affordable new lots/homes, lots as small as 1 acre may be allowed provided that the overall density standard is met, driveway permits/access letters of intent are obtained, and on-site water and septic approvals are obtained from the state. For those smaller lots, the minimum frontage and setbacks are reduced by 25% (i.e., 150 foot minimum frontage, 37.5 foot minimum setbacks) and maximum lot coverage is increased to 20%.

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2.12 Rural 8-Acre (RUR-8) ~~Conservation Residential (C-R)~~ District

A. Purpose: To ~~conserve~~ maintain large parcels or tracts of land ~~that are valuable~~ for working landscape related uses, including farming and forestry. In keeping with the Town Plan goals to retain rural character as well as to serve as habitat for wildlife and outdoor recreational uses, these areas are designated for very low-density development. This may be accomplished through cluster development or development for residential purposes of that land that is marginal for agricultural use.

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. Private Broadcast Facility
8. Dwelling— Single- and Two-Household

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 Kennel
2. Building and Construction Trades
3. Campground
4. Commercial Broadcast Facility
5. Extraction Operations
6. Family Child Care Facility
7. Heavy Construction Trades
8. Home Business
9. Nursery
10. Recreation
11. Civic/Institutional
12. Sawmill
13. Tourist Lodging?
14. Wood Processing

D. Dimensional Standards:

Minimum Lot Size	5 acres
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Maximum Density	1 blg. unit / 8 acres
Minimum Lot Frontage	200 250 ft.
Minimum Front Yard Setback	50 ft.
Minimum Side Yard Setback	40 50 ft.
Minimum Rear Yard Setback	40 50 ft.
Maximum Lot Coverage	10%
Maximum Building Height	35 ft.

- a. One (1) sign announcing a home occupation or home business, not exceeding six (6) square feet.
- b. For other uses allowed within the district, any two (2) of the following types of signs. Any one sign may increase in size by 25% provided that the total square footage of both signs shall not exceed 24 square feet.
 - 1. One (1) freestanding sign, no larger than 12 square feet in size; or
 - 2. One (1) wall sign no longer than 85% of the lineal frontage of the building occupied by the business and in no case shall exceed 12 square feet; or
 - 3. One projecting sign per business which may not project out from the building any further than 4 feet. When projecting over a public walkway, the bottom of the projecting sign must be a minimum of 9 feet from the surface of the ground.

6. Residential 2-Acre (RES-2) 40,000 Square Feet (R40):

The following signs are permitted when located on the premises on which the structure, use, or business is located:

- a) One (1) sign announcing a home occupation or home business, not exceeding six (6) square feet.
- b) For other uses allowed within the district, any two (2) of the following types of signs. Any one sign may increase in size by 25% provided that the total square footage of both signs shall not exceed 24 square feet.
 - 1. One (1) freestanding sign, no larger than 12 square feet in size; or
 - 2. One (1) wall sign no longer than 85% of the lineal frontage of the building occupied by the business and in no case shall exceed 12 square feet; or
 - 3. One projecting sign per business which may not project out from the building any further than 4 feet. When projecting over a public walkway, the bottom of the projecting sign must be a minimum of 9 feet from the surface of the ground.

7. Adaptive 3 (A3):

~~The following signs are permitted when located on the premises on which the structure, use, or business is located:~~

- ~~a. One (1) sign announcing a home occupation or home business, not exceeding six (6) square feet.~~
- ~~b. For other uses allowed within the district, any two (2) of the following types of signs. Any one sign may increase in size by 25% provided that the total square footage of both signs shall not exceed 48 square feet.~~
 - ~~1. One (1) freestanding sign, no larger than 24 square feet in size; or~~

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- ~~2. One (1) wall sign no longer than 85% of the lineal frontage of the building occupied by the business and in no case shall exceed 24 square feet; or~~
- ~~3. One projecting sign per business which may not project out from the building any further than 4 feet. When projecting over a public walkway, the bottom of the projecting sign must be a minimum of 9 feet from the surface of the ground.~~

8. Rural 5-Acre (RUR-5) Residential 120,000-Square Feet (R120) and Open Space (OS):

The following signs are permitted when located on the premises on which the structure, use, or business is located:

1. One (1) sign announcing a home occupation or home business, not exceeding six (6) square feet.
2. For other uses allowed within the district, any two (2) of the following types of signs. Any one sign may increase in size by 25% provided that the total square footage of both signs shall not exceed 48 square feet.
 1. One (1) freestanding sign, no larger than 24 square feet in size; or
 2. One (1) wall sign no longer than 85% of the lineal frontage of the building occupied by the business and in no case shall exceed 24 square feet; or
 3. One projecting sign per business which may not project out from the building any further than 4 feet. When projecting over a public walkway, the bottom of the projecting sign must be a minimum of 9 feet from the surface of the ground.

9. Rural 8-Acre (RUR-8) Conservation/Residential (CR):

The following signs are permitted when located on the premises on which the structure, use, or business is located:

- a) One (1) sign announcing a home occupation or home business, not exceeding six (6) square feet.
- b) For other uses allowed within the district, any two (2) of the following types of signs Any one sign may increase in size by 25% provided that the total square footage of both signs shall not exceed 24 square feet
 1. One (1) freestanding sign, no larger than 24 square feet in size; or
 2. One (1) wall sign no longer than 85% of the lineal frontage of the building occupied by the business and in no case shall exceed 24 square feet; or
 3. One projecting sign per business which may not project out from the building any further than 4 feet. When projecting over a public walkway, the bottom of the projecting sign must be a minimum of 9 feet from the surface of the ground.

10. Conservation (CON) Forest:

The following signs are permitted when located on the premises on which the structure, use, or business is located:

CHESTER UNIFIED DEVELOPMENT BYLAWS

- a) One (1) sign announcing a home occupation or home business, not exceeding six (6) square feet.
- b) For other uses allowed within the district, any two (2) of the following types of signs. Any one sign may increase in size by 25% provided that the total square footage of both signs shall not exceed 24 square feet.
 1. One (1) freestanding sign, no larger than 24 square feet in size; or
 2. One (1) wall sign no longer than 85% of the lineal frontage of the building occupied by the business and in no case shall exceed 24 square feet; or
 3. One projecting sign per business which may not project out from the building any further than 4 feet. When projecting over a public walkway, the bottom of the projecting sign must be a minimum of 9 feet from the surface of the ground.

Sign type=> ----- ----- District V	Home Occ/ Business	Free standing	Wall Sign	Projecting	Open	Sandwich Board	Window
Village Center and Village Green	6 square feet	24 square feet	24 square feet	X	1 square foot	2 feet x 4 feet	25 % of area
Mixed Use	6 square feet	24 square feet	24 square feet	X	1 square foot	2 feet x 4 feet	25 % of area
General Business	6 square feet	24 square feet	24 square feet	X	1 square foot	2 feet x 4 feet	25 % of area
Stone Village	6 square feet	24 square feet	24 square feet	X	1 square foot	2 feet x 4 feet	25 % of area
Neighborhood	6 square feet	24 square feet	12 square feet	X	1 square foot	2 feet x 4 feet	25 % of area
Residential 2	6 square feet	24 square feet	12 square feet	X	1 square foot	2 feet x 4 feet	25 % of area
Adaptive 3	6 square feet	24 square feet	24 square feet	X	1 square foot	2 feet x 4 feet	25 % of area
Rural 5 and Open Space	6 square feet	24 square feet	24 square feet	X	1 square foot	2 feet x 4 feet	25 % of area
Rural 8	6 square feet	12 square feet	12 square feet	X	1 square foot	2 feet x 4 feet	25 % of area

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Conservation	6 square feet	24 square feet	24 square feet	X	1 square foot	2 feet x 4 feet	25 % of area
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Note:

All businesses are allowed 1 of each of the following signs: Home Occupation, Open Sign and Sandwich Board Sign. All

businesses are allowed to choose 2 of the following: Freestanding, Wall Sign or Projecting Sign. See the appropriate zoning district for specific details.

D. GENERAL SIGN STANDARDS:

1. All new signs, and/or movement, enlargement, alterations, or reconstruction of existing signs shall be in compliance with the Bylaws as stated herein.
2. All signs shall be constructed of durable materials and shall be maintained in a safe condition and in good repair at all times.
3. Every sign shall be designed and located in such a manner as to:
 - a) Not impair public safety;
 - b) Not restrict clear vision of the street or between a sidewalk and street;
 - c) Not be confused with or obscure any traffic sign or signal;
 - d) Not obstruct any door, window or fire escape;
 - e) Not be attached to a tree or a utility pole;
 - f) Not be within the town highway right-of-way.
4. Signs shall not be located within ten (10) feet of street line, nor within twenty (20) feet of a neighboring property line, nor within seventy-five (75) feet of any intersection unless it is a wall sign.
5. When a sign is made up of individual lettering, the square footage of the sign is to be calculated by the area of the surface required to enclose the lettering.
6. No less than 75% of the surface of each sign shall be of muted, harmonious color tones.
7. **Cross Road Banners:** Those banners crossing a Chester Highway must be approved by the Select Board. All banners must be fastened to secured poles and a certificate of liability insurance provided to the Select Board.
8. **Event Banner:** Event banners no larger than 24 square feet in size are permissible for a maximum of 30 days per event. All event banners must be located on the exhibitor's property. No event banner may be illuminated in any manner
9. **Event Flags:** The Zoning Administrator may permit event flags no larger than 12 square feet in size, nor larger than 5 feet in any one dimension. No flag, in any position, shall hang below 8 feet from the ground level. Event flags are allowed for a maximum of 30 days from the date of installation. No event flag may be illuminated in any manner.
10. **Open/Closed Flags:** Any business is allowed one open flag not to exceed 3 feet by 5 feet in size. Any flag cannot obstruct pedestrian travel. All open flags can only be displayed during business hours.

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11. **Open/Closed Signs:** Any business is allowed one open sign which shall not exceed 1 square foot in size.
12. **Sandwich Board Sign:** Any business is allowed one sandwich board sign not to exceed 2 feet by 4 feet in size. All sandwich board signs must be taken in at the close of business each day. No sandwich board sign may include illumination of any kind.
13. **Soffit Sign:** Where a covered walkway exists on a building with more than four tenants in separate and unaffiliated ownership, each tenant may have one two- square foot sign which is hung from the soffit. This sign shall be unlighted, hung in front of the entrance to the business which is advertises, and hung in a direction perpendicular to the walkway so that it is legible to pedestrians on the walkway. Soffit signs are permitted in addition to any other sign allowed in this Ordinance.
14. **Temporary Sign:** One temporary sign, made of rigid material and up to eight square feet in size may be permitted by the Zoning Administrator, and may be displayed for no more than 30 days, under the following circumstances:
 1. A permit has been issued for a new land use or business establishment;
 2. A complete sign application has been approved for that use or business be measured in the same way as other signs: by drawing an imaginary polygon around the outside edge of all letters or emblems as if they were a single sign, and then measuring the size of that polygon.
15. **Window Sign:** Window signs may be displayed, and may cover up to twenty- five percent of the total window area per business establishment on the side of the building where such signs are located. Window stenciling or lettering, placed on the inside of a window is allowed as a part of an establishment's total window coverage. This shall
16. **Electronic message display signs:** Electronic message display (EMD) signs must meet the following standards and are subject to conditional use review by the Development Review Board:
 - a. An EMD sign shall be permitted only on municipal and school properties only.
 - b. An EMD sign shall have two components: a traditional sign (top) and an electronic message display (bottom).
 - c. An EMD sign shall not exceed a maximum of 32 square feet and shall be a maximum height of ten feet.
 - d. An EMD sign shall not have any distracting appearance of motion, including, but not limited to, flashing, blinking, shimmering, pulsating as well as animation, streaming or live-time video or holographic displays.
 - e. An EMD sign that is readily visible to drivers of vehicles on any public way shall have characters of sufficient size to be easily discerned and must not constitute a safety hazard by being a distraction to drivers.
 - f. The message display area may have a maximum of three lines of characters, including all letters, numbers, spaces, or other symbols.
 - g. The area occupied by the message on an electronic message display may comprise no more than 50 percent of the maximum total allowable sign area.
 - h. A maximum of two colors shall be used for an electronic message or at the discretion of the Development Review Board.

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- i. Dwell time/frequency change. Messages may change no more than once every 45 seconds unless modified by the Development Review Board.
- j. When the display of an electronic message changes, it must change as rapidly as is technologically practicable with no phasing, rolling, scrolling, flashing, or blending.
- k. An EMD sign shall include ambient light sensors that automatically adjust the brightness level of its display to natural ambient conditions, with increased brightness during daylight, less brightness during cloudiness and dusk, and a brightness level during complete darkness of 100 nits, or other reasonable standard as set by the Development Review Board.
- l. An EMD sign shall contain a default mechanism that freezes the sign in one position if a malfunction occurs.
- m. Signs placed along state highways, must contact VTrans (802-279-9599).
- n. EMD signs must be FCC compliant and must not interfere with wireless technology.
- o. EMD signs in existence at the time of the adoption of this ordinance, which do not conform to the requirements of this ordinance, shall be considered nonconforming signs.

16. Sign Lighting.

a. Internally lit signs are prohibited. All signs not complying with section at the date of the adoption of this ordinance, will be deemed a non-conforming structure and are subject to Section 3.19 of these Bylaws.

b. Externally lit signs shall be shielded so as to not produce glare, undue distraction, or hazard either to the surrounding area or to pedestrian and vehicular traffic. The illumination of said signage shall be properly focused upon the sign. All sign lighting shall be either full cut off lighting or be directed in towards the property. See Figures 1 for an example.

c. Hours of Lighting. All sign lighting shall be turned off one hour after the business is closed or 11:00 p.m., whichever is later.

Chester Unified Development Bylaws - Proposed Allowed Uses by District

Allowed Uses	VC	VG	MU	GB	SV	N	RES-2	A3	OS	RUR-5	RUR-8	CON
Accessory Dwelling Unit	P	P	P	P	P	P	P	P		P	P	
Accessory Structure	P	P	P	P	P	P	P	P	CU	P	P	
Accessory Use	P	P	P	P	P	P	P	P		P	P	
Agriculture/Forestry*			P	P			P	P		P	P	P
Animal Hospital			CU	CU			CU	CU		CU		
Animal Kennel			?	CU			CU	CU		CU	CU	
Art Studio and/or Gallery	CU	P	P	P	CU					CU	CU	
Arts & Entertainment	CU	CU	CU		CU			CU	CU			
Automotive Fuel/Sales/Service			CU	CU								
Building & Construction Trades	CU		CU	CU			CU	CU		CU	CU	CU
Campground			?				CU	CU		CU	CU	
Civic/Institutional	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	
Club	CU	CU	CU	CU								
Commercial Broadcast Facilities	CU		CU	CU		CU		CU				CU
Commercial Storage Units			?	CU			CU	CU				
Dwelling - Multi-Household (3-4 units)	P	P	P	CU	P	P	CU	CU		CU		
Dwelling - Multi-Household (5+ units)	CU	CU	CU	CU	CU	CU	CU	CU		CU		
Dwelling - Single Household	P	P	P	CU	P	P	P	P		P	P	
Dwelling - Two Household	P	P	P	CU	P	P	P	P		P	P	
Extraction Operations										CU	CU	CU
Family Childcare Facility	CU	CU	CU	CU	CU	CU	CU	CU		CU	CU	
Family Childcare Home	P	P	P	P	P	P	P	P		P	P	P
Food Truck/Food Cart/Food Stand	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU		
Group Home	P		P	P	P	P	P	P		P	P	P
Health Care Facility	CU	CU	CU	CU				CU				
Home Business	CU	CU	CU	CU	CU	CU	CU	CU		CU	CU	
Home Occupation	P	P	P	P	P	P	P	P		P	P	
Industrial Facility				CU								
Light Industry	CU	CU	CU	CU				CU				
Mobile Home Park										CU		
Multi-Purpose	CU	P	CU		CU	CU						
Nursery			CU	CU			CU	CU	CU	CU	CU	
Open Market	CU	CU	CU	CU					CU			
Personal Service Shop	CU	CU	CU	CU								
Private Broadcast Facility	P		P	P	P	P		P				P
Professional Office	CU	P	CU	CU	CU	CU	CU	CU		CU		
Pub/Tavern/Bar	CU	CU	CU	CU								
Recreation	CU	CU	CU	CU	CU	CU	CU		CU	CU	CU	CU
Residential Care Home	CU	CU	CU	CU								
Restaurant	CU	P	CU	CU	CU	CU		CU				
Retail Store	CU	P	CU	CU	CU	CU		CU				
Sawmill									CU	CU	CU	
Tourist Lodging	CU	CU	CU		CU	CU	CU	CU		CU	CU	
Wireless Communication Facility										CU		
Wood Processing			?				CU	CU	CU	CU	CU	CU

NOTES:

P = permitted use, CU = conditional use review

A blank box indicates that a land use is not allowed in that district.

This table is intended as a reference only. If there are any differences, the text of the Unified Development Bylaws are the official zoning requirements for the Town of Chester.

ZONING DISTRICTS:

Village Center (VC)

Village Green (VG)

Mixed Use (MU)

(Formerly Residential-Commercial and Adaptive 3)

General Business (GB)

(Formerly Commercial-Industrial)

Stone Village (SV)

Neighborhood (N)

(Formerly R-20 and portions of R-40)

Open Space (OS)

Residential 2-Acre (RES-2)

(Formerly portions of R-40)

Rural 5-Acre (RUR-5)

(Formerly R-120/R-3)

Rural 8-Acre (RUR-8)

(Formerly Conservation-Residential)

Conservation (CON)

(Formerly Forest)

First Draft of 2-22-24

3.26 Signs

D. General Sign Standards

26. Electronic message display signs. Electronic message display (EMD) signs are permitted on municipal and school properties only, are subject to conditional use review by the Development Review Board, and shall meet the following standards:

1. An EMD sign shall not have any distracting appearance of motion, including, but not limited to, flashing, blinking, shimmering, pulsating as well as animation, streaming, or video displays. A scrolling message may be approved at the discretion of the Development Review Board.
2. An EMD sign shall have characters of sufficient size to be easily discerned and must not constitute a safety hazard by being a distraction to drivers.
3. An EMD sign display shall consist only of alphabetic and numeric characters and related symbols on a plain background, and shall not include any graphic, pictorial, video or photographic images.
4. The message display area may have a maximum of three lines of characters, including all letters, numbers, spaces, or other symbols.
5. The area occupied by the message on an electronic message display may comprise no more than 50 percent of the maximum total allowable sign area.
6. A maximum of two colors shall be used for an electronic message or at the discretion of the Development Review Board.
7. Messages must have a display time of no less than two (2) minutes unless modified by the Development Review Board.
8. When the display of an electronic message changes, it must change as rapidly as is technologically practicable with no phasing, rolling, scrolling, flashing, or blending.
9. An EMD sign shall include ambient light sensors that automatically adjust the brightness level of its display to natural ambient conditions and shall not exceed 250 nits during nighttime or 5,000 nits at any time unless modified by the Development Review Board.
10. An EMD sign shall contain a default mechanism that freezes the sign in one position, or shuts off the device entirely, if a malfunction occurs.