

1 **TOWN OF CHESTER**
2 **PLANNING COMMISSION**
3 **February 26, 2024, Minutes**

4
5 **Commission Members Present:** Tim Roper, Cathy Hasbrouck, Barre Pinske, and Hugh Quinn at
6 Town Hall.

7
8 **Staff Present:** Preston Bristow, Zoning Administrator/Town Planner, at Town Hall; and Susan
9 Bailey, Recording Secretary, via Zoom.

10
11 **Citizens Present:** Jason Rasmussen of MARC, Bill Lindsay, Randy Miles, and Peter Hudkins at
12 Town Hall; and Steve Mancuso and Arne Jonynas via Zoom.

13 **Call to Order**

14
15 Chair Hugh Quinn called the meeting to order at 6:32 p.m.

16
17 **Agenda Item 1, Review and Approve Minutes from February 5 and February 13, 2024,**
18 **meetings**

19
20 Tim moved and Cathy seconded a motion to approve the February 5, 2024, minutes. There were
21 no corrections. A vote was taken, and the minutes were approved unanimously, as written.

22
23 Tim moved and Cathy seconded a motion to approve the February 13, 2024, minutes. Tim noted
24 on page 2, line 35, it should have read that the “lettering” was too small and not the numbers. A
25 vote was taken, and the minutes were approved unanimously, as amended.

26
27 **Agenda Item 2, Citizen Comments**

28
29 Steve Mancuso said it appeared there was a lot more conditional use and it seemed to be a change
30 and he didn’t know why but asked the board to educate him about it. Hugh said later in the agenda,
31 they would get into the zoning districts and one discussion would center around uses.

32
33 Peter Hudkins mentioned the maps in front of them and part of it was the Jewett Road project.
34 Peter said the town and state had a discussion and Peter is trying to keep the road out of the
35 floodplain. The floodplain marked on the map with Jewett Road is the floodplain on the federal
36 map, which is incorrect. The state refuses to recognize the ANR map which shows the whole series
37 in the floodplain. Peter said if it was an Act 250 project, they would have to follow the ANR map.
38 There are solutions. The object is not to have more roads in the floodplain and both Jewett and
39 Thompson roads completely disappeared in the flood and what was proposed, would also
40 completely disappear in the flood. The solution is the 1930 highway map takes half the roads and
41 doesn’t go down to the river and across the floodplain but goes over to what is labeled Goodrich
42 Road on the town map and is also the one that runs to Wyman Falls. Peter said it eliminates all of
43 the road in the floodplain. Peter is somewhat against the bridge project where they are proposing
44 an intersection and denying it is in floodplain and putting the road in the lowest part of the
45 floodplain which is also what it is all the way over on the other side and is lower closer to the pond

1 and houses than next to the river. Peter brought it to their attention because he wanted it changed
2 and thought, as a board, they could look at it and determine it wasn't right. According to the AOT,
3 after the public hearing, it is what they're building and are trying to buy right-of-way this year, but
4 Peter thought they would have trouble with leases. Peter didn't think it made sense to build a road
5 and then have it washed away. He noted it was off topic but wanted to educate them.

6
7 Barre asked if it was a citizens' comment and Hugh said it was, but they could agree to put it on
8 the agenda. Barre asked if there was a time limit on it and Peter said, according to the state, they
9 had decided to do it. Peter talked to Julie, who then contacted the AOT Manager who knew where
10 every drop of water was going on the project and said they would update the floodplain map and
11 the updated map was what they saw on their drawings. Barre said there was a field on the other
12 side of the railroad for a road. Peter said the town went through many hearings to locate the road
13 and not in the current location on the drawing, but the state had moved the bridge 100 feet farther
14 north. Peter said his idea was to not put a road in the floodplain. Barre wanted to finish and make
15 a point, but Peter said he didn't think they could discuss it because the Selectboard had already
16 signed off and on the location 2 years ago so where the road should be located was already closed.
17 Barre questioned why they were talking about it and Peter said it was because he didn't want to
18 pay for a flooded road. Barre wanted to point out there was land on either side of the railroad tracks
19 for a road that wouldn't be in the floodplain. Barre said he wasn't aware they were doing this and
20 needed to pay more attention.

21
22 Randy Miles had concerns about his property at Route 103 and Sylvan Road. He had wanted to
23 keep it in a multi-use and thought it looked like it was in a rural mixed-use now. He wasn't sure
24 the map showed his property. Preston was confident it was there and said Randy would have more
25 chances to be sure his property was included as they would be having more discussions this year.
26 Preston said it was changed from multi-use to mixed-use but was the same, as they felt the village
27 mixed-use and rural mixed-use had enough differences to give them different titles. Randy agreed
28 with what Peter had said about the road being in the floodplain and suggested they look into it
29 more. Preston indicated that Randy was at the meeting because Preston had informed him that they
30 were starting discussions.

31 32 **Agenda Item 3, Continue discussion on Rural district map and UDB updates**

33
34 Hugh said the next item was a continued discussion on the rural map and UDB updates. Hugh
35 thought they should spend a few minutes on the map which they had spent time on at the last
36 meeting and he thought the map was starting to stabilize in terms of changes. Hugh thought they
37 could spend time discussing uses.

38
39 Jason went over the maps, as suggested. There were two versions, and the small one had an overlay
40 of the current use properties. When they were looking at what Jason labeled the Rural 8 District,
41 he found it interesting to compare the number of lots in current use and it helped formulate what
42 made sense in the most rural districts because they are larger and in the current use program, so it
43 suggested they were some forms of conserved, working farm, or forest land. On the map, the
44 parcels that have diagonal hash marks indicate they are in current use. Jason believed they were
45 2022 current use enrollment. Barre asked if the lots, because they were in the program, could
46 change if the people who wanted to use it were willing to pay back taxes. Barre asked if they could

1 build a house on it. Jason said a parcel enrolled in the current use program was protected for farm
2 and forest type uses and usually there was a homestead carved out of it. Cathy said the homestead
3 part was not in current use and Jason agreed. Jason said portions of parcels can be removed from
4 current use, but they would pay a penalty. Jason said they spent last year focused on the village
5 and increasing densities and allowing more to happen and now they were shifting gears and
6 looking at the rural part of town, so he spent time thinking about where the wildlife habitat areas
7 and larger lots are and where they are less connected to roads. Jason said it was helpful to look at
8 the current use parcels and validate their thinking. Barre thanked Jason for doing that.

9
10 Tim knew there was discussion in the legislature about relaxing the penalties and making it easier
11 for people to take their land out of current use and asked Jason what he knew about it, but he
12 wasn't aware of that discussion. Preston knew it wasn't difficult to take land out of current use,
13 but it was expensive. Preston said they used to say if the state ever failed to fund the program,
14 people would be free to do what they wanted with their land, but the state has been faithful funding
15 it. Preston said it was obvious that those enrolled weren't planning on doing anything which was
16 somewhat telling. Tim said some of the lots listed as in, were out now. Jason wanted to use it as a
17 touchpoint to see if they were on the right track and to help validate what was in the green. Tim
18 agreed and appreciated it.

19
20 The larger map showed draft ideas for the rural zoning district. They had talked about a mixed-use
21 district that was both in the Village and rural parts and had separated them out and now have a
22 rural mixed-use district which was in the darker purple in Gassetts and what used to be the
23 Adaptive 3 and now the new area down near Sylvan Road towards the southern end. They are
24 clusters where stuff is happening, or where they want more to happen in a dense way. They took
25 the Forest District and labeled it the Conservation District, which is dark green, and there are only
26 a few parcels there. They took a good chunk of the Conservation/Residential District and labeled
27 it Rural 8 and expanded it quite a bit. They looked at wildlife habitat and the town plan and
28 different things. In Jason's mind, there are large in-tact forest blocks to the north and south of town
29 and the lighter green swath would connect them and there is some similarity with the current use
30 parcels. It made sense that they were larger lots in town and wanted to keep it that way and
31 encourage farming and forestry and other things. Jason asked if there were questions, and there
32 were none.

33
34 Portions of what used to be the R-120 District or R-3, are what Jason labeled Rural 5 District and
35 was yellow on the map. It was very similar to R-120 but had shrunk based on where Rural 8 would
36 be.

37
38 Residential 2 District is purple and is where you want more dense housing to surround the Village.
39 Route 10 is denser, so it made sense to have Residential 2 there. Jason asked if there were any
40 questions on the map and Tim said it looked good. Jason said they would be kicking it around
41 some more and could always make more changes. Cathy asked if there would be any difficulties
42 along Route 10 where the minimum lot size was 2 acres, and someone subdivides and doesn't do
43 a wastewater study first. Jason said they would need to get wastewater permits from the state to
44 subdivide. Cathy wondered if that was mandatory or if they could write on the subdivision map
45 that there was no permit there. Preston said the state allows deferral of a permit and the DRB does
46 on occasion if they feel there's a reason and requires a statement in the deed that there's no

1 guarantee the property can ever be developed. Cathy agreed. Preston said normally the DRB would
2 want proof a septic system to put a permit in place. If someone wants to buy land adjoining their
3 property, they will do it. It's one of those things that is up to the DRB's discretion. Cathy wondered
4 if they needed to do something to bring attention to R-2, so people remembered, and it wasn't just
5 the words on the deed. Preston said they would be informed if they went through the rigorous
6 subdivision process. Preston said he kept getting calls about a property for sale on Route 10 that
7 was cheap but is all wetlands.

8
9 Jason said they could look at the spreadsheet that goes through the allowed uses and another page
10 for dimensional standards. Jason was tracking changes and had cross outs where he considered
11 removing things and had highlights to draw their attention to things. Starting with Residential-2,
12 where they want housing and had 2-acre densities, along the outside of the village. Jason suggested
13 they restrict non-residential uses there and asked if they wanted an animal kennel where houses
14 were. Jason removed animal hospital, animal kennel, building and construction trades, and others
15 and suggested they read the list. Tim thought some uses were missing in the rural multi-use and
16 should be added. To reconcile things, when Hugh started looking at Residential-2, some of the
17 parcels used to be in R-40 and some used to be in R-120, so he looked at R-40 and R-120 to see if
18 anything jumped off the page. Hugh thought Jason removing certain uses made sense because they
19 wouldn't naturally fit into those areas. Hugh thought extraction operations was a conditional use
20 because there was town property in that zone and wondered how they were reconciling that. Hugh
21 thought they were allowing that in Res-2. Jason said it was in the text and he mistakenly didn't
22 include it on the table. Peter suggested adding something that was a value-added product because
23 if someone was extracting gravel, they were fine but if they got into sawing, processing, and
24 manufacturing, that's where trouble would start. Tim thought if it was conditional, it would be
25 covered, and Peter disagreed. Hugh said they originally had the gravel pit in a district that wouldn't
26 allow extraction, so they deferred it and now it was coming back in as Res-2 and one of the reasons
27 they did that was because they were going to allow extraction in that zone. Hugh hoped others
28 would remember that conversation as they were doing the center districts and could validate or
29 refute it. Preston thought Peter had said he didn't have a problem with simple extraction of gravel
30 but did have a problem with breaking, guillotining, cutting, or pounding stone. Preston said the
31 bylaws currently didn't distinguish that and added that gravel could also be crushed if that was a
32 concern. Peter agreed and said there was a quarry in Wyman Falls and they were processing and
33 cutting and took the stone to a place zoned for that and cut and process it there. Hugh thought the
34 takeaway may be refining the extraction operations definition. Preston said it was new to him but
35 maybe they needed to do that. Hugh suggested they put it on a list somewhere from a definition
36 point of view. Barre asked if they were saying it wasn't allowed or if it was under conditional use.
37 Hugh said under the text of the bylaw proposal, extraction operation would be conditional use,
38 which is what they wanted it under. Jason said for clarity, there was a P and CU on the table. P
39 was permitted use which was a simple zoning permit and CU was conditional use review where
40 there was a hearing before the DRB. Hugh thought it was odd that food trucks were a conditional
41 use everywhere except it wasn't a use in Res 2 and questioned if they wanted that. Jason agreed it
42 looked a little funny. Hugh thought for continuity, it should be a conditional use in Res 2. Barre
43 said Res 2 was a big area and somewhat rural and there was no sawmill, retail store, or restaurant.
44 Hugh said food truck was a conditional use in Rural-5. Barre said they have a large amount of
45 land, some which could reflect the area where the Vermont Country Store is in Rockingham, and
46 they didn't have the ability to put what was normally out in that area, like a sawmill or retail store.

1 Barre said to him, if there was nothing there, they couldn't do it. Conditional use is the hurdle you
2 must jump but at least provides the opportunity. Barre thought traditionally, there may have been
3 sawmills there. Hugh said Barre was bringing up a good point. Barre said if he bought the land of
4 his friend, Rich, it wouldn't be allowed there. Cathy said she would be up for allowing that and
5 wasn't excited about arts and entertainment, but an art gallery should be there. Barre said there
6 was some gray area, but it should be allowed with a home occupation. Barre said it wasn't about
7 him and didn't want to be selfish. Hugh said it was the process they had to go through. Tim thought
8 there was an artist studio on Flamstead Road and Cathy said there was. Jason confirmed they
9 wanted to add art studio and/or gallery to Res-2. To make it more organized, Hugh wanted
10 everyone to focus on the Res 2 column and if they saw a use that wasn't there but should be or one
11 that was and shouldn't be, to identify them and once they got through those, they would move on
12 to rural mixed-use and the others. Hugh thought food truck and art studio and/or gallery should be
13 a conditional use in Res 2. Jason asked about wood processing and/or sawmill and Cathy and Tim
14 weren't for it being there. Peter said sawmill and wood processing were similar and would produce
15 the same traffic. Barre said it was different if you had a bandsaw mill compared to a real logging
16 operation that was industrial but didn't know if they had it defined. Tim, Hugh, and Peter said it
17 was a home business. Peter said when he grew up in Chester, there were probably 10 sawmills and
18 now there aren't any. Hugh said based on what he was hearing, wood processing and sawmill
19 wasn't consistent with Residential 2 on a commercial scale. An operation that was a home business
20 or home occupation would be allowed and was like how they handled building and construction
21 trades in the center districts. They didn't say they fit in the neighborhood but were allowed if they
22 were a home business or home occupation. Barre appreciated all of it and what he called a loophole
23 but said the grace of being in Vermont with respect to home occupation and home business, the
24 difficulty with Chester was if someone like him wanted a small factory to manufacture wooden
25 bears and if they wanted more of a tax base like Bill Lindsay always talks about, they don't have
26 many areas to do that. If someone could afford to put it on a lot in the woods where nobody is
27 around and afford to put in a septic, it would work. Barre thought it may be better to go to New
28 Hampshire. Hugh told Barre to look at all the yellow and the stuff in Gassetts and noted none of
29 the stuff in purple had large utilities. Barre understood. Jason viewed Barre as an art studio and/or
30 gallery and to him, Barre could do it because they were adding it back in. Barre said he was being
31 too concerned about the purple when, as Hugh had pointed out, there was plenty of yellow and
32 Barre said he was good.

33
34 Bill Lindsay questioned mobile home parks under item 18 and wondered if they had an amount
35 attributed to it as they were talking about two-acre parcels. Jason didn't know they had an amount
36 specified. Bill said one of the pressures was to build housing and the small houses seemed to be
37 accepted but mobile home park was a different area on how many would be permitted and septic
38 would be an issue. Bill wondered about the rules and regulations for mobile home parks. Jason
39 said there were existing provisions for mobile home parks in zoning currently and it hadn't
40 changed but the size of the lot and ability to have wastewater and water would dictate the number.
41 Jason said state law requires that mobile home parks be allowed, and they were allowed in this
42 district, so he kept it. Tim said it was missing from the chart and should be added as a conditional
43 use. Jason said it was in the text but not on the table and was his error. Preston said the state had
44 tried to stop discrimination against mobile homes in various ways including telling towns they
45 must have mobile home parks. There were parks that pre-date zoning, but it is hard to start a new
46 one nowadays. Preston has been in zoning for over 20 years and didn't think he had ever had an

1 application for a mobile home park. Jason said in other parts of the country there were tiny home
2 neighborhoods that were basically mobile home parks, and it was possible they could come around.
3 Preston noted that Peter had brought up that HUD defined a mobile home and even though a tiny
4 home park was similar, it doesn't fit that definition. Hugh had read something that was going on
5 in Claremont and wondered if they wanted to include a definition for a tiny house development
6 because it didn't fit under mobile home park and unless they were going to use PUD to handle it,
7 he wondered how the board felt about tiny homes being more relevant and if they should deal with
8 that. Tim said they could play a role in mitigating housing issues and agreed they should work on
9 a definition for a tiny home park. Barre wondered if a PUD wording would work and thought
10 Monopoly houses would be interesting and a planned unit development would be the way to do
11 that and thought if they wrote rules to address tiny houses, they would be rewriting what already
12 exists. Preston said they had modified the PUD to be more user friendly for tiny home parks and
13 he gets calls every now and then and says they could be done through PUD but for one reason or
14 another, nothing comes forward. Preston wasn't opposed to writing something but thought septic
15 was the biggest hurdle and the same one for mobile home parks. With all the new regulations for
16 water supplies, once you get beyond two units, you must be on public water supply and a whole
17 new set of regulations. Barre thought the cost of doing it wouldn't make it worthwhile so it
18 probably wouldn't happen. Preston said that's why the state had gone around it and didn't want to
19 relax their water or sewer regulations and that it must be in public water and sewer. Jason would
20 work on the tiny house language and consider where it was close to sewer and thought there may
21 be value in it. Peter said the issue with mobile homes was they were limited by the PUD but for
22 tiny houses, they would want to increase the density more than for a PUD. A trailer park would
23 not meet PUD requirements and would be half or quarter of the number of units. Peter thought it
24 was worth thinking about and currently, the PUD controls it and is calling for minimum square
25 feet but won't make any difference if the density is already called out. Tim was thinking along the
26 same lines with density and if they were going to do that, they needed to have some way to enable
27 an increase in the density whether it was rural or in town. Preston said quite often in mobile home
28 parks the homes are unlanded meaning there is no subdivision and is common land so there could
29 be value in providing unlanded for tiny homes and allowing a lot of density. Barre thought for a
30 PUD, you could look at the land like a blank canvas and set it up to do what you want if you meet
31 certain requirements for egress, road size, wastewater, etc. but wondered if there was more to it.
32 Preston said there was some wiggle room for the DRB to issue waivers and the way a PUD would
33 work is the same density but on 10 acres would allow for 3 or 4 clustered in one corner but still
34 need the extra land to have the density and that's what Peter's point was to allow any density on
35 any size. Peter said a PUD allows an increase in density by 50%. Preston agreed. Peter said 12,000
36 feet per mobile home is required as a minimum and a tiny house was much less than that. Hugh
37 thought they should look at what they could do for tiny homes. Barre confirmed with Peter that
38 the regulations weren't town oriented. Peter said they would be stuck with what the state's
39 definition was for a mobile home and Barre wasn't concerned with the mobile home but more with
40 being to utilize the space. Jason asked if there was a distinction for them between a tiny house
41 community and a tiny house cluster and should they be on wheels. Tim said they had discussed
42 with the Catholic Church a long time ago about their property being carved into tiny lots for tiny
43 homes and there shouldn't be a differentiation between the homes being on wheels or not.

44
45 Jason asked if there was any more discussion about Residential 2 and Cathy wanted to discuss
46 campgrounds and wasn't in love with them there. Jason said it was a conditional use and asked if

1 she wanted to delete it and Hugh said he would be okay with that. Barre thought there were some
2 big lots, like one that ran from Turnpike Road to Cummings Road and wondered if a campground
3 could go there. Cathy said the DRB heard an application for a campground in the light green area
4 and as they thought about it, they were concerned about the amount of traffic in and out regularly
5 when campers stay, as they don't necessarily stay there all day. Cathy didn't know how much
6 noise would be involved and wasn't for things that were close to big roads and to the center of
7 town and Hugh agreed. Hugh said what was currently Res-2 was a little bit of R-40 and a bit of
8 what used to be R-120 and they were carving out R-5 which was a good size chunk of the town
9 and it seemed for a first draft, they should put campgrounds in R-5 and not Res-2. Tim said if the
10 complaint about a campground was the traffic at the end of a dirt road, and wondered if it would
11 be more advantageous to have a campground near a main road. Cathy said the complaint was about
12 traffic and not the beginning of the road or end of road. Tim was familiar with where the proposed
13 campground was going, and the traffic would have been tough on that road. Barre knew of
14 campgrounds off Route 5 which was more rural than Chester. Hugh said one way to doublecheck
15 it was if campground was not allowed in R-40. Barre said it was a conditional use and would be
16 up to the DRB if someone wanted tents. Barre said when there wasn't any opportunity at all, the
17 answer would only be no and that's why he was considering lesser sorts of things that would fall
18 under the definition. Jason said R-40 allowed campground as a conditional use. Hugh thought they
19 should leave campground in for now, and they would consider it more. Barre thought they could
20 also have a smaller scaled definition for a recreational retreat rather than RVs.

21
22 Hugh said they didn't need to finish everything tonight but wanted to go to rural mixed use. Tim
23 knew when they decided to name rural mixed use separately from village mixed use, he recalled
24 one of the discussions was not having town water and sewer would limit what could feasibly be
25 allowed in the rural mixed use. Jason and Hugh agreed they had discussed sewer in the village
26 mixed use. Preston said village mixed use was 1/5 of an acre and was absurd in the rural areas.
27 Tim thought that was where sewer and wastewater came in. Preston said they decided they wanted
28 a similar district but in the rural areas, 2 acres was as low as you could get and still have a private
29 sewer. Hugh said it was a convenient way to handle what had been called adaptive and Tim agreed.
30 When Tim compared the conditional uses in the village and rural, there were quite a few not
31 included in the rural mixed use that he wondered if it was intentional and the reason behind it.
32 Some were open-market, personal service shop, pub/tavern/bar, retail store, and Tim thought they
33 should go in there, unless he was missing something. Jason was open to whatever they thought
34 should go in there. Jason had thought where there were clusters of commercial type activities as
35 opposed to sawmills. Tim questioned retail store and there was one in Gassetts; pub/tavern/bar
36 wouldn't be a bad place for one out there. Jason confirmed they wanted to add retail store to rural
37 mixed use. Tim thought they should discuss pub/tavern/bar and asked if there were any objections
38 to adding personal service shop. Hugh didn't have any issues with personal service shop or retail.
39 Tim thought open-market was innocuous and the others agreed. Jason asked how they felt about
40 pub and Hugh didn't see why not. Hugh was thinking about the automotive fuel sales and service
41 and wondered if they had put Spaulding's Garage into one of those categories and Jason said it
42 wasn't currently. Cathy thought there was a gas station in Gassetts at one time. Hugh wanted to
43 make sure they weren't dropping the ball. Tim asked if it was missing from the table. Peter said to
44 Barre's point, the building element wouldn't allow for a Walmart but it also wouldn't allow for a
45 steel building for light manufacturing and he could see the building element controlling how things
46 were developed but if they were going to have light industrial, it wouldn't work because of the

1 kind of building they could have. Jason said they were currently allowing for light industry in rural
2 mixed use and asked if it was appropriate. Peter said the building element was 5,000 square feet
3 per one section. It was under E4, building element, under village mixed use and was the third sheet
4 in the packet. Jason said rural mixed use does not have the building element standard. Preston said
5 the standard came before he was around and was intended not to allow big monolithic buildings.
6 Hugh confirmed it was the reason for the language in the village mixed use. Preston thought Jason
7 was saying it wasn't in rural mixed use and wondered if they wanted it there. Jason said at this
8 point, rural mixed use was more basic and didn't have a lot of the supplemental standards that
9 village mixed use did, and the question was whether it was right or if more should be added to
10 rural mixed use. Barre said his job was to represent the town and not his own personal interests
11 and he had just bought another machine and his robot was getting ready to deploy and he still had
12 a vision of creating his wooden bear business and that type of industry could be in a larger building
13 but because there wouldn't be so many humans there, it would have less of an environmental
14 impact with septic and water. Barre said because of the automation, there could be a large building
15 but not require a large septic. There were already limitations existing with water and sewer but if
16 there was an opportunity to put a building out in the woods that could bring industry to town, if
17 they limited the size of it, it wouldn't be able to happen. Hugh said if they made rural mixed use
18 with no building element requirements, he thought they could have some big metal buildings where
19 the dark purple was on the map. Hugh wondered if they wanted big ugly metal buildings on Route
20 103 or Route 11. Barre said they could have cool looking and interesting buildings that could be
21 an economic boom to the town because it didn't mean it had to be a big ugly metal building. Barre
22 didn't want to limit what they could do. Preston said the storage units next to the car wash were
23 subject to the building element and ended up having three smaller buildings under 5,000 square
24 feet instead of two buildings over 5,000 square feet. Peter said they wouldn't have Drews in town
25 and the way to increase the tax base is with commercial properties. Hugh was hearing to not be
26 too restrictive in rural mixed use with things like building elements. Barre thought the problem
27 was they needed some form of industry to carry the town and a lot of Chester's was tourist oriented.
28 Barre said more people were moving to Chester and working remotely and could end up needing
29 a bigger building for a business. Barre thought they should allow more light industry because that
30 is how towns survive. Jason confirmed they wanted light industry in town.

31
32 Steve Mancuso wanted to point out that the Route 11/103 part of the agenda, the Dollar General
33 and Jiffy Mart constitute a major portion and he has been told are 1/6 of the Grand List and were
34 protested years ago because people who wanted NIMBY and wanted to use the Planning
35 Commission to do it. Steve wondered how people would like to pay 1/6 more in taxes as taxes are
36 increasing and they are on the verge of a tax revolt. Steve said it was by no means an issue they
37 should take lightly, and business is needed here to lessen the tax burden now more than ever.

38
39 Hugh thought they were in the same space to leave it in with little restriction on building. Jason
40 asked about auto and fuel sales. Tim said they have auto repair in rural mixed use. Jason asked if
41 that was what they wanted or just an existing grandfathered use. Tim said they discussed it at a
42 previous meeting and thought they had decided to include it. Cathy said they had automobile
43 service use on Route 10 in the Residential 2 District. Barre saw a difference between auto repair
44 and fuel station. The best thing that could happen is where the storage units are is a place on the
45 edge of town for a bigger gas facility that doesn't mar the beauty of the church steeples in town
46 and allows a tractor trailer to pull in and get diesel fuel. Barre said with zoning, the Sunoco station

1 would never happen today. The other day there was a tractor trailer parked in the middle of Route
2 103 on the road. Tim wondered if it was worth discussing separating auto repair and fuel stations
3 and auto service into two different categories. Jason thought auto fuel tended to be three businesses
4 clustered into one building: fuel sales, convenience store, and fast food. Auto service was
5 something different and not usually connected. Jason wanted to know if they were talking about
6 auto service in rural mixed use and Tim said they should have auto service included in rural mixed
7 use and to Cathy's point, there is an existing auto service in Res-2. Cathy said an argument for
8 separating out fuel is it was likely to change what fuel is in the next decade and they could convert
9 to a bunch of plug-in places. Tim and Jason agreed. Hugh thought it made sense to split the
10 definition up. Once they did so, they would need to reconcile some things. They are allowing fuel
11 sales and service in village mixed use, so it wouldn't make sense not to include it in rural mixed
12 use. Tim didn't know how wastewater played into it. Cathy thought wastewater may be what they
13 went through with the fire station. They wash the firetrucks in the bay and have a special drainage
14 system to drain the water and oil separately. Tim thought they would need a commercial bathroom
15 because of the number of people who use the bathroom when they stop to get gas. Hugh said they
16 wouldn't solve automotive at this meeting but was hearing they wanted to separate fuel from
17 service. Barre thought there were two gas stations in town and wished zoning had been in place
18 earlier so Jiffy Mart wasn't where it was and would have been better on the edge of town from
19 both a practical and visual standpoint. Hugh said Barre's argument supported the idea of having
20 the gas station outside of town. Barre thought next to the carwash and storage units would have
21 been the perfect place. Jason asked what they thought about auto sales. Tim said sales and service
22 could go together and the others agreed. They decided to put sales and service together and fuel
23 and sales together and revisit it.

24
25 Hugh suggested they finish rural mixed-use, collect the first round of feedback, and then stop for
26 the evening on the topic. Tim wondered if it would make sense to allow sawmill in Gassetts but
27 understood Peter's point about nobody opening one because there aren't enough trees so maybe it
28 was a moot point but wondered about wood processing, which to him, he thought about firewood.
29 Barre said there was a huge firewood place going into Claremont in Charlestown and one in Keene,
30 where it was a small space, and there was a lot of smaller pulpwood stuff around Chester. Tim said
31 wood processing was a conditional use in the rural districts. Barre said he was in favor of it a while
32 back when Randy brought it up. Peter said Palmers was right in town and it was better for the roads
33 rather than having it out in the woods. So that everyone knew what Peter was talking about, Barre
34 said Palmers was behind where the Pizza Stone is now. Tim had bought firewood from them, too.
35 Hugh didn't feel strongly about it either way in the rural districts. Jason said they tended to be land
36 consumptive and that was why they were they are. Tim said the place in Winchester, New
37 Hampshire was in a small space and Tim wanted wood processing to be added to rural mixed-use.
38 Peter asked if it could be put back in general business. Peter said it would make a huge difference
39 if all the logs going out of the country and trucking were reduced if they could have a log yard and
40 get them on a railcar. Tim thought it made sense from a business standpoint and it could help
41 someone with their logging business and be great for town. Hugh wanted to table it and thought
42 they needed to look at wood processing and sawmill by the row and not the column and see what
43 they think about them in rural mixed-use, Rural 5 and Rural 8. Barre thought about some of the
44 things they're doing and if people put effort into it, some of the things could happen. Tim agreed.
45 Barre said they don't do much for business recruiting which other towns do. Jason would make
46 changes and get them to the members.

1 **Agenda Item 4, Route 11 and Route 103 corner discussion**
2

3 Hugh said Barre had raised the issue of the corner of Route 103 and Route 11. Barre had three pet
4 peeves with the town: the bridge on Elm Street, the road on Flamstead, and the corner on Routes
5 103 and 11. For Barre, the corner was like living in a dysfunctional family that has obvious
6 problems that wouldn't be hard to solve and has to suffer. The house on the corner is for sale and
7 was a thought he had when the pottery shop was for sale. The power line on the corner is actually
8 a light pole without wires. When a property comes up for sale, they could buy it instead of going
9 through eminent domain. Barre was walking to the store and went through the backyard of what
10 is now the daycare and looked on the map and realized the lot from the green house on the corner
11 goes up by the small row of shrubs by the white house where it floods. If the town bought the
12 house and moved the front half of the house to the back lot and resold the house, they could create
13 a wider turn and not have to go through eminent domain and be able to sell the house. Hugh
14 emailed Barre back and asked if it would be better to tear it down. Barre didn't think it was a bad
15 idea but that it was listed for \$400,000 and they would lose the property from the Grand List. If
16 they moved the house, it may cost \$125,000 and they wouldn't have to buy the extra lot because
17 the land is there. Barre was trying to say when they have problems, it would be nice to work to
18 solve them. Barre didn't know how these things got addressed and moved. Barre said almost every
19 time he drives to the intersection, there's a truck stopped waiting for a car to go by so it can make
20 the turn. To Barre, this was very dysfunctional and something they should be able to solve and
21 with the house for sale, they had the opportunity. Preston said when he first arrived in Chester, he
22 thought the two corners were terrible, but he spoke to Julie and heard all the reasons they couldn't
23 do anything about it. Preston has heard Peter say they should have traffic circles there but there's
24 just not enough room for it. Preston said as a Planning Commission, they can't do anything. Preston
25 volunteered to look at the lot but noted he wasn't a transportation planner but knew a little about
26 it and the Regional Commission has transportation planners. Tim said they had modified the corner
27 once. Barre thought if it was \$150,000 to solve the problem, it wasn't that much money. There are
28 people leasing the property so it wouldn't be that easy, but it was better to keep the house rather
29 than tear it down. Barre said the lot was long and narrow. Barre thought because it was for sale,
30 they had an opportunity to do something. Hugh thought it was worth discussing and looking into.
31 Hugh wondered how much room was needed for a traffic circle and if they took that lot and the
32 rectory across the street, how much space was needed. Barre didn't think they needed a traffic
33 circle, but the front of the house moved and 3 or 5 feet off the sidewalk moved giving trucks
34 enough room to make the corner. If the house wasn't in the way, it would still look nice and be
35 charming. Sue Bailey said the people who own the rectory want to sell it.
36

37 Bill would hate to see the house removed given affordable housing and the apartments and it also
38 serves as a revenue source for the town. Bill said when the highway was corrected and the town
39 bought property to make the swing a little wider, the proper marking was done so people didn't
40 have to go right and left at the same time. When it's properly marked, the tractor trailer can
41 maneuver the corner and traffic can still flow. It hasn't been marked in several years. Bill lives on
42 that street and after losing the property value, it would increase the speed which was the last thing
43 needed. Barre said his idea isn't to tear it down but move the front section to the back lot and
44 maybe even make another apartment. Barre wanted to widen the corner enough so that trucks
45 aren't going in the opposing lane. If people stopped back where it had been marked, nobody would
46 do that, and the truck still has to swing into the road. Barre said the trucks were too big and people

1 don't pay attention. Bill said it would be up to the owner of the building. Randy said he's afraid of
2 someone getting hit walking on the sidewalk. Randy suggested they buy land closer to the church
3 and veer the road over that way.

4
5 Hugh said people generally agree the intersection is trouble and if something could be done about
6 it, it would be good for the town. Barre thanked the board for including it on the agenda.

7
8 **Agenda Item 5, Adjournment**

9
10 Tim moved to adjourn, and Cathy seconded the motion. A vote was taken, and it passed
11 unanimously. The meeting was adjourned at 8:17 p.m.

DRAFT

Chester Unified Development Bylaws - Proposed Allowed Uses by District

03.12.2024

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

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 March 12, 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

VMU – Village Mixed Use

GB - General Business

SV - Stone Village

N – Neighborhood

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

RMU – Rural Mixed Use ~~A3 – Adaptive 3~~

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.

CHESTER UNIFIED DEVELOPMENT BYLAWS

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. **Dwelling** – Single- and Two-**Household**
6. Family Child Care Home
7. Group Home
8. Home Occupation

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. **Art Studio and/or Gallery**
5. Campground
6. Civic / Institutional
7. ~~Commercial Storage Unit~~
8. **Dwelling** – Multi-**Household**
9. **Earth** Extraction Operations
10. Family Child Care Facility
11. Food Truck/Food Cart/Food Stand
12. ~~Heavy Construction Trades~~
13. Home Business
14. Mobile Home Park
15. ~~Nursery~~
16. ~~Processing Construction and Landscaping Aggregate~~
17. Professional Office
18. Recreation
19. **Tiny House Community**
20. **Tourist Lodging**
21. Wireless Communication Facility
22. ~~Wood Processing~~

CHESTER UNIFIED DEVELOPMENT BYLAWS

D. Dimensional Standards:

Minimum Lot Size	2 Acres 40,000 (87,120 sq. ft.)
Minimum Lot Frontage	120 150 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 Rural Mixed Use (RMU) District ~~Adaptive 3 (A3) District~~

A. Purpose: To allow for moderate density, mixed use development in three small clusters of existing development located along major thoroughfares. All new development, redevelopment and infill development will employ sound access management techniques and incorporate smart growth principles as defined in state law [24 V.S.A. § 2791]. ~~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. **Dwelling Residential** – Single- and Two-**Household Family**
6. Family Child Care Home
7. Group Home
8. Home Occupation
9. Private Broadcast Facility

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. Arts & Entertainment
5. **Automotive Service/Sales**
6. ~~Building and Construction Trades~~
7. ~~Campground~~
8. Civic/Institutional
9. ~~Commercial Broadcast Facility~~
10. Commercial Storage Unit
11. **Dwelling Residential** – Multi-**Household Family**
12. Family Child Care Facility
13. **Food Truck/Food Cart/Food Stand**
14. **Health Care Facility** ~~Heavy Construction Trades~~
15. Home Business
16. Light Industrial

CHESTER UNIFIED DEVELOPMENT BYLAWS

- 17. Mobile Home Park
- 18. Multi-Purpose
- 19. Nursery
- 20. Open Market
- 21. Personal Service Shop
- 22. Professional Office
- 23. Pub/Tavern/Bar
- 24. Recreation
- 25. Residential Care Home
- 26. Restaurant
- 27. Retail Store
- 28. Tourist Lodging
- 29. Wood Processing

D. Dimensional Standards:

Minimum Lot Size	2 3 acres
Minimum Lot Frontage	150 200 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	30 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.

3. No formula use/drive through restaurants?

4. Specify only smaller, more rural-scale tourist lodgings?

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. Dwellings – Single- and Two-Household
6. Family Child Care Home
7. Group Home
8. Home Occupation

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. Dwellings – Multi-Household
8. Earth Extraction Operations
9. Earth Processing Operations
10. Family Child Care Facility
11. Food Truck/Food Cart/Food Stand
12. ~~Heavy Construction Trades~~
13. Home Business
14. Mobile Home Park
15. Nursery
16. Professional Office
17. Recreation
18. Sawmill
19. Tourist Lodging
20. Wireless Communication Facility
21. Wood Processing

CHESTER UNIFIED DEVELOPMENT BYLAWS

D. Dimensional Standards:

Minimum Lot Size	3 acres
Maximum Density	1 blg. unit / 5 acres
Minimum Lot Frontage	150 200 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 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 2-acre lots and maintain one 14-acre lot, which can no longer be subdivided (see Figure X.2). The benefit of this second approach is providing flexibility to create smaller, lower-cost lots for housing, maintaining a larger lots to reduce forest fragmentation, and maintaining an overall low density in this rural district.

CHESTER UNIFIED DEVELOPMENT BYLAWS

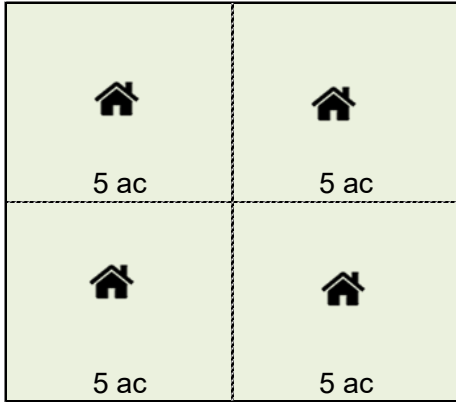


Figure X.1: Minimum Lot Size

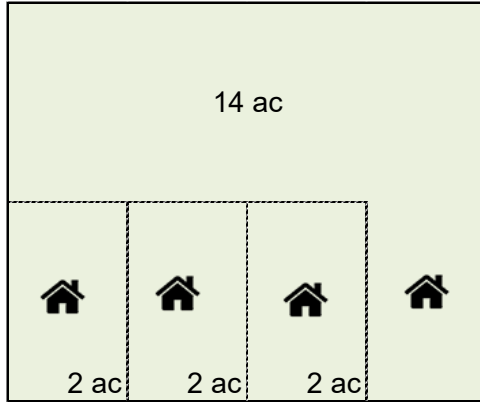


Figure X.2: Maximum Density

CHESTER UNIFIED DEVELOPMENT BYLAWS

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. **Dwelling**– Single- and Two-**Household**
6. Family Child Care Home
7. Group Home
8. Private Broadcast Facility

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

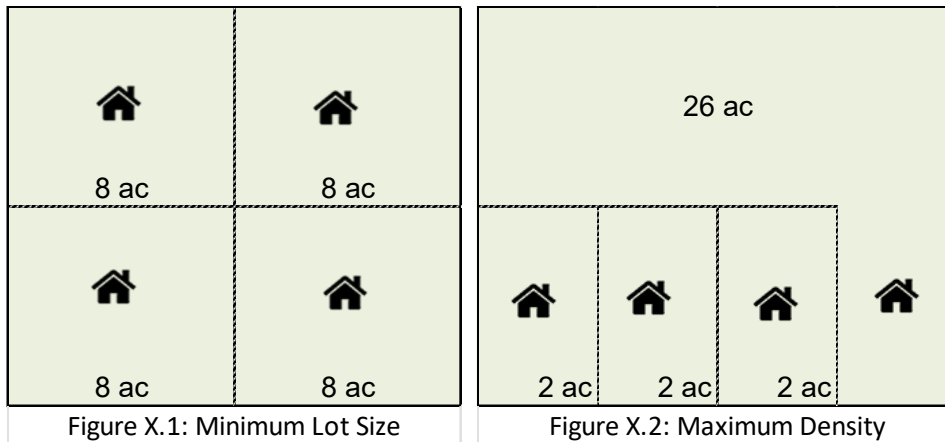
D. Dimensional Standards:

CHESTER UNIFIED DEVELOPMENT BYLAWS

Minimum Lot Size	5 acres
Maximum Density	1 blg. unit / 8 acres
Minimum Lot Frontage	200 250 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	10%
Maximum Building Height	35 ft.

E. Supplemental Standards:

1. 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 building unit (i.e., one single-household dwelling, one two-household dwelling) per 8-acres shall not be exceeded. As an example, a property owner that wants to subdivide a 32-acre lot could create four conventional 8-acre lots (see Figure X.1). Or, that property owner could instead create three 2-acre lots and maintain one 26-acre lot, which can no longer be subdivided (see Figure X.2). The benefit of this second approach is providing flexibility to create smaller, lower-cost lots for housing, maintaining a larger lots to reduce forest fragmentation, and maintaining an overall low density in this rural district.



CHESTER UNIFIED DEVELOPMENT BYLAWS

2.13 Forest (F) District

A. Purpose: To conserve public lands used for drinking water protection, forestry and public recreational activities.

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

1. Agricultural and Forestry Uses (See Sec. 4.3 Exemptions)
2. Family Child Care Home
3. Group Home
4. Private Broadcast Facility

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. Building and Construction Trades
2. Commercial Broadcast Facility
3. Earth Extraction Operations
4. Earth Processing Operations
5. Recreation
6. Wood Processing

CHESTER UNIFIED DEVELOPMENT BYLAWS

DWELLING, SINGLE-HOUSEHOLD: A building or part thereof used as living quarters for one household and containing independent cooking, sanitary and sleeping facilities. It shall include prefabrication and modular units, but shall not include motel, hotel, boarding house, or tourist home.

DWELLING, TWO-FAMILY DWELLING: See **DWELLING, TWO-HOUSEHOLD**.

DWELLING, TWO-HOUSEHOLD: A building on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.

DWELLING UNIT: A space consisting of one or more rooms designed, occupied or intended for occupancy as a separate living quarters, with cooking, sleeping, and sanitary facilities provided within that space for the exclusive use of one or more persons maintaining a household. See also Accessory Dwelling Unit, Single-Household Dwelling, Two-Household Dwelling and Multiple-Household Dwelling.

EARTH EXTRACTION OPERATIONS: A use involving the on-site removal of surface and subsurface materials, including soil, sand, gravel, stone, rock or organic substances other than vegetation, from land or water. Customary extraction operations include sand and gravel pits, rock quarries, ~~and accessory operations such as the crushing, screening, and temporary storage of materials excavated on-site.~~

EARTH PROCESSING OPERATIONS: A use involving the crushing, screening, and storage of excavated earth materials, such as sand, soil, gravel, stone or other extracted earth materials.

EASEMENT: The grant of one or more of the property rights by the property owner to and/or for use by the public, a corporation or another person or entity. This may include conservation, drainage, utility, scenic or viewshed easements.

EXTERNALLY LIT SIGN: A sign with a light source that originates from outside the materials of the sign.

FAMILY CHILD CARE FACILITY: A facility where the owner or operator is to be licensed or registered by the state for childcare and which provides care on a regular basis for more than six full-time and four part-time children.

FAMILY CHILD CARE HOME: A home where the owner or operator is to be licensed or registered by the state for child care, and which provides for care on a regular basis in the caregiver's own residence for not more than ten children at any one time. Of this number, up to six children may be provided care on a full-time basis and the remainder on a part-time basis.

CHESTER UNIFIED DEVELOPMENT BYLAWS

(b) Any alteration of a “historic structure” provided that the alteration will not

preclude the structure’s continued designation as a “historic structure”.

For the purposes of determining “substantial improvement” value and exceptions in (a) only and no other purpose, the Zoning Administrator is “the local code enforcement official.”

SUBSTANTIALLY COMPLETED: A building, structure or infrastructure that is sufficiently constructed so that it can be used for its intended purpose with no further construction.

TAVERN: See Bar.

TINY HOUSE: A fully-equipped, free-standing, single-household dwelling averaging between 100 and 400 square feet. They come in two forms; those on wheels and those on a foundation.

TINY HOUSE COMMUNITY: A group of three or more unlanded tiny houses on wheels on plots within a tract of commonly-owned land with shared facilities, typically including traffic access and circulation facilities, electricity, water and wastewater infrastructure, and other facilities.

TOURIST LODGING: Overnight accommodations provided to transients for compensation, including bed & breakfasts, boardinghouses, inns, hotels and other overnight accommodations.

TOWN CONSULTANT ENGINEER: Licensed person duly designated by the Town Manager to perform this function.

TOWN HIGHWAY, CLASS 1: Highways designated by the Highway Board which are part of a state highway route and which carry a state highway route number.

TOWN HIGHWAY, CLASS 2: Highways designated by the Legislative Body of the municipality with the approval of the Highway Board for securing trunk lines of improved highways from town to town and to places which by their nature have more than normal amounts of traffic.

TOWN HIGHWAY, CLASS 3: All other travelled town highways, other than Class 1 or Class 2, designated by the Legislative Body of the municipality, after conference with a representative of the Highway Board.

TOWN HIGHWAY, CLASS 4: All other town highways, including trails and pent roads, other than Class 1, 2, or 3 highways, designated by the Legislative Body of the municipality .

UNDUE ADVERSE EFFECTS: Undue adverse effect shall be found by the DRB if: First, the Chester DRB determines that the proposed project will have an adverse impact based on any of the General Standards specified in 4.8.(C)(1)a-e and; Second, if an adverse impact is found to exist, it will be considered undue if it substantially and materially (1) violates a clear, written