



## TOWN OF CHESTER

PLANNING & ZONING  
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### **Do I need a Zoning Permit?**

The Town of Chester requires various permits and approvals for development activities. A Zoning Permit is required for any development project that involves:

- New buildings
- Building additions
- Porches, decks, sheds and similar structures
- An increase in the number of bedrooms
- Accessory apartments (in house or over garage)
- Home occupations and home businesses
- Any new commercial use
- Change of use (such as warehouse to office, retail to restaurant)
- Signs
- Subdivision and boundary line adjustments
- Fill or construction within a floodplain

### **A Zoning Permit is not required for:**

- Fences and walls that are no higher than 6 feet and are located outside of the town or state road right-of-way
- Structures with little or no impact such as a doghouse, child's playset or playhouse, mailbox, clothesline, or art object that does not function as a commercial sign (unless they are in floodplain, in which case they may need a permit and to be anchored)
- Interior renovations that do not increase the overall floor area or result in additional bedrooms

- Unroofed patios at grade level
- Normal building maintenance such as painting and roofing
- Minor grading and excavation associated with driveway maintenance and yard improvements
- Garage sales and yard sales

When in doubt contact the town zoning administrator at 802-875-2173 or at [zoning@chestervt.gov](mailto:zoning@chestervt.gov).

### **What will I need to build a new house?**

Construction of a new house on undeveloped property will require a state Wastewater System & Potable Water Supply Permit, a town Highway Access Permit or State Highway Access and Work Permit, and a town Zoning Permit. Contact the zoning administrator to start this process. A septic designer generally applies for the state Wastewater-Water permit. Your builder is required to submit a state Residential Energy Building Standards (RBES) certificate when the house is complete.

### **What will I need to add on to my house?**

An increase to the footprint or floor area of your house will require a Zoning Permit. If you are adding a bedroom you may need to increase your septic capacity. Your builder is required to submit a state Residential Energy Building Standards (RBES) certificate for any heated or cooled addition to a house.

### **What will I need to build a garage?**

Construction of a garage requires a Zoning Permit. If the garage has a second floor, you will need to declare what use you intend to make of the second floor (storage, studio, home office, play or exercise room). If any part of the garage will be used as an accessory dwelling unit or bedroom, you may need to increase your septic capacity. Your builder is required to submit a state Residential Energy Building Standards (RBES) certificate if any part of the garage is to be heated or cooled.

### **What will I need to build a camp?**

A primitive camp is exempt from the requirement for a state wastewater and water supply permit if the camp has no interior plumbing other than a sink with water and is occupied for no more than 3 consecutive weeks per year and no more than a total of 60 days per year. A permit for a primitive camp will contain those conditions.

### **Are short-term rentals allowed?**

Short-term rentals (such as Airbnb, HomeAway, VRBO, Vacasa) are allowed and no permit is required from the Town of Chester. The advertised capacity of a short-term rental is limited to its approved septic or sewer capacity. If in doubt about your septic or sewer capacity, call the zoning administrator. All short-term rentals are subject to inspection by the state Division of Fire Safety, although self-certification is an option for rental properties with an occupancy of 8 or less. Contact the regional Division of Fire Safety office at 1-866-404-8883 to schedule an

inspection. For a short-term rental checklist go to:

<https://firesafety.vermont.gov/sites/firesafety/files/documents/Check%20List%20Short%20Term%20Final%20Version.pdf>.

### **What changes can I make to a condo unit?**

Condominiums are regulated by the state Division of Fire Safety and the state Act 250 Program. Changes beyond painting or decorating may require Division of Fire Safety approval. Increases to the floor area or creation of an additional bedroom would require Act 250 approval. Contact your condominium association before making any changes beyond painting or decorating.

### **What do I need to subdivide a property?**

All subdivisions and boundary line adjustments must be reviewed and approved by the Development Review Board following a public hearing. All subdivisions and boundary line adjustments must be surveyed. All subdivisions must also have a state Wastewater System & Potable Water Supply Permit, a state-issued exemption or deferral, or evidence of suitable soils to obtain a state Wastewater System & Potable Water Supply Permit. For a state fact sheet on Subdivision of Land go to <https://dec.vermont.gov/sites/dec/files/permit-handbook/sheet02.pdf>. The creation of six or more lots may require a state Land Use Permit under Act 250. Subdivided parcels will need a Highway Access Permit from the town Selectboard or a State Highway Access and Work Permit from the state Agency of Transportation.

### **When do I need an Access Permit?**

A Highway Access Permit is required from the town Selectboard for a new or modified driveway off a town road. Contact the zoning administrator to start this process. A State Highway Access and Work Permit is required from the state Agency of Transportation (VTrans) for a new or modified driveway off VT-10, VT-11 or VT-103. For a Frequently Asked Questions sheet on state highway access and work permits go to: <https://vtrans.vermont.gov/planning/permitting/faqs>.

### **What are home occupations and home businesses?**

Any resident may use a minor portion of their home, or an accessory building, for an occupation which is customary in residential areas, and which does not have an undue adverse effect on the character of the neighborhood. A permit from the zoning administrator is required to confirm that the activities are within the definition of a home occupation.

A home occupation becomes a home business when on premises employees who are not part of the household are employed (up to 4 full-time equivalents on premise employees are allowed) or there are exterior displays or exterior storage of materials. A home business requires review and approval at a public hearing before the Development Review Board.

### **What permits do I need for a commercial use?**

Types of commercial use vary widely from retail store or restaurant to light industry, automotive service, construction trades, kennels, and quarries, each of which are allowed, limited or prohibited in different zoning districts. You will need to contact the Zoning Administrator at 802-875-2173 or at [zoning@chestervt.gov](mailto:zoning@chestervt.gov) to fully understand what uses are allowed in which zoning district, and the process that it would take to get a permit.

New commercial uses or a change of use from one commercial activity to another will require review and approval at a public hearing before the town Development Review Board. Reestablishment of a previously approved commercial use may require only an administrative permit from the zoning administrator. All commercial uses make the building they occupy a public building and require inspection by the state Division of Fire Safety (call the Springfield VT office at 802-216-0500 to schedule an inspection). A new commercial use or a change of use on a parcel of land greater than ten acres may be subject to state Act 250 review and approval. Commercial construction may also trigger state septic and drinking water regulations, and stormwater regulations. Permit fact sheets are available at <https://dec.vermont.gov/permits/handbook/info-sheets>. The way to find out which permits are required for your business is to go to the state Permit Navigator site at <https://vermont.force.com/permitnavigator/s/permit-navigator> and fill out the questionnaire. Finally, a state Commercial Energy Building Standards (CBES) certificate must be submitted by the builder after any new commercial construction is completed.

### **What if my property is in floodplain?**

All applications for permits for development within mapped flood hazard areas must be reviewed in a public hearing by the Development Review Board. Applications for structures within floodplain may have to be elevated or floodproofed or may be denied. Survey or engineering data may be required to determine a base flood elevation, or BFE. You may contact the zoning administrator to determine if your property is in a flood zone, or try your hand at the Vermont Flood Ready Atlas at: [https://floodready.vermont.gov/assessment/vt\\_floodready\\_atlas](https://floodready.vermont.gov/assessment/vt_floodready_atlas).

### **Are there buffers from streams, rivers and ponds?**

No development can occur within 25 feet of a stream or river that is between 2 feet and 6 feet wide, or within 50 feet of a pond or of a stream or river that is wider than 6 feet. Exceptions to this are driveways, trails, and bank stabilization projects.

### **Do I need a permit for a bridge?**

Constructing a bridge will require a Stream Alteration Permit from the state, and if in mapped floodplain, will require a floodplain permit from the town. Your first contact should be river management engineer Scott Jensen at 802-490-6962 or [scott.jensen@vermont.gov](mailto:scott.jensen@vermont.gov).

### **Do I need a permit for a solar installation?**

Solar installations and other projects that generate electricity tied to the grid go through a state Public Utility Commission process and are generally exempt from local zoning. Your solar installer will usually make this application.

### **Is farming and forestry exempt?**

Farm and forestry uses are exempt from zoning if they follow state Required Agricultural Practices rules (for farming) or Accepted Management Practices rules (for forestry). True farm and forestry structures are also exempt but defining what is a true farm or forestry structure can be tricky. In any case, you are required to notify the zoning administrator before constructing a farm or forestry structure.