

2.3.1 Village Green (VG) District



A. Purpose. The Village Green is the area on the southwest side of Main Street between School and Cobleigh Streets. The purpose of the area is:

- To promote the long-term vitality of Chester’s village center
- To ensure new construction and renovations are compatible with and enhance the historic character, scale, and settlement pattern of this part of Chester
- Provide for economic development and housing opportunities
- Encourage investment that maintains or rehabilitates historic buildings
- Provide an attractive streetscape and pedestrian-friendly environment as envisioned in the Village Master Plan.

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

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|---|--------------------------|
| 1. Accessory Dwelling Unit | 6. Family Childcare Home |
| 2. Accessory Structure | 7. Home Occupation |
| 3. Accessory Use | 8. Mixed Use |
| 4. Art Studio and/or Gallery | 9. Professional Office |
| 5. Dwelling – Single- and Two-Household | 10. Restaurant |
| | 11. Retail Store |

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

1. Arts & Entertainment Facility
2. Civic / Institutional
3. Construction of any new principal structure or any substantial replacement or enlargement of an existing or damaged principal building
4. Dwelling – Multi-Household including, but not limited to, senior housing (housing and convenience services for people aged 55 or older)
5. Family Child Care Facility
6. Health Care Facility
7. Home Business
8. Light Industry
9. Open Market
10. Personal Service Shop
11. Recreation
12. Residential Care Home/Group Home (serving more than 8 persons)
13. Tourist Lodging

D. Dimensional Standards:

Minimum Lot Size	3,600 sq. ft.
Minimum Lot Frontage	30 ft.
Minimum Front Yard Setback	0 ft.
Minimum Side Yard Setback	0 ft.
Minimum Rear Yard Setback	8 ft.
Maximum Lot Coverage	90%
Maximum Building Height	35 ft.

E. Supplemental Standards:

1. **Building Orientation.** Buildings shall front toward and relate to frontage streets, both functionally and visually, and not be oriented toward parking lots.
2. **Character of Development.** New buildings and modifications of existing buildings shall be of a similar building mass and orientation as buildings in this District and shall not unduly detract from the existing character of the Village. Where there are conflicts with existing adjoining buildings, building modifications or expansions of uses shall not increase the degree of conflict. Formula businesses are not permitted in this District. Any changes to the exterior of the building must follow the architectural standards in Section 4.8.C.3 Special Criteria.
3. **Landscaping and Screening.** The Development Review Board shall require landscaping or other screening between incompatible uses or structures where practical.
4. **Parking.** The goal of parking regulation in the Village Green zoning district is to make as many spaces in front of the businesses on Common and Main Streets available for customers as possible. Uses located within the VG District

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shall comply with the following minimum parking requirements (and are not subject to the requirements in Section 3.20):

- a. One off-street parking space, either private or public, for each employee (based upon maximum number of employees onsite at any given time) is required for all applicable uses.
 - b. One off-street parking space, either private or public, for each dwelling unit is required.
 - c. All uses in the VG district must demonstrate that adequate off-street nighttime parking, either private or public, is provided consistent with Chester's snow parking ban.
 - d. The Development Review Board may modify these off-street parking requirements based on a determination that special conditions require more off-street parking or mitigating circumstances warrant a reduction in the number of spaces required.
5. **Noise.** The hours for quiet in this district shall vary from the Performance Standards in Section 4.9 as follows:
- a. Noise shall not exceed 60 dB between 10:00 p.m. and 7 a.m.
 - b. Noise shall not exceed 70 dB during the day between 7 a.m. and 10:00 p.m.

ARTICLE 8 - DEFINITIONS

8.1 Terms and Uses

Except where specifically defined herein or in the Act, or unless otherwise clearly required by the context, all words, phrases and terms in this bylaw shall have their usual, customary meanings.

Unless the content clearly indicated to the contrary, words in the singular include the plural and those in the plural include the singular. The word "may" is permissive; the words "shall" and "will" are mandatory.

8.2 Definitions

ACCESSORY STRUCTURE: A detached building or structure customarily incidental and subordinate to the principal building and located on the same lot and not intended for independent living. Examples include garages and storage sheds.

ACCESSORY DWELLING UNIT: An accessory dwelling unit means a distinct unit that is clearly subordinate to a single-household dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided there is compliance with all the following:

- Located within or appurtenant to a single-household dwelling on an owner-occupied lot,
- The property has sufficient wastewater capacity,
- The unit does not exceed 30 percent of the total habitable floor area of the single-household dwelling or 900 square feet, whichever is greater,
- A single-household dwelling with an accessory dwelling unit is subject to the same dimensional and other standards as required for a single-household dwelling without an accessory dwelling unit.

ACCESSORY USE: A use of land or building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use. For the purpose of permitted uses listed in Article 2 or state statute, accessory use includes group homes as defined in this section.

ADULT ORIENTED BUSINESSES: A retail establishment having more than 30 percent of its stock-in-trade, floor area, or display area used for the sale or rental of books, magazines, publications, tapes, or films that are characterized by an emphasis on sexually oriented material, or goods marketed or presented in a context to suggest their use for sexual activities or an establishment that advertises or holds itself out in any forum as a sexually oriented business. Also, an establishment offering sexually oriented live entertainment, which may include topless and go-go dancers or strippers.

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ARTS & ENTERTAINMENT FACILITY: A use that includes visual or performing arts centers, museums, movie theaters, concert or dance halls, nightclubs, taverns or other similar activities that meet the performance standards and all other requirements of these Bylaws. This definition does not include adult oriented businesses.

ART STUDIO AND/OR GALLERY: An establishment used to produce, display and/or sell works of art.

DWELLING, MULTIPLE-HOUSEHOLD: Building used as living quarters by three or more households living independently of each other.

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-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.

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. Care of a child on a part-time basis shall mean care of a school-age child for not more than four hours a day. These limits shall not include children who reside in the residence of the caregiver; except:

- (a) these part-time school-age children may be cared for on a full-day basis during school closing days, snow days and vacation days which occur during the school year; and
- (b) during the school summer vacation, up to 12 children may be cared for provided that at least six of these children are school age and a second staff person is present and on duty when the number of children in attendance exceeds six.

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These limits shall not include children who are required by law to attend school (age 7 and older) and who reside in the residence of the caregiver. 33 V.S.A. § 4902((3)).

FORMULA BUSINESS: A type of retail store, rental establishment, restaurant, hotel, or motel which, along with 10 or more other businesses located within the United States, regardless of ownership of those businesses, maintains two or more of the following features: standardized array of merchandise or standardized menu, standardized façade, standardized décor and color scheme, uniform apparel, standardized signage, or a trademark or service mark.

HEALTH CARE FACILITY: A facility, whether public or private, principally engaged in providing health care services and the treatment of mental or physical conditions, such as a medical clinic.

HOME BUSINESS: Any small business carried on by family members in a minor portion of the dwelling or in an accessory building, with no more than four (4) on-premise employees who are not part of the family in accordance with Section 3.12 of these Bylaws.

HOME OCCUPATION: Any use conducted entirely within a dwelling or accessory building and carried on by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, does not change the character thereof, and does not have an undue adverse effect upon the character of the residential area in which the dwelling is located.

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

MIXED USE: The development of mixed-use buildings with a variety of complimentary and integrated uses, such as, but not limited to, residential, retail, restaurant, professional office, and personal services, in a compact urban form. Mixed-use buildings generally include retail, personal service, restaurant, and similar uses located on the first floor, with residential or professional office uses on the second or third floors above.

OPEN MARKET: An indoor or outdoor market where groups of individual vendors sell produce, food, services, art, or other merchandise.

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PERSONAL SERVICE: Business uses providing services of a personal nature, such as barber shop, beauty parlor, shoe repair, laundry, laundromat, dry cleaner, photographic studio, and other similar services.

PROFESSIONAL OFFICE: A room or group of rooms used for conducting the affairs of business, profession, service or industry, and generally furnished with desks, tables, files and communication equipment.

RECREATION: A facility or place designed and equipped for the conduct of sports and leisure-time activities, including, but not limited to, a park, playground, athletic fields/track, picnic areas, hiking trails, health club and other recreational facilities or uses. For the purposes of allowable uses listed in Article 2, recreational uses may include commercial, public or private recreation facilities, but are subject to performance standards and all other requirements of these Bylaws.

RESTAURANT: Licensed premises where food and drink are prepared, sold, served and consumed primarily within the principal building. A restaurant may have a small bar or limited forms of musical entertainment to accompany the dining experience; however, restaurants that provide dancing and stage shows or that operate primarily as a drinking establishment are considered nightclubs or taverns under the Arts & Entertainment Facility use category in Article 2.

RETAIL STORE: Premises where goods, services, or merchandise are offered for retail sale or rent to the general public for personal, business, or household consumption and services incidental to the sale of such goods are provided. This definition specifically excludes automotive sales, fuel and service defined herein.

SENIOR HOUSING: One or more structures to primarily house people aged 55 or older that contain multiple dwelling units intended for habitation by one household and provides complete independent living facilities and may offer convenience services to residents as an accessory use.

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

The Unified Development bylaws will be further amended as follows:

Article 2 Section 2.1 Classes of Districts: add VG -Village Green to the list of districts

Article 2 Section 2.4.C Residential-Commercial District Conditional Uses– Change Conditional Use Open Air Market to Open Market

Article 3 Section 20.F Off Street Parking, Loading and Service areas: include Village Green with Village Center in loading space exemption.

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Article 3 Section 26.C Sign Allowances by District: include Village Green with the Village Center standard. Add Village Green to the summary table.

Article 4 Section 8.C.3 Conditional Use Review, Special Criteria: include Village Green in the list of districts which must meet the Special Criteria and the list of districts which must meet New England Architectural Standards.

Article 5 Section 6.G Protection of Natural and Cultural Resources: add Village Green to the list of Zoning districts where the DRB may modify protection requirements to create a more compact layout.

Article 8, add Village Green to the definition of Center of Chester. Remove Open Air Market definition.