

CHESTER UNIFIED DEVELOPMENT BYLAWS

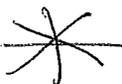
- b. The replacement of an existing electrical distribution or communications distribution pole with a new pole, so long as the new pole is not more than 10 feet taller than the pole it replaces.
- 7. Normal maintenance, repair or replacement of legally existing structures that does not result in any change to the footprint, roof plane, height of the structure, or a change in use.
- 8. Minor grading and excavation associated with road and driveway maintenance (including culvert replacement and re-surfacing) and yard improvements associated with accessory uses to existing principle uses (establishing garden and landscape areas).
- 9. Installing or replacing cisterns.

4.3 TEMPORARY USES

A permit may be issued by the Development Review Board for non-conforming uses, providing that the use demonstrates a unique and special circumstance. It is a requirement of this section, that any permit issued has been reviewed under the conditional use criteria of these regulations. The non-conforming use shall be temporary and shall be discontinued within 6 months from the date of the permit. Such permits may be renewed for two additional periods not to exceed three months each, upon application to the Development Review Board.

4.4 APPLICATION SUBMISSION REQUIREMENTS

The applicant shall submit to the Development Review Board six (6) copies of the application with all required supporting data and site plans drawn to scale, showing where applicable: existing features; contours; structures; easement and proposed structure locations and land use areas; streets; driveways; circulations; parking and loading spaces; pedestrian walks; landscaping including site grading and screening; water and sewage disposal facilities; water courses and utilities.



4.5 SITE VISITS

The Development Review Board may conduct a Site Visit as a pre-requisite to the approval of all subdivisions and any use other than one and two family dwellings and structures considered accessory to residential uses and agricultural or forest uses. In reviewing the site, the Development Review Board shall consider all applicable standards under these Bylaws.

4.6 BONDING

The Development Review Board may, in their discretion, require that the developer of any project set forth a bond in an amount established by the Development Review Board. The developer shall file with the Town Clerk a certified check, performance bond or surety bond in the amount established by the Development Review Board. Any such surety must be satisfactory to the Legislative Body as to form sufficiency, manner of execution and surety. If the project is to be completed in phases, the surety amount need only cover the cost of improvements for each phase.



4.7 CONDITIONAL USES

Specific conditional uses are permitted only by approval of the Development Review Board, providing that General standards, Specific Standards, Performance Standards and Special Criteria, as herein provided are met, and further provided that:

- A. The Development Review Board after public notice and public hearing determines that the proposed use will conform to such standards.
- B. In granting such conditional use, the Board may attach such additional reasonable conditions and



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safeguards as it may deem necessary to implement the purpose of the law and these Bylaws.



- C. The Development Review Board shall act to approve or disapprove any such requested conditional use within forty-five (45) days after the date of the final public hearing held under this Section, and failure to so act within such period shall be deemed approval.

1. General Standards

These general shall require that any conditional use proposed for any district created under these Bylaws shall not result in an undue adverse effect:

- a. The capacity of existing or planned community facilities;
- b. The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the *Chester Town Plan*;
- c. Traffic on roads and highways in the vicinity;
- d. Bylaws and ordinances then in effect; and,
- e. Utilization of renewable energy resources.

2. Specific Standards

Specific standards will include consideration with respect to:

- a. Minimum lot size;
- b. Distance from adjacent or nearby uses;
- c. Minimum off-street parking and loading facilities;
- d. Landscaping and fencing;
- e. Design and location of structures and service area;
- f. Size, location and design of signs;
- g. Performance Standards under Section 3.21; and,
- h. Other such factors as these Bylaws may include.

3. Special Criteria

The following Special Criteria shall be considered by the Development Review Board when considering an application for a conditional use permit in the (VC) Village Center, (SV) Stone Village, (R-C) Residential-Commercial, (CI) Commercial-Industrial and (R20) Residential 20,000 Districts:

- a. That all construction of new buildings, as well as any exterior alteration, fencing, lighting, reconstruction or renovation of existing building adhere harmoniously to the over-all New England architectural appearance which gives the center of Chester its distinct regional character and appeal.
- b. That the inclusion of certain features of exterior trim, such as shutters or eaves trim, or other decorative features be encouraged, in order to insure that new construction blends comfortably with the existing buildings in the district.
- c. That the use of native, traditional building materials commonly used for construction in Chester in the past, be encouraged. Such desirable materials would include wood siding, natural stone and brick masonry and be in keeping with the buildings in the area.
- d. The aesthetics of the area and the preservation of Historical Sites.

4.8 PLANNED UNIT DEVELOPMENT

A. **Purpose.** In accordance with the Act [§4417], Planned Unit Developments (PUDs) are allowed in the Town of Chester to permit flexibility in the application of land development regulations for the purposes