

TOWN OF BENNINGTON
PLANNING BOARD
Minutes of the Meeting- October 12, 2009

Present Jeffrey Rose, Chairman
 Barry White, Vice Chairman
 Melissa Stewart
 Joseph Cuddemi, Ex Officio

Guests Peter Martel, ZBA Liaison
 Peter Hopkins, Code Enforcement Officer
 Rex Gray
 Peter Mellen, Land Surveyor for Rex Gray
 Deb Perry

Chairman Rose called the meeting to order at 7:45 p.m.

The Board welcomed Deb Perry and voted to accept her as an alternate on the Board.

Due to the delayed start to the meeting, the minutes of the August 10, 2009, August 24, 2009, September 14, 2009 and September 28, 2009 meetings were set aside.

Barry White recused himself from the Subdivision Public Meeting for the Rex Gray property located on Francestown Road, map 13, lot 13. Mr. Gray presented a check for \$944.05 for the notification of abutters.

Chairman Rose noted that the Board had requested a rehearing from the ZBA as the Board felt that from a landuse standpoint, condos and apartments are the same. As apartments had been denied, the case was reheard as a condo use.

It was noted that both a Subdivision Hearing and a Site Plan Review is needed. No application has been received for a Site Plan Review at this time. It was also noted that the Planning Board will plan to adjourn around 9:30 p.m.

A subdivision checklist was reviewed. A file number will be assigned to the case. It was noted that this is a major subdivision (more than 3 lots). The name of the proposed subdivision will be Rex Gray Subdivision. The lot is .76 acre with 6 units in the commercial/ recreational zone. It was noted that the benchmark noted on the plans is assumed. The condition of land within 25 feet of the boundary is needed. Mr. Mellen noted that permission would need to be obtained to go on the property. An approval from the State for a sub division is still pending. There was a question about how the current buildings are connected to the septic system. It was noted that a new septic design is being prepared. It was noted that the State has an approval for the construction of the system but no approval could be found for the operation of it. A motion was made by Joseph Cuddemi to accept the application for hearing purposes only pending completeness. Missing from the checklist were; information for the 25-foot boundary on the

Joshi property side, septic approval, and a final mylar of the project. All were in favor of accepting the application for hearing purposes only.

As no members of the public were present at the Public Hearing, there was no public input. The applicant made a presentation noting proposed landscaping with the addition of a red maple tree, a dogwood tree and a rhododendron plant, a lawn area expanded to parking area, and the relocation of a dumpster. It was noted that a paved parking area might be required but it was also possible that the Board would allow an unpaved parking area to reduce water runoff.

An informal review of the Site Plan Checklist was begun as this could give the owner a possible list of requirements. As no Site Plan Review Application had been filed, the Board could not conduct the needed review, as it will be a Public Hearing requiring the noticing of the abutters. It was suggested that the applicant request a waiver for the listing of the use of abutting property, as well as for an impact study. Mr. Gray will submit a copy of the proposed condo covenant for the Board to review with legal counsel. It was suggested that Mr. Gray begin the process of noticing the abutters and the case would be scheduled for November 11, 2009 at 7:45 p.m.

Melissa Stewart moved to continue the Sub division Hearing until November 11, 2009 at 7:45 p.m. All were in favor.

Barry White confirmed that the Planning Board would have two members attending the Land Use Conference.

Mrs. Tripp will be asked to supply the Board with a letter stating that she will only be caring for one or two children in her daycare facility.

The minutes of the August 10, 2009 meeting were reviewed and accepted as written.

The minutes of the August 24, 2009 meeting were reviewed and accepted as written.

The minutes of the September 14, 2009 meeting were reviewed and accepted as written.

The minutes of the September 28, 2009 meeting were reviewed and accepted with the following correction, change "Melissa White" to "Melissa Stewart".

Joseph Cuddemi gave an update on workforce housing. The Selectmen would like the Planning Board to inventory the existing housing in town to determine if the town meets the State requirements for workforce housing. It may be possible to access the Town inventory and re-assessment information.

There being no other business before the Board, the meeting was adjourned at 9:45 p.m.

Respectfully Submitted by

Debra Belcher
Planning Board Recording Secretary