

TOWN OF BENNINGTON  
PLANNING BOARD  
Minutes of the Meeting- December 14, 2009

Present        Jeffrey Rose, Chairman  
                  Barry White, Vice Chairman  
                  Peter Eppig  
                  Melissa Stewart  
                  Philip Germain, Ex Officio  
                  Deb Perry, Alternate

Guests         Rex Gray  
                  Peter Mellen

Chairman Rose called the meeting to order at 7:39 p.m.

Chairman Rose shared a notice from Troy about a Public Hearing concerning a telecommunication tower on December 16, 2009.

Barry White recused himself from the Gray Public Hearing. It was noted that the sub-division component has been accepted and the site plan review application is complete. Chairman Rose noted that the Board has received a letter from Town Counsel stating that the documents submitted by Trails Ridge of Bennington are adequate for the needs of the Town. The fee for the submission of the document is \$170.00. A copy of the letter will be given to Mr. Gray.

The Board had two concerns after the site walk. The first concern was that parking is close to the property line. The travel way cannot be closer than 20 feet to an abutter's property line. The only proposed change to the parking is to grass over a portion of the currently graveled area. Mr. Mellen clarified that the property extends to the center of the roadway so there is adequate footage for the setback. The other concern of the Board was a structural defect on the retaining wall. Mr. Gray noted that he has not been able to contact the owner of the abutting property about the wall. The wall needs to be reinforced at the site of the crack. If it is needed, the wall work will be done on Mr. Gray's property. The Board will accept a recommendation for repair of the wall from a certified engineer.

The Board noted that as three of the proposed condo units have two bedrooms, there is a potential for families with children. The Board voiced a concern about a safe location for children to play. It was decided that a green space be designated as an active recreational area, which will be shown on the condo plans.

Mr. Gray agreed to a combination of landscaping plantings and split rail fencing around the side and front of the building. The plantings shall be a variety of low growing plants. The Board stated a need for a solid plan for landscaping. A solid fence structure 6 feet high will be added on the southeast side extending 60 feet. A split rail fence will extend around the side and across the front of the lot. Mr. Gray asked if the Board would grant a conditional approval as the Board is waiting for State approvals for the sub-division and the septic system. A vote was taken and all were against granting a conditional approval. It was noted that no members of the public were

present to voice an opinion. Melissa Stewart made a motion to approve the sub-division portion subject to State approvals for the septic system and sub-division. All were in favor and a conditional approval was granted.

Melissa Stewart made a motion for a Site Plan continuance. A vote was taken and all were in favor. The continuance was scheduled for January 11, 2010 at 7:45 p.m.

Peter Eppig shared information about workforce housing collected from Exeter. He will e-mail Barry White with the information he has collected.

Melissa Stewart presented a letter to go to the rental properties in town to collect rental information needed for Workforce Housing. The letter was approved and will be sent to the rental properties.

An update was given on the driveway regulation situation and Mr. Liljeberg. The properties owned by Mr. Liljeberg have lots that have been approved, but not all show the location of the proposed driveway. Town Counsel stated that an intent is not a valid reason to grant Grandfathering. A permit may be issued with an expiration date given to give time after Town roadwork is due to be completed to put in the driveway. It is up to the Selectmen to issue the permit. It was noted that a driveway permit gives up to a year for the construction of a driveway.

A letter from the Town Code Enforcement Officer was reviewed. Suggestions were made for a proposed zoning permit process. The Board was opposed to a zoning permit process at this time.

The Board reviewed the proposed zoning ordinance changes. It was agreed that the definition for multifamily housing should be a structure containing 3 to 5 dwelling units. On page 13 section M, Multi Family Housing should state "3 to 5 single-family attached dwelling units", page 14 remove section 3 and 4.

A list of agenda items was discussed for upcoming work sessions. The Board would like to complete the Driveway Regulations to submit to Town Counsel in January. A Density Ordinance is needed as well as work on a Sub-division checklist.

The Minutes of the Site walk as well as the November 23, 2009 meeting were tabled until the next meeting.

There being no other business at hand, the meeting was adjourned at 10:25 p.m.

Respectfully Submitted by

Debra Belcher  
Planning Board Recording Secretary