

TOWN OF BENNINGTON  
PLANNING BOARD  
Minutes of the Meeting- August 12, 2013

Present        David McKenzie, Chairman  
                 Christopher Maple, Vice Chairman  
                 Jeffrey Rose, Ex-Officio  
                 Sam Cohen  
                 Peter Martel

Guests         Charlotte James  
                 Thomas James

Chairman McKenzie called the meeting to order at 7:06 p.m.

The minutes of the July 8, 2013 meeting were reviewed and accepted as written.

Charlotte and Thomas James, of 23 Hancock Road, were introduced to the Board for an informal chat session. The James' are interested in purchasing a half-acre from their neighbor and need to find out what would be involved for this transaction. The neighbor owns roughly one and a half acres of property. A sub-division would need to be done by the property owner and after the sale of the sub-divided portion of the lot, the new owner would do a lot merger. Peter Martel noted that the neighbor could give his permission for the James' to be his agent in this matter. The first thing that would need to be done would be to obtain a survey of the property. Sam Cohen suggested that the sale be contingent of the ability to do a lot merger. The Board could not give the James' the fair value of the property. It was suggested that the Board contact the LGC to find out if a sub-division, sale and merger could be done all at once. An application will need to be submitted, abutters will be notified, fees paid, and a Public Hearing set. Chairman McKenzie said that the Board could review the application in an informal meeting at the beginning of the process.

Chairman McKenzie notified the Board that the Blanchard property has had the pins set and the Board has received the plat that they have been waiting for. Upon review it was noted that the plats are labeled "2 of 3", and "3 of 3". Chairman McKenzie will contact Mr. Belanger to find out if there is a "1 of 3". It was noted that the driveway easement is shown on the plat. The Board will find out if a written description is needed for the easement and if recording the plat is all that is required to record the easement.

It was noted that Donna Harris has contacted the Board about renewing the Harris Gravel Pit excavation permit. Chairman McKenzie gave her the excavation checklist and application. The renewal is due at the end of the year and she is expected to do it before then.

Chairman McKenzie shared a copy of the letter that was sent to Mr. Joshi concerning the Highland Inn Condo project. Mr. Joshi has received the letter, but has not responded at

this time. It was noted that the Code Enforcement Officer is in negotiations with Mr. Joshi. The Board needs to find out how long Mr. Joshi has to complete his project and what consequences there are. The Town Attorney will be contacted to find out what the Planning Board's choices are if Mr. Joshi fails to fulfill the conditions of the permit. The Board will also ask if something can be filed to notify potential buyers of problems. Sam Cohen will find out where the condo documents should be filed. If the Planning Board does not get a response from Mr. Joshi, they have been advised to schedule a Compliance Hearing.

The Board worked on the Master Plan questionnaire. Sam Cohen made a motion to accept the vision statement he has submitted. There was no second to his motion. Sam Cohen asked what would happen if the Board did not update the Master Plan. The Zoning Ordinances reflect the Master plan and the ordinances can not be enforced without the Master Plan. Jeffrey Rose made a motion to accept the first part of #9 of the questionnaire and break it into two parts. Peter Martel seconded the motion. Christopher Maple and Sam Cohen were opposed Peter Martel, David McKenzie, and Jeffrey Rose were in favor. The motion passed.

Chairman McKenzie reminded the Board that the August 26, 2013 meeting would be canceled. It will be posted at the Town Hall and the GEP Dodge Library. The next meeting is scheduled for September 9, 2013.

There being no other business at hand, the meeting was adjourned at 9:05 p.m.

Respectfully Submitted by

Debra Belcher  
Planning Board Recording Secretary