

TOWN OF BENNINGTON
PLANNING BOARD
Minutes of the Meeting- November 25, 2013

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

Guests Charlotte James
 Thomas James
 Thomas Badgley
 Chief Steve Campbell
 Lisa Stewart
 Christopher Stewart

Chairman McKenzie called the meeting to order at 7:05 p.m.

The minutes of the November 11, 2013 meeting were reviewed and accepted as written.

The Board met with the attending public to discuss public opinion on allowing chickens to be raised in all districts. Currently the Zoning Ordinance only allows chickens in the Rural/Agricultural District. The public that was in attendance expressed a positive opinion for an ordinance change. It was noted that many lots in the Village District are small and might have a hard time meeting a set back if it were required. Peter Martel suggested that the ordinance be written using a percentage of lot area instead of set back for the location of the chicken coop and/or pen. Possible restrictions such as number of birds and restriction of roosters were discussed. Charlotte James stated that if she were not allowed to have roosters, it would be hard to continue a flock. The ZBA could allow a rooster, but if the ordinance did not state that roosters are not allowed, the ZBA could not take away the ability to have one. It was noted that if you were to purchase a straight run of chickens, the possibilities of getting a rooster are significant. Mrs. James stated that she would like to see no restrictions on poultry in town. Jeffrey Rose stated that he feels that there should be some sort of limit on the number of birds that are allowed. Mr. and Mrs. James currently have approximately 53 chickens on just over ¼ acre in the Village District and suggested that the limit be set at 100 birds. It was questioned if the Planning Board was trying to solve a problem that does not exist. Chief Campbell noted that the Town does not have a noise ordinance. State law governs excessive noise from dogs. Mr. Badgley inquired about the possibility of having a few chickens on his property, which has a covenant that does not allow chickens. It was suggested that he discuss the possibility with the individual who placed the covenant on the property. The Board discussed the suggested requirements for the Zoning Ordinance change. It was suggested that they increase the limit on number of birds, use standard set back for each district, and note that the set back will apply for the penned in area as well as the poultry housing. It was a general feeling that this would promote Bennington as a farm friendly town. Peter Martel asked that the public have input on the number of chicken that are allowed. It was suggested that the Board visit Mr. and Mrs. James to see the chickens that are being raised on their property.

Chairman McKenzie will write a possible Ordinance for review at the December 9, 2013 meeting.

At 8:00 p.m. Mr. and Mrs. Stewart, owners of Francestown Sand and Gravel approached the Board concerning extending their excavation permit. The reclamation plan was discussed as well as the total acreage currently in use. It was noted that nothing is in current use. The current State Permit is due for renewal in March 2015 and will be up for renewal every 5 years. Francestown Sand and Gravel will be scheduled for permit renewal with the Town in April of 2015 after the State permit has been renewed. Lisa Stewart invited the Board to go view the site any time they wished, noting that during business hours hard hats and steel-toed boots are required. It was noted that a site walk is optional and not required. The Board opted not to delay the permit with a site walk. Peter Martel made a motion to offer a short-term excavation permit to be ending April 30, 2015. The motion was seconded and all were in favor.

In other business, it was noted that the Highland Inn Condo Documents have been rejected due to inadequate margins. The documents have been re-done and Chairman McKenzie has reviewed them. They will be re-submitted.

The Board reviewed an upcoming minor sub-division.

It was agreed that there would be no Planning Board meeting on December 23, 2013.

There being no other business at hand, the meeting was adjourned at 8:45 p.m.

Respectfully Submitted by

Debra Belcher
Planning Board Recording Secretary