

TOWN OF BENNINGTON
ZONING BOARD OF ADJUSTMENT
Minutes of the Meeting- March 18, 2013

Present Peter Martel, Chairperson
 Christopher Clough, Vice-Chairperson
 Steven Osienski
 Sam Cohen
 Melissa Clark, Alternate

Guests Barry White

Chairperson Martel called the meeting to order at 7:05 p.m.

The minutes of the February 18, 2013 meeting were reviewed and accepted as written.

Chairperson Martel presented the Board with handouts for the up-coming land use training and highly recommended attendance.

Chairperson Martel reviewed portions of the letter received from the Code Enforcement Officer in reference to the Taste of Texas Hearing. The Code Enforcement Officer noted that the decision from the ZBA stated that the building conditions state that only temporary structures are allowed. The Code Enforcement Officer's decision stated that the structure is permanent. Steven Osienski noted that sides have now been added to the structure. Barry White stated that in his opinion, if a shed were on blocks it would be a temporary structure. It was agreed that a definition for temporary structure is needed. Christopher Clough suggested that the Board search other town's websites to find a suitable definition. The ZBA agreed to have the Selectmen address the case. All agreed, however, that all applications for the property had been approved by both the ZBA and the Planning Board.

Chairperson Martel stated that he has been elected to the Planning Board and as the town can have only one person serving on both the Planning Board and the ZBA at one time, he will be stepping down from the ZBA after the meeting. Sam Cohen is currently on both the ZBA and the planning Board.

Chairperson Martel noted that the Board has received an application for a set back variance. It was noted that the application is not complete, as it does not contain a complete abutter's list, which provides the mailing addresses. The application will be returned to the office for completion. It has been suggested that the Code Enforcement Officer review applications before they go to the board and that the Code Enforcement Office help the applicant with the process. Melissa Clark made a motion to have the Code Enforcement Officer review applications before they go to the Board. Christopher Clough seconded the motion and all were in favor.

It was noted that the Board would need to vote for new officers. Barbara Moorehead will be contacted to see if she will continue to serve on the Board. Steven Osienski will check with the

Town Attorney for guidance for filling the Board positions as the Town has voted to return the ZBA to a voted position. The Board will plan to vote for officers at their next meeting.

There being no other business at hand, the meeting was adjourned at 7:55 p.m.

Respectfully Submitted by

Debra Belcher
ZBA Recording Secretary