

TOWN OF BENNINGTON
PLANNING BOARD
Minutes of the Meeting- June 9, 2014

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

Guests Donna Harris
 Allen Young
 Sharon Hubbard
 Paul Day
 Jonathan Charlonne
 Barbara Parker
 Ckristopher Wallenstein
 Christopher Guida, Fieldstone Land Consultants

The Public Hearing for Harris Gravel Pit was re-opened at 7:00 p.m.

The minutes of the May 19, 2014 meeting were reviewed and accepted as written.

The Board asked the applicant for an update on the current use status on the property. It was noted that no changes have been made in current use. Jeffrey Rose asked how much of the pit is opened and not being used at this time. Currently most of the open area is being used. The Board discussed water levels and the test pits. Ms. Harris stated that the Bennington ordinance states that excavation must be at least six feet above the water table at the final benchmark. There are currently 1.8 acres open in the South Pit with approximately a total of 7 acres open in the two pits. The South Pit is located at a higher elevation than the North Pit. Jeffrey Rose noted that he was comfortable that the excavation is well above the water level.

The Hearing was opened to public comment. Paul Day asked about the discrepancy in different forms that had been given to the applicant. He voiced a concern about the difference between an application for excavation and a continuance. Mr. Day also had a concern about reclamation. It was noted that the area that was close to reclamation is currently driven over

and considered still active. The requirement of bond for reclamation is not relevant as the Harris' have an escrow account based on the property prior to current use.

The Hearing was closed to public comment and opened to deliberation. There were no reasons voiced as to why the Board should not grant a renewal of the permit. Jeffrey Rose noted that he would like to see some reclamation done. Jeffrey Rose made a motion to accept the renewal as put forward. Christopher Maple seconded the motion and all were in favor. The renewal will be granted with an expiration of January 31, 2019. The Planning Board took receipt of check #62027 for \$188.00. The Harris Gravel Pit Renewal Hearing was closed at 7:40 p.m.

The Board began the application completeness process for JCL Septic, Map 7 Lot 109a. Mr. Charlonne is currently leasing the property from the owner, Scott Liljeburg. The lot consists of 2 +/- acres located on State Route 202. There are no easements on the property. The applicant plans to cut into the hillside to improve the drainage directing the water flow back to the west and away from the road. The property is located in the Water Resource Protection Zone. It was noted that the application did not include the height of the abutting structures. Chairman McKenzie stated that the height could be noted as how many stories high each structure is. Jeffrey Rose made a motion to accept the application as complete pending more information on the height of the adjacent structures. Sam Cohen seconded the motion and all were in favor.

The Board went directly into Public Hearing. The proposal from JCL Septic Service is an office building and garage which will house work vehicles. No fuel or sewerage will be stored on the property. Most of the site is clear and most of the present vegetation will remain as a screen. The front of the proposed building will be 60- 70 feet from the road. There is a big gravel area in the back of the property which will remain unchanged. The proposed building will be a metal, Morton Steel Building with the office building located in front of it. The proposed parking area will contain 3 twenty foot by nine foot spaces and 1 handicap space. There will be small lighting on the front of the building and lighting for the walkway. A driveway permit has been submitted to the DOT as a change in use as the existing driveway will be used. The driveway is currently graveled but will be paved. Mr. Charlonne presented a rough sketch of the proposed office noting a bathroom and kitchenette combination. Jeffrey Rose suggested that the Fire Chief review the plans. It was noted that the lot is located in the water Resource Protection Zone and requires three acres. The lot consists of less than two acres. It was noted that the lot existed prior to the Zoning Ordinance and meets all other ordinances. The applicant has received a letter from the Code Enforcement Officer stating that he is in favor of the project. The property make-up is that of sand. The pitch will allow the water to run off to the north to the ditchlines. The soil will not be removed from the lot. It will be stored in the back of the lot. The applicant is

planning to use the existing signposts. It was noted that the nearest fire hydrant is just off the boarder of the property.

The Board scheduled a site walk for Tuesday, June 10, 2014 at 6:30 p.m. at the site and will reconvene at the Town Hall at 7:00 p.m. Check # 1196 for \$245.00 was received.

Sam Cohen made a motion to add the following wording to the Rules and Regulations of the Planning Board. "Subsection 8.4 All official documents produced, adopted, or revised by the Planning Board for future regular use shall prominently include a version or revision date, which shall be reported to the Town Clerk. The Town Clerk shall maintain an ordered list of such documents, including their most recent version or revision dates, whose use requires their most recent version or revision. Examples to be listed include forms, checklists, guides, and manuals, but not correspondence or other single-use dated documents." Jeffrey Rose seconded the motion and all were in favor.

Chairman McKenzie noted that the June 23, 2014 Planning Board meeting will be canceled.

There being no other business at hand, the meeting was adjourned at 9:17 p.m.

Respectfully Submitted by

Debra Belcher
Planning Board Recording Secretary