

TOWN OF BENNINGTON
PLANNING BOARD
Minutes of the Meeting- May 11, 2015

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

Guests Lisa Stewart, property owner
 Chris Stewart, property owner
 Jonathan Manley, Conservation Commissioner
 Joseph MacGregor, Conservation Commissioner
 John Baybutt, Conservation Commissioner
 Peter Johnson, abutter
 Michael Cottle, abutter

Chairman McKenzie called the meeting to order at 7:08 p.m.

The minutes of the May 4, 2015 meeting were reviewed and accepted with a minor amendment.

Chairman McKenzie called the Public Hearing for Francestown Sand and Gravel to order at 7:15 p.m. The Public Hearing was reconvened at 200 Francestown Road, the location of Francestown Sand and Gravel for a site walk. Planning Board member Sam Cohen did not attend the site walk and as the Planning Board had a quorum, he did not stay for the remainder of the Hearing.

Mr. Stewart led a tour of the property at Francestown Sand and Gravel pointing out the location of stock piles, stump dumps and sediment ponds. It was noted that the Town of Bennington owns a 5 acre lot in the middle of the gravel pit. Areas of reclamation were viewed. It was noted that it is the policy of Francestown Sand and Gravel to reclaim as much of the land as possible. The Planning Board members and guests returned to the Town Hall at 8:20 p.m.

The Planning Board reviewed the checklist noting that they have received a signed and dated application and fees have been paid. Abutter notices have been sent. The State Permit has been accepted as well as the DES update. Mr. Stewart pointed out pertinent information on the plats. There is no land under current use. It was noted that the water table is 7 feet below

grade on the phase V portion of the project. A copy of the bond is on file. It is good until June of 2016 at which time will be renewed for 3 years.

The Hearing was opened for public comment. Abutter Peter Johnson asked to have a copy of a lot map. It was noted that some of the abutters have agreed to allow work to be done within 10 feet of their property. Mr. Stewart agreed to form written agreements with these abutters. The Town Excavation Regulations state that excavation cannot be done within 50 feet of the property line. Chairman McKenzie noted that as permits have been issued in the past with the 50 foot limit without abutter approval, but the Zoning Ordinance sets that limit at 200 feet and this is not a new excavation, it should be allowed to continue and not hold up the permitting process. It was suggested that the Planning Board amend the ordinance at the next Town Election. Mr. Johnson stated that he appreciates the reclamation work that has been done.

The Hearing was closed to Public Comment at 9:05 p.m. The Planning Board went into deliberation. The proposal of a written agreement with abutters was discussed. It was noted that the hours of operation have not changed. Jeffrey Rose made a motion to approve the extension of the permit pending receipt of written permission from abutters for excavation within 50 feet of a property line within 30 days. The motion was seconded by Christopher Maple. All were in favor.

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

Respectfully Submitted by

Debra Belcher

Planning Board Recording Secretary