

TOWN OF BENNINGTON
PLANNING BOARD
Minutes of the Meeting- January 11, 2016

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

Guests Michael Butler
 Jane Butler
 Dennis McKenney
 Terry Hardwick
 Donald Hardwick, Jr.
 Mark Mackesy

Chairman McKenzie called the meeting to order at 7:00 p.m.

The minutes of the December 14, 2015 meeting were reviewed and accepted as amended.

Chairman McKenzie called the Public Hearing for Zoning Ordinance amendments to order at 7:05 p.m.

Article VIIA of the Zoning Ordinance shall be amended to read: VIIA. Sanitary Protection All dwellings and sanitary systems shall be constructed and maintained in accordance with standards set by the New Hampshire Water Supply and Pollution Control Commission, by the Town Subdivision Regulations and other applicable health and sanitary codes. *Sanitary systems shall be subject to the same setback requirements as buildings.* It was noted that the last sentence in the ordinance has been changed to reflect the setback regulation currently listed in the Sub-division Regulation. This would keep the requirement the same on the Zoning Ordinance and the Sub-division Regulation. The Planning Board can change the Sub-division Ordinance, but the Zoning Ordinance requires a vote from the town.

Article XIII condition 7, Excavations shall be amended to read: The proposed excavation shall be situated a minimum of *50 feet* from a property boundary line, except that with the permission of the abutter it may be permitted as near as *10 feet* from said boundary line. The change would make the Zoning Ordinance in synch with the Excavation Regulation.

No objections were presented by the public. The Articles will be presented to the voters for approval at the Town election in March. The Public Hearing was closed at 7:20 p.m.

Chairman McKenzie noted that he is still waiting to get a 5 year plan from the Town Administration, Historical Society, Fire Department and the Road Agent.

Chairman McKenzie called the Public Hearing for the Hardwick Excavation Permit Renewal to order at 7:30 p.m. The Board reviewed the application that was submitted on December 8, 2015. It was noted that a site walk was done at the time of the last renewal. Pictures of the excavation area were presented and the Board agreed that they did not need to do another site walk at this time. It was noted that the Hardwick's excavation operation and mining operation are now combined. The current excavation permit was approved by the DES on November 10, 2015. The Board discussed the possibility of releasing part of the reclamation bond. The current formula for reclamation is \$2500 per acre for reclamation. The area now open at the Hardwick excavation pit is 5.5 acres. In the past, the open area was 10 acres for the pit and 3 acres for the quarry. After reviewing the application, it was noted that the Board is still in need of an overview showing Route 47 with a perimeter survey and the addition of a property line for the Harris Excavation Pit. Jeffrey Rose made a motion to accept the application as complete pending the receipt of the perimeter survey and boundary lines. Donald Trow seconded the motion and all were in favor.

The Hearing was opened to the public for questions and comments. The abutters in attendance inquired about any projected increase in activities. It was noted that the crusher that is used is portable and the blasting that is done is on a once a year schedule. The Hardwicks inform the abutters, the Town Hall and the Fire Department when blasting is to be done. At this time, there is no projected increase in the activity of the pit. It was noted that the start date of the pit renewal shall be August 20, 2015. It was also noted that the application fees have been mailed to the Town. Chairman McKenzie continued the Public Hearing to January 25, 2016 at 7:15 p.m. at the Town Hall.

In other business, it was noted that if the Harris Excavation Pit has been abandoned, it will need to be reclaimed within a year or the bond will be forfeited.

As there was no other business at hand, the meeting was adjourned at 8:30 p.m.

Respectfully Submitted by,

Debra Belcher
Planning Board Recording Secretary