

TOWN OF BENNINGTON  
PLANNING BOARD  
Minutes of the Meeting- December 11, 2017  
Draft

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

Guests        Mark Mackesy, Selectman  
                 Alfredo Valentin  
                 Dennis McKenney  
                 Todd Wheeler  
                 Nicole Wheeler  
                 Susan White  
                 Barry White  
                 Peter Eppig  
                 Scott Liljeberg  
                 Amy Hardwick  
                 David Hardwick

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

The minutes of the November 13, 2017 meeting were reviewed and accepted with amendments.

The minutes of the November 18, 2017 Site Walk were reviewed and accepted with amendments.

A Public Hearing was set for January 8, 2018 at 7:15 p.m. at the Bennington Town Hall for the purpose of hearing the proposed Zoning Ordinance changes.

The Public Hearing for a lot merger and lot line adjustment located at Map 19, Lot 3, 4, and Lot 21, A-C was opened at 7:15 p.m. Mr. Valentin presented a notarized lot merger application to merge the property located at Map 19, Lot 3 and 4. The Planning Board approved and signed the merger creating a parcel to be known as Map 19, Lot 4.

Chairman McKenzie recused himself from the Hearing as he is an abutter. Ex-Officio Rose recused himself from the Hearing as he also is an abutter. Selectman Mark Mackesy was

appointed as Ex-Officio to sit in Jeffrey Rose's place for the purpose of the Hearing. Vice Chairman Maple began a review of the checklist. It was noted that a completeness review had been done and there were only three outstanding items. Waivers were proposed for the need of a soil scientist, a test pit, and the conditions of the surrounding property as the site walk showed adequate drainage.

Jeffrey Rose made a request that Planning Board member, Donald Trow recuse himself from the Public Hearing as he is both an abutter and a relative to the applicant. Mr. Trow stated that he did not feel he needed to recuse himself. Sam Cohen made a motion to grant the waivers as proposed. Mark Mackesy seconded the motion and all were in favor. The application was now deemed complete.

Abutter, Barry White asked for an overview of the proposed project. It was noted that if approved, at completion the Hardwick land would contain three lots. Peter Eppig asked about the logistics of the existing non conforming lot. A buildable back lot must be at least four acres. The proposed configuration would contain two back lots with the acquired land from the land exchange being split between the two lots. David McKenzie noted that a buildable back lot requires fifty feet on a private way which could be a road of record or sub-division road. The applicant could go to the ZBA for a variance due to the hardship, but they would still need a private way. The Board reviewed Section VII L2 of the Town Zoning Ordinance concerning access to a back lot. Mr. McKenney stated that the ordinance implies that you can create a back lot without adequate frontage. Mr. McKenzie clarified that this would still be a non-buildable lot. Mr. McKenney suggested that a condition be placed on the plan noting that a building permit would require a private way to access the back lot. The location of the private way will be placed on the plat. Sam Cohen suggested that the Board continue the Hearing and that the Board consult with the Town Attorney as how to proceed. The Public Hearing was continued to January 22, 2018 at 7:15 p.m. at the Bennington Town Hall.

The meeting was adjourned at 8:37 p.m.

Respectfully Submitted by

Debra Belcher  
Planning Board Recording Secretary