

TOWN OF BENNINGTON  
PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT  
Minutes of the Joint Meeting- May 10, 2021  
Minutes accepted by ZBA on May 17, 2021

Zoning Board of Adjustment

Present       Melissa Clark, Chairperson  
                  Sam Cohen, Vice Chairperson  
                  Michael Munhall  
                  Robert Christian  
                  Christopher Maple  
                  Jeffrey Rose, Alternate

Planning Board

Present       David McKenzie, Chairman  
                  Sam Cohen, Vice Chairman  
                  David Hardwick, Sr, Ex-Officio  
                  Donald Trow  
                  Luke Hardwick

Guests       Dennis McKenney  
                  Matthew Miller  
                  Harley Miller  
                  Joseph MacGregor  
                  Jonathan Charlonne

Melissa Clark called the Zoning Board of Adjustment meeting to order at 6:53 p.m.

After a discussion about who is still on the Zoning Board of Adjustment, both Jeffrey Rose and Christopher Maple expressed interest in serving on the Board. As there currently is only one position vacant, a vote from the current Board members was taken. The vote was tied. The position was decided by a coin toss. Christopher Maple was appointed as a Zoning Board of Adjustment member and Jeffrey Rose was appointed as an alternate. Both were sworn in by the Town Clerk.

The minutes of the July 20, 2020 Zoning Board of Adjustment meeting were reviewed and accepted as written.

The minutes of the August 17, 2020 Zoning Board of Adjustment meeting were reviewed and accepted as written.

Sam Cohen made a motion to elect Melissa Clark as Zoning Board of Adjustment Chairperson. Robert Christian seconded the motion and all were in favor.

Melissa Clark made a motion to elect Sam Cohen as Zoning Board of Adjustment Vice Chairperson. Robert Christian seconded the motion and all were in favor.

Planning Board Chairman McKenzie called the Planning Board meeting to order at 7:05 p.m.

The minutes of the April 12, 2021 Planning Board meeting were reviewed and accepted as written.

The minutes of the March 15, 2021 Planning Board meeting were reviewed and accepted as written.

Planning Board Chairman McKenzie opened the joint Planning Board and Zoning Board of Adjustment hearing at 7:10 p.m. The hearing began with a request for a variance from the Zoning Board of Adjustment for the property located on North Bennington Road at Map 18, Lot 3-3. The application was signed by the current owner, Scott Liljeberg. The property is currently under contract pending the approval of the variance and approval of the site plan review. Dennis McKenney gave a brief overview of the property and the proposed heavy equipment repair shop. It was pointed out that there are currently a number of garages located on North Bennington Road and the surrounding area that work on heavy equipment. A variance is being requested as the type of business that is proposed is not a use that is allowed in the rural/agricultural zone, per the Bennington Zoning Ordinance Article VI, Section D.2.

The Zoning Board of Adjustment reviewed the 5 points of the variance request. Michael Munhall questioned the intent of the zoning ordinance and that the application did not meet the spirit of the ordinance. It was noted that the Master Plan encourages small business and industry. The rest of the points were reviewed with little discussion. Jeffrey Rose questioned the extent of a hardship presented by the property noting that in his opinion the property could be used for other purposes. As many of the people in the room were from the North Bennington Road area, a poll was taken. Most of the residents were in favor of a small equipment repair business in the area.

Sam Cohen made a motion to grant the variance as requested. Melissa Clark seconded the motion and a vote was taken. The variance was granted with a vote of 4 yes/ 1 no.

The Joint Hearing proceeded to enter into a site plan review by the Planning Board. A site plan checklist was reviewed. Chairman McKenzie noted that as Mr. McKenney would be supplying a plat with updated information, the application could not be approved as complete. Mr. McKenney will supply a vicinity location, soils map, location of the proposed septic and well, as well as the landscape area and arrows indicating the flow direction of the property.

At 8:42 p.m. Sam Cohen made a motion to continue the Planning Board Public Hearing to May 24, 2021 at 7:00 p.m. at the Bennington Town Hall. The Public Hearing was continued.

Respectfully Submitted by

Debra Belcher

Planning Board and Zoning Board of Adjustment Recording Secretary