

TOWN OF BENNINGTON  
ZONING BOARD OF ADJUSTMENT  
Minutes of the Meeting- June 4, 2024  
Minutes accepted on June 18, 2024

Present       Melissa Clark, Chairperson  
                  Robert Christian  
                  Peter Martel  
                  Jeffrey Rose- by speaker phone

Guest         Judith Heddy, applicant

Chairperson Clark called the meeting to order at 7:03 p.m.

The minutes of the April 16, 2024 meeting were tabled.

Robert Christian made a motion to allow Jeffrey Rose to participate with the meeting via speaker phone according to RSA 91:a2II. Peter Martel seconded the motion and all were in favor. Jeffrey Rose identified himself and stated that he is working in Vermont and he is alone for the meeting.

Chairperson Clark called the public hearing for a variance for the property located at 48 Whittemore Lake Road West, identified as Map 2, Lot 10 on the Bennington zoning map to order at 7:17 p.m.

It was noted that all notifications had been done and no public was present. The office received one phone call from a neighboring property owner who was in favor of granting the variance. Ms. Heddy explained that she was hoping to build upward on her unattached garage to create an apartment so that her son and his family could live in the current house and she could live in the apartment on the same property. This would allow the accessory dwelling unit to be constructed without increasing the non-permeable area of the lot. Current Bennington zoning regulations allow for an attached accessory dwelling unit, but not one that is detached from the house. The property is a 1.6 acre lot in the rural/agricultural zone on Whittemore Lake. The home owner reports that currently the garage meets the set back regulations. The footprint of the buildings would not be changed. It was noted that the variance should be for both a non-conforming lot size and non- attached accessory dwelling unit.

Peter Martel suggested that the applicant come back and that the Board not make a decision at this time. He further suggested that the Building Inspector be consulted about the definition of a non-conforming lot.

Jeffrey Rose asked if the septic system could accommodate an additional unit. Peter Martel noted that the septic size is not a ZBA issue. The Board reviewed the five points of a variance request noting that the application appears to cover all five points. Robert Christian noted that he would like to see more people being about to keep their families in town by offering the ability to add an unattached accessory dwelling unit.

Ms. Heddy will contact the Building Inspector about the non-conforming lot size and the non-attached ADU. The ZBA will get clarification from the Municipal Association. Ms. Heddy will also return with a plot plan including the set backs for the buildings.

A continuance was set for June 18, 2024 at 7:15 p.m. at the Bennington Town Hall.

As there was no other business at hand, the meeting was adjourned at 8:11 p.m., noting that the June 18, 2024 meeting for the ZBA at 7:00 p.m. will be noticed both at the Town Hall and the Library. A notice will also be sent to be added to the Town Website.

Respectfully Submitted by

Debra Belcher  
Zoning Board of Adjustment Recording Secretary