

TOWN OF BENNINGTON
PLANNING BOARD
Minutes of the Meeting- April 11, 2011

Present Jeffrey Rose, Chairman
 Melissa Stewart, Vice Chairman
 Sam Cohen
 Philip Germain, Ex- Officio
 Susan Smith
 Peter Martel, ZBA Liaison

Chairman Rose called the meeting to order at 7:37 p.m.

The minutes of the March 28, 2011 meeting were reviewed and accepted as written.

The Board had a brief review of the property located on Map 3 Lot 14 owned by Stephen Stockwell. The property is located at the end of Mountain Road and consists of the remnants of five mobile homes. It was purchased, as a mobile home park but is not recognized as such by the State. The property has approximately fourteen acres with seventy-eight feet of frontage on town road. Presently only one mobile home is occupied. Town Counsel has recommended that this is a non-conforming lot and replacement of units can not be used to keep grandfathering of the lot. As the units expire, the lot will eventually become conforming. The owner has been to the ZBA in the past to replace a unit in a new location because of a tree and was granted a permit to do so. It was noted that no work has been done. The applicant has been before the Planning Board for an OSRD, which presented a lot yield using a class six road, which is not allowed.

Mr. Stockwell approached the Board at 7:45 p.m. with a plan for a proposed sub-division for the property located at Map 3 Lot 14 for a chat session. The proposed front lot would contain a right of way to a back lot which had a right of way to another back lot. The Board referred to the Town Zoning Ordinance to help interpret back lots. It was noted that it is assumed that there can be two back lots to a front lot. The right of way would be privately owned. Mr. Stockwell did not know if he would try to move trailers onto the lots. Mr. Stockwell has presented a plan to the Selectmen noting that he would keep two units to upgrade. He noted that the Town has interpreted the property as abandoned but Mr. Stockwell does not feel that this is the case. Code Enforcement Officer, Peter Hopkins is of the opinion that a sub-division would be a good use of the land. Another alternative would be an OSRD, which would require the road to be brought up to class 5 condition and be voted on by the town to be accepted as a Town Road. This would be very expensive. It was noted that if a minor sub-division was done, another sub-division could not be done for three years. It was suggested that a lot line adjustment could be done also. The Board noted that the Town would like to get the property cleaned up. Mr. Stockwell stated that he would like to work at his own pace. He would like to move a roof as well as move a unit onto another lot. The Board stated that Mr. Stockwell will need State approved septic plans as well as the unit sites will need to have appropriate set-backs but that this should be a workable plan. Mr. Stockwell was told that the next step would be to have refined drawings and submit a sub-division and lot line adjustment application.

The Board reviewed the proposed Driveway Regulations and illustrations to support the text. Slight modifications were made. Philip Germain made a motion to accept the Modified Proposed Driveway Regulations for Public Hearing. Susan Smith seconded the motion. All were in favor. Melissa Stewart will e-mail the document and a copy will be put in the Planning Board box.

A Public Hearing is scheduled for April 25, 2011 at 7:30 p.m. beginning with a site walk at 186 South Bennington Road, the Avery residence. Board members will meet in the parking lot of the Town Hall.

A reminder was given about the upcoming Energy Gathering on April 28, 2011 as well as the Planning and Zoning Conference.

The Board continued reviewing the Sub-Division Application Checklist. Melissa Stewart recorded changes and corrections. A copy of the revisions will be e-mailed and put in the Planning Board box.

There being no other business at hand, the meeting was adjourned at 9:28 p.m.

Respectfully Submitted by

Debra Belcher
Planning Board Recording Secretary