

TOWN OF BENNINGTON
PLANNING BOARD
Minutes of the Meeting- May 14, 2012

Present Jeffrey Rose, Chairman
 Sam Cohen
 David McKenzie

Chairman Rose called the meeting to order at 7:40 p.m.

The Board discussed the upcoming Site Plan Review for the Monadnock Paper Mill. The Mill is looking at changing the existing footprint to make room for a new boiler fueled by liquid natural gas. The Board will invite John Baybutt from the Conservation Commission, Police Chief Steve Campbell, and Fire Chief Mike Roina to this Site Plan Review in order to bring questions and concerns to the Board.

Sam Cohen made a motion to continue the Dollar General Site Plan Review until June 11, 2012 at 9:00 p.m. at the Bennington Town Hall as the needed variances and engineering studies have not been completed at this time. The motion was seconded and all were in favor.

The Board discussed the “perpetual” yard sale located at 216 State Route 202. Chairman Rose presented to the Board written comments from a DOT engineer that cited right of way measurements and restrictions. He also shared comments from LGC Legal Advisor Paul Sanders regarding liability issues, followed by similar comments from Building Inspector Peter Hopkins and Administrator French on behalf of the Board of Selectmen. The Board took into consideration concerns of safety and public nuisance issues, to over regulating the harmless, what constitutes a business and who should approach property owners, and which board should create business regulations. The Board reviewed yard sale ordinances from other towns. The Board also reviewed the definition of “home occupations” in the Planning Board manual. At this time the Board is not ready to make or enforce ordinances concerning yard sales. The Board did feel that if the “perpetual” yard sale is a business, it should have a permit. Chairman Rose made a motion for each Board member to write a resolution. The members agreed to use the wording from Sam Cohen’s resolution.

The Planning Board resolves to ask the Select Board to investigate the so-called perpetual yard sale at 216 State Route 202 to determine the property owner’s long term intentions, and to determine whether he or she is operating a business without a license.

Sam Cohen made a motion to approve the resolution and all were in favor.

The Board continued to work on the Master Plan. They reviewed a list of current committees and departments in Town and their contacts to confirm their status. Each group should be prepared to share infrastructure information and comparisons to other towns and create a 10-year projection. Chairman Rose will contact each committee and department again as the Board has heard back from only one.

There being no other business at hand, the meeting was adjourned at 9:05 p.m.

Respectfully Submitted by

Linda Osienski
Planning Board Recording Secretary