

TOWN OF BENNINGTON
ZONING BOARD OF ADJUSTMENT
Minutes of the Meeting- July 14, 2015

Present Christopher Clough, Chairperson
Melissa Clark, Vice Chairperson
Sam Cohen
Anthony Parisi
Steven Osienski

Guests Richard Edmunds, Sr., applicant
Richard Edmunds Jr.
John Cronin III, Attorney for applicant
David McKenzie, Planning Board

The Hearing for the Lorraine Edmunds Revocable Trust request for variance was called to order at 7:04 p.m.

Steven Osienski gave the applicant the option of requesting that he be recused as he is also a Selectman and will be involved in the building permit portion of this case. The applicant declined the offer.

The Board reviewed the application for a variance. It was noted that it is required by RSA that the applicant record on their deed a municipal waiver for Town liability for fire and rescue as well as responsibility for road maintenance. Mr. Edmunds is also offering to limit the use of the building as a three season dwelling and not a legal residence. Mr. McKenzie noted that if there were to be a fire, the Town would make every effort to respond. The limit is only a protection for the Town as the structure will be vacant in the winter. The current building is located on a well maintained class VI road and has received two building permits from the Town in the past. The Fire Chief has noted that he has no problem with the road. The applicant is requesting a variance to expand a non-conforming use due to the location on a class VI road.

Sam Cohen expressed a concern about the limit of a three season use. It is possible that a later vote could expand the usage to year-round. Each of the five points of the

variance request were voted on and accepted. Point 2, the spirit of the ordinance was accepted by all the Zoning Board members, but Steven Osienski noted an objection to the increase in size of the structure as it is a Grandfathered non-conforming use. The variance was approved and granted noting the conditions of three season use and the recording with the Registry of Deeds that the Town is not liable for fire and rescue as well as road maintenance. It was noted to the applicant that the written approval would be captured in the minutes of the Public Hearing.

The Public Hearing was closed and the meeting was adjourned at 7:57 p.m.

Respectfully Submitted by

Debra Belcher
Zoning Board of Adjustment Recording Secretary