

TOWN OF BENNINGTON
PLANNING BOARD
Minutes of the Meeting- February 22, 2016

Present David McKenzie, Chairman
 Jeffrey Rose, Ex Officio
 Sam Cohen
 Donald Trow

Guest Eric Manna

Chairman McKenzie called the meeting to order at 7:03 p.m.

The minutes of the January 25, 2015 meeting were reviewed and accepted with a minor correction.

Mr. Manna approached the Board for an informal chat session concerning a proposed marina. He presented plans and a site plan checklist which he wanted the Board to review before he sent his application to the Town. It was noted that Mr. Manna is currently operating a business that rents and sells a variety of boats on his property located on State Route 202. All the buildings and roads for the business are existing and Mr. Manna stated that the buildings had not been used for 5 or 6 years prior to his purchase of the property. Mr. Manna pointed out available parking areas as well as boat storage areas including a pre existing trailer that is used for boat storage. The business includes 2 areas from which boats may be launched as the rented boats are typically used on Powder Mill Pond or brought to Peterborough to be paddled down the river and return to Powder Mill Pond. A small portion of the business includes renting a boat and having the customer return it when they are done. It was noted that approximately 80% of the business is rentals of kayaks that are delivered to Peterborough for use on the river and into Powder Mill Pond. It was questioned if the operation should be considered a retail business or recreational use as the boats are being launched from the property as part of the business. The property is located in the Village District and is also in the Water Resource Protection Zone. Recreational use is not an allowed use in the Village District. The Board encouraged Mr. Manna to apply for a use variance from the ZBA. It was noted that the Planning Board and the ZBA often held joint hearings to help applicants with time constraints.

Mr. Manna asked the Board to look at the site plan checklist to ensure that he would not need to provide other information at the time of the Public Hearing. The Board quickly reviewed the checklist noting that many of the points do not apply as there is no proposed building or changes to the property. It was noted that the property includes 3 buildings on 3 separate tax cards. The Board will look into the definition of abutter for the business. Mr. Manna voiced an opinion that

the abutter list should not need to include abutters for the portion of his property not being used for business purposes.

Mr. Manna was told that he will need to get a State Commercial Driveway Permit for the entrance of the business. Mr. Manna expressed a concern about a delay that would prevent him from honoring gift certificates that have been issued and delaying his rental season. When asked when the rental season began and ended, Mr. Manna was vague. The season begins as soon as the ice is off the pond, possibly in April to Halloween or a little later. The business is not open in the winter. Mr. Manna noted that the Fire Chief has brought a fire truck down to the business area and other large trucks have made deliveries to the facility. Mr. Manna noted that DOT was at the property last fall and he was told that nothing can be done in less than 6 months. The Board told Mr. Manna that he needed to contact the DOT.

Mr. Manna stated that there is a sewerage system on the property but restrooms are not available to the public. There is a port-a-potty on the site for public use. The Board restated that Mr. Manna will need to show a State Commercial Driveway Permit and if the business is recreational, he will need to apply for a variance from the ZBA.

In other business, the Board worked on the Master Plan. It was noted that they have not received a write up from the Town hall / government. It is possible that the current write up in the Master Plan had not changed significantly and was reviewed. A statement for the VFW is also needed. Chairman McKenzie noted that he has not received the final part of the Fire Department statement. The Board reviewed the portion for the Highway Department and made minor updates as well as revisions for the Recreation Department and Historical Society. Chairman McKenzie will be emailing the Future Land Use Plan to the Board members to review for the next meeting.

As there was no other business at hand, the meeting was adjourned at 8:55 p.m.

Respectfully Submitted by

Debra Belcher
Planning Board Recording Secretary