

TOWN OF BENNINGTON
PLANNING BOARD/ ZONING BOARD OF ADJUSTMENT
JOINT PUBLIC HEARING

Minutes of the Meeting- January 7, 2019
Draft

Present David McKenzie, Planning Board Chairman
 Sam Cohen, Planning Board Vice Chairman, Zoning Board of Adjustment
 Mark Mackesy, Planning Board Ex-Officio
 Christopher Maple, Planning Board
 Anthony Parisi, Zoning Board of Adjustment Vice Chairperson
 Christopher Clough, Zoning Board of Adjustment
 Jeffrey Rose, Zoning Board of Adjustment

Guests Jonathan Halle, Warrenstreet Architects
 Andy Peterson
 Russell Bartlett
 John Christian, Bridge Street Recovery
 Damien Tucini, Bridge Street Recovery
 Jim Callahan, Atkins Callahan
 Steve Bryan, Bridge Street Recovery
 Chris Stephenson, abutter
 Karen Stephenson, abutter
 James Cleary, Selectman
 Jason Perl, resident
 John J Cronin, III, resident
 Chris McClure, resident
 Ron McClure, resident
 Travis McClure, resident
 Becky McClure, resident
 Dave Foster, Fire Chief
 Kristie LaPlante, Town Administrator

Planning Board Chairman McKenzie called the meeting to order at 7:01 p.m.

The minutes of the December 10, 2018 meeting were reviewed. Sam Cohen made a motion to accept the minutes as written. Christopher Maple seconded the motion and all were in favor.

The Joint Public Hearing for Map 13, Lots 14 and 17 began with the Planning Board reviewing the application for completeness. It was noted that an authorization letter from the current

property owner was received, as well as an abutter list and a description of the use of the property. The Planning Board accepted the use of an updated 2015 plat that had been filed by the property owner. It was noted that the engineering company who produced the plat has gone out of business and the information is not available without extra un-needed expense. Mark Mackesy made a motion to accept the application as complete. Christopher Maple seconded the motion. Sam Cohen noted that along with accepting the application the Board should accept the letter from the current owner as sufficient documentation to identify the property as there was no map and lot indicated. A vote was taken and all were in favor. Planning Board turned the Hearing over to the Zoning Board of Adjustment at 7:20 p.m.

Mr. Callahan approached the Board noting that the Code Enforcement Officer declared that the intended use is not a permitted use for the property. An appeal of Administrative Decision was requested. A letter was presented that gave an overview of the proposed project noting that this is proposed to be a housing facility with therapeutic benefits. Clients will live at the facility on a voluntary basis in transitional housing. Supervisory staff will be in residence and no medications will be distributed. No criminal background check will be done such as a stay in a motel. The predicted clientele will be a maximum of 32 males who have been sober for 30 days or more. The normal predicted stay will be between 30 and 90 days. There are 8 units that are proposed to be used for longer term stays not to exceed 24 months. The proposed program will provide a time to get people back on their feet. The proposed facility will be staffed 24/7 with therapists available from 9 to 5, 7 days a week. As there will be no legal mandate for clients to stay at the facility, people can leave anytime they want to. There is a discharge plan in place and random testing will be done 3 times a week. People choosing to go to the facility will be residents of the facility, but are not residents of the town.

Mr. and Mrs. Stephenson spoke of their concerns both as an abutter, but as a parent of an individual who has been through drug rehab. It was noted that they have concerns about fighting and drugs at the facility as well as public safety.

A letter from the Chief of Police was read, noting that the proposed plan has been reviewed and that the Chief does not expect there to be an impact on the Police Department from the facility.

Fire Chief Foster noted concerns about the Ski Area across the street and how it will impact the facility. He noted that it is just a short walk across the street to a bar that is open until 3 am.

A concern about the possibility of an ambulance was brought to the Board. It was noted that if an ambulance is needed, private insurance normally pays for it. It is not likely that the Town Welfare would be asked to pay for such charges.

Zoning Board of Adjustment Vice Chairperson Parisi closed the Hearing to public comment and made a motion to vote on the appeal of administrative decision. Christopher Clough seconded the motion and all were in favor.

Sam Cohen made a motion to approve the appeal of administrative decision. Jeffrey Rose seconded the motion and a vote was taken. The appeal of administrative decision was granted with a vote of 3/1 (Christopher Clough-yes, Sam Cohen- yes, Jeffrey Rose- yes, Anthony Parisi-no). The ZBA closed the Public Hearing at 8:23 p.m.

The Planning Board reconvened for the Site Plan Review. Jonathan Halle from Warrenstreet architects spoke to the project noting the existing building permit on the books. A site plan review has been done and recorded for the property and the previous use and there are no proposed changes to the buildings. The Code Enforcement Officer has indicated that the building permit may continue. Work to be done includes cleaning up the parking lot, new windows and doors, site clean-up, updating heating and lighting, re-painting, and a new hot water heater. No additional landscaping or light fixtures are proposed. There is an existing permitted leach field. A commercial kitchen located in an addition on the back of the dining room building may be removed. It was noted that the approval that was granted in 2015 will not change.

When asked about signage, it was noted that the current “Highlander Inn” sign will be removed and only small signage to identify the drive to the out building will be installed. Any signage will comply with the Bennington Sign Ordinance.

Administrator LaPlante stated that a new permit will be required to continue work on the building.

It was noted that the condo documents will be voided. A sprinkler system will not be required for the proposed use. Resident, Chris McClure asked about the impact on surrounding property values. A letter was presented stating that there will be no impact on property values. A concern was expressed by an abutter that resale values may be diminished.

Mark Mackesy made a motion to approve the site plan. Sam Cohen seconded the motion and the site plan was approved conditional on the receipt of a reproducible mylar and 3 paper copies of the plat. It was noted that the Town currently has a mylar and paper copies from Lepine Surveyors who is no longer in business. There are no proposed changes to the buildings. Sam Cohen made a motion to re-affirm the acceptance of the 2015 plat which is recorded with the Register of Deeds and the site plan remains as previously approved. The motion was seconded by Mark Mackesy and all were in favor. The Public Hearing was closed at 8:50 p.m.

As there was no other business at hand, Sam Cohen made a motion to adjourn the meeting. Christopher Maple seconded the motion and all were in favor. The meeting was adjourned at 8:51 p.m.

Respectfully submitted by

Debra Belcher

Planning Board and Zoning Board of Adjustment Recording Secretary