

TOWN OF BENNINGTON
PLANNING BOARD
Minutes of the Meeting- March 23, 2009

Present: Jeffrey Rose, Chairman
Barry White, Vice Chairman
Joseph Cuddemi, Ex Officio
Peter Eppig
Melissa Stewart

Guests: Gary Russell, Road Agent
Peter Hopkins, Code Enforcement Officer
Joshua Stewart
Dennis McKenney
Darlene McKenney

Chairman Rose called the meeting to order at 7:35 p.m.

Due to the results of the Town election, the multi-housing issue will go to the Zoning Board of Adjustment. It was suggested that the Planning Board educate the townspeople about pending issues before the next election. It was noted that membrane buildings should not have appeared on article 4 as it did not have anything to do with multi family housing. Barry White suggested that the Board wait until the State compiles results from other towns. There is speculation that the State has delayed the ordinance until next January.

It was noted that Mrs. Clough is trying to create a Historic District in the center of town. Mrs. Clough called Chairman Rose to inform him that the meeting about the historic district has been cancelled. It was felt that there was not enough public interest and the Historic Society is not interested. The Planning Board is not for or against the proposal but is willing to listen.

Chairman Rose noted an Innovative Land Use seminar scheduled for March 28 and Barry White reminded all of the training coming up on May 2, 2009. Barry offered to coordinate a ride with Antrim for all that are interested.

Driveway regulations from Antrim and Frankestown were presented. Road Agent Russell proposed that the grade of driveways should meet the shoulder of the road to stop water from running in the road. The Town should get away from steep grades at the edge of the road. If it can not be achieved, an applicant can go to the ZBA. It was suggested that the Highway Department should have final say as they care for the roads. Drainage and a short section of level driveway may be required. The new standard would become part of the cost of building a new lot. There was a question of how many lots could become un-buildable with the proposed driveway regulations. Possible alternatives were discussed including the possibility of requiring a flat section of driveway on a driveway that slopes up to the road. The Board felt that the requirements should be listed in inches rather than slope percent. The purpose of the regulation is to get away from creating more of a danger situation on the roadway when a driveway is put in.

There are some nice building lots with no possibility of a driveway due to the slope. Dennis McKenney expressed a concern of placing a bigger burden on the homeowner. It was noted that the Road Agent could suggest alternatives that would be acceptable and the applicant could go to the ZBA. It was noted that if the driveway were built correctly the first time, problems would be avoided. It was noted that the Road Agent did not want to have the final say on a driveway permit but he must inspect and sign off on it. The final inspection will happen after the construction phase of a project. Chairman Rose presented copies of a letter from Assistant Fire Chief French stating the specifications for fire and rescue apparatus. Requiring proper turnaround areas and pull off spaces can only be done at the time of building. It was suggested that the Board check with the State for a possible template on driveway regulations. The discussion was closed at 9:20 p.m.

The Public Hearing for Melissa Stewart's Day Care application was opened at 9:24 p.m. The checklist was approved and a sitewalk was done on March 10, 2009. No problems were noted. The following conditions were noted; 1, The business must meet all State Regulations. 2, The size is limited to "Family child care home" means "family day care home" as defined in RSA 170-E:2, IV(a), namely "an occupied residence in which child day care is provided for less than 24 hours per day, except in emergencies, for up to 6 children from one or more unrelated families. The 6 children shall include any foster children residing in the home and all children related to the caregiver except children who are 10 years of age or older. In addition to the 6 children, up to 3 children attending a full day school program may also be cared for up to 5 hours per day and all day during school holidays." 3, The business must pass a review for Life Safety including Building Codes, Fire, Rescue, and Health. 4, Indoor hours shall not exceed 6:00 a.m. to 8:00 p.m. Outdoor hours shall not exceed 7:00 a.m. to 7:00 p.m. 5, Any increase in the size of the business or increase in the business hours shall mandated a Site Plan Review.

Chairman Rose made a motion to approve the application for a Child Care Facility at 200 Francestown Road. All were in favor and the permit was granted.

The Public Hearing was closed at 9:37 p.m. and the work session was opened.

Election for Planning Board Officers was held. Barry White nominated Melissa Stewart for Chairman of the Board. Melissa declined the nomination. Melissa Stewart nominated Jeffrey Rose for Chairman. Barry White nominated himself for Chairman. Barry expressed changes he would like to see in the way the Planning Board is run. Barry then withdrew his name for Chairman. Jeffrey Rose was voted Chairman of the planning Board. Jeffrey Rose nominated Barry White for Vice Chairman. No other nominations were made. Barry White was voted Vice Chairman of the Planning Board.

A letter was received from Tony and Suzie Labor complaining about the noise from Crotched Mountain Ski and Ride. Mr. Cuddemi noted that he has been at the mountain on many occasions and the music is louder when there is a function in process but that is during the daytime. It was noted that there is a possibility that the speakers might be moved so that they face away from the neighbors. It was noted that Mr. Labor has complained about the potential noise level before an event has begun. The Planning Board noted that this is a civil matter. The Selectmen can make a recommendation.

Barry White asked if the Selectmen could look into Rymes as he has noted a pile of small propane tanks and the area looks like a salvage yard. Selectman Cuddemi will bring this to the attention of the Selectmen.

There being no other business, the meeting was adjourned at 10:26 p.m.

Respectfully Submitted by

Debra Belcher
Planning Board Recording Secretary