

TOWN OF BENNINGTON

PLANNING BOARD

Minutes of the Meeting – June 8, 2009

Present: Jeffrey Rose, Chair  
Barry White, Vice-Chair  
Joseph Cuddemi, Ex-Officio  
Peter Eppig

Guests: Jodie Tilton  
James Johnson, Abutter  
Susan Johnson, Abutter  
Peter Martel, Zoning Board Liaison  
Dennis McKenney, Applicant

Chairman Jeffrey Rose called the meeting to order at 7:37 p.m.

Bible Hill Road resident Jodie Tilton met with the Board to discuss what appears to be a day care operation at her Bible Hill Road residence. Chairman Rose reported that advertisements for childcare have been posted in the area and the Board was concerned that the apparent business might need a Site Plan Review. Ms. Tilton explained that she is considered "license-exempt" by the State of New Hampshire because she cares for less than three children at one time. Ms. Tilton told the Board that it is not her intention to care for more than three children and have to receive licensure from the State.

After some discussion, the Board asked for Ms. Tilton to provide documentation from the State indicating that she is license exempt. The Board agreed that the Town needs to better define home occupations and develop an appropriate Site Plan Review process to address home occupations.

At 7:45 p.m., Chairman Rose opened a Public Hearing for a proposed three lot subdivision of 94.7 acres of land located on Bible Hill Road, Map 17, Lot 35. The planned subdivision would create three new lots consisting of an 80.6 acre lot, 10.7 acre lot, and a 3.4 acre lot. Applicant Dennis McKenney met with the Board and presented an updated subdivision plan to address deficiencies noted in the Planning Board Completeness Review Committee's June 5, 2009 letter. The Board reviewed the revised plans and the list of deficiencies and was satisfied that Mr. McKenney had satisfied the requirements of the Town's Subdivision Regulations. Mr. McKenney requested and received waivers from the Planning Board for #5 of the General Plat requirements.

There were no abutters in attendance. Motion was made, seconded, and the Board unanimously voted to approve the Application as presented. Motion was made, seconded, and the Board unanimously voted to continue the Hearing to June 22, 2009 at 7:45 p.m.

At 8:30 p.m., Chairman Rose opened a Public Hearing for a proposed three lot subdivision of 44.6 acres of land located on North Bennington Road, Map 18, Lot 13-2. The planned subdivision would create three new lots consisting of a 39.9 acre lot, 2.2 acre lot, and a 2.5 acre lot. Applicant Dennis McKenney met with the Board and presented an updated subdivision plan to address deficiencies noted in the Planning Board Completeness Review Committee's June 5, 2009 letter. The Board reviewed the

deficiencies, as noted in the letter, and was satisfied that Mr. McKenney's revised plans satisfied the Town's Subdivision Regulations.

Abutters James and Susan Johnson were in attendance for a portion of the Public Hearing and did not voice any concerns with the proposed subdivision. Motion was made, seconded, and the Board unanimously voted to accept the application as written. Motion was made, seconded, and unanimously voted to continue the Hearing to June 22, 2009 at 8:00 p.m.

Mountain Road property owner Steven Stockwell met with the Board for a chat session to discuss his conceptual plans for an Open Space Residential Development on his Map 13, Lot 14 property. Mr. Stockwell currently has five mobile homes on the lot; the property is considered a grandfathered, non-conforming use which has presented some challenges as he has tried to replace units along the way.

Mr. Stockwell stated that he is looking at his future plans of the property and associated costs, and is contemplating a subdivision to make the property conforming; his goal is to upgrade the existing structures and continue to have five dwelling units on the property.

Mr. Stockwell presented conceptual plans drawn up by a surveyor which would require a lot line adjustment of an abutting parcel he owns to create adequate acreage and frontage of Lot 14. Once he has adequate acreage and frontage, Mr. Stockwell would like to subdivide the property.

The Board thanked Mr. Stockwell for his presentation and encouraged him to continue his quest to subdivide the parcel under the Open Space Residential Development regulations. The Board would like to review the regulations and invited Mr. Stockwell to continue his discussions or file an application with the Board later in the summer.

There being no other business before the Board, the meeting was adjourned at 10:16 p.m.

Respectfully Submitted,

Kristie French, Planning Board Recording Secretary