

Meeting Notes
North Bennington Planning Commission
Wednesday January 17, 2024

The meeting was held at the Depot office and was called to order at 7:00 PM by Co-Chair, Mary Rogers. Other Commission members present were co-chair Kim Hall, Chris Damon, Joe Macbeth, and Steve Lenox. Residents Stuart Aldrich and Wendy June Marie attended to observe. They participated with questions from time to time as the meeting progressed.

Mr. Damon moved to accept the Minutes of the November 16, 2023 meeting. This was seconded by Mr. Hall and so voted.

Since a quorum was not present at the last meeting when numerous updates to the draft document were discussed, Mr. Hall reviewed the proposed changes:

- Section 5.1.12.1 – Cites Statute affirming municipality's authority concerning health risks and hazards
- Section 5.1.12.3 – Requires property owners to seek change of use when leasing/constructing wireless communication facility. Tax assessors will have knowledge of the potential increased value of the parcel.
- Section 5.1.12.5 – Includes landowner providing notice of intent including certification that FCC has completed a longstanding court ordered review of health and safety matters.
- Section 5.1.12.8 - Under Wireless Communications, citation of specific statute was added. Details to the visual impact aspects were edited.
- Section 5.1.14 – new, Shipping Containers. Chapter 6 tables and the definition of structures are also updated.
- Section 5.2.3 - now includes tiny homes. Chapter 6 tables and the definition of structures are also updated.
- Section 3 - The definition of short-term rentals aligns with the State Statute definition (24 VSA Chapter 061 Subchapter 011 Section 2291).
- Chapter 6 - Non-retail cannabis businesses will be permitted only in districts in Conservation, Industrial, and College districts.

Mr. Macbeth made a motion to accept the preceding list of changes. Mr. Lenox seconded the motion which was unanimously voted.

Mr. Hall reviewed the Flood Hazard and Shoreline sections of the current bylaw following a request from a member of the public to see if it should be simplified. Mr. Hall concluded the current sections conform to State requirements. No changes were suggested at this time.

Together with the two residents in attendance, the Commission studied a map of the current districts. In keeping with the goal of encouraging increased density of affordable housing in and near village centers the following district designation changes were proposed:

- Change one undeveloped parcel currently designated VR120 (the last parcel on the south side of 67 when leaving the Village going west) but adjacent to the village center to VR20.
- Change one parcel abutting Park St. currently designated Conservation but adjacent to the village center to VR20.

- Change three parcels on the south side of 67 currently designated VR40 and adjacent to the village center to VR20.
- Change one parcel at the end of Sage St currently designated Industrial to VR10.
- Change designation of properties south of Overlea and east of Matteson to VR120.

Mr. Damon motioned to accept these changes. The motion was seconded by Mr. Macbeth and so voted. It was noted that one parcel on the corner of College and Frederick Streets was previously approved to be designated in the Historic district overlay. It is the only property in that area not currently in the historic district.

It was determined that six maps need to be created for inclusion in the final draft. These maps are:

- District map
- Map with overlay of municipal services, both water and sewer
- Shoreland overlay
- Flood Hazard overlay
- Historic overlay
- State defined Village Center overlay

BCRC will be contacted to assist in the maps' development

Ms. Rogers and Mr. Damon met in December to revise the current zoning application fee schedule. The proposed fee schedule on the application for zoning permit will shift from a project cost scale (determined by an applicant) to a square footage scale. Fees were added for projects requiring approval by the DRB, appeals of ZA decisions to the DRB, and telecommunication projects. Additional investigation will be undertaken to determine if fees based on type of structure could be incorporated. The current application used by the Highway Department for projects disturbing village property or right of way, such as curb cuts, and the permit for such approved applications now include more detail and approval by both Highway Department and Zoning Administrator.

The commission debated whether to proceed with concluding work on the Land Use Regulation document and starting the adoption process or pausing to work on updating the Village Plan. The Land Use Regulation document must conform to the Village Plan. At this point we do not know the extent to which the Village Plan will require changes. However, alignment of the two documents is necessary and a plan for simultaneous adoption seems prudent. The Commissions agreed that a copy of the final draft, without all the maps and that omission clearly noted, can be posted on the website for public review soon. The Commission will begin review of the Village Plan starting with the next meeting.

The Planning Commission was invited to attend a series of meetings the Town of Bennington is hosting concerning their town plan. North Bennington will be represented at these meetings.

The next meeting is set for Wednesday February 21, 2024, at 7:00 PM at the Depot Office.

Motion for adjournment was made by Mr. Damon, seconded by Mr. Lenox and so voted. The meeting adjourned at 8:50 PM.

Prepared by Mary Rogers

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