

Meeting Notes  
North Bennington Planning Commission  
Wednesday November 16, 2023

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 Chris Damon and co-chair Kim Hall. A quorum of voting Commission members was not present, so no motions were made nor votes taken. No members of the public were present.

Ms. Rogers noted that MSK Engineering agreed to review a prior draft from the perspective of a potential user of the bylaw. Jason Dolmetch provided the following comments:

- The Commission is encouraged to look at the form-based code from Bennington and other municipalities. Form based code focuses on “look and feel” rather than “how many and where”. Mr. Hall is familiar with this approach. He will read through two examples and see if there are any concepts that can easily be incorporated into the work this Commission has already done.
- Look at sections 9 and 10 to ensure the Village does not appear to take jurisdiction over wetland, stream, or flood areas that are governed by the State. Rather, the bylaw should defer proof of coordination and compliance with State agencies to the applicant. These sections of the draft have not been edited from the current bylaw. Mr. Hall will review them.
- Encourage housing and mixed-use development in the Village Center by removing barriers to density, parking, or setbacks. Density in a village center encourages the least cost per capita to deliver municipal services while maximizing the tax value per square foot. Mr. Hall will look at Table 6.2.2.2 to see what can be amended.
- Other comments from MSK personnel were submitted after the meeting and are attached to this draft.

[The Planning Commission would like to thank MSK Engineering for their very helpful review.]

BCRC had provided a map outlining parcels in North Bennington. Ted Fela, Water Department Superintendent, outlined the map where water service and sewer service are provided. It is crucial to know where both services are provided since this intersection is now governed by changes in Title 24. We will work to enhance this map and include it in the final draft.

Ms. Rogers did some preliminary work on revising the current fee schedule. She and Mr. Damon will meet to discuss specific questions. The proposed fee schedule will shift from a project cost scale (determined by an applicant) to a square footage scale. This will align more with neighboring municipalities.

Mr. Hall and Mr. Damon attended a discussion session hosted by BCRC for anyone interested in Bennington County zoning and planning matters. They reported that it was an informative meeting and look forward to following meetings. As a result of the information learned, several changes to the draft bylaw have been made. These include:

- 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.

- The definition of short-term rentals aligns with the State Statute definition (24 VSA Chapter 061 Subchapter 011 Section 2291).
- Under Wireless Communications, citation of specific statute was added. Details to the visual impact aspects were edited.
- Non-retail cannabis businesses will be restricted to some districts in Chapter 6 tables.

The Commission will not meet in December. It is the Commission's intention to post a draft of the Land Use and Development Regulations on the website within the next several weeks and encourage review by Trustees and residents. This draft may not include final maps and may have some editing remaining. However, it is important that interested parties have prompt access to the work to-date.

The next meeting is set for Wednesday January 17, 2024, at 7:00 PM at the Depot Office.

The meeting adjourned at 8:10 PM.

Prepared by Mary Rogers

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