

**Minutes for  
Planning Commission Meeting  
1/27/09**

**Present:** Craig Bruder, Bob Carter, Bill Pennebaker, Norm St Onge, Chris Williams

**Absent:** None

**Also present:** Tony Zazzaro (Zoning Administrator), Jim Sullivan (BCRC) (left at 7:40) and Karen Mellinger (arrived at 7:30)

The meeting was called to order by Chairman Bruder at 7:00.

**Minutes:** No minutes of prior meetings were available for consideration.

**New business:**

Chairman Bruder opened the hearing for the new Town Plan and announced that an executive summary of the new plan was available.

Mr. St. Onge stated that the list of changes that had been put together by Mr. Pennebaker would be incorporated into the new plan after this meeting, together with any other changes that the board might adopt.

Chairman Bruder then called for public comments, but since no members of the public were present except for Mr. Sullivan, none was offered.

Mr. Williams suggested striking from section 6.1.1 the phrase: “comprising XX total acres within the VR zone”. Although there were about 25 undeveloped acres, approximately 20 acres of this was a single parcel that were probably too wet to be developed. The phrase, if retained, would give a misleading impression that the amount of land available in the VR zone for development was much larger than it actually was. Also, in the same section, “uitable” was corrected to “suitable”. The Planning Commission (PC) consensus was that these changes were minor and should be made.

A motion to accept the Town Plan with the proposed minor changes was made by Mr. Williams and seconded by Mr. Pennebaker. There was no discussion and the vote was 5 in favor, none against.

At 7:30 Ms. Mellinger arrived with a few more suggestions for minor typographical changes to the new Plan. At 7:40 Mr. Sullivan left, but suggested as he was leaving that the PC get BCRC to approve the Plan.

**Old business:**

Chairman Bruder asked the PC to consider a possible change to the current approval process for minor Town projects that had been suggested by Mr. McClintock, Select Board Chair. Mr. McClintock felt that the approval process delayed projects, and since approval was ultimately certain, was unnecessary. Mr. Pennebaker stated that he was in favor of leaving the approval process as-is. Although the approvals did add delays, they had proved to be beneficial in that in the sidewalk project drainage problems had been uncovered that otherwise might have not been addressed. Mr. Williams noted that most towns require this approval process for Town projects. The board decided unanimously to recommend that the present approval process be left unchanged.

Chairman Bruder, referring to the list of projects developed in previous PC meetings, initiated discussions of the following:

1. Mobile Home Overlay: For the next meeting Mr. Carter will draft a bylaw based on the Bennington Bylaw. The current approximately 5.7 acre mobile home “park” would be the basis for this overlay. Mr. St. Onge pointed

out that the 5.7 acre figure was from tax maps, and these are known to be unreliable.

2. Home Occupation: For the next meeting Mr. Bruder will draft a Bylaw based on our current Bylaw and the Bennington Bylaw.
3. Appurtenant Dwelling (accessory apartment): For the next meeting Mr. Zazzaro and Mr. Pennebaker will draft changes to our current Bylaw based on the requirements of Act 117.
4. Pole Barn Enclosure: For the next meeting Mr. Zazzaro and Mr. St. Onge will draft the rules for how or whether permitting should be handled.
5. Forest Service lands currently not in FR zone: The PC concurred that since there were no known instances where this was the case, the issue was irrelevant and recommendation #12 in section 5.4 of the new Town Plan draft should be deleted. A minor irregularity in recommendation numbering in this section will also be corrected.

The discussion then turned to larger projects on the list. These larger projects include expansion of the VR zone, rules for large subdivisions, changing Paran Acres zoning from RR-40 to VR, and creation of a Light Industrial zone. The discussion included the following:

1. Expansion of the VR zone to areas immediately east of the present VR zone might include incorporation of a protective 300 foot buffer around the water supplies now used by the North Bennington Water System. Relating to this, there was discussion of a path which now goes through the Lear property past a pin oak that is reputed to be the largest pin oak tree in Vermont.
2. Changing the zoning of Paran Acres to reflect current usage (many Paran Acres lots do not conform to RR-40 zoning) will require careful on-site inspection before any changes might be considered.
3. A Light Industrial zone might include the Harrington property and the eastern leg of the property immediately west of the Industrial Zone on the north side of North Road.

The PC meeting was adjourned at 8:30

Respectfully submitted,

William Pennebaker, 1/28/09