

VILLAGE OF OLD BENNINGTON  
MINUTES OF THE PLANNING COMMISSION  
REGULAR MEETING

January 8, 2024

Members Present: Nancy Coseo (Chair), Galen Jones (Vice-Chair), Carl Feltz [via phone], Renny Ponvert, Brian Scheetz

Others Present: Deborah Towslee (Zoning Administrator), Steven Anisman (Tree Commissioner)

Community Members Present:

**Call to Order:** 7:01:11 PM

**Changes to Agenda:** Ms. Coseo introduced Mr. Anisman, so discussion of the Tree Bylaw would be first on the agenda; the meeting minutes from the Regular Meeting December 11, 2023, will be discussed later in the meeting.

**Public Comment:** None.

Mr. Jones introduced the latest draft revision of the amended Tree Bylaw still under review by the members but not yet unanimously approved or proposed.

Mr. Anisman began by noting that in his perspective, limited governing of personal property in the village has value. He stated that although the Tree Commission governs trees within the village right-of-way and the Zoning Administrator governs residents' properties pursuant to existing bylaw, the differentiation is confusing to residents, and he recommends a one-stop-shopping approach to eliminate confusion. Residents, he believes, should have one point of initial contact after which the responsible municipal officer should be consulted to follow-through thereafter. Another opportunity to ensure consistency, Mr. Anisman offered, was if a member of the Planning Commission or a trustee fulfilled the role of the Tree Warden.

Mr. Jones clarified that the state governs removing adult healthy trees in a municipal right-of-way, warranting by law a public hearing before doing so. It is one of a handful of reasons why the Tree Warden, or Tree Commissioner as the position is referred to in the Village of Old Bennington, governs trees in the right-of-way rather than the ZA. Although the state allows municipalities to impose civil penalties for those that violate land use regulations and bylaw, the VOB has rarely done so.

After substantial discussion and thorough review of the latest draft revision of the amended Tree Bylaw still under review by the commission, minor procedural changes were recommended by Ms. Coseo that include ensuring that language within the Village Bylaw is consistent throughout if/when pertinent or related to other sections of Bylaw or ordinances. The work; therefore, continues.

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Ms. Coseo asked that Mrs. Towslee follow-up with the owners of the Walloomsac Inn noting that the commission approved a permit for a temporary fence that is scheduled to expire March 31, 2024. Ms. Coseo and Mrs. Towslee agreed to pen an email to the owner by the end of the week.

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**Motion: To approve Minutes of the Planning Commission Regular Meeting December 11, 2023.** Ms. Coseo asked that Mrs. Towslee clarify in the minutes that the commission is in the process of amending a draft Bylaw not yet approved by unanimous vote by committee members and therefore not yet available to the public. Motion to approve after corrected by Mr. Ponvert, second by Mr. Scheetz. Approved unanimously at 8:30:01 pm.

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A brief discussion about outdoor lighting ensued before determining that because of the late hour, the remainder of the agenda would be tabled until the next meeting.

**Motion: To Adjourn.** Made by Mr. Scheetz, second by Mr. Jones. Agreed unanimously at 9:10:08 pm.

Respectfully submitted,

Deborah Towslee

Zoning Administrator

[Saturday, January 13, 2024, 03:39:45 pm]