

**VILLAGE OF OLD BENNINGTON
PLANNING COMMISSION**

MINUTES
FOR
MONDAY, OCTOBER 14, 2019

Members present:

Robert Bullington, Chair; Suzanne Buchsbaum; Nancy Coseo; Galen Jones; Mary Pat Mazzola; Dennis McCarthy, Administrative Officer

Members absent:

None

Community Members present:

Megan Schwarzkopf

The Village of Old Bennington Planning Commission was called to order by Chair Bullington at 7:03 PM.

The Commission reviewed the minutes.

Ms. Coseo made the motion to accept the minutes. Mr. Jones seconded the motion; all in favor, unanimous.

Ms. Schwarzkopf asked the Commission about the bylaws and how they would be enforced? Chair Bullington stated that the process is outlined in V.S.A Title 24 – Chapter 17 of the State of Vermont. Chair Bullington stated that there is a process that would be followed: *the ZA would be notified by a citizen or may observe a questionable activity. *The ZA would then follow up by contacting the individual about the questionable activity. *The ZA would ask the individual to come into compliance by submitting a permit application, and depending on the type of permit would either grant the permit (with consultation with Planning Commission Chair) or refer the application to the Planning Commission or Zoning Board depending on which entity had authority to act on the application. *If the individual refused to comply the ZA would send a certified letter instructing the individual they had X number of days to come into compliance. *If the individual did not come into compliance the ZA would issue a letter of violation. *Once the letter of violation is issued the ZA will notify the Village Trustees about the violation, from that time on the ZA role ends. The Village Trustees have the authority for the correction of the violation. The Trustees would have a public hearing to determine the best course to take in addressing the violation (the authority for the correction belongs to the Village Trustees)

A discussion relating to Village trees ensued. The question about liability was raised. It was noted that the Village ordinance makes it the responsibility of the land/home owner for the removal of dangerous trees in the public right-of-way

Chair Bullington asked the Commission to review the Subdivision Bylaw one more time for formatting or other issues they might determine need correction. Chair Bullington mentioned the Jim

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Sullivan, Director of BCRC had a copy of the Bylaw and is reviewing it for compliance with Vermont Statutes and would be getting back to us shortly.

Chair Bullington mentioned that an ad needed to be developed for the position of Administrative Assistant (ZA). The Commission along with Dennis will compile a list of requirements for the position specific to the Village and Vermont Statute.

Chair Bullington explained that the Commission would be meeting in a deliberative session, this session will be closed to the public. At this time Ms. Schwarzkopf left the hearing.

Ms. Mazzola made the motion to reenter the deliberation session of September 02. Ms. Buchsbaum seconded the motion; all in favor, unanimous. (7:33 pm)

Ms. Buchsbaum made the motion to come out of the deliberative session. Ms. Mazzola seconded the motion; all in favor, unanimous. (7:40 pm)

Ms. Coseo made the motion to adjourn the deliberative session to November 11, 2019 the next regularly scheduled meeting of the Commission since the Commission deemed additional information/clarification from the Applicant was necessary. Mr. Jones seconded the motion; all in favor, unanimous.

Mr. Jones moved to adjourn the meeting. Ms. Coseo seconded the motion; all in favor, unanimous. Meeting adjourned at 8:05 PM.

Respectfully submitted:

Dennis C. McCarthy
Administrative Officer
10/17/2019