

Bennington, VT Town Clerk's Office  
\_\_\_\_\_.20 at  
o'clock minutes M  
book \_\_\_\_ on page \_\_\_\_ of  
\_\_\_\_ Records  
Attest. \_\_\_\_\_  
Town Clerk

# APPLICATION FOR ZONING PERMIT

Village of Old Bennington

Application #  
Fee Paid  
Date Received  
Zone  
Date Deemed  
Complete

*This continues an open application from 2024.*

NAME OF APPLICANT Lawrence and Mary Walsh  
Address: 88 Monument Ave. Email \_\_\_\_\_ Phone 917-930-9244

NAME OF PROPERTY OWNER (if different from above) same *Mary Williams Walsh*  
Address same *- gmail.com*

LOCATION OF PROPERTY \_\_\_\_\_

PARCEL ID. (Tax Bill): 051-015-66583

LOT SIZE 3.1 acres Frontage on Public Road \_\_\_\_\_ ft.  Public Water  Public Sewer

TYPE OF USE:  Residential  Business  Agricultural  Institutional  Subdivision  
 Sign  Change of Use  New Construction  Addition  Alteration  Amendment

IF APPLICATION IS FOR CHANGE OF USE: Existing Use no change  
Proposed Use: same (If business or institutional use, attach description)

IF APPLICATION IS FOR NEW CONSTRUCTION, ADDITION, ALTERATION OR AMENDMENT: Describe  
Fence: See details in the Addendum.

BUILDING Length \_\_\_\_\_ ft. Width \_\_\_\_\_ ft. Height \_\_\_\_\_ ft. No. of Stories \_\_\_\_\_

SETBACK FROM PROPERTY LINES: Front \_\_\_\_\_ ft. Rear \_\_\_\_\_ ft. Side \_\_\_\_\_ ft. Side \_\_\_\_\_ ft.

COST OF PROJECT (Include land preparation and all sub-contractors' costs. Attach builder's estimate, if available). Appropriate fee (see fee schedule) must accompany application.

I understand I must secure a certificate of use/occupancy before using or occupying this structure.  
I hereby certify that all statements contained herein and in all accompanying documents are true and correct, to the best of my knowledge.

Date 4/29/26 Applicant's Signature Mary Walsh *AWalsh* Addendum

## ZONING ADMINISTRATOR'S REPORT (Office Use Only)

ACTION: To PC \_\_\_\_\_ To ZBA \_\_\_\_\_ Minor Permit \_\_\_\_\_ Date \_\_\_\_\_

Approved  Approved with conditions  Denied Date \_\_\_\_\_

CONDITIONS/COMMENTS \_\_\_\_\_

Start Date \_\_\_\_\_ Completion Date \_\_\_\_\_

ZONING ADMINISTRATOR

A site development plan is required for all applications except those for "minor" permits. If your project is a small one, contact the zoning officer.

Site development plans must be submitted in duplicate and should show, drawn to scale in map form, the information in the table below for each type of application. The Zoning Administrator and/or Planning Commission may request any additional details or information which are deemed necessary for consideration of this application.

	SIGN*	ALTERATION	ADDITION	NEW BUILDING	CHANGE OF USE	SUBDIVISION	
							<b>"X"</b> indicates that the information is required with the application. All information to be submitted in duplicate.
X	NONE REQUIRED - SEE # 1	X	X	X	X	X	BOUNDARIES AND AREA OF LOT. SUBDIVISION APPLICATIONS MUST SHOW PROPOSED BOUNDARIES.
X		X	X	X	X	X	EXISTING AND PROPOSED BUILDINGS ON LOT.
		X	X	X	X	X	EXISTING AND PROPOSED BUILDINGS WITHIN 200 FEET FROM THE SUBJECT LOT.
X		X	X	X	X	X	EXISTING AND PROPOSED STREETS AND DRIVEWAYS WITHIN A DISTANCE OF 200 FEET OF THE SUBJECT LOT.
		X	X		X		STREAMS, BROOKS, PONDS, NATURAL DRAINAGE WAYS AND WATER COURSES, SEWAGE AND STORM DRAINS.
		X	X				LANDSCAPING
		X	X		X		EXISTING CONTOURS AND LAND CONDITIONS.
X		X	X				SETBACKS FROM PROPERTY LINES AND RIGHTS-OF-WAY
		X	X	X	X	X	** PROPOSED VEHICULAR TRAFFIC AND PARKING.
		X	X	X	X	X	** PROPOSED PEDESTRIAN CIRCULATION, OPEN SPACE, PARK AND PLAYGROUND FACILITIES.

\* Free standing signs only.

\*\* Business applications and multifamily dwelling only.

1. For **ANY** construction project, "Building Plans" are required. These should include, in addition to the above information:
  - Building elevations showing door and window types, shutters and other exterior details.
  - A description of exterior building materials and colors.
 The commission may approve minor changes to the exterior of a structure without submission of full building plans as long as the application is clear and complete.
2. If application is for a sign, two copies of a dimensioned drawing of the sign must accompany the application, colors should be specified or shown. If the sign is to be lighted, show the type, location(s), and wattage of the fixture(s) proposed.
3. Before a permit can be issued, the following must be submitted, if applicable:
  - a) Copies of State permits required.
  - b) Copies of hookup permits from the Town of Bennington for water and sewage lines.

## **Addendum to Application for Zoning Permit**

Lawrence and Mary Walsh  
88 Monument Avenue, Village of Old Bennington

**Purpose:** To enclose a portion of our yard and create an area where our dog can be off the leash on our property and enjoy outdoor time with his family. (We do not plan to leave our dog outside by himself.) A secondary purpose is to discourage other people's off-the-leash dogs from coming onto our property and engaging in unwanted behaviors. There's an excellent system of public nature trails right behind our house, which we love, but some walkers unleash their dogs there and the dogs can end up in our yard. We need an effective boundary.

**Description:** This addendum amends a fence application that we submitted on May 5, 2024. After a public hearing that year, we asked the Planning Commission to delay its vote while we considered modifications. We were told at the time that our 2024 application would remain open, and we could return to it when our modifications were ready.

(A complete copy of our 2024 fence proposal is available if the Commission no longer has it and would like to compare. The sketched site plan (alone) from the 2024 proposal is attached, as the very last page of this addendum, to give you a sense of how the original and modified site plans compare. The fence we proposed in 2024 would have enclosed virtually our entire property, with the exception of the northwest corner, where our house and driveway are. The fence we now propose would enclose only about half of that area. The entire southern half of our property would be unfenced.)

Our amended proposal is for a post-and-rail fence that would run behind our house and driveway, then run East on the boundary that we share with 78 Monument Avenue, then make a 90-degree turn at our property's shared boundary with the Bennington Museum's sculpture garden and natural meadow. The fence would follow that shared boundary toward the South, then make another 90-degree angle and run West across our property, to where it will disappear into a stand of tall hemlock trees. The hemlock trees were planted long ago to afford some privacy to the portion of our yard that's closest to our house and Monument Avenue. In our current proposal, the hemlocks will also screen off the sight of our fence, so that it wouldn't be visible facing Monument Avenue. Please see the new site plan, attached. I've marked the hemlock trees, and our house and driveway, and added dotted lines to show the continuation of our boundaries toward the South.

The main revisions to our 2024 application are 1) a significant reduction in the size of the area and type of terrain to be fenced in, 2) the avoidance of visible fencing facing Monument Avenue, and 3) the use of a higher grade of materials. The first two of these changes in particular are responsive to citizen comments at the 2024 hearing. (We've made the third change because we want to use Northern White Cedar, which is very durable.)

The fence we now propose will enclose only the northerly portion of our 3.1 acres, not the southerly portion. It will not enclose Jennings Brook, which runs along the southern side of our property. It will not approach the steep, potentially unstable terrain on the banks of Jennings Brook. It will not run in front of our house – our front yard will remain unfenced. Nor will it connect with the “barricade” that the Town of Bennington set up in 2023, at one end of the gravel road that the Town built across our land to provide access for its heavy sewer-repair equipment.

(Background: The Town has a legal right to an “easement” on that part of our land, but it did not consult with the Village Planning Commission before setting up its “barricade,” which does not conform to Village Bylaws and has drawn criticism from residents. We had nothing to do with the Town’s choice of materials, or its decision to build a road across our land in the first place. We ask that the Planning Commission not conflate our proposed fence with the Town’s “barricade.” If it were all up to us, neither the road nor the “barricade” would be there at all.)

### **Materials Description:**

Northern White Cedar posts and rails, with three horizontal rails and welded wire mesh attached on the inside of the fence. We plan to buy the materials from Walpole, because it’s very hard to find Northern White Cedar locally.

Posts: Full round posts, 52 inches tall, Northern White Cedar, unpainted. (The wood will age naturally, last much longer than pine, and blend in unobtrusively with the natural setting.)

Rails: Height of top rail will be 46 inches (three feet 10 inches) above the ground. Wire mesh will start at ground level and go no higher than the top rail. See Walpole’s cross-section, showing where the rails connect to the posts, on Addendum Page Four. We need the taller version of this fence because our dog might be able to jump over the shorter one.

Gates: We will need three gates, one by our driveway and two more where the fence crosses our property running East to West. The contractor has written 3’6” gates on the site plan (Addendum Page Seven), but this is incorrect. The gates need to be six feet wide to allow a ride-on lawnmower to pass through. Walpole knows this and will provide the three single, six-foot gates.

Walpole’s spec sheet for its “Orleans” fence is also attached as Addendum Page Five. It shows the detail of the chamfered post tops, the (single) gates, the gate latches and other hardware, and other details. The small chart saying “height of fence” should be disregarded, however. Please refer to the measurements in the simpler illustration.

### **Comments/Rationale:**

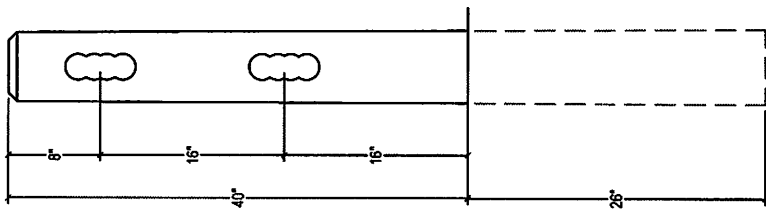
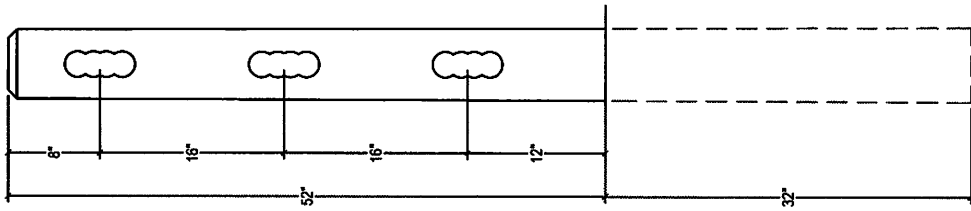
This type of fencing, post-and-rail, unpainted, already exists on several properties in the Village, where it is visible from roads and sidewalks. See, for example, the fences at 1 Monument Avenue and 25 Monument Avenue.

Visually, natural weathered Northern White Cedar is less obtrusive than paint. It tends to blend in well with the natural environment. It is rot-resistant and contains natural oils that deter boring insects. A fence of Northern White Cedar will not be prone to tipping or falling over, as some white picket fences are, and it will not collect mildew. We had a round-post, Northern White Cedar enclosure in the yard of our last house, in Philadelphia, which also had an official "historic" designation. That fence was extremely durable and even survived a large tree falling on it during a storm.

Black wire mesh is needed to keep dogs and other animals from jumping between the rails. It is virtually unnoticeable from even a short distance.

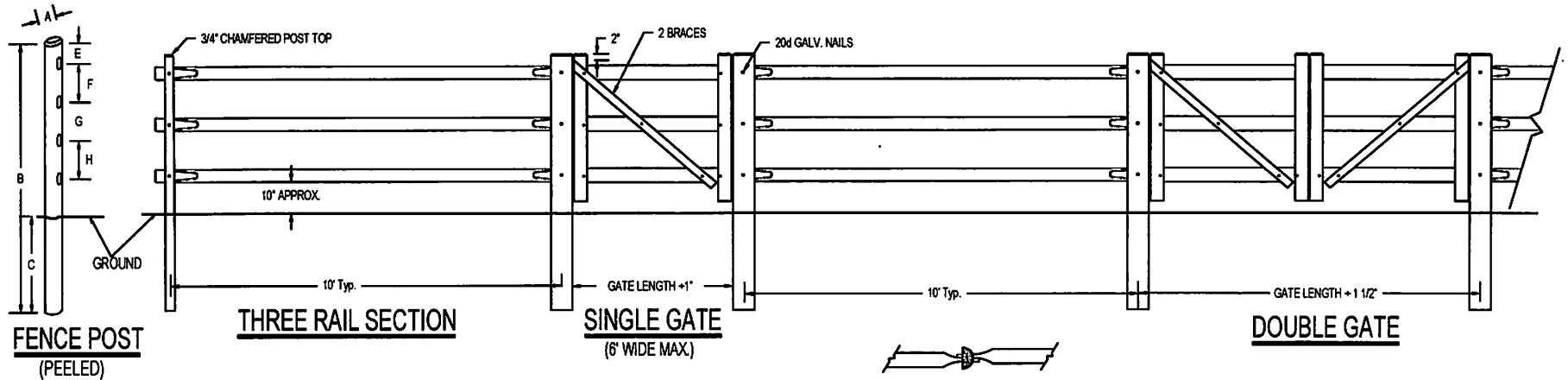
An email from our contractor, Noah Bassler, gives the pricing. I've corrected his error where it says the gates will be 3'6" wide.

Addendum, Page Four. We plan to build the three-rail fence

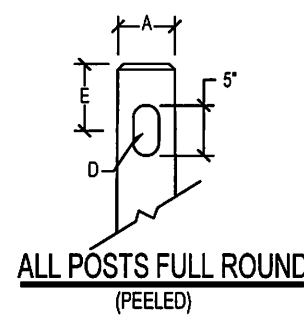
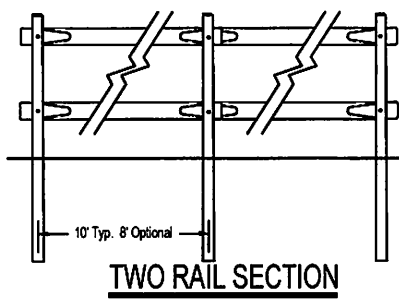
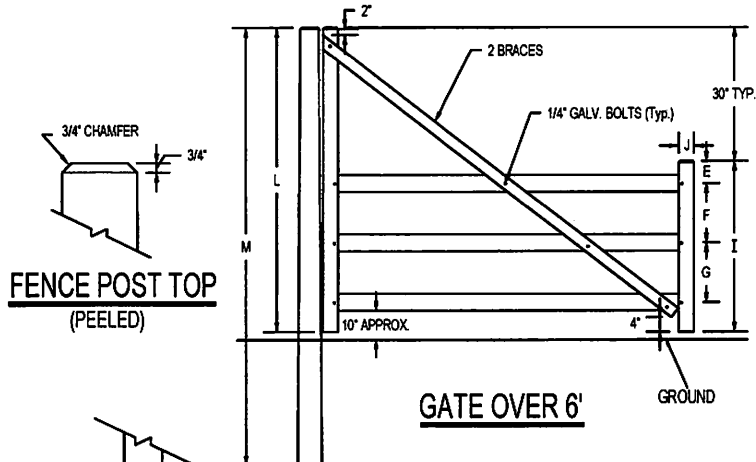


# Addendum, Page Five

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**PLAN VIEW**

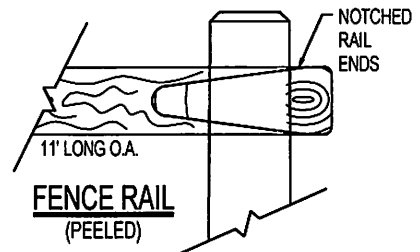
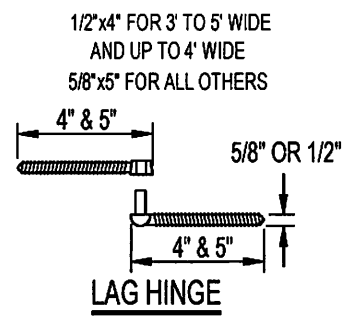


HEIGHT OF FENCE (FEET)

NO. OF RAILS	HEIGHT OF FENCE (FEET)	
	3'	4'
A	6 1/2	6 1/2
B	66	72
C	24	30
D	2 1/4	2 1/4
E	8	8
F	16	16
G		16
H		
I	39	52
J	4 1/2" - 5"	
K		
L	69	81
M	102	114

(INCHES)

NOTE: ALL DIAMETER MEASUREMENTS ARE +/- 1/2"



## "Orleans - Round Rail w/Full-Round Post"

1/13/16

Walpole Outdoors LLC

88 Monument Ave Cedar Fence.

1 message

Noah Bassler <basslerconstruction1@gmail.com>  
To: "Mary.Williams.Walsh@gmail.com" <Mary.Williams.Walsh@gmail.com>

Tue, Apr 21, 2026 at 8:49 AM

Goodmorning Mary.

We received pricing from Walpole for the 3-rail fence with wire installed, in 10-foot sections. The total cost for all fencing materials comes to \$16,527.06 not including shipping. They said they could not provide a freight cost until they ran it through the shipping manager.

The materials included in this price are:

- 71 fence sections, measuring 10' each
- 3 gates, measuring ~~26~~" each → (should say six feet)
- All required hardware

Our installation charge for the project will be \$10,000.00, which includes labor, equipment, layout, and complete installation of the fence.

This brings the total estimated project cost to \$26,527.06 for materials and installation.

We also wanted to let you know that, we have been looking for other options outside of Walpole but have not had any luck finding a similar design. We will continue to keep looking for comparable alternatives and let you know if anything suitable becomes available.

I attached the Spec sheet that Walpole sent us along with the email.

P.S We spoke with a gentleman by the name of Chuck Cassidy at Walpole, he was extremely helpful. If you need to reach out to anyone there, I would highly suggest him . His number is 508-921-4954 & Email chuck.cassidy@walpoleoutdoors.com

\*Also if you need anything else for the council please let me know and ill get to you ASAP.

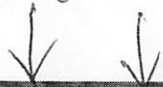
Have a Great Day  
Eric & Noah.

3 attachments



# Addendum Page Seven

Our House  
and driveway



You can see the edge of Monument Avenue

Hemlock trees form a screen

Continuation of our boundaries - unfenced

This way to Jennings Brook

Continuation of our boundaries

