Village of Old Bennington

Zoning Board of Adjustment Meeting

Minutes

September 3, 2025

*zoom recording link attached below*

***DRAFT COPY***

September 3, 2025

Members’ Present: David Silver, Antonio Mozzola Jr., David Crowley

Others Present: Applicants for 3 Seminary – Casey Sunderland, Rafe Churchill, and nineteen members of the public.

1. Call to Order at 7:0PM
2. Changes/Updates to the Agenda - none
3. Approval of minutes – N/A
4. Citizen comments not related to Agenda – None
5. Change of Use application for 3 Seminary Lane -conversion to an Inn.

Mr. Sunderland and Mr. Churchill were sworn in by the Chair and presented the application to the Board. Mr. Sunderland spoke of the history of the property and its’ history of accommodations, noting that the property has been a private residence for over the last 60 years. Mr. Sunderland stated that it would not be an AirBNB, there would be no events, and no weddings. It would be operated as a quaint country inn with a staff member around the clock.

Mr. Churchill stated that there would not be a swimming pool, no performance center, just a six bedroom inn located in a historic building.

The ZBA Chair, Mr. Silver, asked applicants if they were familiar with the Village Bylaws. They responded they were. Mr. Silver asked how the project can be approved based on the bylaws.

Mr. Sunderland states that it is a change of use in the bylaws. Right now it is a residential use , “we’re trying to stay with its precedent use, with the Four Chimneys right there too, that we request a change”.

Mr. Silver stated that the bylaws set forth what permitted uses are, and that a change of use just can’t be asked for, it can be only changed to a permitted use.

Mr. Silver that applicants can pursue a bylaw change to permit an Inn but invited the applicants to make an argument that somehow the bylaws permit an Inn. The applicants made no such argument. Mr. Silver stated no decision would be made this evening and invited members of the public to speak, beginning with abutters.

Andrea Lampron spoke of living next to the property for many years and was concerned about the impact on her property. From her 1973 version of the bylaws

She voiced concerns that proposed use was not in conformance with document guidance, section 10, change of use rules and non-conformity uses as described in section 50(e)2, sections 60(B)(C)(E), and section 61.

Village Attorney Merrill Bent commented that a municipality must apply the bylaws literally. The applicants can request the Board to keep the matter open and the Board can set a future date certain to continue the hearing.

Daniel Richmond noted that the area had been designated a National Historic District in 1984. He expressed concern as a neighbor to the applicants property that the Inn would cause noise and light issues and possible trespassers. He believes his house and the Village would be negatively impacted.

Mr. Churchill returned and questioned who could speak as Mr. Richmond and Ms. Lampron both live in Bennington.

Attorney Bent noted any member of the public has a right to speak. Whether they have legal standing in a court challenge is decided later. As abutters and potentially impacted by proposal it is likely they would have standing.

ZA Kiernan confirmed that the abutters list was compiled by him and presented to the applicants for notices.

Caitlin Roberts stated that she lived directly next door and had very good communication with applicants.

Jared Newell also abuts the applicants property and expresses concerns regarding noise and increased traffic.

Mr. Silver stated that the Board can impose conditions on an applicant for approval.

Kate Russo voiced concern that the project was unnecessary and would denigrate

what people love about the Village.

Temare Kremer expressed concern that specifics need to be in writing regarding any

conditions on the property such as a pool, noise limits and also believed there was

no need for an Inn.

Brian Sheetz, Chair of the Planning Commission, stated he was speaking as a

resident. He was in favor of finding a way to use the property. More concerned with

uncontrolled residential use due to State laws then limited controlled commercial

use.

Mo Kafka, an abutter, stated he had only positive contacts with the applicants. His

concern was that any conditions placed for approval be applicable to any future

owner.

Marc Bactens, owner of the Four Chimneys, cited section 60B of the bylaws on

nonconforming uses and questioned how the change of use could be legally

accomplished.

Mr. Silver asked applicants if they would like to respond to any of the comments.

They declined but requested a continuance of the hearing.

Mr. Crowley mad a motion to continue the hearing to November 5, 2025 at 7PM.

Seconded by Mr. Mazzola. Motion passes 3-0-0.

Mr. Silver makes motion to enter deliberative session at 2012hrs. Seconded by Mr.

Mazzolla. Motion passes 3-0-0.

Motion to return to regular session at 2025hrs. by Mr. Crowley, seconded by Mr.

Mazzolla. Motion passes 3-0-0.

Motion to adjourn by Mr. Crowley, seconded by Mr. Mazzolla. Motion passes 3-0-0.

Meeting adjourned at 2026hrs.

ZOOM RECORDING LINK:

https://zoom.us/rec/share/GXnnPiSrENpSQbajTvwr-7G9qN7YNW-9C7VrW0AOBm61hdLGmzCxdWjRA9Jh3UpR.q4nwwtfyav51n2Zq?from=hub

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