December 17th, 2025

Members' Present: Richard Heilemann (Chair), Nick Parks (Vice-chair), Donna Cauley, Anthony McLauren, Eric Dorsch

Others Present: Curan VanDerWielen (Village Manager), Terry Findeisen (Zoning Administrator)

Call to Order: 11:00 AM by Heilemann.

Approval of the Regular Meeting Agenda

Motion: To approve of the regular meeting agenda.

Motion made by Parks. Motion seconded by Cauley

Motion approved unanimously.

Approval of the Meeting Minutes

Motion: To approve of the draft regular meeting minutes.

Motion made by Parks. Motion seconded by Cauley.

Motion approved unanimously.

Review of PUC Draft Comment Letter and Notice of Intervention

The committee extensively discussed AT&T's proposal for a new utility pole. They identified several concerns with AT&T's response to their initial objections:

- The proposed pole location would negatively impact the historic village streetscape
- AT&T's responses did not adequately address aesthetic concerns
- The comparison to the Orvis area pole was inappropriate as that area has a different streetscape character
- Existing utility poles in the historic district are purposely set back from the street

Action Items for Response Letter

The committee agreed on several modifications to strengthen their response:

1. Include language from the Village Plan regarding scenic roads and streetscape preservation
2. Take photographs showing the current streetscape in both directions to highlight aesthetic concerns
3. Remove paragraph 7 regarding radiation concerns as it was deemed not a winning argument
4. Emphasize that they're not opposed to another pole in the village, just not at that specific location
5. Submit both the revised letter and required Notice of Intervention form to the Village Attorney for review to be submitted prior January 16th through their attorney.

Review of Aircraft Restrictions Ordinance

The committee reviewed the final draft of the aircraft restrictions ordinance, which was modeled after Woodstock's ordinance. Key points discussed:

- The ordinance prohibits private aircraft landings except through special permits
- Special permits would be granted by trustees for specific events or functions
- The ordinance includes provisions for drones and other small aircraft
- Pre-existing facilities permitted by Vermont prior to the ordinance would be grandfathered

The committee voted unanimously to send the ordinance to their attorney and then to the trustees for approval.

Review of Vacant Building Property Ordinance

The committee discussed a draft ordinance regarding vacant and dangerous buildings, based on Woodstock's template. Several key considerations emerged:

- Whether to focus on safety concerns, aesthetic issues, or both
- How to balance property rights with community standards
- The need to reference the Village Plan of Development in the findings section
- Changing the title to "Dangerous Property Ordinance" to reflect that it applies to both vacant and occupied properties
- The process for identifying structures in violation and enforcement mechanisms

Findeisen agreed to send the Bennington vacant/dangerous building ordinance to the group and work on merging elements from both ordinances into a revised draft for feedback.

New Business

Short-Term Rental Registration

The committee briefly discussed short-term rental registration requirements:

- A new, more rigorous registration form was presented
- Registration fees were confirmed at $300 with potential fines of $800 per violation
- Registration is not transferable when property ownership changes
- Challenges in identifying and contacting all short-term rental property owners
- Potential strategies included working with real estate agents and the Vermont short-term rentals organization
- Sending notices of violation to non-compliant listings with a 60-day remedy period

The committee noted a new Vermont requirement for rental properties to install sprinkler systems by August next year, though details were unclear and Findeisen agreed to research this further.

Action Items

- Check with the Vermont short-term rentals organization about identifying local members/properties for registration compliance.
- Schedule a future meeting with the town to discuss short-term rental registration enforcement after internal review is complete.
- Continue outreach to identify and contact short-term rental property owners via online platforms and coordinate with real estate agents to distribute registration forms.

Heileman asked if there any other items; items raised.

Additional Concerns Raised

- Regulation of porta-potties and temporary structures on construction sites
- Potential outreach to the Bennington Regional Commission for support on the utility pole issue
- Coordination with the town on short-term rental enforcement

Motion: To adjourn.
Motion made by Parks. Motion seconded by Cauley.

Motion unanimously approved at 12:06 pm.

The next regular meeting of the Planning Commission will be held at 11:00am on January 21st, 2026.

Respectfully submitted,

Terry Findeisen,
Zoning Administrative Officer