

1 DEVELOPMENT REVIEW BOARD  
2 February 15, 2011  
3 7:00 PM  
4 BENNINGTON FIRE FACILITY  
5 126 RIVER STREET, BENNINGTON, VT  
6 MINUTES  
7

8BOARD MEMBERS PRESENT: Charles Copp, Chair, Barry Hörst, Vice Chair, Milt  
9Surdam, Michael Harrington, Al Ray, Charles Kokoras, Mike von Ouhl, Al Ray and Dan  
10Malmborg.

11  
12OTHERS PRESENT: Alan Hinckley, Clear Wire Communications; Kim Guertin, Mount  
13Anthony Landowners Association; Daniel Monks, Zoning Administrator; and Robyn  
14Baker, Recording Secretary.

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16NOT PRESENT:

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18Copp called the meeting to order at 7:00 PM.

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201. Minutes of January 4, 2011.

21Hörst was spelled incorrectly throughout the minutes.  
22Hinckley represents Clear Wire Communications, not Clearwater.

23  
24Harrington moved and Hörst seconded approval of the minutes of January 4, 2011 as  
25corrected. The motion passed unanimously.

26  
272. Interested Persons – Appeal Rights – Reading of witness’ oath

28Monks read the oath.  
29

303. Disclosure of Ex parte Communications and Conflicts of Interest  
31None.

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334. Alternates – Voting Assignments

34Alternates are not voting on the matter before the Board this evening.  
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366. AT&T Towers, Mount Anthony Preservation Society, 4300 Bluestone Road, the  
37applicant is seeking development plan approval for additional panel antennas on an  
38existing cell tower on Mount Anthony.

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40Alan Hinckley, Clear Wire Communications, was present and addressed the Board. Copp  
41asked if the updated drawings with the steel platform were the final design, and Hinckley  
42indicated that it is. Hörst asked if there was a representative of Mount Anthony  
43Preservation Society present, but there was not. Hinckley and Monks explained that  
44MAPS has reached an agreement with AT&T and has signed off on the application.

45

46Kim Guertin was representing Robert Johnson who is a member of Mount Anthony  
47Landowners Association. They have issues with the road maintenance. He has a written  
48agreement with Atlantic Cellular indicating that Atlantic Cellular would cover any  
49expenses. Johnson has been held responsible for road repairs that were not in fact caused  
50by water from his property, but by the maintenance traffic for the cell towers.

51

52Malmborg asked if the damage was on Blue Stone road, and Guertin noted that it is, and  
53that Blue Stone Road is privately owned by Mount Anthony Land Owners Association,  
54who's members pay annual dues. Malmborg asked if there was any traffic impact by the  
55other tower owner. Guertin was not aware of the extent of any damages caused by  
56Comcast.

57

58Monks noted that Mount Anthony Landowners Association has agreed that they do not  
59oppose the project. The Mount Anthony Preservation Society Board President is now a  
60member of the Mount Anthony Landowners Association Board.

61

62Harrington asked if the Board was reopening the discussion, or just to determine if all of  
63the requirements this Board set forth in the last meeting have been met.

64

65Kokoras felt that the issue before them was whether the tower would have an adverse  
66effect, and the road problems were subject to arbitration between the organizations.

67

68Hörst moved to close to executive session. Von Ouhl seconded. The motion passed  
69unanimously.

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#### 717. Other Business

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73There will not be a meeting on the first Tuesday of March. The next meeting will be on  
74March 15, 2011.

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76*As there was no further business to come before the Board, Harrington moved to*  
77*adjourn. Von Ouhl seconded. The motion passed unanimously. The meeting was*  
78*adjourned at 7:17 PM.*

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80Respectfully submitted,

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83

84Robyn Baker

85Minutes Secretary

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