

1 BENNINGTON DEVELOPMENT REVIEW BOARD MEETING
2 BENNINGTON FIRE FACILITY
3 130 RIVER STREET
4 BENNINGTON, VERMONT 05201

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6 TUESDAY, AUGUST 19, 2014

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8 MINUTES

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10 BOARD MEMBERS PRESENT: Charles Copp-Chair; Barry Horst-Vice-Chair ; Milt Surdam;
11 Bill Barney;

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13 ABSENT: *Charles Kokoras; Ron Alderman; Dan Malmborg*

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16 ALSO PRESENT: Dan Monks-Zoning Administrator; James Gillespie – Bohler Engineering;
17 Jon Anderson – Burak, Anderson & Melloni; Linda Bermudez Recording Secretary; (11) citizens

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20 At 6:30 P.M., Charles Copp called the meeting to order.

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23 **1.MINUTES OF AUGUST 05, 2014**

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25 No corrections or comments regard August 05, 2014 minutes.

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27 *Barry Horst moved to approve the minutes of August 05, 2014 as submitted. Milt*
28 *Surdam seconds motion. Motion passes unanimously. (Charles Kokoras; Ron Alderman; Dan*
29 *Malmborg absent)*

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33 **2. INTERESTED PERSONS – APPEAL RIGHTS – READING OF WITNESS’ OATH**

34 Dan Monks waived the reading of this oath, but explained its contents.

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38 **3. DISCLOSURE OF EX PARTE COMMUNICATIONS AND CONFLICTS OF**
39 **INTEREST**

40 There were none noted this evening.

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44 **4. THOMAS RYAN AND JENNIFER DANIELS & SEALL INC. 207 DEPOT STREET**

45 Dan Monks noted the applicants withdrew their application. If the applicants wish to
46 reapply they will need to notice the abutters.

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5. DABAR, LLC & CUMBERLAND FARMS INC., 111 NORTHSIDE DRIVE

Dan Monks reviewed the project and noted this is the second of two hearings. Jon Anderson and James Gillespie stepped forward to present. They noted there are no changes in the plan. Mr. Anderson however wanted to note one correction. Cumberland Farms will not own the land they will be leasing the property long term.

Barry Horst had specific concerns with the entrance and exit plans for this project. He sees the proposed locations as difficult. Mr. Horst asked if there had been other traffic plans considered. Mr. Anderson noted they had worked with VTrans for over a year regarding this project. Traffic studies were conducted and the possible roundabout was also considered when developing this plan.

Charlie Copp stated that the existing storefront contains a berm with considerable tree and bush growth. This makes it very difficult to see on-coming traffic. He would like to see that removed and a sidewalk installed.

Janet Wells stepped forward and expressed concerns regarding the entrance and exit traffic patterns. She was concerned with the school located up Orchard Road and the traffic light at the intersection. Timing at the crosswalk is not long enough to cross the street. It was explained that the State of Vermont controls the traffic lights. They should be notified.

Larry Gauthier stated he was also concerned with the entrance and exit traffic pattern.

Dave Johnson identified himself as the owner of MayJon Glass. He discussed the issues with the current Cumberland Farms traffic pattern over the years. He believes this will be an improvement.

There were no further questions.

Bill Barney motioned to close the hearing and move into Deliberative Session. Barry Horst seconded the motion. The motion passed unanimously. (Charles Kokoras; Ron Alderman; Dan Malmborg absent)

6. MIS INVESTMENT TRUST, 110 SHORT STREET

Dan Monks reviewed the project and noted this is the second of two hearings. Mark Serkin, the new owner, noted there were no changes from the previous hearing. He has met with the neighbors who expressed concerns at the last meeting. Mr. Serkin believes that he can address their concerns.

Lionel Cavanaugh resident of 103 Short Street stated that this property was a 4-unit approximately (30) years ago, not (10) years ago. He listed his concerns from the last meeting including mold from two other buildings on Short Street and roadway problems.

Charlie Copp explained that the DRB couldn't address those issues. Mr. Cavanaugh should bring them to the attention of the Select Board and the Building Inspector at the Town Offices.

Larry Gauthier wanted to address his concerns regarding the "Right-Of-Way" and plans to expand parking. Troy Richardson was introduced as Mr. Serkin's Property Manager. He stated there would be no need to go onto any neighboring properties for the parking expansion or to turn around.

There were no further questions.

97 **Barry Horst motioned to close the hearing and move into Deliberative Session. Bill**
98 **Barney seconded the motion. The motion passed unanimously. (Charles Kokoras; Ron**
99 **Alderman; Dan Malmborg absent)**

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103 **7. OTHER BUSINESS**

104 There was no other business this evening.

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107 **Barry Horst moved to close the meeting. Bill Barney seconded the motion. The motion**
108 **carried unanimously. (Charles Kokoras; Ron Alderman; Dan Malmborg absent)**

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112 Respectfully submitted,

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114 Linda E. Bermudez

115 Secretary