

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

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6 TUESDAY, DECEMBER 18, 2012

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8 MINUTES
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10 BOARD MEMBERS PRESENT: Charles Copp-Chair; Barry Horst-Vice-Chair; Bill Barney;
11 Ron Alderman; Milt Surdam; Charles Kokoras; Dan Malmborg

12
13 ABSENT: *None*

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15 ALSO PRESENT: Dan Monks-Zoning Administrator; (2) citizens; Josh Greene (property
16 owner); Dave Mance, Engineer; Linda E. Bermudez, Secretary

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

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22 1. MINUTES OF DECEMBER 04, 2012

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24 ***Bill Barney moved to approve the minutes of December 04, 2012 as submitted. Barry***
25 ***Horst seconded the motion. Dan Malmborg abstained. The motion carried unanimously with***
26 ***those present.***

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

30 Dan Monks read the oath.

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33 3. DISCLOSURE OF EX PARTE COMMUNICATIONS AND CONFLICTS OF INTEREST

34 None

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37 4. JOSHUA GREENE, 471 CHAPEL ROAD

38 Dave Mance, engineer approached the board to present on behalf of the property owner
39 Joshua Greene. Mr. Greene is seeking developmental plan approval to continue use of a pre-
40 existing non-conforming use of his property as a salvage yard. Mr. Mance reviewed the site plan
41 for the board pointing out that this salvage yard has been operation for approximately 40 years.
42 Mr. Mance also noted that although the public notice stated this was an expansion of the existing
43 business it is not. The business plan for this salvage yard is to actually consolidate and make a
44 more orderly operation. Mr. Greene and Mr. Mance were looking for local approval to simply
45 continued use of the pre-existing non-conforming use of this property. Once the owner, Mr.
46 Greene, receives local approval he can then apply to the State of Vermont for State Certification.

47 Mr. Mance noted that the site is a 10-acre parcel, however less than half of the property is
48 used for this business. Vermont Route 279 borders one side of this property but the area of
49 business cannot be seen from the highway or from the Chapel Road side. This is not a business

50 open to the public nor does it have any retail involved. Mr. Greene stores old/junk cars on site
51 until a certain amount has accumulated. Then a “crusher” is ordered to crush and remove those
52 vehicles. Mr. Greene drains these old cars of all fluids before hand in a designated area known
53 as the drain rack. This area has been updated with a liner and stone. All State Stormwater
54 permits have already been approved and issued.

55 Mr. Mance went on to state that Mr. Greene also keeps logbooks noting each car and the
56 proper procedures for draining the fluids and removal of tires, mercury switches and catalytic
57 converters. Monitoring wells have already been installed and tested twice with no groundwater
58 contaminations found. Mr. Greene’s plan is to continue to test these monitoring wells each year
59 as long as the business is in operation. Mr. Mance continued by stating that although a salvage
60 yard is a messy business it is something that is needed. Therefore they are looking for approval
61 to continue this pre-existing non-conforming use of this property.

62 Charlie Copp noted that the paved apron noted on the plans must be 20 feet from the
63 property line. Therefore this does need to be moved. Mr. Mance agreed to move this however
64 due to the weather/time of year this could not be done until Spring 2013.

65 Dan Malborg asked Mr. Mance who was the owner of the several smaller parcels of land
66 on the same side of Chapel Road as this. Mr. Mance explained these were all also owned by
67 Joshua Greene (applicant).

68 Barry Horst asked for confirmation again that this was not an expansion of the business;
69 that this will remain on the same/existing footprint. Mr. Mance explained that actually this would
70 be less than the existing footprint because the intent is to tighten the business plan, consolidate
71 and be more orderly.

72 ***Charlie Kokoras moved and Barry Horst seconded to grant Preliminary Approval of***
73 ***the development plan for 471 Chapel Road as a pre-existing non-conforming use as a Salvage***
74 ***Yard. The motion carried unanimously.***

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77 5. OTHER BUSINESS

78 Dan Monks noted due to the New Year’s Day holiday (1st Tuesday in January) the next
79 meeting will be held on January 8th, 2013. Therefore the following meeting will be held on
80 January 22nd, 2013. As of February 2013 the regular rotation will resume (1st and 3rd Tuesdays
81 of the month).

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83 ***At 6:45 P.M. Barry Horst moved and Dan Malmborg seconded to close the meeting.***
84 ***The motion carried unanimously.***

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86

87 Respectfully submitted,

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89 Linda E. Bermudez

90 Secretary

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