

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

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6 TUESDAY, NOVEMBER 21, 2017

7  
8 **MINUTES**  
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11 BOARD MEMBERS PRESENT: Charles Copp-Chair; Barry Horst-Vice-Chair; Ron Alderman;  
12 Charles Kokoras; Jane Radocchia;

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14 ABSENT: *Bill Barney; Dan Malmborg*

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17 ALSO PRESENT: Dan Monks-Zoning Administrator; Linda E. Bermudez – Recording  
18 Secretary; (4) citizens

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21 At 6:30 P.M., Charlie Copp called the meeting to order.

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24 **1. MINUTES OF SEPTEMBER 19, 2017**

25 There were no questions or corrections.

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27 ***Motion:*** *Barry Horst motioned to accept and approve the September 19, 2017*  
28 *meeting minutes. Ron Alderman seconded the motion. The motion passed (Bill Barney*  
29 *& Dan Malmborg absent)*

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

34 Dan Monks read the oath.

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

40 None this evening.

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44 **4. KEITH & FRANCINE JELLEY, 100 REED DRIVE:**

45 Dan Monks stated the applicant is seeking a two-lot subdivision approval.

46 John Wright, Mance Engineering, stepped forward to represent the applicants. The  
47 property is a 2.9-acre site that sits north of the North Branch Street and Chapel Road intersection.  
48 It currently has two existing single-family homes each with all utilities connected and an existing

49 driveway. There will be no new development. This will only subdivide the properties into a  
50 1.64-acre site (with one home) and the other as a 1.2-acre site (with the other home).

51 Ron Alderman asked about the water and sewer services. Mr. Wright stated each home  
52 already has a connection to municipal water and a separate septic tank.

53 Jane Radocchia asked about the Right-Of-Way on the map. Mr. Wright stated it was for  
54 another home. Ms. Radocchia asked if there was any other access to that home. Mr. Wright  
55 stated there was not. Ms. Radocchia then clarified this would be a driveway for three single  
56 family homes. Mr. Wright confirmed.

57 Charlie Copp requested the entrance from Chapel Road be paved 20 feet as stated in the  
58 Bylaws. Mr. Wright interpreted the Bylaw to mean for new developments only. These are  
59 existing homes and there has not been any issues to date. Mr. Copp stated further discussion  
60 would take place in Deliberative Session.

61 Carolyn Sargent stated her father owned property across the street and were notified of  
62 this meeting. She did not see however how this would affect his property. Mr. Monks stated it  
63 would not, however as an abutter, they are required to be notified.

64 Sherry Abendroth, neighboring property owner stepped forward with some concerns.  
65 Over the years she feels her property has been cut by a third. She has hired two surveyors and  
66 has found the original pins. Also, she feels Mr. Jelley's leach fields have been leaching raw  
67 leach into her yard for five years. He has made some adjustments and put in new mound system,  
68 but they have not helped and were done incorrectly.

69 Charlie Copp asked what she was asking for. Ms. Abendroth asked for the subdivision to  
70 be postponed due to her concerns about losing property. Dan Monks stated the Design Review  
71 Board cannot transfer property between owners. Mr. Wright stated they can adjust the lines if  
72 new information has been found.

73 Mr. Monks again stated this was an issue between Mr. Jelley and Ms. Abendroth. There  
74 seems to be no implications to the subdivision.

75 The Board had no questions or comments.

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77 ***Motion:*** ***Barry Horst motioned to close the hearing and move into Deliberative***  
78 ***Session. Charles Kokoras seconded the motion. The motion passed (Bill Barney &***  
79 ***Dan Malmborg absent)***

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### 83 **5. OTHER BUSINESS**

84 Dan Monks reminded the Board of the request for Carbone Honda/Toyota to create a  
85 barrier restricting parking along North Bennington Road of the site.

86 Frank Parent, Long Trail Engineering stepped forward with the additions to the plan. He  
87 proposed a three-foot-high fence along the area that would match the existing fence at Carbone  
88 Ford/Hyundai next door.

89 Charlie Copp and additional Board members questioned access to additional areas on the  
90 site plan. Mr. Monks suggested perhaps a low guardrail. Mr. Parent agreed and suggested the  
91 addition of shrubs to that guardrail to deter parking on their side of the fence. Mr. Monks then  
92 suggested having Mr. Parent return with an updated design that considers these additional issues.

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94 ***Motion:*** ***Barry motioned for a continuance. Jane Radocchia seconded the***  
95 ***motion. The motion passed (Bill Barney & Dan Malmborg absent)***

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98           There was no other business this evening.

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101           **Motion:       Ron Alderman motioned to close the meeting. Barry Horst seconded the**  
102           ***motion. The motion passed (Bill Barney & Dan Malmborg absent)***

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107   Respectfully submitted,

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110   Linda E. Bermudez

111   Secretary