

1 **Village of North Bennington**  
2 **Development Review Board Meeting**  
3 **Tuesday, June 20, 2023**  
4 **North Bennington Train Station**  
5  
6  
7

8 **DRB Members Present:** Chris Damon, (DRB Chair), Tara Lowary, (DRB Vice-Chair),  
9 Kim Hall, Hugh Crowl and James Williams  
10

11 **Acting Zoning Administrator Present:** Scott Creedy  
12

13 **Others Present:** Abigail Chaloux, MSK Engineering, Andrew Rodriguez, MSK  
14 Engineering, Albert J Kolar, (Builder for Dykes Permit), Alisa Del Tufo, (Abutter), Joe  
15 Chirchirillo, (Abutter), Steve Lenox, (260 College Road), Michelle Samour, (260 College  
16 Road), Leon Johnson, (15 Matteson Road), Jamaica Kincaid, (272 College Road)  
17 Bonnie Butler, (resident), Bob Howe, (Honeysuckle Lane), Jeannie Jenkins, Mary  
18 Rogers, (North Bennington Planning Commission).  
19

20 **Recorder:** Heather N. Bullock  
21

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22 **\* Denotes out of order agenda items**  
23  
24  
25

26 **1) Call Meeting to Order.**  
27

28 ***Mr. Damon called the meeting to order at 7:00 PM.***  
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30  
31

32 **2) Query for public comment, revise agenda if needed.**  
33  
34

35 Mr. Damon asked if meeting attendees were in attendance for one of the meeting  
36 agenda items and whether or not the agenda needed to be revised. No revisions were  
37 requested.  
38  
39  
40

1           **3) Review and approve previous minutes from the May 16, 2023 meeting.**

2  
3  
4           ***Ms. Lowary made a motion to approve the DRB Meeting Minutes from May 16,***  
5           ***2023.***

6           ***(Lowary/Hall, Unanimous. No further discussion).***

7  
8  
9  
10           **4) 940 Water Street - Applicant seeks approval to construct 23 residential**  
11           **units within the existing industrial building in the Village Industrial (I) Zone.**  
12           **No exterior changes will be made to the property. This review is subject to**  
13           **those provisions in Sections 3.3, 3.14 and 7.1 of the Village's Zoning**  
14           **Bylaws.**

15  
16  
17           Mr. Damon introduced the agenda item pertaining to 940 Water Street.

18           Abigail Chaloux represented MSK Engineering. She stated that two to three weeks ago  
19           some last minute changes were made to the proposed plan for 940 Water Street and  
20           that instead of a permit to construct 23 new apartments, the applicant was requesting a  
21           permit to construct 28 new apartments. Ms Chaloux stated that she contacted the then  
22           zoning administrator, Ron Hatchy, requesting a continuance so that the process could  
23           move forward with all of the appropriate, new information. She further stated that a new  
24           water and sewer application had been applied for.

25  
26           Mr. Damon stated that 15 days would be needed to warn a new meeting.

27           Ms. Lowary reiterated that the paperwork that the DRB currently has is for 23  
28           apartments. Ms. Chaloux confirmed and said that it is MSK's intention to re-apply.

29           Mr. Hall asked if it might make sense to wait until the water and sewer permits are  
30           approved to which Ms. Chaloux stated that they are waiting on those permits and would  
31           be submitting a new application. Mr. Damon offered to entertain a motion for a  
32           continuance.

33  
34  
35  
36           ***Ms. Lowary made a motion for a continuance to review the application for 940***  
37           ***Water Street and awaiting re-application. (Lowary/Hall/Unanimous). No further***  
38           ***discussion.***

1           **5) 416 College Road - Applicant seeks approval to construct a driveway**  
2 **through this property. The property is Zoned Village Residential 40 (VR40).**

3  
4 **This review is subject to those provisions in Sections 12.6 and 3.14 of the**  
5 **Village's Zoning Bylaws.**

6  
7  
8 Mr. Damon read and explained the agenda item regarding 416 College Road. He  
9 stated it was in regards to a proposed driveway. Mr. Damon asked Mr. Kolar to present  
10 the request. Mr. Kolar stated that he simply was requesting approval for a driveway.

11  
12 Mr. Hall stated that the documents that the DRB were given were difficult to view and  
13 asked if Mr. Kolar had a larger blueprint of the proposal, to which Mr. Kolar said he did  
14 and proceeded to explain the proposed plan on the larger printout.

15  
16 Mr. Damon asked if Mr. Kolar knew the approximate distance that the driveway would  
17 come in from College Road to which Mr. Kolar replied approximately 500 feet.

18 Mr. Kolar stated that a permit for water and sewer had previously been applied for and  
19 that they would be applying for a zoning permit for the house. Mr. Kolar explained that  
20 the original curb cut was not allowed and that Norm LeBlanc, North Bennington  
21 Highway Department Supervisor, requested that Mr. Kolar put a stake in the location of  
22 the new proposed curb cut which is approximately 50 feet south of the wetland area.

23 Mr. Kolar further explained that the original curb cut would need to be moved due to an  
24 area of wetland. He stated that he has since received a remediation in regards to the  
25 wetland area. However he stated that Mr. LeBlanc would not approve the new location  
26 of the curb cut until the DRB approval of the driveway takes place.

27  
28 Mr. Williams asked if the larger map is different from the maps that had been previously  
29 received by DRB members. Mr. Kolar stated that it was and he explained the difference  
30 while referencing the larger map.

31  
32 Mr. Hall asked if there was a proposed house to be built to which Mr. Kolar stated that  
33 there is. Mr. Crowl asked if the proposed house was to be built at the end of the  
34 proposed driveway to which Mr. Kolar stated that it was.

35  
36 Mr. Hall asked if there was any expected re-grating of the driveway regarding water flow  
37 to which Mr. Kolar stated that there was not. He added that the applicants are just  
38 putting stones down to build the driveway.

1 Mr. Damon queried whether or not the newly proposed curb cut cut which is 50 feet  
2 south of the original location provided safe egress to College Road and questioned if  
3 the location could be moved even farther south. Mr. Kolar advised that Mr. LeBlanc  
4 would not agree to a location farther south because he did not feel it would be a safe  
5 location for egress.

6  
7 Ms. Lowary asked if Mr. Kolar preferred putting the driveway in along the grove of trees  
8 rather than having it cut across the field to which he replied yes. Mr. Crowl expressed  
9 concerns regarding visibility with the current proposed location. Ms. Lowary shared an  
10 image from Google regarding details of the location being discussed on College Road  
11 and shared it with some DRB members whilst other DRB members studied details on  
12 Mr. Kolar's large print out.

13  
14 Ms. Lowary requested confirmation that the property nearly abuts the driveway of the  
15 Vermont School for Girls to which Mr. Kolar confirmed that it did. Ms. Lowary then  
16 requested a specific location proposed where the house would be built. Mr. Kolar  
17 referred to his large map to explain where the proposed house would be located.

18  
19 Mr. Damon stated that before a decision could be made, he felt that both the site plan  
20 and conditional uses would need to be reviewed.

21  
22 Mr. Hall asked for specific locations to be pointed out on the larger visual and asked if  
23 the application for the leach field had gone to the state yet to which Mr. Kolar stated that  
24 it had and was approved. Ms. Lowary asked the same regarding water to which Mr.  
25 Kolar stated that it had also been approved.

26  
27 Mr. Damon reminded DRB members that this hearing was in review of Sections 12.6  
28 and 3.14 of the bylaws.

29  
30 Mr. Williams queried how a determination could be made without the wetlands  
31 information. Ms. Lowary stated that the DRB has 45 days to make a determination  
32 without the wetlands information.

33  
34 Mr. Crowl asked what the timeline was for construction of the driveway. Mr. Kolar  
35 stated that it was the hope that the drive could be constructed within a couple of  
36 months.

37  
38 Mr. Hall stated that information is lacking and that the wetlands remediation document  
39 and the state approval of the sewer permit were needed before the DRB could move

1 forward. He also asked for confirmation that the project would include town water to  
2 which Mr. Kolar replied yes, town water.

3

4 Ms. Lowary asked if we need to consider a continuance before moving forward.

5 Mr. Hall said yes and that he would also like to see a more accurate and better quality  
6 drawing of the project. Mr. Kolar stated that he could provide a 12 x 36 presentation at  
7 the next meeting.

8

9 Mr. Damon stated that in order for the site plan review to take place, all of the  
10 paperwork will need to be available for DRB review. Mr. Kolar asked if he could receive  
11 a checklist to make sure he has those documents available for the next meeting.

12

13 Mr. Crowl read and explained the items needed pertinent to Section 3.14 of the Village  
14 Bylaws.

15

16 Mr. Williams asked for clarification on whether the site review was for the driveway or  
17 the proposed house to which Ms. Lowary replied “the driveway”. She asked if Mr. Kolar  
18 had obtained a permit for the house to which Mr. Kolar stated “not yet”. Mr. Damon  
19 added that all the setback approvals are needed from the DRB but otherwise no site  
20 plan is needed for the house.

21

22 Mr. Damon outlined some of the requirements moving forward.

23 He stated that he would like to see the wetland report with the original curb cut and  
24 stated a site plan review would be needed. He observed that the area was not flat and  
25 that the changing contours warranted a site plan review.

26

27 Mr. Creedy stated that he spoke with Mr. LeBlanc who expressed concerns about the  
28 original violation and wanted to see that violation dealt with prior to approval of a permit.  
29 Ms. Lowary asked Mr. Kolar if he would be relocating the materials that were still in  
30 place from the original curb cut to which Mr. Kolar replied that they would be cleaned up  
31 and those materials would be relocated to the new curb cut area.

32

33 Mr. Damon asked meeting attendees if they had any concerns or issues that they would  
34 like to discuss.

35

36 Mr. Chirchirillo stated that he finds discrepancies in what Mr. Kolar proposes. He stated  
37 that there is already a temporary drive that goes back to the area in question. Mr.  
38 Chirchirillo is under the impression that Mr. Kolar wants the driveway so he can get  
39 “bigger things” from his house to College Road and that the newly proposed driveway  
40 will be taken back to Mr. Kolar’s house at 201 Honeysuckle Lane. He further added that

1 there is no set date for when the house will be built..next week or several years from  
2 now. Mr. Chirchirillo also observed that in his opinion the stake is very close to where  
3 the original curb cut was and he feels that the current proposed location will result in  
4 more trees being removed.

5  
6 Ms. Lowary asked if the housing permit had been submitted to the Zoning Administrator.  
7 Mr. Kolar stated that the permit had been submitted when Billy Rogers was the Zoning  
8 Administrator. Mr. Damon added that there is currently no application on file and  
9 apologized for what happened during the time that the original house application permit  
10 had been submitted. Mr. Kolar stated that a new permit would be submitted.

11  
12 Mr. Howe expressed concerns as a resident of Honeysuckle Lane. He stated that Mr.  
13 Kolar was originally going to use Honeysuckle Lane for his trucking business and that  
14 he had concerns that Mr. Kolar would use the newly proposed driveway as a new road  
15 onto the Kolar property.

16  
17 Mr. Damon pointed out that the application was for a driveway, not a road. A private  
18 property driveway. He also added that Honeysuckle is not owned by the town and is  
19 also a private road. He stated that if a permitted project is being used for something  
20 other than its original permitted usage, that it would need to stop.

21  
22 Ms. Lowary asked how close this drive would be from Honeysuckle Lane to which Mr.  
23 Kolar estimated 500 to 600 feet.

24  
25 Mr. Johnson stated that damage has already been done and that everything Mr. Kolar  
26 has done in the past has affected his land and now he has concerns regarding the  
27 impact of the proposed road. He continued that he can no longer use his land because  
28 of mud and flooding caused by Mr. Kolar removing trees.

29  
30 Mr. Damon stated that the current culvert will be removed south of the field on College  
31 Road and that Mr. Johnson's property does not abutt the property that is under review  
32 for this DRB hearing. Mr. Johnson stated that the repercussions of what the DRB  
33 decides does affect his property. Mr. Damon explained that the property under review  
34 at this hearing does not belong to Mr. Kolar and that the Dyke's property is what is  
35 currently under review. Mr. Kolar stated that Mr. Johnson's property does abutt the  
36 Dyke's property at one small junction and he pointed to his visual graphic to explain  
37 where that location was. Mr. Kolar added that the proposed driveway, however, is very  
38 far from where Mr. Johnson's property touches the Dyke's property by several hundred  
39 feet.

40

1 Mr. Johnson pointed to his property on the graphic and stated that his property drops  
2 down. He stated as a result, anything that is ripped up from the Dykes or Kolar  
3 properties runs down onto his land.  
4

5 Mr. Hall advised that Mr. Kolar has been asked to provide the DRB with contour plans.  
6 Mr. Crowl asked Mr. Johnson if his main concern was tree removal.

7 Mr. Johnson stated that there is a spring there and that it all flows to him in a muddy  
8 flow.  
9

10 Mr. Williams reiterated that Mr. Kolar has a wetlands remediation report and asked Mr.  
11 Kolar if there was anything within that report that addressed Mr. Johnson's concerns.  
12 Mr. Kolar was not sure how the wetlands report would address Mr. Johnson's concerns.  
13

14 Ms. Del Tufo asked if the curb cut and driveway were subject to a permit to which Mr.  
15 Damon stated that it was. He further added that the curb cut approval would be through  
16 the highway department and that the driveway permit would be issued through the  
17 zoning administrator.  
18

19 Ms. Del Tufo stated that she just wanted to make sure that if anything else regarding the  
20 project was to move forward that they would have a chance to express any concerns.  
21

22 Ms. Samour asked if someone could apply for the permits without owning the property  
23 to which Mr. Damon replied that they could and that in this case, Mr. Kolar was acting  
24 as builder for his in-laws.  
25

26 Ms. Lowary began listing items needed for review by the DRB board.

27 These items included:

- 28 1) Site Grading
- 29 2) The State wetlands remediation paperwork
- 30 3) Application for the housing permit
- 31 4) The old application for the driveway
- 32 5) The paperwork for septic approval
- 33 6) Permit from the town regarding water permit approval  
34

35 Ms. Lowary clarified that sewage will be septic and not town sewer.  
36

37 Mr. Crowl asked if the new driveway will be utilized as a way to get back to Mr. Kolar's  
38 property. Mr. Kolar responded "not officially" and added that there is a field there  
39

40 Ms. Lowary asked if any further discussion was needed.

1 Mr. Chirchirillo stated that he wanted to point out that the proposed drive was already  
2 connected with Honeysuckle Lane.

3 Mr. Damon stated that the town highway department has not issued a permit and that it  
4 is not officially a road. He added that Honeysuckle Lane has an official curb cut. Ms.  
5 Kincaid asked if the proposed curb cut was for Mr. Kolar's property to which Mr. Damon  
6 replied that it was not and that it was for a house and driveway being proposed on the  
7 Dyke's property. Ms. Kincaid expressed concerns about the DRB's actions to which Mr.  
8 Damon stated that the DRB is obligated to follow the Village Bylaws.

9

10 Mr. Damon stated that he would entertain a motion to enter into a Deliberative Session  
11 so that the DRB board could discuss the matter further.

12

13

14 ***Mr. Hall made a motion to adjourn the meeting and enter into Deliberative Session***  
15 ***at 8PM. (Hall/Williams/Unanimous) No further discussion.***

16

17

18

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APPLICATION FOR ZONING PERMIT  
Village of North Bennington

Mail to: Mary Rogers, Treasurer

Contact for Information: Mr. Dennis McCarthy, IZA

Village of North Bennington

Village of North Bennington

PO Box 323

PO Box 423

North Bennington, Vermont 05257-0323

North Bennington, Vermont 05257-0423

802-440-2896

1. Location of Property 416 College Road N. Bennington VT 05257
2. Owner of Property Donald Pykes Ph.# 802-399-8008
3. Mailing Address ~~Vox Beattie~~ PO Box 1372 Manchester Center VT 05255 E-Mail impactmarket@yahoo.com
4. Applicant Albert S Kolar III Ph.# 802-375-5074
5. Mailing Address 201 Haysuckle Lane N Bennington VT 05257 E-Mail jkolar@kolarprecisionbuilds.com
6. Proposed Project Description

Circle One:  Residential     Commercial     Industrial     Conservation     Sign     Use

Detailed Description (attach plot plan showing property lines, existing and proposed building locations and dimensions, distances between structures and property lines, adjacent property owners and building locations, driveways, sidewalks, parking street frontage, curb cuts, landscape features and utilities)

driveway through property - see plot plan

7. Estimated Cost of Project \$ 78,000 Estimated Completion Date 12/22

8. Additional State permits, project review & licenses required/applied for \_\_\_\_\_

9. Lot size (acres) 11 ± 10. Street frontage (ft.) \_\_\_\_\_

11. Size of proposed structure or addition (sq.ft.) N/A

12. Setbacks of structure or addition from lot lines (ft.): \_\_\_\_\_ (front)  
\_\_\_\_\_ (back) \_\_\_\_\_ (side) \_\_\_\_\_ (side)

13. Public water to be utilized (Y/N)? N

14. Public sewer to be utilized (Y/N)? N

- 1. Location of Property 740 Water Street
- 2. Owner of Property ARH MANAGEMENT Ph.# 802 347 1831
- 3. Mailing Address 740 Water Street, Unit 2 E-Mail ARManagement740@yahoo.com
- 4. Applicant ARH MANAGEMENT Ph.# 802 347 1831
- 5. Mailing Address 740 Water Street Unit 2 E-Mail ARManagement740@yahoo.com

6. Proposed Project Description Applicant seeks to finalize remaining change space and when available provide more housing.  
 Circle One:  Residential  Commercial  Industrial  Conservation  Sign  Use

Detailed Description (attach plot plan showing property lines, existing and proposed building locations and dimensions, distances between structures and property lines adjacent property owners and building locations, driveways, sidewalks, parking street frontage, curbs, cuts, landscape features and utilities)

See Site Plan C-100 No change to building envelope; interior renovations only

7. Estimated Cost of Project \$140k Estimated Completion Date depends on SSD retirement  
for VACB will apply for covered Act 250 Land Use Permit estimated 12/31/2025

8. Additional State permits, project review & licenses required/applied for None

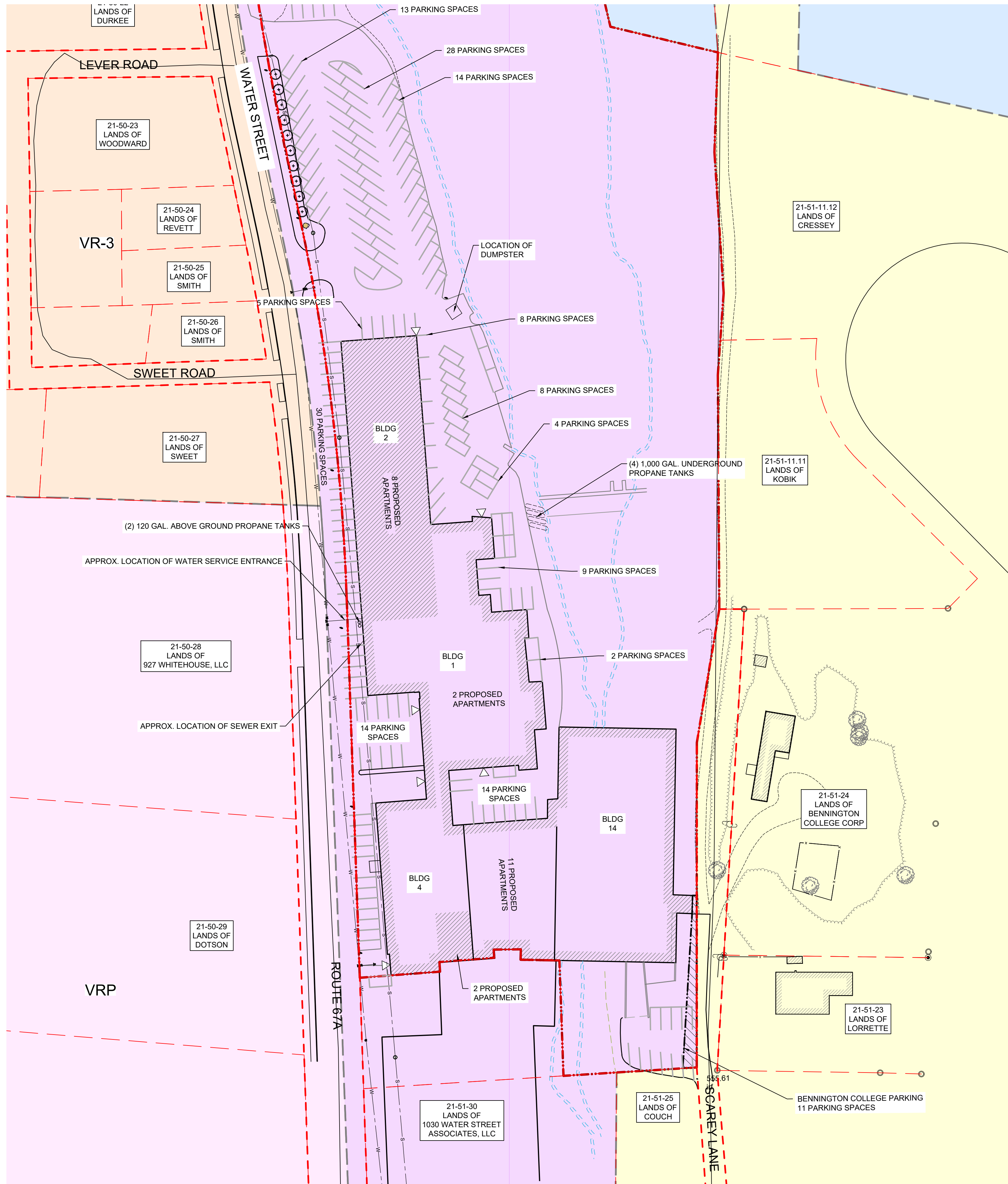
9. Lot size (acres) 12.6 10. Street frontage (ft.) Existing

11. Size of proposed structure or addition (sq.ft.) Interior renovations only

12. Setbacks of structure or addition from lot lines (ft.): Existing (front) Existing (side) Existing (back) Existing (side)

13. Public water to be utilized (Y/N)? Y 14. Public sewer to be utilized (Y/N)? Y  
 (contact water dept @ 442-3883) (contact Bennington Town Office @ 442-1037)

Warning: State Permits may be required for this project. Call 802-786-5907 to speak to the state Permit Specialist before beginning any construction.



**ZONING DISTRICT LEGEND**

Conservation (CONS)
Education Campus (EC)
Industrial (I)
Village Residential, 20000 SF Min. Lot (VR-20)
Village Residential/Professional (VRP)

- 1. ZONING NOTES**  
 DISTRICT: INDUSTRIAL (I) - WITH MUNICIPAL WATER AND SEWER
- | STANDARD                    | MIN/MAX   | LOT        |
|-----------------------------|-----------|------------|
| a. LOT AREA (MIN)           | 40,000 SF | 494,630 SF |
| b. LOT WIDTH (MIN)          | 150 FT    | 280 FT ±   |
| c. FRONT YARD SETBACK (MIN) | 20 FT     | (EXISTING) |
| d. SIDE YARD (MIN)          | 10 FT     | (EXISTING) |
| e. REAR YARD (MIN)          | 25 FT     | N/A        |
| f. BUILDING HEIGHT (MAX)    | 40 FT     | (EXISTING) |
| g. BUILDING COVERAGE (MAX)  | 40%       | 15%        |
- 2. PARKING AND LANDSCAPING CALCULATIONS**  
 PARKING:  
 81 DWELLING UNITS x 1 1/2 SPACE/UNIT = 121.5  
 125 REQ'D
- 169 PARKING SPACES PROVIDED
- 3. STORMWATER COMPLIANCE STATEMENT**  
 THE PROPOSED CONSTRUCTION WILL NOT REQUIRE AN OPERATIONAL OR CONSTRUCTION PERMIT AS IT IS NEITHER AN EXPANSION OF IMPERVIOUS AREAS NOR A DISTURBANCE OF GREATER THAN 1 ACRE.

**DESIGN PLAN**

**1. DESIGN FLOW CALCULATIONS**

**CURRENT WATER (MIXED USE)**

BEDROOMS:	109 @ 150 GPD/BR*90%	14,715.0 GPD
EMPLOYEES:	19 @ 15 GPD/EMP*90%	256.5 GPD
DORM BEDS:	95 @ 100 GPD/BED*90%	8,550.0 GPD
		23,521.5 GPD

**PROPOSED WATER (RESIDENTIAL & DORMITORY ONLY)**

UNITS:	81 @ 360 GPD/UN	29,160.0 GPD
DORM BEDS:	95 @ 90 GPD/BED	8,550.0 GPD
		37,710.0 GPD

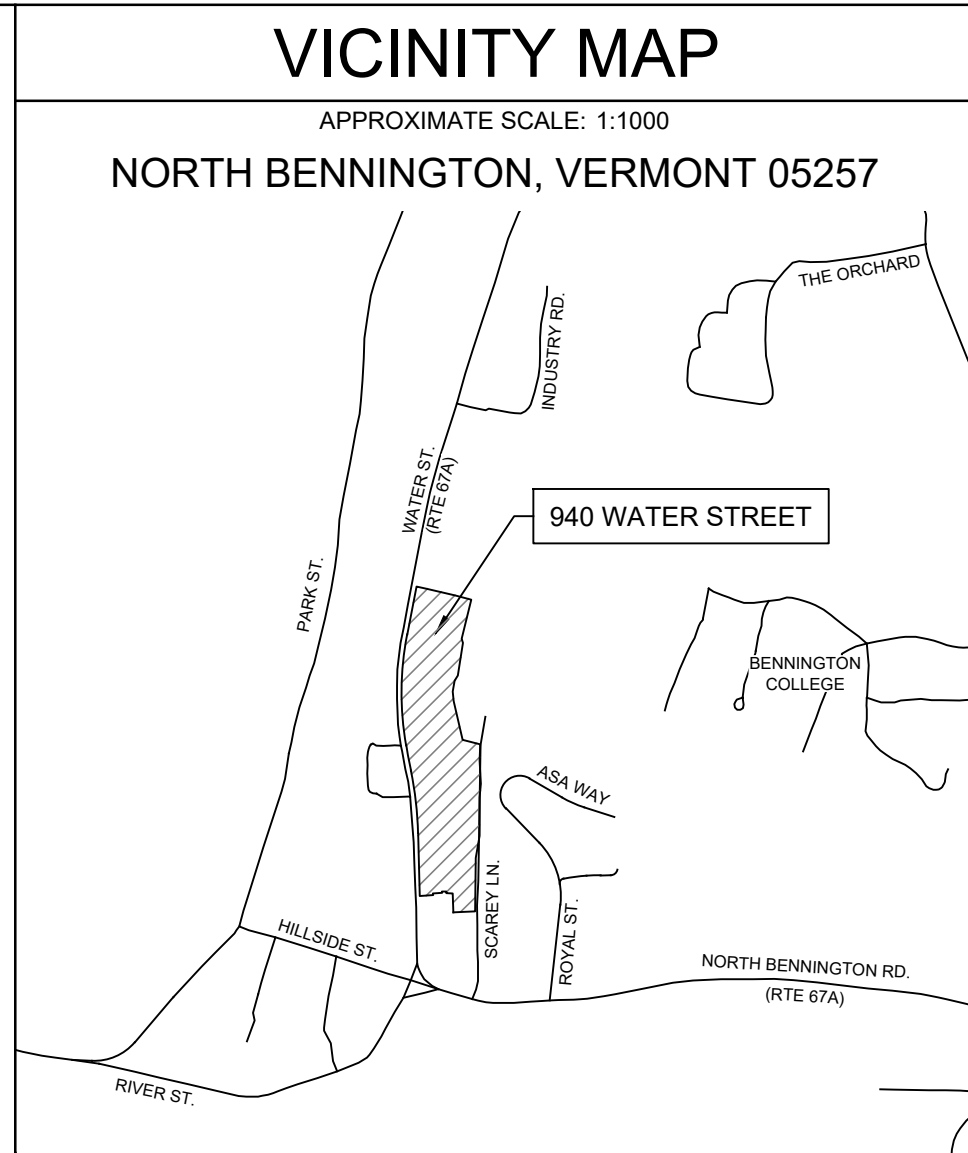
**SEWER (MIXED USE)**

LIVING UNITS:	59 @ 210 GPD/BEDROOM	12,390 GPD
EMPLOYEES:	19 @ 15 GPD/EMP*80%	228 GPD
DORM BEDS:	95 @ 100 GPD/BED*80%	7,600 GPD
		20,218 GPD

**PROPOSED SEWER (RESIDENTIAL & DORMITORY ONLY)**

LIVING UNITS:	81 @ 210 GPD/BEDROOM	17,010 GPD
DORM BEDS:	95 @ 90 GPD/BED*80%	8,550 GPD
		25,560 GPD

MAXIMUM DAILY DEMAND: 23,521.5 GPD/720 = 32.7 GPM



**GENERAL NOTES**

PARCEL ID: 21-51-0100  
 PARCEL AREA: 12.60 ACRE (DEED)  
 PARCEL ADDRESS: 940 WATER STREET  
 NORTH BENNINGTON, VERMONT 05257

PROPERTY OWNER: HRH MANAGEMENT, LLC.  
 C/O RODERICK LLOYD WILLIAMS  
 940 WATER STREET BOX 2  
 NORTH BENNINGTON, VERMONT 05257

APPLICANT: HRH MANAGEMENT, LLC.  
 940 WATER STREET BOX 2  
 NORTH BENNINGTON, VERMONT 05257

- EXISTING CONDITIONS AND THE APPROXIMATE PROPERTY LINE LOCATION ARE BASED ON RECORD INFORMATION OBTAINED FROM THE TOWN OF BENNINGTON LAND RECORDS, GIS TAX MAP DATA, DIGITAL ELEVATION MODELS (DEM) PROVIDED BY THE STATE OF VERMONT AND FIELD SURVEYS PERFORMED BY MSK ENGINEERS. A BOUNDARY SURVEY WAS NOT INCLUDED IN THE DEVELOPMENT OF THIS PLAN.
- UNDERGROUND UTILITY LOCATIONS WHERE SHOWN ON THE PLAN ARE APPROXIMATE ONLY, AND BASED ON INFORMATION PROVIDED BY THE TOWNS OF BENNINGTON AND NORTH BENNINGTON, AND/OR THE PROPERTY OWNER.

**LEGEND**

EXISTING	DESCRIPTION	PROPOSED
●	BENCHMARK	●
○	IRON PIN	○
○	IRON PIPE	○
○	CAPPED IRON ROD	○
□	BOUNDARY MARKER/MONUMENT	□
---	STATE, COUNTY OR MUNICIPAL RIGHT-OF-WAY	---
---	EASEMENT	---
---	SETBACK	---
---	PROPERTY LINE	---
---	FENCE	---
---	GUARDRAIL	---
---	BOLLARD	---
---	POST	---
---	MAILBOX	---
---	SIGN	---
---	SIGN (2-POST)	---
---	FLAG POLE	---
---	CATCH BASIN	---
---	STORM DRAIN MANHOLE	---
---	STORM DRAIN	---
---	SANITARY SEWER CLEAN-OUT	---
---	SANITARY SEWER MANHOLE	---
---	SANITARY SEWER	---
---	SANITARY FORCE MAIN	---
---	GATE VALVE	---
---	CURB STOP/WATER SHUT-OFF	---
---	FIRE HYDRANT	---
---	WATER SUPPLY MAIN OR SERVICE	---
---	LIGHT POLE OR FIXTURE	---
---	UTILITY POLE	---
---	OVERHEAD UTILITIES	---
---	UNDERGROUND ELECTRICAL SERVICE	---
---	UNDERGROUND GAS SERVICE	---
---	CONIFEROUS TREE	---
---	DECIDUOUS TREE	---
---	SHRUBS	---
---	BRUSH LINE	---
---	TREE LINE	---
---	STONE WALLS	---
---	EDGE OF WATERWAY (OHW)	---
---	APPROXIMATED WETLANDS BOUNDARY	---

NOTE: SOME SYMBOLS MAY NOT APPEAR ON ALL DRAWINGS

**MSK ENGINEERING AND DESIGN, INC.**  
 P.O. BOX 139, 150 DEPOT STREET  
 BENNINGTON, VERMONT 05201  
 PH: (802) 447-1402 FAX: (802) 445-1291

**REVISIONS**

NO.	DATE	DESCRIPTION
1	05-10-2017	FOR PERMITS

HRH MANAGEMENT  
 WATER STREET DORMS  
 NORTH BENNINGTON, VERMONT

DRAWINGS THIS SHEET

**EXISTING SITE PLAN**

NUMBER	DATE
1037-002.2	04-13-21
DRAWN	CHECKED
MSK	JMD

SHEET NUMBER

**C100**

**1 HRH MANAGEMENT, LLC.: EXISTING CONDITIONS**

SCALE 1:100

ALL DRAWING DATA IS BASED ON 1037-002.2 AND WATER STREET EXPANSION SOURCE DRAWINGS. SURVEY AND GPS DATA IS FROM 1037-002.2 AND WATER BY EXISTING LINES. 05 MAY 2021 10:30 AM

1. Location of Property 940 Water Street
  2. Owner of Property HRH MANAGEMENT Ph.# 802 347 1831
  3. Mailing Address 940 Water Street, Unit 2 E-Mail Management 940 @ yahoo .com
  4. Applicant HRH MANAGEMENT Ph.# 802 347 1831
  5. Mailing Address 940 Water Street, Unit 2 E-Mail Management 940 @ yahoo .com
  6. Proposed Project Description Applicant seeks to renovate remaining storage space and - when available - industrial space to provide more housing.  
Circle One:  Residential     Commercial     Industrial     Conservation     Sign     Use
- Detailed Description (attach plot plan showing property lines, existing and proposed building locations and dimensions, distances between structures and property lines, adjacent property owners and building locations, driveways, sidewalks, parking street frontage, curb cuts, landscape features and utilities)  
See Site Plan C-100. No change to building envelope; interior renovations only
7. Estimated Cost of Project \$1.4mm Estimated Completion Date in phases - estimated 12/31/2025 - depends on S&B retirement date
  8. Additional State permits, project review & licenses required/applied for owner will apply for amended Act 250 Land Use permit
  9. Lot size (acres) 12.6
  10. Street frontage (ft.) Existing
  11. Size of proposed structure or addition (sq.ft.) Interior renovations only
  12. Setbacks of structure or addition from lot lines (ft.): Existing (front) Existing (back) Existing (side) Existing (side)
  13. Public water to be utilized (Y/N)? Y (contact water dept. @ 442-3883)
  14. Public sewer to be utilized (Y/N)? Y (contact Bennington Town Office @ 442-1037)

Warning: State Permits may be required for this project. Call 802-786-5907 to speak to the state Permit Specialist before beginning any construction.

Fee Schedule: Cost of Project:

\$000to \$499	\$35.00	\$76,000 to \$100,999	\$292.00
\$500 to \$10,999:	\$62.00	\$101,000 to \$199,999	\$375.00
\$11,000 to \$20,999	\$72.00	\$200,000 and over	\$375.00 plus \$35.00
\$21,000 to \$30,999	\$82.00		for every additional
\$31,000 to \$50,999	\$117.00		\$15,000 or fraction
\$51,000 to \$75,999	\$192.00		thereof
Sign Permit	\$40.00		
Use Permit	\$55.00		

Zoning fees will be retained whether the permit is granted or denied. Make checks payable to Treasurer, Village of North Bennington

This application shall not be considered complete until the Zoning Administrator has received the completed application, fee, plot plan and any other required information.

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For Office Use Only
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Tax Map I.D. # \_\_\_\_\_

Zoning Classification of Property \_\_\_\_\_

Application received with fee      Date:

Application for permit  
Approved    Denied      Date:

Building permit  
Posted:      Date:

Appeal period ends:      Date:

Development Review Board  
Hearing      Date

Warned (Posted/Published)      Date

Permit Number      #      --

Permit expires      Date:

Certificate of Occupancy  
Issued      Date:



BENNINGTON & MONTPELIER, VERMONT  
PO Box 139 - 150 Depot Street | Bennington, VT 05201 | [mskeng.com](http://mskeng.com) | (802) 447-1402  
Engineering • Survey • Permitting • Construction Administration

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May 8, 2023

Ronald Hachey, Zoning Administrator  
Village of North Bennington  
PO Box 323  
North Bennington, VT 05257-0323

Re: Application for Zoning Permit  
940 Water Street, North Bennington, VT

Dear Mr. Hachey,

MSK Engineers, on behalf of Applicant and Landowner (HRH Management, LLC) submits the following for review by the Village of North Bennington:

1. Application for Zoning Permit. Applicant proposes the addition of 23 residential units to an existing mixed-use building (constructed prior to 1950) in the Industrial District in the Village. A portion of the project will involve the conversion of existing commercial/industrial space to residential apartments. Applicant seeks DRB approval under Sections 3.3 and 7.1 of the Village Zoning Bylaws.
2. Plan C100 Site Plan.

The Applicant/Landowner will send the check in the amount of \$3,175.00 for the application fee under separate cover.

Please reach out with any questions or concerns.

Respectfully Submitted,

Abigail Chaloux, Senior Technician  
MSK Engineers  
(802) 375-5814  
[achaloux@mskeng.com](mailto:achaloux@mskeng.com)

**Village of North Bennington  
Office of the Zoning Administrator  
P. O.Box 323  
North Bennington, VT 05257  
802-430-3168**

To: DRB Members

From: Ron Hachey, Zoning Administrator *RH*

Date: 6/8/23

Re: DRB Meeting on 6/20/23

**The Kolar/Dykes Case**

This case involves the construction of a new driveway into the property owned by Mr. Dykes who plans to build a house on his property. His son-in-law, Mr. Kolar, is doing the legwork for this project.

Some of you may recall that Mr. Kolar started to put in a driveway adjacent to the wetlands on the north end of this property known as 416 College Road in the recent past. That project was stopped due to not having DRB approval with the grading/excavating requirements specified in Sections 12.6 and 3.14 of the Village Bylaws. I have attached these 2 sections of the Zoning Bylaws for your quick review during your deliberations.

Mr. Kolar has told me that he now has a Wetlands Remediation Plan with the State of Vermont. I have asked him for a copy of it, but he has not sent it to me as of yet.

The new proposed location for the driveway is approximately 150 feet south of the unapproved driveway location. I sent an email to the Village Highway Supervisor Norm LeBlanc about whether or not he would issue an entrance permit for the new location. He responded that it is probable that an entrance permit could be granted at the new proposed location and asked that Mr. Kolar place a stake in the ground where he proposes to construct the entrance. I have asked Mr. Kolar to do so.

If the DRB determines that the new proposed location complies with the provisions in Sections 12.6 and 3.14 of the Zoning Bylaws, I would recommend that the approval be conditional upon receiving the state Wetlands Remediation Plan and Mr. Kolar's schedule for implementing it as well as receiving the Village's Highway Entrance Permit before the Zoning Administrator is authorized to issue the Zoning Permit.

## **The HRH Management Case**

This application requests the addition of 23 residential apartments within the old existing industrial building located at 941 Water Street. The proposed apartments will be constructed within existing now vacant space in the building. No exterior changes will be made to the structure. If approved, the applicant plans to construct 12 1-bedroom apartments, 9 2-bedroom apartments and 2 4-bedroom apartments.

Currently, there are 59 apartments as well as 95 dormitory-style beds for Bennington College students in the building.

There are currently 169 parking spaces in the parking lot and the engineers from MSK calculate that a total of 123 spaces will be needed with the addition of the proposed apartments as per the Village's Zoning Bylaws to account for both current and proposed residential units. Please note that the Zoning Bylaws do not require/specify the number of parking spaces for dormitory-style beds.

The Village of North Bennington has approved water usage for the proposed residential units and the Town of Bennington has approved the use of their sanitary sewer system for the additional wastewater that will be generated.

The applicants will request that the state review their current Act 250 Permit, but the state will not do so until after Village zoning approval is granted. There is no land disturbing work planned with this proposed project.

In your deliberations, you will need to determine the project's compliance with Sections 3.3, 3.14 and 7.1 of the Zoning Bylaws - also attached for quick review during your deliberations.

After this application was submitted and the project advertised for the 6/20/23 meeting, the MSK engineers informed me that the owner would like to add an additional 5 apartments to their original request of 23 residential units. I have asked them to bring any updates to your meeting on 6/20 concerning approvals about water usage and sewer capacity.

## **Going Forward**

My last day as the Village's Zoning Administrator will be 6/14. And as previously stated, I know that Village residents will be in good hands with your careful consideration of these and future cases.



