

M E E T I N G N O T I C E
BENNINGTON SELECT BOARD

Monday, May 8, 2023
Bennington Fire Facility
Multi-Purpose Room - 3rd Floor
130 River Street
Bennington, Vermont 05201

A G E N D A

4:30 PM

Executive Session - Personnel

6:00 PM

1. Pledge of Allegiance

2. Vision Statement

3. Consent Agenda

6:00 PM - 6:05 PM

A. Minutes of April 24, 2023

B. Warrants

C. Licenses

4. Public Comment

6:05 PM - 6:20 PM

5. Staff Updates

6:20 PM - 6:30 PM

A. IT Director - Nick Cave

B. Loan Programs - Shannon Barsotti

6. Policy on Revolving Loans

6:30 PM - 6:40 PM

7. Traffic Ordinance Amendments

6:40 PM - 7:00 PM

A. Winter Parking Ban

B. Speed Limit - East Road

8. Implementing the Town Vision

7:00 PM - 7:10 PM

9. Manager's Report

7:10 PM - 7:20 PM

10. Upcoming Agenda

7:20 PM - 7:25 PM

11. Other Business

7:25 PM - 7:40 PM

We endeavor to host inclusive, accessible events that enable all individuals to engage and participate fully. To request an accommodation or for inquiries about accessibility, please contact Paul Dansereau, Facilities Director: pdansereau@benningtonvt.org or call 802-447-9715.

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **APRIL 24, 2023**

5 **MINUTES**

6 **SELECT BOARD MEMBERS PRESENT:** Jeannie Jenkins-Chair; Tom Haley-Vice Chair; Jeanne
7 Conner; Ed Woods; Gary Corey; and Sarah Perrin.

8 **SELECT BOARD MEMBERS ABSENT:** Jim Carroll.

9 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Assistant Town Manager; Shannon
10 Barsotti-Community Development Director; Jonah Spivak-Communications Coordinator; Jon
11 and Zak Hale-Hale Resources; Jeff Goldstone and Jack Byar-Goldstone Architects; Bill Clark;
12 Karson Kiesinger; Jack Rossiter Munley; Sam Restino; Kelly Carroll; Nancy White; Ned Perkins;
13 Debbie Matte; Shirley Adams; Bruce Lee-Clark; Catherine Bullmeier; 20 citizens; Jim Therrien-
14 Bennington Banner; Josh Boucher-CAT-TV; and Nancy H. Lively-Secretary.

15 At 6:00pm, Chair Jeannie Jenkins called the meeting to order and urged anyone having
16 difficulty hearing to move to the front.

17 **1. PLEDGE OF ALLEGIANCE**

18 The Pledge of Allegiance was recited.

19 **2. VISION STATEMENT**

20 Mr. Haley read the Town's Vision Statement that was adopted by the Select Board on
21 August 24, 2020:

22 "Bennington is a welcoming, engaged, inclusive, resilient community where everyone
23 regardless of identity shares in our vitality and benefits from an outstanding quality of life."

24 **3. CONSENT AGENDA**

25 **A. MINUTES OF APRIL 10, 2023**

26 **B. WARRANTS**

27 **C. LIQUOR/TOBACCO LICENSES**

28 *Jeanne Conner moved and Gary Corey seconded to approve the Consent Agenda*
29 *amended as follows:*

30 *Lines 12, 106, and 111 - Change "Mumley" to "Munley"*

31 *Lines 13, 126, and 128 - Change "Cramer" to "Kremer"*

32 *The motion carried unanimously.*

33 **4. PUBLIC COMMENT**

34 The following Public Comment Practices to make the experience for all involved a
35 productive and informative use of the Public Comment period at Select Board meetings was
36 placed on the podium for those that wish to make Public Comments to reference:

- 37 1. Public Comment is to allow residents an opportunity to share information or make
38 announcements that benefit the community at large.
- 39 2. The topic should not be related to an agenda item. If a member of the public wants to
40 comment on an agenda item they can do so during the discussion of that item.
- 41 3. Comments should be 3 minutes or less.
- 42 4. You are required to state your real name and town of residence.
- 43 5. Sharing comments, announcements and concerns are encouraged rather than asking
44 questions. Public Comment is not a time for discussion. If you have specific questions it is best
45 to call the Town Manager to get a full explanation and accurate information.
- 46 6. If the topic requires much discussion the item will be considered as an agenda item at a
47 future meeting.

48 _____
49 _____

50 Bill Clark-BBC: Benches are now in place in the Downtown and will be painted within 1 ½ to 2
51 weeks.

52 Karson Kiesinger-Bennington Free Library: Shared updates from the Library - Families Crafting
53 during Earth Week; 53 people donated to the Earth Week Craft Swap; Happy National Library
54 Week with the theme of There's More to the Story; we are asking for participation in a survey
55 that can be found on the website and social media; we will be collaborating with the Ethiopian
56 Community Development Council on April 29th; the Children's Room will be accepting Friends
57 beginning in May; housing tour on May 5th from 1:30pm-4:30pm; tour on May 6th at 2:00pm
58 with a botanist; collaborating with the Bennington Museum; and the Spring Book Sale on May
59 27th during Mayfest.

60 Jack Rossiter-Munley: Reiterated the ECDC collaboration with the Library on April 29th at
61 2:00pm and on April 30th there will be a talk on ECDC on School Street. Also, the Bennington
62 Community Café is open every Saturday from 1:30pm-3:00pm at 121 Depot Street outside of
63 GBIC's. We have food, beverages, an assortment of essentials, and spring clothing. Pay what

you decide even if that's nothing at all. We were very busy last week and were completely out of food and drinks at the end of the day. Contact us if you would like to volunteer.

Sam Restino: Questioned why the Leadership Summit held at Bennington College wasn't open to the public when Bennington issues were being discussed - violence and housing. And, also reminded everyone of the Hemmings Cruise Ins on the 3rd Thursday nights beginning in May.

Kelly Carroll: Thanked those that attended the Riverwalk this past Saturday on Earth Day and for the trash removal that took place and encouraged everyone to participate on Green Up Day, May 6th.

Nancy White: Would like the Town's decision to call the Rec Center the Community Center put on an agenda because it's the UCS portion that has the Community Center and not the Rec Center. Also, would like the Town's agreement with the YMCA put on an agenda.

5. BENN HIGH PROJECT PRESENTATION

Dan Monks-Assistant Town Manager, Shannon Barsotti-Community Development Director, Jon Hale and Zak Hale-Hale Resources, and Jeff Goldstone and Jack Byars-Goldstone Architects did the following presentation. ***This presentation will be on the Town's website:***

- This is an information only presentation and the 3rd presentation on the Benn High Project since the Select Board authorized moving forward on it.
- After the presentation, we are only taking questions and 3 minutes/person until everyone has had a chance to ask. If there are more questions beyond 3 minutes, additional rounds will be allowed. Questions and comments can also be e-mailed and will be posted on the website with the respective answers.
- This is a public/private partnership between the Town and Hale Resources.
- The Town's portion is 27,000 square feet - 14,000 square feet for the Senior Center and Meals on Wheels (the current area for the Senior Center and Meals on Wheels is 5,000 square feet). The other 13,000 square feet will be for a gym, exercise and activity rooms, locker rooms and changing rooms managed by the YMCA.
- The Hale Resources residential portion is 70,000 square feet - a mix of market rate and affordable rented housing, and a child care facility. The additional 3,000 square feet will be for office space with one office to be leased to the Council on Aging and another to the UVM Extension Service.
- Some proposed changes -
 - The existing asphalt courtyard will change to add additional green space and a new entrance. The existing entrance will remain and both will be ADA accessible with covered walkways.
 - Windows will be added for increased natural light on the front and on the back.
 - There will be a drop off area for the child care area with an entrance.

- There will be reserved parking spaces for the Senior Center and a bulb out area for a bus drop off area.
- And there will be the main patio dining area for Meals on Wheels.
- The building is on the National Register of Historical Places so it has to be renovated in keeping with its historic use, as well as, to qualify for tax credits.
- The child care area is where there used to be classrooms when the building was a school with additional windows added.
- The market rate housing is a little over 700 square feet and the affordable housing is 800 square feet.
- The building is currently owned by Chris Gilbert and the Town has a lease with a purchase to buy option.
- Going forward, Hale Resources will own the entire building and the Town will lease its 27,000 square feet and be responsible for the furnishings, computers, and security system.
- The initial lease will be for 20 years at \$7.50/square foot with multiple renewals possible. This is a very low rate since \$13.50 to \$25/square foot is not uncommon.
- The lease will specify the shared uses in the building. Hale Resources will be responsible for the maintenance of the interior of the building and the Town will be responsible for the site maintenance.
- If we were not able to renew, all of the money spent would come back to the Town.
- The Town will then sublease to Meals on Wheels and contract with the YMCA to manage the recreational area.
- The Town will contribute \$2M from ARPA funds for the construction cost of the Town's space. It will not come from taxpayers' money and the total construction cost of that space is \$8M.
- The ownership will be in two separate entities - Entity #1 will own the 15 affordable units and Entity #2 will own the 20 market rate units, the Town's space, office space, and child care space.
- Hale Resources will manage the entire building.
- Part of the purchase price of the building includes the transfer of the current Senior Center on Pleasant Street to Chris Gilbert. The value is estimated at \$400,000 and will then be put on the tax roll.
- Expenses for the Town will be the lease payments of \$198,000/year, onetime costs incurred before we occupy the space (legal fees, etc. - \$275,000 paid from ARPA funds), and the worst case scenario of operating costs after occupancy of \$88,000 paid from the Senior Center budget.
- Funding for the lease payments will come from the Meals on Wheels rent, the current amount that the Town is paying for recreational space plus any savings from a larger space for the YMCA programs. Our Rec Center and Senior Center budgets will cover the lease payment without increasing any of the Town's budget.

- 140 • The total cost of the project is \$28M and Hale Resources is in various stages of having
141 been awarded, applied for, or need to apply for from several funding sources to fund
142 the renovation.
- 143 • There is \$8M coming in from grants, tax credits of \$7M, 10% Vermont Loan Program for
144 \$5M, and others.
- 145 • BCRC did a parking needs assessment. The Benn High site will have 65 spaces, 400' on
146 Main Street will add 50 spaces, and 300' away are 100 more spaces available if needed.
- 147 • May 22nd the Select Board will be reviewing and voting on the plan as presented, and
148 hopefully, staff will return on June 12th with the development plan to sign.

149 *Board questions/comments answered by Mr. Monks, Ms. Barsotti, Mr. Jon Hale, Mr. Zak Hale,*
150 *Mr. Goldstone, or Mr. Byars:*

151 Ms. Conner: Is the child care area ADA accessible? *Yes.*

152 Ms. Conner: If all goes as planned, when is the anticipated occupancy date? *Mid 2025.*

153 Mr. Corey: Will the answers to tonight's questions be in written form? *They will be in the*
154 *Minutes.*

155 Mr. Corey: With the Hale's owning the building, will it then remain on the tax roll? *Yes.*

156 Mr. Corey: The lease is for 20 years which seems like a short period of time for something we
157 will use forever. *There will be numerous renewals possible but the reason for the 20 years is to*
158 *protect our investment since our entire investment will be refunded to the Town if we do not*
159 *renew the lease - no matter who owns the building. This will all be explained in the lease. There*
160 *are 15 different funding sources each with their own requirements and this is one way to protect*
161 *the Town.*

162 Mr. Corey: Why have Hale Resources own the entire building instead of having the Town own
163 our section of it? *This will keep it on the tax roll, the Hale's will be responsible for getting all of*
164 *the funding and take the risk of ownership off of the Town. Also, the Town is not able to get the*
165 *tax credits.*

166 Mr. Corey: What is the reason behind having 2 entities? *This is because of the funding sources*
167 *requirements and the available tax credits.*

168 Mr. Haley: Do you anticipate any interruption of services to the Senior Center and Meals on
169 Wheels? *A very short period of time - a week - primarily to move the Meals on Wheels*
170 *equipment.*

171 Mr. Haley: Will the current Senior Center be on the tax roll then? *Yes.*

172 *Public questions/comments answered by Mr. Monks, Ms. Barsotti, Mr. Jon Hale, Mr. Zak Hale,*
173 *Mr. Goldstone, or Mr. Byars:*

174 Sam Restino - Round 1:

- 175 1. Will there be separate gender bathrooms? *There are separate bathrooms, changing*
176 *rooms and showers, and each will have a door. This improves security of the area. They*
177 *are called "Universal" because they are not labeled "Mens Room" or "Ladies Room".*
- 178 2. Will there be a parking study on the additional 100 parking spaces available? *Because of*
179 *the abundance of parking in the area, this was not part of the study.*

180 Sam Restino - Round 2:

- 181 1. Activity on the street will increase when the project is complete. Has there been any
182 discussion about moving the red light from Safford Street to the crossroad of Union and
183 Pleasant Street? *The traffic spaces we have identified on Main Street are already*
184 *existing and can be used at any time. We don't anticipate an increase of traffic,*
185 *especially not to the amount that took place on the street when it was the Middle*
186 *School. However, if we do have a traffic problem, we will address it at that time.*

187 Nancy White - Round 1:

- 188 1. Why are we paying the rent for Meals on Wheels when they haven't paid us in 25 years?
189 *Meals on Wheels will be paying rent to the Town.*
- 190 2. The cost has gone from \$12M to \$14M to \$28M. What will the Town be assessing the
191 property for when it's complete and what will the taxes be paid to the Town? *We don't*
192 *know what the assessed value will be, however, if you take 25% of \$28M, or \$7M at the*
193 *current tax rate, it would generate ~\$112,000/year in taxes. The building is currently*
194 *generating ~\$4,000 in taxes. It is financially beneficial for the Town to not own the*
195 *building.*
- 196 3. Is the \$275,000 added to the \$300,000 ARPA money? *Yes.*
- 197 4. Do we have to pay education taxes? *The Town will not be owning the building, Hale*
198 *Resources will so, yes, education taxes will be paid.*
- 199 5. Will we continue to pay the YMCA? *Our agreement with the YMCA has a capped amount*
200 *of ~\$144,000/year. Any grants or revenue generated by the YMCA reduces that amount.*
201 *With the additional space they may generate enough revenue to eliminate paying them*
202 *anything from the agreement. The Select Board decides whether to enter into that*
203 *agreement and decides what the rates are that Bennington residents pay to participate*
204 *in the recreational programs.*
- 205 6. When will we get enough notice to block the sale of the current Senior Center? *N/A.*

206 Nancy White - Round 2:

- 207 1. What standards did the BCRC use when looking at the parking? *They look at peak time*
208 *usage so the Senior Center and Meals on Wheels peak time is in the day whereas the*
209 *tenants' peak time would be at night. We can share the traffic study on line this week.*

2. What is the size of the upstairs of the current Senior Center? *It has been mentioned that the Senior Center and Meals on Wheels will have 14,000 square feet as compared to the 5,000 square feet they have now. The exclusive use for Seniors will go up 30% but there will be additional space available for senior programs which would increase the availability 4 or 5 times what they have now.*
3. How many people from Bennington County and New York State will be going to the Senior Center? *The Seniors, themselves, had indicated that they wanted to welcome everyone regardless of where they were from. That is a Select Board decision to eliminate non Bennington residents if they choose to at a later date.*
4. Does the \$300,000 that it will cost us each year include the cost of the custodians that will need to be hired to maintain the building? *Yes. Also that \$300,000 will be offset by \$200,000 of additional revenues making the worst case scenario \$88,000, and this is only if the YMCA stops functioning as they have over the past few years which is unlikely especially with the additional space for additional programs.*
5. If something needs to be repaired, does that come out of the Town's budget? *Hale Resources is responsible for the repair of building related repairs as would any other landlord except for the interior space that the Town occupies.*
6. If the Hale's own the building, why is the Town maintaining the outside? *The Town would have to pay for our portion of mowing, plowing, etc. anyway so having our staff do it is the least expensive for us.*
7. Where is the breakdown by section for the use of the building? *Hale Resources has this level of cost breakdown that we can share.*
8. Parking is going to be a free for all. How many people will be working there from 11:00am-2:00pm? *This information is in the parking analysis that will be on the website. There are at least 25 spaces reserved in the front for Seniors and those accessing Meals on Wheels. More can be added if necessary. They only have 13 spaces now.*

Nancy White - Round 3:

1. What does the term 1 ½ bedrooms mean? *This is a term used for the interior rooms that only have a light source from a skylight and no windows. They since have been approved as bedrooms according to Code and there is no reference to 1 ½ bedrooms on the current plan.*
2. Are the leases paid to the Town going up? *The only lease we have is from Meals on Wheels and that is remaining the same even though their space will increase. This decision was made to support a needed service to the Town.*
3. Why couldn't we see the detail of the Senior Center budget in this year's budget? *Mr. Hurd: I told you it was put under the general category of Recreation. It's still the same budget with the same line items. Recreation is the main title and consists of the Recreation Budget, the Senior Center Budget, and the Senior Center Building.*
4. Our Senior Center costs should be going down but they are going up. *Ms. Jenkins stated that Ms. White needs to look at the slides and Mr. Woods explained the breakdown to*

250 *her again. We are also adding 22,000 square feet so the assumption that costs would go*
251 *down is incorrect.*

252 Bruce Lee-Clark: Who is the beneficiary in setting the value of the current Senior Center and
253 who decides where it is going? *The \$400,000 value came from a 3rd party appraisal and this will*
254 *go towards fitting up our portion of the Benn High building along with the ARPA funds.*

255 Ned Perkins: Has purchasing the property at 652 Main Street been considered for parking? *Hale*
256 *Resources has talked about this internally since we own several other properties on Pleasant*
257 *Street but we have not approached the owner.*

258 Catherine Bullmeier: Is concerned about safety in the area and will the renovations increase
259 safety? *Yes, we do feel that renovating an empty building with people living there with more*
260 *“eyes on the street” plus a very generous security system will address the safety concerns.*
261 *Research shows that doing these sorts of projects in these neighborhoods decreases violence*
262 *and bad behavior and increases a sense of community.*

263 Shirley Adams: Is there any Town involvement in the child care area? *The child care space will*
264 *be operated by who leases the space - more than likely that will be the YMCA. The Town will not*
265 *have any direct involvement in that space. Is the project still multi-phased? That was the*
266 *original thought but funding sources are requiring that the entire building be done at once. Will*
267 *the current entrance be a general entrance or an emergency exit, and will the other entrance*
268 *be into the lobby area? The current entrance will primarily serve the Senior Center and Meals on*
269 *Wheels and the main entrance will go into the lobby where the Senior Center and Meals on*
270 *Wheels can also be accessed, as well as, the recreational areas. The lobby will be staffed*
271 *whenever these three areas are open.*

272 Debbie Matte: Will there be a fire lane? *Fire trucks will have access to three sides of the building*
273 *which is adequate to fight a fire. Will the Senior Center and Meals on Wheels be moving before*
274 *the residential apartments are available? All of the building will be occupied at once.*

275 Bill Clark: Thanked everyone for all of their work on this project.

276 *Additional Board comments:*

277 Mr. Corey: We received the survey on the usage of the Vermont Senior Centers and Bennington
278 is on the low side for those that go to the Senior Center. We want that number to grow and
279 this project will give them the space to do so.

280 Mr. Haley: It isn't unusual for the conception of a project this size to change along the way. Mr.
281 Monks agreed and added that we have, however, held onto the goals that we wanted from the
282 project.

283 Ms. Conner: We know the positive implications of health improvement for people of any age
284 but can't imagine at this point the possibilities for the future.

285 Ms. Barsotti: Acknowledged and thanked Rory Price from the Vermont Department of Health
286 for her involvement in the Benn High renovation.

287 **6. IMPLEMENTING THE TOWN VISION**

288 Mr. Haley reminded everyone that CPARB will have a Listening Session on June 29th at
289 the Fire Facility.

290 Ms. Jenkins reminded everyone that applications are being accepted by Mr. Hurd for
291 Boards and Commissions and May 1st is the deadline. We now have 8 applicants for 15
292 openings.

293 **7. MANAGER'S REPORT**

294 Mr. Hurd did the following report:

295 Willow Park Playground Update - The upper toddler playground may be ready by mid-May but
296 the lower larger playground may be delayed longer. There have been some deficiencies
297 discovered this winter. We will have a verbal commitment tomorrow on how long it will take to
298 get a 3rd party certification.

299 Additional Comments - Hydrant flushing begins this week through May 5th. If your water is
300 dirty, run the cold water - not the hot water - until it clears.

301 There is no update on County Street.

302 Sam Restino added that there wasn't supposed to be any additional work done by the
303 Town but there were pictures of the Town workers working at Willow Park. How much of the
304 additional work was being done by Town workers? Mr. Hurd answered that our workers are up
305 there but they're not working on the playground. Mr. Spivak added that our crews did some
306 tamping around the exercise area but not on the playground, per se.

307 **8. UPCOMING AGENDA**

308 May 8, 2023 - Traffic Ordinance Amendments

309 May 8, 2023 - Policy on Revolving Loans

310 May 22, 2023 - EMS Proclamation

311 May 22, 2023 - Benn High Project

312 May 22, 2023 - Boards and Commissions Appointments

313 June 12, 2023 - Tentatively - Chelsea Solar

314 **9. OTHER BUSINESS**

315 Ms. Conner: Green Up Day is May 6th and bags can be picked up at the Town Office.

316 Ms. Barsotti for Kayla Becker from the YMCA: This Saturday at the Bennington Community
317 Recreation Center from 12:00pm-3:00pm is Kids Day with free burgers and hot dogs from the
318 Abbey Group and music.

319

320 ***At 8:19pm, Sarah Perrin moved and Gary Corey seconded the adjournment of the***
321 ***meeting. The motion carried unanimously.***

322

323

324

325 Respectfully submitted,

326 Nancy H. Lively

327 Secretary

328

TOWN OF BENNINGTON

2023 LICENSE APPLICATIONS

2023 NEW 1st Class License

1. Four Corners Community Market, Inc., 239 Main Street
Aila West, Crystal Gardner, William LaBerge, Susan
Sgorbati, Bennington, VT

2023 NEW 2nd Class License

1. 340 North Inc., D/b/a Beverage Den, 340 North Street
Sunilkumar Patel, Canton, MA

2023 NEW Tobacco License

1. 340 North, Inc. D/b/a Beverage Den, 340 North Street
Sunilkumar Patel, Canton, MA

2023 1st Class License Renewals

1. Four Chimneys Inn
2. Harvest Brewing
3. Little City Cider Co., LLC
4. Miller's Toll
5. Park McCullough House
6. Pizza Hut

2023 2nd Class License Renewals

1. Beshara's 99 Cent & Up, LLC
2. Martin's Mini Mart

2023 3rd Class License Renewals

1. Couch & Cork LLC
2. Four Chimneys Inc

2023 Outside Consumption Permit Renewal

1. Four Chimneys Inn
2. Harvest Brewing
3. Little City Cider Co., LLC

2023 Tobacco Renewals

1. Beshara's 99 Cent & Up LLC
2. Exotic Clouds LLC
3. Martin's Mini Mart
4. North Bennington Variety

2023 Tobacco Substitute Endorsement Renewal

1. Beshara's 99 Cent & Up LLC
2. Exotic Clouds LLC
3. North Bennington Variety

**The Bennington Select Board hereby approves the above
2023 License Applications
Dated: May 8, 2023**

Jeannie Jenkins, Chair

MEMORANDUM

To: Select Board

From: Stuart A. Hurd, Town Manager



Re: Town Wide Housing Loan Program and Bennington Revolving Loan Program (BRLP)

Date: April 12, 2023

As a result of the query regarding the commercial BRLP loan program process. Shannon, Dan, and I offer the following Policy to clarify and update the two loan programs that the Town offers which were established using original HUD monies more than 40 years ago.

The Town Wide Housing Loan Program exists to help low to moderate income homeowners and landlords with low to moderate income tenants improve residential properties.

The Bennington Revolving Loan Program (BRLP) exists to help new commercial businesses get started and create jobs, to help commercial restoration of historic properties, and to facilitate the expansion of existing businesses all where the necessary financing can not be secured from other sources, a gap funding program so to speak.

The Policy which is attached and for which we seek approval clarifies the process used for more than 40 years. We believe this will address any confusion going forward.

Once the Policy is adopted, we seek a motion to ratify all previous loans.

POLICY

Town Loan Programs Approval Policy

Adopted by the Select Board on _____, 2023.

Approval of Town Loan Applications

All Townwide Housing Loan Program applications shall require the approval of the Town of Bennington Town Manager before a loan may be granted.

All Bennington Revolving Loan Program (BRLP) applications shall require the approval of the Town of Bennington Select Board before a loan may be granted. The review of BRLP loan applications by the Select Board shall take place in executive session to protect the proprietary information provided by applicants. A vote to approve a BRLP loan application shall take place at a Select Board meeting in open session.

MEMORANDUM

To: Select Board

From: Stuart A. Hurd, Town Manager

Re: Traffic Ordinance Amendments Article 10

Date: April 3, 2023

I present to you two amendments to our Traffic Ordinance Article 10. The first extends the Winter No Parking overnight ban from March 31 until April 15 of a given year. This will allow our DPW staff to fully clean up after the Winter season.

The second is to increase the allowed speed of traffic on East Road from 35 to 40 mph. A study was conducted by Jim Henderson at BCRC using the Guide to Setting Speeds on Vermont Roads published by Vermont Local Roads. I attach some of the results. The results indicated that traffic can move safely on the East Road at 40 – 45 mph. After discussions with the Chief and Lieutenant, we settled on 40 mph.

I seek a motion to amend the Traffic Ordinance as proposed. This will not take effect for 60 days and will be posted as required by law.

According to BPD, there have been 4 vehicle accidents since 2020; two in 2020; two in 2021.

Proposal to amend Article 10 Traffic Control Ordinance as follows:

10 TRAFFIC CONTROL ORDINANCE

Article 10-5 Parking

10-5.03 Angle Parking, Generally:

Shall be amended as follows (highlighted wording is new):

- m. Along and adjacent to the curb or edge of any street or portion thereof between the hours of 2:00 a.m. and 6:00 a.m. during the months beginning November 15 through and including ~~March 31~~ **April 15** of the following year, except when the chief of police authorizes same because of adverse weather conditions.

10-19 APPENDICIES

10-19.03 Speed Limits

Shall be amended as follows (highlighted wording is new):

2. The maximum speed limit shall be 40 mph as follows:
- On Vermont Route 9 beginning at its intersection with the easterly portion of Jennings Drive, thence easterly to the Old Bennington Village Line;
 - On Vermont Route 67A beginning at its intersection with Harlan Road, thence westerly to a point approximately 400' east of its intersection with Silk Road;
 - On Vermont Route 9, beginning at the easterly exit drive at the Chain-up area 0.4 miles west to the easterly entrance of Kelley Fuels;
 - On U.S. Route 7, beginning at the entrance to the Greenberg reserve 0.4 miles north to the former Bennington Village boundary line.
 - **On East Road from its intersection with Kocher Drive northerly to the Shaftsbury Town line.**

3. The maximum speed limit shall be 35 mph on Town roads as follows:

Pleasant Valley Road
Houran Road
Walloomsac Road to the Old Bennington Village
Gypsy Lane
Whipstock Road
Vail Road
Fairview Street to the Old Bennington Village Line
Silk Road
Austin Hill Road

Murphy Road
Orebed Road
River Road
Mattison Road to the North Bennington Village Line
Overlea Road to the North Bennington Village Line
Rice Lane
Houghton Lane
~~East Road from its intersection with Kocher Drive northerly to the Shaftsbury Town line.~~
Willow Road from its intersection with Hewitt Drive northerly to its intersection with Hewitt Drive
Chapel Road
Burgess Road from its intersection with Barney Road easterly
Gore Road
Beech Street from its intersection with Gore Road southerly
South Stream Road
Niles Road
Middle Pownal Road
Morgan Street Extension from its intersection with Middle Pownal Road southerly to its intersection with South Stream Road.

This action is taken by the Select Board of the Town of Bennington on May 8, 2023, and shall be printed in full in the minutes of the Select Board, posted in five (5) conspicuous places within the Town of Bennington and a summary published in the Bennington Banner within fourteen (14) days of its adoption and shall become in full force and affect sixty (60) days after the date of adoption to the right of petition provided by law.

Jeannie Jenkins

Jeanne Conner

James Carroll

Tom Haley

Gary Corey

Sarah Perrin

Ed Woods

SPEED DATA ANALYSIS

Location



Latitude: 0.000000
Longitude: 0.000000

Analysis Time Period



Start	End
11/9/2022 1:20 PM	11/18/2022 11:01 AM

Vehicles Analyzed



9,331

Speed Limit



35

Total Enforceable Violations



8,459

Average Speed



42

% Enforceable Violations



91%

Fastest Speed



76

Enforcement Rating

HIGH

Slowest Speed



7

LENGTH DATA ANALYSIS

Location



Latitude: 0.000000
Longitude: 0.000000

Analysis Time Period



Start	End
11/9/2022 12:00 AM	11/18/2022 11:01 AM

Vehicles Analyzed



9,331

0 to 8'

0 to 8'
Volume: 61
Average Speed: 40 MPH
Average Length: 5' 5"

>8 to 20'

>8 to 20'
Volume: 8,727
Average Speed: 42 MPH
Average Length: 14' 6"

>20 to 40'

>20 to 40'
Volume: 523
Average Speed: 42 MPH
Average Length: 24' 0"

>40 to 70'

>40 to 70'
Volume: 20
Average Speed: 40 MPH
Average Length: 47' 11"

>70'

>70'
Volume: 0
Average Speed: 0 MPH
Average Length: 0' 0"

Site Code:
Station ID:
Location 1:
Location 2:
Location 3:
Location 4:

Comment 1:
Comment 2:
Comment 3:
Comment 4:
Latitude: 0.000000
Longitude: 0.000000

Volume Sorted by Speed for 11/9/2022 to 11/18/2022

Combined

Speed (MPH)	Volume
16	1
17	1
18	2
19	9
20	1
21	4
22	13
23	5
24	19
25	22
26	11
27	31
28	16
29	42
30	57
31	50
32	126
33	74
34	226
35	327
36	283
37	509
38	271
39	671
40	775
41	437
42	1058
43	778
44	354
45	664
46	320
47	627
48	413
49	153
50	250
51	96
52	168
53	142
54	42
55	54
56	25
57	38
58	38
59	14
60	8
61	6
62	11
63	10
64	10
65	11
66	8

MANAGER'S REPORT
May 8, 2023

ACTION

Nothing at this time.

INFORMATIONAL

Beech Street Violation/Foreclosure The recent foreclosure action following long-term violations on a multi-family home on Beech Street resulted in fines totaling in excess of \$95,000. This decision is now under appeal.

Willow Park Playground We have opened the playgrounds for use. There are still some issues to resolve before any final payments are made but the areas have been certified safe for use.

Road Closures for Cruise Ins During our most recent Townwide Safety Meeting, my staff expressed concerns about having volunteers set out the complex signage necessary to close the various streets for these events. After considering the pros and cons raised, I determined it is safer, more efficient and provides less liability if the Town places the signs. I have notified the BBC and Hemmings that we will do the work at no charge to them.

Fireworks Contract received The 2023 fireworks contract is in hand and being processed. Our shoot is scheduled for July 4th with a rain date of July 8, the following Saturday. The cost is the same as last year, \$15,300. Our fundraising efforts will begin as well.

FOLLOW UP

The Community Development and Permitting/Planning Reports are attached.

Recreation:

YMCA program planning:

The Bennington Community Center (Rec Center) pool schedule and spring programs for adults and youth are updated regularly on the Facebook page and town's website. YMCA after-school programs and youth and adult fitness programming are happening at the Bennington Sports Center (old Catamount School), with many new classes for seniors that have been very popular. "Coffee with Wendy" senior focused events are every Wednesday at BSC from 9-11 a.m. Teen use of the Community Center continues to grow, and Kayla and Taylor are meeting with teens to plan a space and more programming for them, such as a 3 on 3 basketball tournament at the outdoor basketball court. The YMCA received additional grant funding from the state for summer camp and after school programs, as well as a grant from Vermont After School to create a teen program. Summer camp sign ups are at <https://bfymca.org/benningtonsummer>

Walloomsac Riverwalk Improvement Project:

The Town received a \$200,000 Downtown Transportation Fund grant for improvements along the Riverwalk that will begin this spring/summer. We are planning the construction schedule and the updates to the riverwalk will include a connection to the new Rail Trail.

Appalachian Trail Community:

I'm meeting with the AT Community leadership team to start planning the next Trailfest for July 29 at the Bennington Community Center. The Bennington AT Community is a volunteer run group committed to raising awareness of the Appalachian Trail in Southwestern Vermont. A public meeting to discuss Trailfest and other opportunities to promote outdoor recreation will be held on May 23rd at 6 p.m. at the Bennington Fire House.

Vermont Begins Here:

Eight Oh Two Marketing is continuing the digital marketing campaign to promote Bennington. The VBH blog post for May promoted the reopening of the Bennington Museum and their special exhibit "A History of Bennington" as well as music and cultural events.

Bennington Fair Food Initiative:

The Bennington Community Market, located at 239 Main Street, <https://www.benningtonmarket.com> had their grand opening on March 9. Congressman Peter Welch nominated the Bennington Community Market along with other local partners for a federal earmark and he visited the market on his recent trip to Bennington. The Bennington Fair Food Initiative, including the market, Southwest Tech, Bennington College, and the Vermont Veteran's Home, was fully funded with a 2.2 million earmark in the government spending bill that passed at the end of 2022. The funds will be administered through the U.S. Department of Housing and Urban Development and will flow through the Town of Bennington to subgrantees similar to the process of Community Development block grants. I have received the grant agreement from HUD and am working through the program budget and planning with program partners. The goals of the initiative are connecting partners in the local food system and growing jobs in the food sector.

Community Development Block Grants:

The Select Board recently approved of the Town applying for a Vermont Community Development grant of \$1 million to support the Hale Resources housing development at Benn Hi. Shires Housing has also received VCDP funding through the Town for two recovery housing projects on North Street and Gage Street. I submit paperwork required for each grant agreement and subgrant agreement along with progress reports on the projects. At the end of the year, I also submit financial reports to the state of Vermont on past HUD loans that have been granted to the Town or sub-grantees.

Benn Hi Redevelopment:

I am on the team with other town staff Dan Monks and Paul Dansereau, and we are meeting weekly to plan the redevelopment of Benn Hi. The Town hired Goldstone Architecture to create conceptual plans and we are working closely with Hale Resources, who will be the developer of the overall project. The Town signed a Memorandum of Understanding with Hale Resources to work on a plan for creating housing at Benn Hi. I am researching grants to help support the redevelopment of the building and identifying partners for the community spaces. My application for Congressionally Directed Spending for the Benn Hi redevelopment was nominated for \$1 million from Representative Becca Balint's office. I also submitted a request for funding through the Northern Borders Regional Commission.

Health Impact Assessment of the Benn Hi Redevelopment

Zak Hale and I are working with Rory Price and Megan Herrington from the Vermont Department of Health on their Health Impact Assessment of the Benn Hi redevelopment. The assessment process will go through May and will include the collection and analysis of secondary data, as well as community engagement efforts to gather qualitative information about the health needs of the community and the potential impact of the redevelopment. Rory will present findings from the assessment and recommendations in June. Rory, Zak, and I have organized focus groups with teen users of the Bennington Community Center, senior participants at the Senior Center and Meals on Wheels, and with Hale Resources tenants who live on Pleasant Street.

Vermont Council on Rural Development:

VCRD asked me to join their board as a local government representative and I attended their planning meeting for the Vermont Community Leadership Summit which will take place on August 15th at Vermont Technical College in Randolph.

Housing Committee:

Zak Hale has organized a regular meeting of various professionals working to improve the housing crisis in Bennington, including representatives from BCRC, the Health Department, Bennington County Coalition for the Homeless, Neighborworks, Bennington Housing Authority, Shires Housing, Maple Leaf Realty, and the Sherriff's department.

Community Outreach:

In the past month, I have met with the Benn Hi Redevelopment team, Berkshire Family YMCA management team, Hale Resources, Bennington Community Market, Bennington College's CAPA

Community Development Report: May 3, 2023

Shannon Barsotti

program, Goldstone Architecture, Neighborworks of Western Vermont, Bennington Housing Committee, Sunrise Family Resource Center, Alliance for Community Transformations, Bennington College's Bennington Past and Present class, Better Bennington Corporation, Meals on Wheels, Council on Aging, Historic Preservation Commission, AT Community leadership committee, and the Vermont Council on Rural Development.

Summary of Building Permits Issued
April 2023

Construction Type	Month to date	Month to Date Volume	Year to date	Year to Date Volume
	Permit Totals		Permit Totals	
Single Family Dwelling	1	\$50,000.00	1	\$50,000.00
Duplex	0	\$0.00	0	\$0.00
Mobile Homes	0	\$0.00	0	\$0.00
Apartments	0	\$0.00	0	\$0.00
Apartment Renovations	3	\$67,550.00	4	\$87,550.00
Condominiums	0	\$0.00	0	\$0.00
Residential Renovations	1	\$7,500.00	7	\$321,560.00
Residential Additions	0	\$0.00	1	\$80,000.00
Commercial Construction	1	\$95,000.00	1	\$95,000.00
Commercial Renovations	1	\$15,000.00	11	\$386,597.00
Industrial Construction	0	\$0.00	0	\$0.00
Industrial Renovations	0	\$0.00	0	\$0.00
Garages	1	\$25,000.00	4	\$151,460.00
Sheds	2	\$23,000.00	2	\$23,000.00
Decks	4	\$18,700.00	6	\$44,200.00
Institutions	0	\$0.00	0	\$0.00
Signs	1	\$9,000.00	6	\$16,778.00
Use & Zoning	3	\$22,176,689.00	5	\$22,204,689.00
Subdivision	0	\$0.00	3	\$0.00
Home Occupation	0	\$0.00	0	\$0.00
Propane Tank/Storage Tank	0	\$0.00	1	\$320,000.00
Boilers/Furnaces/RTU's, A/C	0	\$0.00	0	\$0.00
Tents	1	\$1,100.00	2	\$8,600.00
Handicap Access/Ramps	1	\$2,500.00	1	\$2,500.00
Concreate Slabs	0	\$0.00	0	\$0.00
Cell Towers/Communications	0	\$0.00	0	\$0.00
Solar Installations	0	\$0.00	2	\$81,531.20
Camps	0	\$0.00	0	\$0.00
Withdrawn	0	\$0.00	1	\$0.00
Demolition	4	\$0.00	7	\$0.00
Fire Supression	0	\$0.00	3	\$0.00
Sprinkler System	0	\$0.00	0	\$0.00
Exhaust Hood	0	\$0.00	1	\$0.00
Fire Alarm	0	\$0.00	1	\$0.00
Total	24	\$22,491,039.00	70	\$23,873,465.20

**12-Years At a Glance
Permit Totals Only**

Month	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
January	12	11	5	8	15	10	5	6	5	11	15	16
February	7	6	7	15	8	5	7	5	8	9	10	12
March	31	13	12	10	14	19	11	13	9	19	22	18
April	31	18	22	27	14	15	15	23	11	29	33	24
May	27	38	20	23	19	27	23	24	19	23	29	
June	32	20	19	21	19	10	14	12	25	16	21	
July	24	33	29	47	16	29	30	28	12	16	20	
August	30	21	29	20	18	25	25	16	27	16	28	
September	21	32	27	22	21	21	23	26	9	14	23	
October	38	30	21	28	9	19	20	20	17	29	17	
November	10	16	11	12	8	16	11	8	15	19	19	
December	18	18	7	10	5	8	11	11	5	10	12	
Total	281	256	209	243	166	204	195	192	162	211	249	

Permit types included: Building

Approval status included: Granted

Occupancy status included: Any status

Decision dates included: Between 04/01/2023 and 04/30/2023

<i>Parcel number Land Record Book and Pages</i>	<i>Permit number</i>	<i>Owner's name Applicant's name Location</i>	<i>Permit type Cert. of Occ.</i>	<i>Decision</i>	<i>Fee paid Cost of project</i>
51508201	23-023	LOVELAND MICHAEL D & SALLY A Michael & Sally Loveland 53 SWEETS LN Construct A 26x40 Garage	Building C.O. Pending	Granted 04/05/2023	144.00 25,000.00
64500602	23-035	EATON DEBORAH Deborah Eaton GORE RD Construct A New Single-Family Dwelling (1,890 Sq-Ft, 3-Bed/2-Bath) & Shed (120 Sq-Ft)	Building C.O. Pending	Granted 04/07/2023	335.44
56507500	23-036	TUMBLEHOME LLC Bruce Carpenter 511 SOUTH ST Install Two 8x8 Glass Roll-Up Doors	Building C.O. Pending	Granted 04/04/2023	50.00 15,000.00
43520800	23-037	JANSCH SHEILA L Sheila Jansch 1 ROBINSON AV Exterior & Roof Repair/Renovation	Building C.O. Pending	Granted 04/05/2023	25.00 7,500.00
45011700	23-038	BABSON JR JOHN John Babson Jr 231 CHAPEL RD Construct A 18x21 Shed	Building C.O. Pending	Granted 04/05/2023	57.80 1,000.00
50561700	23-039	WOLTMAN NANCY Kris Woltman 469 MAIN ST Convert Partial Office Space To Residential	Building C.O. Pending	Granted 04/07/2023	342.00 9,550.00
33500400	23-040	LEBLANC SETH P Seth LeBlanc 52 AUSTIN HILL RD Construct A Front Porch (660 Sq-Ft)	Building C.O. Pending	Granted 04/10/2023	139.00 9,500.00
50550700	23-041	VERMONT PREMIER SUITES LLC Southwestern Vermont Chamber 230 SCHOOL ST Install Temporary Tents for Homebrew Festival	Building C.O. Not required	Granted 04/10/2023	35.00 1,100.00
36513502	23-043	ROY RICHARD JASON Richard Jason Roy 119 HICKS AV Demo Porch (Hicks Ave Side) & Replace 4'x4'	Building C.O. Pending	Granted 04/11/2023	50.00 200.00
			Platform and 1 Step For Rear Door		

Town of Bennington Planning and Zoning

Detailed Permit Report

<i>Parcel number Land Record Book and Pages</i>	<i>Permit number</i>	<i>Owner's name Applicant's name Location</i>	<i>Permit type Cert. of Occ.</i>	<i>Decision</i>	<i>Fee paid Cost of project</i>
56507400	23-044	BEN-SOUTH HOUSING LP Shires Housing 503 SOUTH ST Extensive Repair Work Due To Fire & Smoke Damage	Building C.O. Pending	Granted 04/19/2023	0.00 30,000.00
50528000	23-045	JACKSON DONOVAN L & DUCHARME Donovan Jackson & Elizabeth Ducharme 220 PARK ST Relocate Existing Shed & Construct A New 12x28	Building C.O. Pending Replace Front Porch Steps	Granted 04/20/2023	53.60 22,000.00
53502427	23-047	OSHEA DARLENE Bennington County Habitat for Humanity 27 WHITE BIRCHES MHP Construct A Handicap Ramp	Building C.O. Pending	Granted 04/24/2023	35.85 2,500.00
25500700	23-048	TOWN OF BENNINGTON Bennington County Regional Commission 904 HOUGHTON LN Construct A New Municipal Waste Facility	Building C.O. Pending	Granted 04/27/2023	0.00 95,000.00
58515600	23-049	COLVIN RANDALL & CYNTHIA C Randall & Cynthia Colvin 17 EAST ST Construct 2 Decks (1- 8'x8', 2- 12'x16')	Building C.O. Pending	Granted 04/24/2023	25.60 4,000.00
51555400	23-050	BABSON'S APARTMENTS LLC Babson's Apartments LLC 202 -204 BEECH ST Interior Renovations (Both Buildings)	Building C.O. Pending	Granted 04/27/2023	50.00 28,000.00
56514502	23-051	VERMONT HSG INTIATIVE FUND II LLC Hale Resources, LLC 408 -410 SOUTH ST Renovate/Replace Existing Deck	Building C.O. Pending	Granted 04/28/2023	50.00 5,000.00

Town of Bennington Planning and Zoning

Detailed Permit Report

Permit types included: Local/Custom

Approval status included: Granted

Occupancy status included: Any status

Decision dates included: Between 04/01/2023 and 04/30/2023

<i>Parcel number Land Record Book and Pages</i>	<i>Permit number</i>	<i>Owner's name Applicant's name Location</i>	<i>Permit type Cert. of Occ.</i>	<i>Decision</i>	<i>Fee paid Cost of project</i>
36515700	2023	BENNINGTON DT 1 LLC Bennington DT 1 LLC 108 NORTHSIDE DR Demo Existing Building For Redevelopment	Local/Custom C.O. Not required For Commercial Use	Granted 	04/06/2023 50.00
53502702	2023	HEISLER JUDITH A ESTATE Judith Armentrout 576 BURGESS RD Demo Mobile Home - needs to much work/outdated	Local/Custom C.O. Pending	Granted 	04/27/2023 25.00
50510100	2023	KCDD INVESTMENT 5, LLC KCDD INVESTMENT 5, LLC 194 NORTH ST Demo Of Drive-Up ATM/Kiosk, Will Install New One	Local/Custom C.O. Not required	Granted 	04/05/2023 30.00
36502400	2023	ROY RICHARD JASON Richard Jason Roy 153 NORTHSIDE DR Demo Single-Family Dwelling Due To House Fire	Local/Custom C.O. Not required	Granted 	04/11/2023 0.00

Town of Bennington Planning and Zoning
Detailed Permit Report

Permit types included: Sign
Approval status included: Granted
Occupancy status included: Any status
Decision dates included: Between 04/01/2023 and 04/30/2023

<i>Parcel number Land Record Book and Pages</i>	<i>Permit number</i>	<i>Owner's name Applicant's name Location</i>	<i>Permit type Cert. of Occ.</i>	<i>Decision</i>	<i>Fee paid Cost of project</i>
44503700	S23-006	MT ASSOCIATES LLC	Sign	Granted	04/21/2023 20.00
		AJ Sign Co - Kristen Macleod	C.O. Not required		9,000.00
		336 NORTH ST			
		Replace Sign - Tenney Brook Car Wash			

Town of Bennington Planning and Zoning
Detailed Permit Report

Permit types included: Zoning
Approval status included: Granted
Occupancy status included: Any status
Decision dates included: Between 04/01/2023 and 04/30/2023

<i>Parcel number Land Record Book and Pages</i>	<i>Permit number</i>	<i>Owner's name Applicant's name Location</i>	<i>Permit type Cert. of Occ.</i>	<i>Decision</i>	<i>Fee paid Cost of project</i>
36515700	23-033	BENNINGTON DT 1 LLC	Zoning	Granted	04/19/2023 350.00
		Bennington DT 1 LLC	C.O. Pending		2,171,689.00
		108 NORTHSIDE DR Redevelopment of Commercial Property			
51535800	23-034	BENNINGTON HIGH LLC	Zoning	Granted	04/19/2023 0.00
		Bennington High LLC	C.O. Pending		20,000,000.0
		650 MAIN ST Redevelopment Of Former School/Multi-Use			
33502100	23-046	ROGERS SUSAN MORGAN	Zoning	Granted	04/24/2023 50.00
		Vail Farm Cooperative	C.O. Not required		5,000.00
		744 VAIL RD Outdoor Cannabis Cultivation			