

Draft of hearing minutes on James and Ginger Lawrence

The hearing on James and Ginger Lawrence application for site plan review on a proposed Repair and used car sales shop out on route 25 next to the State Police Barracks.

This is a longer process than normal because initially the application was initially declined by the Zoning Administrator because such a business is not allowed under current zoning in a Residential Zone. This decision was appealed by the applicants to the Zoning Board of Adjustment. The ZBA overturned that decision and conducted a Conditional Use hearing and decision at the same time as the appeal hearing was conducted.

In the ZBA decision on this matter, one of the conditions was that the conditions of a future Site Plan Review hearing would be a part of the Permit issued.

Unkles conducted the swearing in of the Applicants as well as the Zoning Administrator, Paul Berlejung.

The hearing was warned in the Journal Opinion on \_\_\_\_\_. The location of the Site Visit indicated that it was at the parcel next to the State Police Barracks which is where the business is to be located. Further in the notice, the location was incorrectly described as 45 South Main Street. As Carver did not learn of her error until the previous Thursday before the hearing, corrected notice could not be placed in the Journal Opinion. However Unkles waited at 45 South Main Street from approximately 6:25 pm until 6:50pm in case someone did go to this location. No one appeared.

Warned notice was also posted at the Bradford Academy, the Bradford Post Office and the Community Board at Community Bank in Bradford.

The Applicants and abutters to the property were mailed a copy of the warning along with a cover letter explaining the Warned Notice well in advance of the 14 day notice requirement.

All the noticing requirements have been complied with.

We will now proceed to hearing the testimony. Carver informed the Applicants that any conversation that occurred at the site is not testimony so any information related to this application that the Applicant wishes to be heard and upon which a decision to be based must repeat such information at this time.

Carver indicated that we have an application for the Applicants, copy of the denial letter from the Zoning Administrator, copy of the minutes and decision by the Zoning Administrator with regards to the Appeal and Conditional Use. It should be noted that Carver attended the ZBA hearing but did not testify except to indicate that the Planning Commission would be holding Site Plan Review hearing if the appeal was granted. Within the application is included the waste water permit from the 1970's, the Project Review sheet from the state which indicates if Act 250 applies and whether a new Septic Design is required.

Can't hear anything James Lawrence is saying ugh....

Carver asks about the property. Lawrence states that there is an existing foundation that was started in the 1970's in order to build a service station.

Carver asks Lawrence to show on the survey where the building will be. Lawrence indicates that Kidder, licensed surveyor, did a survey of the property. Lawrence shows the boundaries on the survey. He indicates that the state right of way of 85 feet from the center line. He points out a water drain. He indicates where the driveway is on the survey. Carver asks where the leach field will be. He states that the leach field will be roughly in an area (and he points out an area on the eastern area of the survey). Unkles asks if the design is okay for today. Lawrence indicates that the State indicated to him that the old design was okay from the state's standpoint. He indicated that it was designed for 500 gallons per day. Carver indicates that it was designed for a residence. Lawrence says he believes it was designed for a gas station. Unkles asks about the condition of the foundation. Lawrence indicates that is just a frost wall. He states he will build inside of the existing frost walls. Slab will be poured inside of the frost walls. Unkles asks what kind of building will be constructed. Lawrence indicates that the garage portion will be 40 X 60 with an addition to the east side for an office Carver asks where the man door will be located. Lawrence indicated the man door where customers enter will be on the eastern side of the building. Lawrence there will also be another door on the other side of the structure but no windows or doors on the rear of the building as a means of security.

Carver asks where Lawrence will put his refuse/trash. Lawrence indicates he doesn't like dumpsters. The trash cans will be stored inside the garage, not out side.

Carver asks about lighting. Lawrence indicates all exterior lighting will be affixed to the building and will be downward facing. There will be LED with limited projection past the building. There may be a light to the rear. He points out one may run all the time to enable safety entering the building at the man door side. The other lights will be on a timer unless there is a need for security/safety.

Unkles asks what sort of siding will be used. Lawrence indicates that the siding will be corrugated metal that will be painted a dull red. With brown trim. The doors will be brown. The sign will be 3 x 8. The sign will not be lighted. It will reflect light.

Carver asks to make sure to describe parking.

Unkles mentions that the area is zoned residential. He states that there is limited housing around the parcel. Unkles asks if there will be balloons and other inflatable type items as is often typical of car sales lots. Lawrence indicates that he will not be having such items. He indicates that most car sales occur on the internet and he has no plans to use balloons ,etc to draw attention to the cars for sale at his business.

Carver asks about whether the doors to the garage will be open while people are working on the vehicles. Lawrence indicates that in the summer month, the doors would be open to let air flow. They would not be open during the winter. Lawrence anticipates that a heat pump will be used to heat the office. However the garage area will probably be heated by waste oil. Unkles states that using waste oil as heating source does require a state permit.

Carver expresses the issue of noise in doing auto repairs. Lawrence states that there is not much residential buildings in the area.

Carver asks what his hours will be. Lawrence indicates that employees would arrive around 7:00 am to 7:00pm but typically 8am to 5pm. He said that employees might stay to work on their own vehicles would keep the doors shut and not draw attention to themselves.

Carver asked about paving? Lawrence indicates that he would be paving in front of the building and around to where customers enter the office. Lawrence says he is required to pave the curb cut. Lawrence said he revised the parking layout from the original application. He indicates the rest of the area around the building would have hard pack.

Unkles asks about storm water runoff. Lawrence indicates that state stormwater regulations apply to parcels over 1 acre. This parcel has been surveyed to be less than 1 acre. In 2022 the regulations change. Unkles mentions that the hard pak is considered impervious surface. He thinks it will be close to ½ acre. The total acreage is .79 acres according to Kidder's survey.

Carver asks if there will be flatbed wreckers. Lawrence indicates there will be such vehicles dropping off cars. Lawrence indicates that he does not plan to do towing business. Carver asks about traffic flow. She indicates that cars will be driving in the pedestrian path to the office. Lawrence indicates that the parking spaces are much larger than a car actually needs.

Lawrence indicates Wrecker type vehicle would actually be stored in the building due its value.

Carver asks if Fire Trucks and emergency vehicles gain access given the location of the parking spaces. Unkles indicates that emergency vehicles would make room if blocked by a vehicle by pushing them out of the way.

Carver asks if it would make sense to move office back from the front of the building to improve vehicle circulation. Lawrence indicates that behind the office is where he plans to locate the septic tank. The original design showed that the tank would be half way down the bank.

Carver points out that screening required according to zoning regulations between commercial activity and residential area. She reads the regulation. Carver indicates that there is a tree line between the police barracks and the parcels. Unkles points out that the regulation does not specify zone but rather residential property and commercial property. The Police Barracks is not residential. Carver explains that the screening is supposed to shield commercial activity from residential properties. Carver indicates it probably applies to the back of the property. Lawrence discusses where the police barracks property is in conjunction with the Lawrence property. Discussion continues about where various property lines are located. Lawrence indicates that he will be removing the trees at the state road right of way.

Unkles asks what level of insulation Lawrence will have in the building. Lawrence replies the walls will be R-19 and ceiling will be R-38. Carver asked if there was any thought to putting solar panels on the roof. Lawrence responded that he thought the lower level of the property would be a good spot for solar panels. He said he did want some solar panels but doesn't think the roof is the best place because they can encourage roof leaks.

Unkles asks what type of roof he plans for the building. Lawrence replies that he will be installing galvanized aluminum. Carver asks about electrical service. Lawrence responds that it will be buried from the pole to the building. Lawrence says he has a permit from the pole.

Carver asks when he plans to start construction. Lawrence indicates that he plans to start as soon as he gets the okay. He says he may only get the concrete pad in before winter.

Lawrence indicates that he had a similar experience in Hartford where he had to get permits so he could rebuild an existing structure. Carver asks if he was already operating a business in that location. He acknowledged that he did.

Carver asks what type of vehicles he primarily works on. Lawrence responds that he tries more towards the American cars but there are so many imports. Lawrence describes collision work that he does in Hartford. Carver asks if he will be doing mostly mechanical repairs in the Bradford location and he responds affirmatively.

Unkles brings up the fact that the business is not far from the town's drinking water facility. Unkles asks how Lawrence will handle the used oil and other liquids. Unkles acknowledges that he already said he was going to be using used oil as heating fuel. Unkles asks if he would have a service that would come to get used liquids. Lawrence said he would if it was needed. Antifreeze is generally recycled and that is what he plans to do. Unkles asks about parts cleaning fluid. Lawrence responds that he does not do that type of work. He does not tear down engines or transmissions.

Carver asks that Unkles explain what he does for a living. Unkles states that he oversees gas station tanks and is in the same department where they deal with environmental spills. Unkles expresses concern with the business being 1500 feet from the town's water supply. Lawrence states that he runs a very clean shop.

Unkles indicates that there is state law that classifies as a salvage yard any property that has four or more unregistered vehicles. Lawrence indicates that eventually he will have a dealer's license and will not be operating a salvage yard at that location.