TOWN OF BRADFORD

Planning Commission

Decision on Historic District Review

In re: Lund Vinyl Siding over Clapboards
Permit Application: 2020-xxx

A. Background

1. Application Number: 2020-xxx
2. Parcel Number: 21-97-0141
3. Location: 45 North Main Street
4. Zone: Residential Service District/Historic District Overlay
5. Property Owner(s): Tom and Joanne Lund
6. Applicant: same
7. Brief Description of Request: Install Vinyl Siding over Existing Clapboards
8. Publication and Posting Information: Posted: at Exterior Door of Bradford Academy, Community Bank Community Board and Lobby of Bradford Post Office and published hearing notice in Journal Opinion on March 18, 2020. Notice was also sent to owner and abutting property owners along with a cover letter.

B. Hearings, Witness Testimony, Evidence

1. Hearings, and Public Meeting Information: A hearing was held on April 8, 2020 at 7:00pm via Zoom media. The meeting was recorded as a video and is to be placed on the town's website.

List of Persons Present at the Public Hearing(s): Members present and voting on this matter: Ted Unkles, Monique Priestley, Sarah Pushee and Marcey Carver. Ron Huntington recused himself. Others present included: Tom and Joanne Lund (Applicants), Ron Huntington (Broker for Owners), Rae Lauer (Buyer under contract to Purchase Property), Laurie Kirkpatrick (Broker for Buyer).

List of Those Offering Testimony: Tom and Joanne Lund, Ron Huntington and Laurie Kirkpatrick.

2. Documents Presented as Evidence by Any Person:

   a. Application submitted by the applicant
   b. Warnings of Public Hearing.
   c. Appeal Notice to Zoning Administrator: Not applicable.
   d. Plans as submitted with application.
   e. List of abutting property owners
   f. Written Comments from Other MunicipalBoards: none
   g. Written Comments from State or Federal Agencies: none
   h. Written Comments of any Other Witness: None
   i. Photos in lieu of group Site Visit as Provided by Marcey Carver (Photos appear in video

along with being posted on Town Website.

3. Testimony:
The meeting was opened by Marcey Carver at 7:00 pm on the Permit 2020-xxx.

Unkles issued the oath to all parties who were potentially interested in testifying.

Carver showed the meeting agenda for the evening that included this hearing at 7:00 pm. She provided photos of the building in question. She brings Photo 1 into view and asks Huntington or the Lunds to describe what is occurring.

Huntington explained that the Lunds are putting on vinyl siding in order to abate the lead paint as part of the purchase agreement that they are currently under with the Lauers. Huntington stated the vinyl is being installed in typical fashion by first wrapping the building in a typar/Tyvek type product and then go over it with vinyl siding.

Carver asked that Huntington focus on the pictures themselves and then can give further discussion once the review of the pictures is completed. He indicated that the windows were not changing. He also says that the window trim is being retained. He stated that the J-channel of the vinyl siding will come up to the existing trim. He noted that some of the trim was rotted and will therefore be replaced. Huntington stated that the trim will remain.

Carver asked and pointed to the corners of the sill on the window. Huntington indicated that as part of the federal lead paint regulations the sills will need to be wrapped with vinyl or bendable metal coil (to be painted same as the trim) so that the wood is covered over.

Huntington said all of the windows will look the same.

Carver moved to the third photo. She asked what the treatment will be on the front trim board (she pointed to it on the screen). Huntington stated that they will put up an outside corner and on the eaves and soffits. There will be outside vinyl corner. He stated that that is standard for any vinyl siding.

Carver moved to the fourth photo which showed the south side of the house with vinyl siding already installed (the owners had begun vinyl siding prior to filing a permit with the town) Huntington indicates that the eave is getting painted black and that will continued on the rest of the house. Carver asked about the trim on the front left corner of the building which appeared to have been pried off. Huntington stated that he wasn't sure exactly what was occurring but that the vinyl was going to be wrapped around the trim so that the vinyl siding could meet the vinyl strip already in place.

On Photo 11, Carver shows how they are wrapping across the trim. And the look will be the same as the look on the corner treatment in the corner that can be seen further back on the building.

Carver then asks in photo 12, what will happen with the porch. Huntington indicates that they plan to scrape and paint that soffit of the porch.

Carver asks if anyone from the commission or members of the public has any more questions or comments concerning the photos. Huntington asked that about the picture that shows the north side of the house. Carver comments that the north side does not have any vinyl siding on it at this time.

Carver indicates that the next part of the hearing is the applicant or in this case Huntington is time for testimony on the application. Carver indicated that the next step would be to go over the various aspects of the zoning bylaw that apply to the historic district review. She indicated that some questions or additional testimony may arise from this.

Huntington stated that he gave misinformation to the Lunds as he did not realize that approval was

needed from the Planning Commission to obtain approval for installing vinyl siding. He believed that as long as there was no significant change in the look and character similar to changing from wooden windows to vinyl as long as you kept the same size and number of panes, it would be fine. He said that they embarked on this to meet the requirements of the bank and the buyers to get the closing to occur as quickly as possible, they began the vinyl project. He said that Carver called when she noticed the vinyl work on the south side of the building to indicate that the Zoning Administrator was requiring a permit application and a Historic District Review. Huntington admitted that he was wrong about the need for approval and that he was primarily responsible. Huntington indicated that the Lunds thought that they were doing a good thing and the right thing for everyone. Huntington indicated that there are vinyl sided buildings all around this house but the bottom line was that he was wrong to not advise the Lunds to obtain a permit. He indicated upon learning of this situation, the Lunds stopped the work and have sought approval.

Huntington indicated that they did look into painting the house but the quote to have the house painted was astronomical and it could not have been completed in order to close in April. The reason it is so expensive because he stated that the house would need to be tented to keep dust and chips from scraping onto neighbor property. Huntington stated that vinyl is safer and requires less ongoing maintenance. Huntington apologized for not realizing that they needed to get permit.

Mr. Lund responded that the area where the phone lines come into the house will be flattened and the frieze board below the soffit and the returns will all be painted black. Lund commented that because the house next door was vinyl sided, he assumed that applying vinyl siding was acceptable. He stated that he was unaware that his house was in an historic district with regulations applying to the exterior of the buildings. He claimed that if he had been aware, he would have checked with the town on the process he needed to follow. He claims that he has been trying to do what is right for the building and he expressed his hope that the town allow him to continue with the vinyl siding as he has started. He indicated that if he completes the vinyl siding, the building will look way better than it currently does.

Carver asked if anyone wanted to ask questions of the applicant or make a statement. No one did.

Carver then opened a document with key pages of the zoning bylaws (25-26 and 30-31). She indicated that the historic district review is to retain the character of the building. She then reviews the 8 key criteria. She indicates that criteria 5. Materials and Textures and 6. Architectural Features are criteria that apply to this application. Carver then read the first paragraph to section 3.13 which states in part that character is what gives a community its identity. Carver indicated that the commission will weigh what is being proposed in context of the bylaw.

Unkles indicated that he noted that the corner boards have attractive features along the corners of the front façade. He asked whether vinyl can replicate these features. Lund stated that he did not believe that special features like that were not available in the vinyl market.

Carver asked if they considered removing the clapboards so that the vinyl would fit into the existing siding. Lund stated that if he were to remove the clapboards that he would then fall under the lead laws for lead abatement as he believed that if he disturbed more than 1 sf of lead paint he would be required following these rules.

Huntington referenced 4.3 C 5 in the bylaw indicates that materials and textures are appropriate in the context of other buildings in the immediate area. He argued that what is being done and is proposed to be done is similar to what has been done on the neighboring building.

Carver asked if anyone else has and comments or questions. Kirkpatrick asked how quickly the decision could be made in light of the closing in mid-April. Carver responded that the Commission will make an effort to issue the decision promptly as it tries to do with these matters. Carver then asked for the means to communicate the decision through either email or mail.

Carver explains that following a regular meeting, the Planning Commission members will hold a deliberative session. This session is a closed session and not open to the public. Upon reaching agreement, a written decision will be completed and issued to all participants along with certified mail of decision to applicant.

Carver closes the hearing at 7:41pm.

C. Applicable Law and Criteria

1. Applicable ordinances in effect at time of Application are the Town of Bradford Zoning Regulations, latest revision October 27, 2005.
2. Town Plan: Town of Bradford Municipal Plan adopted 1/28/2016.

D. Finding of Facts

1. The Applicant submitted an Application for Historic District Review (20-xxx)
2. The Applicant is requesting to apply vinyl clapboards over existing clapboards and trim.
3. The Subject property is located at 45 North Main Street in Bradford, VT with Parcel ID of 21-97-0141.
    i. The property is located in the Residential Service District according to the Bradford Zoning Bylaw Map and in the Historic District in the Historic District Overlay Map on record at the Town of Bradford municipal office and Section 3-5 and Section 4-5 of the Zoning Bylaw. Historic District Review approval is required for the project as defined in Section 4.3 of the Zoning Bylaw.
4. Historic District approval provides that the Planning Commission must review the application for any addition to or alteration of the exterior of a building which increases or decreases the square footage of the building, whether enclosed or not or changes to the facade. In this particular request, the Planning Commission must consider pattern, materials and texture, and architectural features. It must consider the unique characteristics of the building. As it states in 3.13 of the Bylaw, Change is and should be a part of the community. Sympathetic new design can be a positive contribution to the character of the District. Historical, architectural, and visual integrity can be maintained while present and future needs are met.

E. Conclusion of Law

Reference applicable sections of the Town of Bradford Zoning Regulations: Sections: 3.13 and 4.3.

F. Decision

Based upon these findings, the Commission concluded that the applicant addressed the application requirements under the provisions pertaining to this application.

Based on evidence presented and testimony heard, the Planning Commission hereby APPROVES the use of vinyl clapboards on the building at 45 North Main Street subject to the following conditions:

1. The area that has vinyl siding installation prior to the hearing but newly applied on the rear of the building (this area was unseen by members of the commission) may remain.
2. The area on the south side of the building that has received vinyl installation prior to the hearing but newly

applied may remain except that the frieze board needs to be uncovered and be painted the same as all other trim (currently black), the corner trim board facing south must be uncovered and painted the same as all other trim. It is strongly preferred that the other visible corner trim that can be seen from the road as well as the window trim and sills are also uncovered and painted the same as all other trim. It is acceptable to have these exposed board out of wood or other similar looking material including vinyl but to have the same pattern as was previously in place.

3. The front façade (eastern) may have wood clapboards replaced with vinyl or other material as long as the pattern and appearance are similar to the existing clapboards. It is preferred but not mandated that the clapboards either be scraped and painted or removed and replaced with a material that would closely replicate the existing material. All trim is to be maintained and visible excluding the clapboards. It is not permissible to place the vinyl clapboards on top of the existing clapboards as that disrupts the pattern that gives the house its unique character. The area of the window sills that has been removed is to be replaced so as to keep the pattern as it was. The trim on the south corner of the front façade which has been removed in a jagged fashion is to be replaced to match the façade on the north corner of the front façade. All trim is to be painted the same color (currently black).
4. The north façade which currently has no vinyl siding and the rear if any portion does not have vinyl siding is to retain all non-clapboard pattern as currently exists. The wood may be replaced with similar looking material but must have the same pattern as previously in place. It is not permissible to place the vinyl clapboards on top of the existing clapboards as that disrupts the pattern that gives the house its unique character.
5. All federal, state and local requirements and/or permits must be followed.
6. Replacement of damaged trim may be done independent of this permit as may painting.
7. . **Vote 4-0**

4/11/20
Date

Marcey Carver
Marcey Carver, Chair
Bradford Planning Commission

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Planning Commission. Such appeal must be taken within 30 days of the date of this decision pursuant to 24 V.S.A. Para. 4471 and Rule 5 (b) of the Vermont Rules for Environmental court Proceedings.