

***Bradford Planning Commission
PO Box 339
Bradford, Vermont 05033***

September 9, 2020

Jim Moulton
Tri Valley Transit
297 Creek Road
Middlebury, VT 05753

Dear Mr. Moulton,

Enclosed is our decision on the Site Plan Review for the Tri-Valley Transit Bus Depot.

We welcome the relocation of the bus depot to a more visible location in our town. However we were only able to approve the application with significant changes to its current form. We have recently implemented new Zoning Regulations that incorporated Design Review standards for the Lower Plain District where the Depot is planned. These Design Standards were created in an effort to carry out the vision of our community as described in the Pathways to Economic Vitality. In this study, the community clearly expressed a desire to have the Lower Plain developed in a dense fashion with features similar to those of our existing downtown village. We expanded the sewer line and greatly improved our water system in order to support this prudent expansion.

The plans for the bus depot building connote a rather industrial looking structure more suitable to our industrial park as it seems focused almost exclusively on function with little regard for the rural community in which it will be located. While we commend the innovative approach to capturing rainwater to support the bus washing that will occur as well as the use of solar panels to promote renewable energy and the other forward thinking approaches, we are requiring that the building be reoriented such that the office façade face south towards the public parking area and travelled road with the western side now having the three bus doors.

We also are requesting that the buses enter the building from the western side and exit on the eastern side. Though the buses will operate primarily during daylight hours with minimal use of headlights, there will be times when they will need to be used especially in the winter. Bus headlights facing into the parking lot, Plateau Acres Road, Creamery Road and Route 25 should be minimized. Also sound does travel and by having the bus doors facing east and west, noise would be minimized going up the hill to the Assisted Living and residences on the Plateau. Currently bus routes start quite early in the morning and as doors open, the associated beeping and whirring of engines would be best oriented to the east and west.

If you have concerns or would like to have a modification to any of these conditions, we encourage you to seek reconsideration to the Planning Commission. This is a relatively quick process requiring notice only to participants who appeared at the hearing. Alternatively, you may appeal to Environmental Court.

We would like to point out that for our town, this project is a substantial one. In the past any project close to this size such as Hannaford's, Margaret Pratt Assisted Living or more recently the proposed Tractor Supply Development, the developers discussed the project multiple times with the Planning Commission and the Select Board. As a result, by the time these projects get to application status, design issues have typically been mutually resolved. We wish that we had had such an opportunity with Tri-Valley Transit to discuss the development as the project progressed.

Sincerely,

A handwritten signature in black ink that reads "Marcey Carver". The signature is written in a cursive, flowing style.

Marcey Carver, Chair
Bradford Planning Commission

TOWN OF BRADFORD

Planning Commission

Decision for Site Plan Review

In re: Tri-Valley Transit
Permit Application: 20-covid19-29

A. Background

1. Application Number: 20-covid19-29
2. Parcel Number: 09-27-0165
3. Location: 2 Plateau Acres
4. Zone: Lower Plain District
5. Property Owner(s): State of Vermont AOT
6. Applicant: Tri-Valley Transit
7. Brief Description of Request: Bus Storage Facility and Administrative Offices plus 16 parking spaces including 2 handicap accessible spaces.
8. Publication and Posting Information: Posted: at Bradford Academy, Community Bank Community Board and Lobby of Bradford Post Office as well as published hearing notice in Journal Opinion on July 29, 2020.
9. Notice of Hearing sent to Applicant and abutters to Parcel.

B. Hearings, Witness Testimony, Evidence

1. Hearing Information: A Public Hearing was held on August 18, 2020 at 7:00pm remotely via Zoom due to Covid19 Pandemic. (Site Visit on August 13, 2020 at 6:30pm.
2. List of Persons Present at the Public Hearing(s):
3. Members present and voting on this matter: Ted Unkles, Monique Priestley, Ron Huntington, and Marcey Carver.
4. List of Witnesses Who Gave Testimony:
5. Documents Presented as Evidence by Any Person:
 - a. Application submitted by the applicant
 - b. Additional application material submitted after testimony
 - c. Warnings of Public Hearing.
 - d. Appeal Notice to Zoning Administrator: Not applicable.
 - e. Plans as submitted with application: None
 - f. List of abutting property owners
 - g. Written Comments from Other Municipal Boards: none
 - h. Written Comments from State or Federal Agencies: None.
 - i. Written Comments of any Other: None.
 - j. Site Visit: individually due to Covid19 Pandemic with Photos taken by Carver

6. Testimony:

The hearing was opened by Marcey Carver at 7:00 pm

Carver read the script about remote hearings as prescribed by VLCT.

Unkles swore in the applicant and others attending hearing.

Carver and Unkles explained the way a quasi-judicial hearing worked.

Carver shared her screen and showed some of the site pictures. Then Rakowski asked to have access to the screen so he could run through the documents. Rakowski described what the various bus doors were for and the path the buses would take. He stated that the buses would operate in a circular fashion heading east then north and then the bus would enter into one of the three garage bays. Three bays are proposed with one to be used as a washing station and the other two are to be double wide entrances to the garage.

Unkles asks what the two circles on the site plan map indicate. Rakowski said that the lower circle is a grit separator intended to separate to the heavy material from the wash station and the other one is a waste water pump station which will pump to the town's waste water system. He said that the third one on the right side (west side) is a rain water holding tank. Manhole covers will be all that is visible when the project is completed.

Huntington asked if there was a loading area for the traveling public at the building.

Rakowski indicated that the building would not be used for the travelling public. There would be no public restroom facility. Public would continue to be picked up at existing stop at the Park and Ride as well as other locations.

Rakowski began sharing the screen. He stated that the parcel is 10.2 acres and Tri-Valley Transit has planned to construct a regional hub to store their buses. This space would be an improvement from their existing site. Tri-Valley Transit would be leasing the land from AOT. The facility would be primarily bus storage along with office spaces for workers. At this point, they were requesting 16 parking spaces. Rakowski stated that this would require the town to grant a waiver as they believed that the zoning regulations required 21 spaces. There would be six administrative staff and 12 bus drivers. Rakowski said that the plan was to connect to the town's water and sewer system. The town zoning map showed where this development has been proposed. Rakowski then showed the plat plan with the facility drawn. As part of the water and sewer connection, the applicant would be going off the property onto property currently owned by BCDC. He indicated that there was a memo of understanding for this access. He stated that the access from the Park and Ride to the bus storage facility would be widened to allow for two lane traffic. He indicated that there would be approximately 45 feet between the park and ride and the storage facility with the area next to the Park and Ride used for storm water treatment. He discussed the drainage from the bus washing station again. The water line would connect to an existing hookup. There would be minimal grading.

Because of the minimal amount of pervious area, the facility has to get a stormwater permit. As the soils were mostly sand this was easily accomplished. He said that the dash line on the plan indicated future expansion possibility but this was not part of the current application. As for lighting, there would be no exterior light poles installed. All lighting would be attached to the building. Appel said that the light study is part of the Act 250 application. Rakowski said that the photometric light plan shows exterior pole mounted fixtures.

Unkles said that he thought he understood that Tri-Valley Transit was only looking at building mounted fixtures. Unkles asked if they were in fact installing pole mounted fixtures. Appel said that he wanted to be consistent with the pole mounted fixtures. He asked that the Planning Commission consider 4 poles and 6 poles. Unkles asked if the Planning Commission is asked to consider the installation of 6 mounted pole fixtures.

Rakowski continued to discuss the sewer. He showed that the sewer line crossed in front of the NAPA store onto the town's sewer main. He said they have received an allocation letter. Carver asked about the allocation letter. She stated that the letter indicates greater usage of water than of sewer discharge. She stated that it seemed odd given that they had a rain catchment system as part of the building design. Rakowski admitted that they would be collecting water but they needed to design for the worst case situation. The water demand would require usage of town water. It is anticipated that the water usage would in fact be much less than the sewer discharge. Carver asked for further clarification. Rakowski said that the reason that the numbers are not the same was because of the different tables that the state required to be used. The flows for humans than for bus cleaning. Appel stated that in reality the usage would be equal except that there is a rain catchment system. Because of this system, in reality the annual sewer usage was expected to be greater than water usage. Carver asked how the town was assessing the facility for usage given that the facility has an alternative source for water. Rakowski stated that at this point there had only been discussions about a water meter and no discussion about a sewer meter. Rakowski said that Thornton was well aware that there would be rain water catchment system for the bus wash.

Carver asked about the hookup fees. Rakowski stated that the water hookup fee was reduced from \$25,000 to \$7,500. And the impact fee which has not been applied since the upgrades has not been applied. Carver asked if there was a sewer hookup fee. Rakowski stated that there is a fee but he was not aware as to the amount of the fee but it is not waived.

Unkles asked why the force feed of the sewer was needed when the waste was going downhill. Rakowski stated that the change in height from the site to the main would allow the sewer to run via gravity except for the routing of the line where it went into the BCDC field. This field is actually lower than the manhole. Unkles commented that the route was like there was a giant [plumbing] trap.

Unkles asked if there was an agreement with BCDC to tap into the sewer given that it was a forced main. Rakowski stated that a T or Y would be installed with a check valve so

that a new property would hook on with a pump. Because there was no solid plan for the development of the lower field, Tri-Valley was not able to provide for this currently.

Carver asked about the lighting and noise information that had been sent that day. Rakowski indicated that the reason for providing the town with the noise information was because of concerns expressed by Mark Johnson as it related to the Assisted Living facility. Carver asked about night glow and how long would they be on. Appel indicated that at 11pm, the lights would dim out to 50%. The lights would not brighten if there was movement.

Carver asked about noise levels. She indicated that it appeared that the loudest noise would be coming from heat pumps on the roof. Rakowski stated that these units were of concern for the Assisted Living up the hill. Rakowski stated that sound decreases exponentially. Carver asked if the buses would have beeping signal when they are backing up. Rakowski said he did not know but the design would minimize backing up.

Unkles asked for a quick overview of the stormwater plan. Rakowski stated that they have applied for storm water construction plan. Rakowski stated that exposed earth is limited and has taken precautions for precipitation. A second permit was the general permit after construction. Runoff from the gravel parking lot would drain into one of four separate treatment areas to promote filtration into the ground and thus would minimize runoff from the property and recharge the groundwater. Rakowski stated that because the area is very sandy without high water table, the runoff should be readily contained. Runoff from the post construction would be less than the preconstruction situation according to the modeling that was done. Unkles asked of what the dry swale consisted. Rakowski indicated that the material was sandy. He was looking to get authorization from the state to reuse the material that would be pulled out from the site during construction.

Huntington asked if the facility was designed for service and repair. Appel indicated that there was no maintenance activity currently for this facility but that there could be in the future. This was not part of the current application.

Carver asked about landscaping plans as the trees currently in place may be removed if damaged. Rakowski stated that they would be replaced. Darker circles on the site plan were the proposed additional trees (approximately 9 deciduous trees) along the south and east side to provide some screening. On the western side there was no plan as the terrain drops off and there was already a fair amount of vegetation in place. It was felt that landscaping in that area would not be as effective as in other areas.

Carver asked if there were no other questions about the site, the testimony should move to discussion of the building itself.

Wheeler described the south side of the building with the far left door being the wash bay and the two large garage doors for the bus storage bays and the one story part of the

building is designed to be the administrative offices. She explained that the exterior was proposed to be insulated metal panel (green) and the office bay would be metal sided with slightly different material. The maximum height would be 25 feet in the garage. The south and west elevations were proposed to be two different colors. Wheeler stated that the solar panels should not be as visible as depicted in the elevations though they would be visible from the Margaret Pratt Assisted Living facility. On the east elevation, there were some clearstory windows into the garage that were designed to daylight the garage and windows into the offices. There should be about 1000 square feet of office space. This space was a lounge area for the drivers and small amount of office space as well as bathroom facilities. There was also a conference room and an office space on one end. There was room to store 8 busses plus two buses in the wash bay which would not typically be used as storage.

Carver asked about the number of drivers. Carver stated that she recalled that Rakowski testified that there were twelve bus drivers so she wondered how many drivers there would be at any given time. Wheeler stated that at this time they would not have six administrative staff. Carver commented that reducing the number of parking spaces to 14 spaces plus two accessible does not seem to work given the staffing level. Rakowski stated that based on the town's zoning, he calculated parking spaces for 18 potential employees plus 3 more spaces for the size of the building. However they do not have that many employees at this time. Appel indicated he would provide more complete information after discussion with the operations department. Unkles asked if the two administrative personnel would be in the building at the same time.

Unkles asked Wheeler about the butterfly roof. Wheeler said that it makes it easy to drain the rain water as well as a higher roof to expand for expansion. Unkles continued to wonder about the snow load on the butterfly roof. Wheeler indicated that this was the second time they have constructed such a facility with the first being in Middlebury. Wheeler indicated that the system worked effectively in Middlebury. Wheeler indicated that the bottom of the snow next to the roof melted even in the winter.

Carver asked what the reasoning was for the orientation of the office component to the east. Wheeler stated that it was a design decision because they "didn't want the tail wagging the dog" and also it was felt that the nicest view was to the east so that people sitting at their desks would have that view. Wheeler indicated that at the facade facing to the south, there was a small sign next to the pedestrian door to indicate that was the entrance to the office.

Carver asked about the western side of the facility which appeared to be a blank wall. Wheeler stated that it was a blank wall because this was where the bus wash would be located.

Carver asked about the angle of the roof causing the solar panels to be slightly elevated. Wheeler said they would not be as elevated as depicted in the drawing. They would be balustered as would occur with panels on a flat roof. Carver asked why the design did not have a roof pitch to enable the solar panels to be more in line with the roof. Appel

stated that they needed to be elevated to be positioned to the south. Some of the panels would need to be pitched no matter what. Wheeler stated that doing such a pitch is “pretty standard”.

Carver asked whether the doors to the bus bays would be closed except when the buses would be entering or departing. Wheeler said she expected that the doors might be open in the summer for ventilation.

Unkles asked about the west wall. He commented that it was a large monotonous surface. He wondered if there was a way to break up the monotony. Unkles asked if there was a way to make a visually interesting façade. Wheeler laughed and stated that they were undecided about whether to have two different colors or not. She pointed out that the gray panel is recessed. Wheeler indicated that they do not want windows on this side of the building. Carver asked why she did not want windows on that side of the building. Wheeler said that windows are less necessary on that side of the building. She considered adding clearstory windows but they are not as beneficial as in other parts of the building.

Carver asked if the town’s design review standards were taken into account in designing the building which were part of zoning. Wheeler stated they did. Carver said there was a standard that stated that large blank walls should be avoided, the size and placement of doors should relate to the form of the building, windows and other architectural features should break up flat services. Wheeler said they were doing this with the signage at the pedestrian entrance to the building. However she stated this was not really a pedestrian site. She stated that most of the buildings in this district were more typical of a downtown area. She indicated that this facility was behind a park and ride. Wheeler did work more on the south façade. She stated that she admitted that the west wall was a large blank wall. She said that they did a little bit of articulation but she felt that it was a tricky site to read the guidelines into.

Appel asked for any direction or timing. He stated that they were in the prequalification stage with contractors. They expect to send bids out the first of September. He said that he was wondering what the market would be like given covid. He stated that the Act 250 final period is a week from Friday. Appel said that it was processed as a minor and then there would be a waiting period. Appel said there had been no comments to date.

Carver asked if the 10 acre parcel was all one lot. Appel said it was one lot.

Carver asked if there were any more questions or comments.

Carver stated the hearing would be continued until the receipt of the additional information. Appel asked for clarification on this. Appel agreed to submit additional information on parking/staffing.

Unkles commented further that the Hannaford change to a blank wall that was visible from Route 5. He felt that this made a world of difference.

The hearing was continued until additional information is received.

C. Applicable Law and Criteria

1. Applicable ordinances in effect at time of Application are the Town of Bradford Zoning Regulations, latest revision December 12, 2019.
2. Town Plan: Town of Bradford Municipal Plan adopted 1/28/2016.
3. 24 V.S.A. para. 4416 (Site Plan)

D. Finding of Facts

1. The Applicant submitted an Application for Site Plan Review (20-covid19-29)
 2. The application was for a bus storage facility and administrative Offices plus 16 parking spaces including 2 handicap accessible spaces.
 3. The applicant is also seeking approval for this activity through Act 250.
 4. The Subject property is located at 2 Plateau Acres in in the Town of Bradford.
 5. The property is located in the Lower Plain District as described on the Town of Bradford Zoning Map on record at the Town of Bradford municipal office and on the Town's website.
 6. Site Plan Review approval is required for the project as defined in the Zoning Bylaw for Site Plan Review under Section 4.1.
 7. Site Plan approval provides that the Planning Commission must review the application for vehicular and pedestrian safety, parking, glare, surface drainage, protection of renewable and natural resources and provision of municipal services. Planning commission must also consider access management standards according to Section 5.1. In addition the Planning Commission must consider landscaping and screening. The Planning Commission must also consider whether the project meet design standards as specified in the Zoning bylaw in Section 5.2.
 8. Vehicular and pedestrian safety have been addressed in both the application material and in testimony.
 9. Surface drainage impact does require stormwater permits from the state both during and post construction. Applicant testified to applying for both and described the means of complying with these permits in detail in testimony.
 10. Demand for municipal services of police, fire and ambulance are anticipated to be minimal.
 11. Applicant has requested a reduction in minimum parking requirements (21 spaces calculated by applicant) due to significantly fewer employees at time of application and has request a waiver of the 21 space requirement.
 12. Buses will face the park and ride and Route 5 upon exiting the facility and their headlights will face traffic and those parking.
 13. The facility is using a unique rain catchment system which will serve to reduce the use of municipal water and is using solar panels to generate electricity.
 14. Access by buses from Plateau Acres Road remains unchanged.

15. Design compatibility: Architectural design, materials, colors, forms and detailing are different from the waiting area at the Park and Ride. The park and ride structure is quite small relative to the bus facility.
16. Orientation: According to section B2, loading bays and services entrances are to be sufficiently screened or not visible from public rights of way. The three exit bays of the bus storage facility face the Park and Ride and Route 25 as they are in essence, the front of the building.
17. C. Height: It shall be at least 20 feet not including the roof. The top of the roof is approximately 25 feet.
18. Scale: Design is to create visual interest, be pedestrian friendly and reduce mass and bulk through modulation, articulation, roofline variation, upper story setbacks, fenestration and architectural detailing and smaller scale additions. The eastern façade complies with much of these requirements. The west side does not comply with this. The south does to a lesser extent than the eastern.
19. Facades: Long or large blank walls shall be avoided though window and entry placement and changes in color/texture, etc. The western side does not comply with this requirement. The eastern side best complies with this requirement.
20. Facades continued: Principal entryways shall be prominently identified through architectural elements. The Principal entry as currently designed is identified through signage and a pedestrian door slightly recessed.
21. Rooflines: Main rooflines contain minimal architectural detail and contain solar panels that need to be elevated because of the modest pitch as designed.
22. Rooftop mechanical and electrical equipment shall be screened or incorporated in the design. The solar panels as testified are not noticeably elevated from the roofline. Heat pumps on roof tops do not appear to be screened.
23. Materials: Siding for the facility is insulated metal panels. This is not consistent with vernacular architecture typical of rural New England.

E. Conclusion of Law

1. Reference applicable sections of the Town of Bradford Zoning Regulations
2. Reference State Statute: 24 V.S.A. para 4416(a) as well as Fire and Safety regulations and Department of Health and Human Services regulations as appropriate.

F. Decision

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

Based on evidence presented and testimony heard, the Planning Commission hereby **APPROVES** the application for construction of a bus garage and office with the following conditions:

1. Waiver to the stated parking requirements are approved as requested. Evidence submitted indicated 5-7 employees as business currently operates. There is a possibility that the business

will expand as described in the application to a total of 18 employees. Any expansion to the parking requirement would require resubmission to the Planning Commission for approval. Parking for employees of the bus depot and their guests and visitors are not to use the Park and Ride on a regular basis.

- 2. As no designated location was identified in the application or testimony, all refuse (including recycling and food scraps) must be located inside the bus depot. Use of a dumpster or any exterior housing of trash, recycling or food scraps would require resubmission to the Planning Commission.
- 3. Lighting is to be as laid out in the Site Plan presented with lighting affixed to the building as well as no more than 6 lighted poles. Lighting is to be on a timer as described in testimony with dimmed (to 50%) lighting after 9 pm as needed for security. Any changes or additions would require resubmission to the Planning Commission.
- 4. The orientation of the building is to be changed such that the eastern façade is facing south towards Route 25. The bus doors will face East and West with buses entering from the western end and exiting from the eastern end. It is also recommended that the buses exiting from the east enter the park and ride on the eastern end of the parking lot and exit to the bus depot from the western end.
 - a. The reason for the change in orientation is to comply with Building Design standards in the Zoning Regulations. In addition the building’s clearstory windows above the office will now face south providing greater solar gain, the roof will be oriented to the south enabling the solar panels to rest parallel to the roof and thus be in better conformance with the zoning regulations as well as being better suited to solar gain.
 - b. The blank wall that formerly was facing west will now be at the rear of the building which better conforms to the Zoning Regulations.

It should be noted that when asked why the building was oriented with the office section facing east towards the tree line, the response was that the view was better for the employees and they “didn’t want the tail wagging the dog”. The building is at the beginning of the commercial center of the town and serves as the gateway and as such is viewed by hundreds of people each day. The community’s view is of paramount importance as is evidenced by the design standards that have been adopted. These standards were adopted as a result of an extensively researched project which identified this district of vital importance to the future growth of the community and the community clearly expressed their desire for this district to be developed with a village feel, not an industrial/box store feel.

Resubmission of revised plans conforming to these conditions must be submitted to the zoning administrator prior to issuance of a zoning permit.

Vote 4-0

9/9/20
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.