

A continuation of Minutes of the June 16, 2020, Planning/Zoning Board meeting as resumed after being recessed. This resumption took place at 7 PM on June 23, 2020, outside the workplace of Scott Davis on the Barnet/West Barnet Road.

Those present at Scott and Tammy Davis's woodworking shop for the hearing were: Board Members William Biddle, Benjamin Adams, Trent Roy, Bruce Denio, Mark Bowen, Dakota Butterfield, Karen Stark, and Dennis McLam; Secretary Shirley Warden; Select Board Members Benjamin Gates and Dylan Ford; Applicants Scott and Tammy Davis; and Abutters Neil and Leah Benedict, Jan Enthoven and Suzann Duquette.

Chairman Biddle called the recessed meeting back to order at 7 PM. Mrs. Benedict said that Mary Jane Sheerin was sick and not able to attend.

Biddle said that Sheerin had sent a copy of the words she had wanted to say, and he read them at her request to the group. They are attached as part of these minutes.

Mrs. Benedict asked if there would be any risk of harmful chemical exposure from the finishing products used in Mr. Davis's cabinet-making work. She added that there is no working plumbing in the old Town Hall that Davis is interested in the possibility of buying from the Town. She said that she had taught in that building and believes that it is uninsulated.

Mr. Benedict, concerned about the level of noise that a cabinet-making business might cause to escape from the old Town Hall, said he turned on his own table saw in his own home next door to the old Town Hall and that he could hear it in his own bedroom.

Davis said that at this time, if he purchased the building, he is not planning to use it full time other than for storage and possibly constructing doors and large counter tops. There would be no finishing work there as he has a paint room in his existing shop.

Mr. Benedict asked if anyone lived next door to a business using machinery. Several such situations in Barnet were mentioned.

Butterfield pointed out that Sheerin's determination of decibel levels was flawed and that machinery noise emanating from inside the old Town Hall could not be measured as Sheerin predicted or by the method she proposed.

Bowen pointed out that units of decibel level are not mentioned anywhere in the by-laws.

Ms. Duquette asked if grants or loans for which the Barnet Village Designated Village District could apply would allow use of funds for sound-proofing.

Bowen replied that research would be needed to see what sorts of work would qualify for grants, tax credits, or low-interest loans.

Butterfield pointed out that the Town of Hardwick rehabed an entire block using funds from the Designated Village District Program.

Asked about the septic system for the old Town Hall, Ford allowed that there is currently no working septic system. She also noted that Barnet's Villages were originally formed around businesses such as saw mills, flour mills, smiths, etc., and that there needs to be a continuing acceptance of and respect for the nature of the Villages and the commercial enterprises that center them today and that allow the Villages to flourish.

Mr. Benedict said that anyone who is able to hear would hear the noise of machinery operating in the old Town Hall. He persisted in making this point, interrupting other speakers repeatedly.

Chairman Biddle said he would not allow disrespectful speech and if it continued, Mr. Benedict would be asked to leave the meeting.

Mr. and Mrs. Benedict did leave at this point.

Davis said that "ideally" he would like to be able to use the building from 7:30 AM to 6 PM. He also said that it is rare that he starts his machinery at 7:30 and that he generally finishes work by 5 PM.

McLam said, as a request for clarity, "Not on Saturday or Sunday. Only weekdays?"

Davis nodded affirmatively.

Duquette asked how often he would start his machinery at 7:30 AM.

Davis replied that it would depend on orders and deadlines. He said that he does not foresee working at the old Town Hall site every day or for continuous weeks at a time.

Biddle noted that almost every venue has its noise, that, for example, people living around Harvey's Lake hear snow machines and ice augers in winter and motor boats all summer, occasionally day and night.

It started to rain, so the meeting was moved into the present woodwork shop at Davises', and Enthoven and Duquette asked if Scott could permit them to hear one of the noisier machines run. They and several Board members went outside while Scott Davis ran a white oak board through his planing machine, twice. Enthoven came back in and asked, "When are you going to run the machine?" because they had not heard it while they were outside. The shop door was open throughout, and it was raining.

Enthoven said that, given that he had heard nothing, he did not have any objection to Davis operating woodworking machines in the old Town Hall.

Biddle then said that the Board needed to meet in a deliberative session, without non-members present, to decide what if any conditions ought to apply to any use of the building. Everyone left the building except the Board (Davis asking that no machines be touched or started).

Bowen moved and Stark seconded to approve a conditional use for Davis's commercial enterprise should he purchase the old Town Hall. The conditions would allow full operation of machinery on weekdays from no earlier than 7:30 AM to no later than 6 PM (except as necessary under special circumstances). Outside lighting will meet the requirements of Section 307, F of the Barnet Zoning Bylaws. Up to 6 vehicles are allowed at any one time on the property. The property will be maintained consistently with the character of the neighborhood.

The Board voted to approve (Adams abstaining in light of a possible conflict of interest).

The following is the testimony from Mary Jane Sheerin alluded to at the beginning of these minutes.

I am sending these thoughts because illness prevents me from attending tonight's meeting.

I've been looking into logical methods to ensure that the noise level from a potential full time woodshop to be located at the Barnet Town Hall is kept to a manageable level compatible with residential mixed use as defined in the zoning ordinances.

I've been looking into decibel levels and found that 60 is the level of a loud conversation. 70 is about the sound of a very loud vacuum that interferes with daily activities. Note that the decibel scale is a logarithmic scale. For every 6 decibels the sound increases by 10 times. A typical table saw is at least 100 decibels. A wood wall can muffle the sound by as much as 30 and a non soundproofed window by about 26. It is therefore reasonable to assume that at least 70 to 75 decibels of sound could be heard outside the building while a saw is in operation. Meaning the sound outside the building could approach close to ten times the sound of a very loud shop vac. This is clearly in violation of our zoning ordinances and not compatible with residential use in properties in very close proximity.

Note that the town hall is a cavernous poorly insulated building with many large windows. Comparing the sound outside of a smaller insulated shop is really not a reliable comparison. Therefore I do not consider the experiment of standing outside of the wood shop located on the West Barnet road to be sufficient in order to evaluate the impact on my property and the other properties on upper Church ST.

As anyone who knows this village can tell you, when children play ball in the building the sound resonates to the surrounding properties and beyond. This is illustrative of the acoustics we are dealing with in the cavernous and poorly insulated town hall. So there is good reason for concern about decibels far exceeding acceptable levels if machinery is running inside the building, the resulting impact on quality of life in the surrounding properties and also the value of those properties.

Can Scott tell us how many decibels his various equipment are noted to run at according to the manufacturers ?

Will he also be running a dust collector ? Will that run consistently ? Will he locate that in an insulated closet ?

Could we do some study to ascertain what a reasonable decibel level is outside of the property line ? Note that the zoning ordinance says that sounds can not emanate outside of the property line. There are also provisions about light , smells, and dust.

For the sake of supporting commerce in our community and a use for the town hall I would like to be able to support the project. However, my ability to use my property and the general way of life in the village needs to be protected. Therefore we need to follow our stated zoning ordinances regarding sound, light, smell and dust.

This can be achieved by an investment in the building in sound proofing. Since the town will benefit from new ownership of the building perhaps they would negotiate with the buyer in order to make it possible for him to properly out fit the building for the potential of a full time wood shop that he stated may be necessary as his business expands. Under no circumstances can I support the project unless it is fully soundproofed and in compliance with zoning ordinances related to dust smell and light.

The other option would be to vastly reduce the limitations on use of equipment. Or to limit the use to storage and any other uses that do not conflict with residential use. Note that my property line is about 50 ft from this property and other surrounding residences are even closer.

I do understand that a business owner needs to protect the needs of an expanding business by trying to keep his options as wide and uninhibited as possible. However what was described at the last meeting is simply not reasonable, tenable, or even allowable by our zoning ordinances considering the proximity of this building to the surrounding lots.

If a wood shop is to be located in the village, 50 feet from other properties or less it will need to be properly sound proofed and out fitted for mixed use.

That could be achieved with some creative thinking, compromise, and empirical measurement using a decibel meter outside of the Town Hall

Building, gathering estimates for proper sound proofing of the building, seeing what compromise the town may be willing to make in order to get this building out of their possession and on to the tax roles. And then take things from there.

Respectfully Harland and Mary Jane Sheerin

The hearing adjourned at 8:35 p.m..

Shirley Warden
Shirley Warden, Secretary
Barnet Planning/Zoning Board

*Approved by
Shirley Warden
Corrected 6/20/20
July 1, 2020*