



TOWN OF DURHAM
630 Hallowell Road
Durham, Maine 04222

Office of Code Enforcement Tel. (207) 376-6558
and Planning Fax: (207) 353-5367

CONDITIONAL USE PERMIT APPLICATION

Please read the Conditional User Permit Application Instructions and meet with the Code Enforcement Officer before completing this Application.

PART I. PROPERTY INFORMATION

Applicant's name and address: Liberty Heating and Cooling LLC DbA Midcoast Heating & Cooling

Matthew Sullivan

Home address 292 Avenue Rd Wales Maine 04280

Property address 28 Soper rd Durham maine 04222

Owner's name and address: (if different than applicant) Steve Pray, Pray Properties LLC
372 Finson Rd Bangor maine 04401

Property address: 28 Soper rd Durham maine 04222

Property tax map: and lot:

Property zone(s) (list all):

Property overlay zone(s) (list all):

Current approved property use: Auto Dealer

Is this property in a subdivision: No

Is any part of this property in a flood plain: Yes No

Will there be any new structures, expansions of existing structures, or the construction or expansion of parking areas: No

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PART II. PROPOSED USE

Please fully describe the proposed use; including all of the following (you may attach separate or additional sheets):

- Describe the proposed use in detail
- Hours of operation
- Plans for waste disposal
- Anticipated traffic (deliveries, customers, etc.)
- Other relevant information on the proposed use

We are a Heating and Air conditioning company This building will house our office space for dispatchers to assign work to technicians. We will store out parts and tools inside building as well as our service vehicles at night. We will store our trailers outside in the parking lot. Our employee vehicles will be parked in the parking lot during the day.

Office hours are

8-430 M-thurs

8-1 Friday

Sat sunday closed

We do offer 24 hour service so we may drive in and get a service vehicle at night only if we have a call

We will have a dumpster in place for trash removal as for any waste oil or debris from a jobsite the waste oil is taken to another location and disposed of in a waste oil furnace so it is never on Soper rd site

Most of our work is done onsite at a customers home so there is very little office traffic and Deliveries will maybe be once a week most items are picked up or delivered to the site

PART III. CONDITIONAL USE STANDARDS

For each standard, describe how what potential impacts your project might have, how your project meets the standard, and what documents the Planning Board should refer to that support your position.

- A. Public Health Impacts: The proposed use will not create unsanitary or unhealthful conditions by reason of sewage disposal, emissions to the air or water, or other aspects of its design or operation. We will not create any health impacts

Please include how you will address any sewage disposal (septic, etc.), any fumes or air emissions, any discharge or runoff that might pollute water, trash, and other potential public health impacts. There is a septic for sewage and We will have a dumpster for trash

Why your project won't create any public health impacts: We have a septic system and trash removal and we are just using the space for storage and office

Relevant documents:

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B. Traffic Safety Impacts: The proposed use will not create unsafe vehicular or pedestrian traffic conditions when added to existing and foreseeable traffic in its vicinity.

Please include how much and the type of traffic you anticipate, hours of traffic, type of traffic currently on the road, any entrance permits, entrance sight distances, hazardous intersections in the area, traffic studies, etc.

Why your project won't create any traffic safety impacts: We do not have our customers drive to the office our work is done at the customers home

Relevant documents:

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C. Public Safety Impacts: The proposed use will not create public safety problems which would be substantially different from those created by existing uses in the neighborhood or require a substantially greater degree of municipal services than existing uses in the neighborhood.

Please include a description of the types of surrounding uses (residential, home businesses, commercial businesses, farms, etc.); the types of public safety problems your use might pose and how you will address them; and the types of municipal services your use will require (education, trash disposal, fire protection, law enforcement protection, etc.).

Why your project won't create public safety problems that are substantially different from the surrounding uses: We have little to no traffic to the office

Why your project won't require a substantially greater degree of municipal services than the surrounding uses: We have little to no traffic to the office

Relevant documents:

D. Environmental Impacts: The proposed use will not result in sedimentation or erosion, or have an adverse effect on water supplies.

Please identify any nearby natural resources (ponds, streams, vernal pools, etc.) and describe whether your project could have an impact on any of those resources and the steps you are taking to prevent any such impact. If you are removing any vegetation or doing any site work, describe those plans and what erosion or sedimentation control procedures you will be taking. If your project could have runoff or leaching, identify the nearby wells and resources that could be impacted and the measures you are taking to prevent any impact.

Why your project won't result in sedimentation or erosion: The building is existing and we have no plan to add buildings or change anything existing

Why your project won't have an adverse effect on water supplies: We do not store hazardous chemicals onsite. Any chemicals that are more than a spray can are delivered to the site and disposed of offsite

Relevant documents:

E. Scale & Intensity of Use: The proposed use will be compatible with existing uses in the neighborhood, with respect to physical size, visual impact, intensity of use, and proximity to other structures.

Please include a description of the types of surrounding uses (residential, home businesses, commercial businesses, farms, etc.), how close they will be to your project, and whether and how much those surrounding uses will be able to see your operations. Describe how your project fits in with the neighborhood and identify any screening or other steps you will take to minimize the impact on surrounding uses.

Why your project will be compatible with surrounding uses: We have less traffic than a dealership so it will be less impact than prior use

Relevant documents:

F. Noise & Hours of Operation: The proposed use will be compatible with existing uses in the neighborhood, with respect to the generation of noise and hours of operation.

Please describe your hours of operation and any noise that your use may generate. Describe the impact those hours and noise could have on surrounding uses and how your use will not be incompatible with the surrounding uses.

Why your project will be compatible with existing uses in terms of noise and hours of

operation: We are open in the office from 8-430 M-Thurs and 8-1 Friday closed sat sun

Relevant documents:

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G. Right, Title, or Interest: The applicant has sufficient right, title or interest in the site of the proposed use to be able to carry out the proposed use.

Identify the type of right, title, and interest that you hold in the property (deed, purchase and sale agreement, lease, easement, etc.).

Right, title, and interest: We have a lease agreement

Relevant documents:

H. Financial & Technical Ability: The applicant has the financial and technical ability to meet the standards of this Section and to comply with any conditions imposed by the Planning Board pursuant to subsection 7.5.

Please identify the cost of the project and any required compliance measures. Provide evidence that you have the financial capacity to meet those standards. Please also identify the experience that you have with the type of proposed use. If your project involves building construction and/or site development, what types of professional services have you or will you employ to address technical design issues like wetland mapping and storm drainage analysis? Who will be inspecting the work to ensure that it meets required regulatory performance standards and industry quality standards? The details of construction and financial & technical capacity will be reviewed during site plan approval (if required), but a general indication and discussion is needed for conditional use review and also for implementation of required conditions of approval (if any).

Estimated cost of the project and compliance: No construction or changes

Evidence of technical capacity: Relevant documents:

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PART IV. SPECIFIC PERFORMANCE STANDARDS

Per Section 7.4.B., please identify any additional performance standards contained in the Land Use Ordinance that apply to your project and identify how you meet those standards (add additional standards/sheets as required). As an example, if your project is a campground, you need to document how you meet the specific standards of Section 5.8 as well as the general criteria for a conditional use review. If your project requires separate site plan review and approval, you can address the site plan performance standards in your site plan application.

A. Specific Standard: (Section Reference)

Performance standard: No changes

How you meet that standard: No changes on property

Relevant documents: