

- (1) support the proposed level of use, and
- (2) avoid any adverse impacts to water quality, natural areas, and adjoining properties and uses.

#### **Section 4.6 Day Care Facility [Home Child Care, Day Care]**

- (A) A state registered or licensed child care home serving six or fewer children on a full-time basis and up to four additional children on a part time basis, which is conducted within a single family dwelling by a resident of that dwelling, shall be considered a permitted use of the single family residence. No zoning permit is required for home child care providing it meets the requirements of this section.
- (B) The home day care shall be permitted one unlit wall-mounted or freestanding sign not to exceed 4 square feet in area.
- (C) Nonresidential day care facilities, and those facilities operated from a dwelling which serve greater than six children full-time and four part-time children, may be permitted in designated zoning districts as a conditional use subject to review under Section 5.2.

#### **Section 4.7 Residential Care and Group Homes**

- (A) In accordance with the Act [§4412(1)(G)], a residential care home or group home to be operated under state licensing or registration, serving not more than eight persons who have a handicap or disability as defined in 9 V.S.A. § 4501 shall be considered to constitute a permitted single family residential use of property, ~~except that no such home shall be considered so if it is located within 1,000 feet of another existing or permitted home.~~
- ~~(B) A residential care home or group home to be located within 1,000 feet of another existing or permitted home shall be reviewed as a multi-family dwelling in accordance with this bylaw.~~

#### **Section 4.8 Extraction of Earth Resources**

- (A) The extraction or removal of topsoil, sand, gravel, rock, minerals or other similar earth resource for may be allowed in designated districts subject to conditional use review under Section 5.2. In addition to the conditional use standards set forth in Section 5.2, for commercial extraction operations which are likely to impact surrounding properties due to the scale, intensity and timing of the extraction, the presence of fragile natural features (e.g., steep slopes, riparian land), and/or the relative density of nearby land uses, the Development Review Board may also require erosion control and site reclamation plans showing:
  - (1) existing grades, drainage patterns and depths to bedrock and the seasonal high water table;
  - (2) the extent and magnitude of the proposed operation, including proposed phasing;
  - (3) finished grades at the conclusion of the operation; and
  - (4) a detailed plan for the restoration of the site, including final grading and revegetation.
- (B) In granting approval, the Development Review Board may impose conditions with regard to any of the following factors:

(9) the length of time the violation has existed.

\* \* \*

(e) Contents of proposed order. A proposed order shall include:

\* \* \*

(5) if applicable, a civil penalty of not more than ~~\$500.00~~ \$800.00 for each violation and in the case of a continuing violation, not more than \$100.00 for each succeeding day.

\* \* \* Municipal Planning and Development Bylaws \* \* \*

Sec. 17. 24 V.S.A. § 4412 is amended to read:

§ 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

Notwithstanding any existing bylaw, the following land development provisions shall apply in every municipality:

(1) Equal treatment of housing and required provisions for affordable housing.

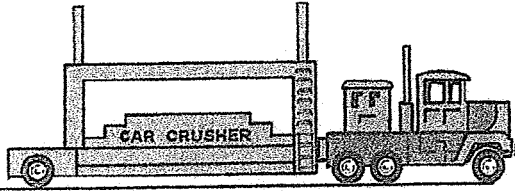
\* \* \*

(G) A residential care home or group home to be operated under ~~state~~ State licensing or registration, serving not more than eight persons who have a disability as defined in 9 V.S.A. § 4501, shall be considered by right to constitute a permitted single-family residential use of property, ~~except that no such home shall be so considered if it is located within 1,000 feet of another existing or permitted such home.~~ This subdivision (G) does not require a



The requested zoning district boundary amendment would extend the Highway Mixed Use District from Map 5, Lot 61.11. Tax Map 5, Lots 62.4, 62.1, 62.2, 62.3 and a portion of 63 would be changed from Compact Residential to Highway Mixed Use. A small part of the section of 63 would change from Rural Residential to Highway Mixed Use. Approximately, 6.6 acres in Map 5, Lot 63 would be affected. The portion includes 1,079 feet on Route 14, 500 feet inland, 1,500 feet to West Hill Road and 200 feet on West Hill Road (approximate distances). This portion is an overlay of the entrance to the existing salvage yard operation.

(See attached maps)



# GATES *Salvage* YARD

CRAFTSBURY ROAD • HARDWICK, VERMONT 05843

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10/02/2018

Town of Hardwick  
Attn: Hardwick Planning Commission  
PO Box 523  
Hardwick, VT 05843

Re: Request to Amend the Hardwick Zoning Boundary as included in the Hardwick Unified Development Bylaws.

Dear Chairman Gross,

The owners of Tax Map 5, Lot 63, Joseph Rivard of Gates Salvage Yard, Inc would like to request an amendment to the Hardwick Zoning Boundary.

Currently, Tax Map 5, Lots 63, 62.4, 62.3, 62.2 and 62.1 are located in the Compact Residential Zoning District. The stated purpose of this district is as follows:

**"The purpose of the Compact Residential District is to provide for moderate to high density residential development, and appropriate non-residential uses, in predominately built-up areas within and surrounding the town's traditional village centers."**

The stated lots are situated at the intersection of Routes 15 and 14. Adjacent lot #61.11 has a glass repair operation and Lot 63 has historically had a salvage yard entity. These uses are more aligned with the purpose stated in the Highway Mixed-Use District than the Compact Residential district. The stated purpose is as follows:

**"The purpose of the Highway Mixed-Use District is to allow automobile-oriented businesses and other compatible uses along major travel corridors contiguous to the historic village centers, while maintaining safe and efficient traffic flow."**

The cluster of lots is situated directly beside the existing Highway Mixed-Use zone on Vermont Route 15 East and Vermont Route 14 North.

Approximately 10 acres of land would be affected by this amendment. The requested change could follow the contour of lots 62.3, 62.2, 62.1 and 62.4 with an overlay of the entrance to the existing salvage yard operation.

Please consider this request for a zoning district amendment at your October 9, 2018 meeting.

Submitted by,

A handwritten signature in black ink that reads "Joe Rivard". The signature is written in a cursive style and is positioned above the printed name.

Joseph Rivard



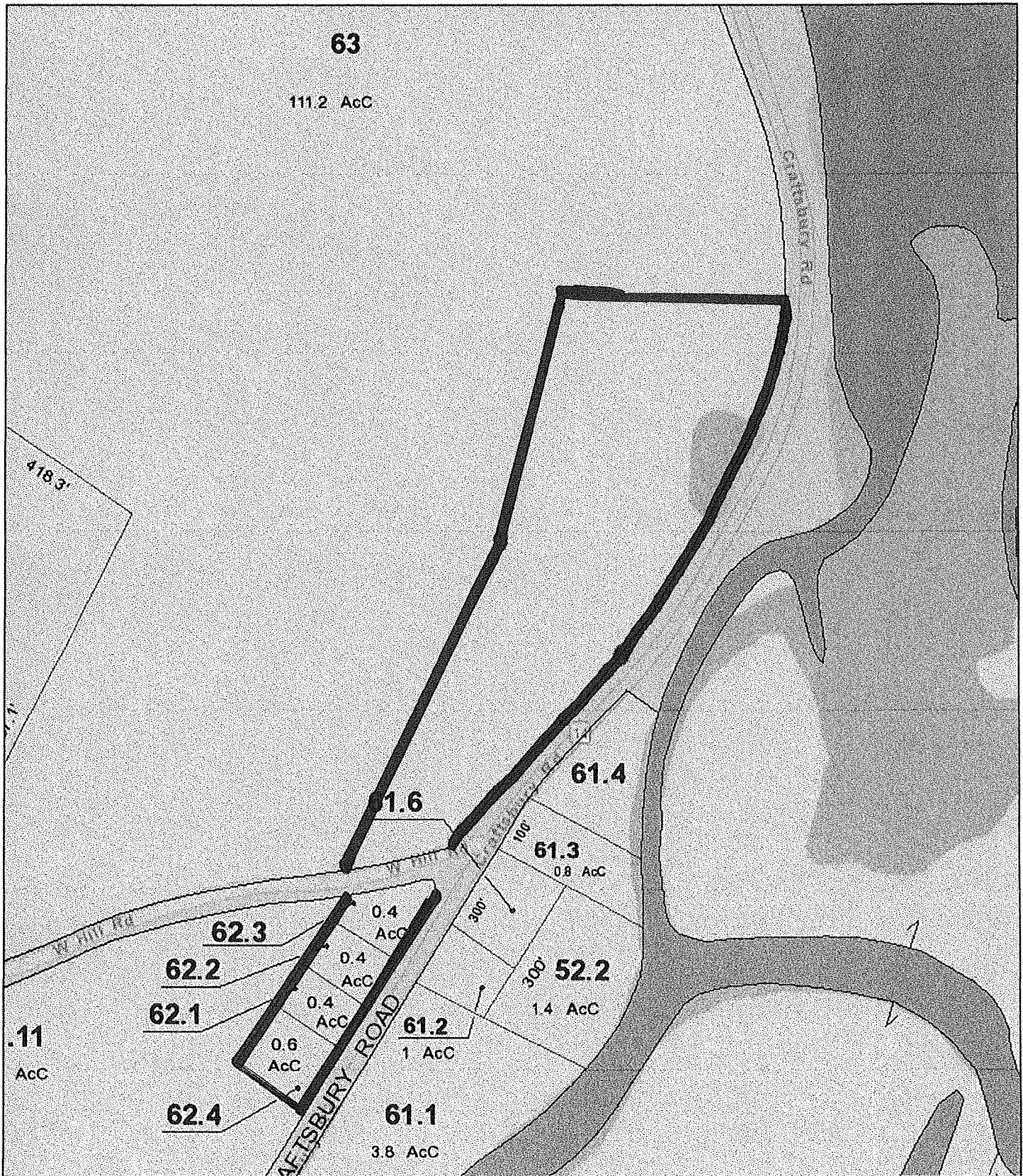
Hardwick, VT



March 12, 2019

1 inch = 268 Feet

www.cai-tech.com



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