

- (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 resident 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 according 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





114 Buffalo Mountain Rd
Hardwick, VT 05843

Phone: 802-472-5522
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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 9, Lot 58.7, The Helen M. Gates 2009 Rev. Trust, would like to request an amendment to the Hardwick Zoning Boundary.

Currently, Tax Map 9, Lot 58.7 is located in the Forest Reserve District. The stated purpose of this district is as follows:

"The purpose of the Forest Reserve is to protect significant forest resources and limit development to low densities in areas with steep slopes, shallow soils, unique or fragile resources, significant wildlife habitat, and poor access to town roads and community facilities and services."

The stated lot is located adjacent to Route 14 South with a direct access to the major travel corridor. Historically, the parcel has been the location of Buffalo Mountain Motor Sports and Wright's Auto Service for over 40 years. These uses are more aligned with the purpose stated in the Highway Mixed-Use District than the Forest Reserve 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."

Approximately 3.65 acres of land would be affected by this amendment. The requested change could follow the contour of Map 9, Lot 58.7.

Please consider this request for a zoning district amendment at your June 11th meeting.

Submitted by,

Susan Rivard
Owner/Manager Buffalo Mountain Powersports



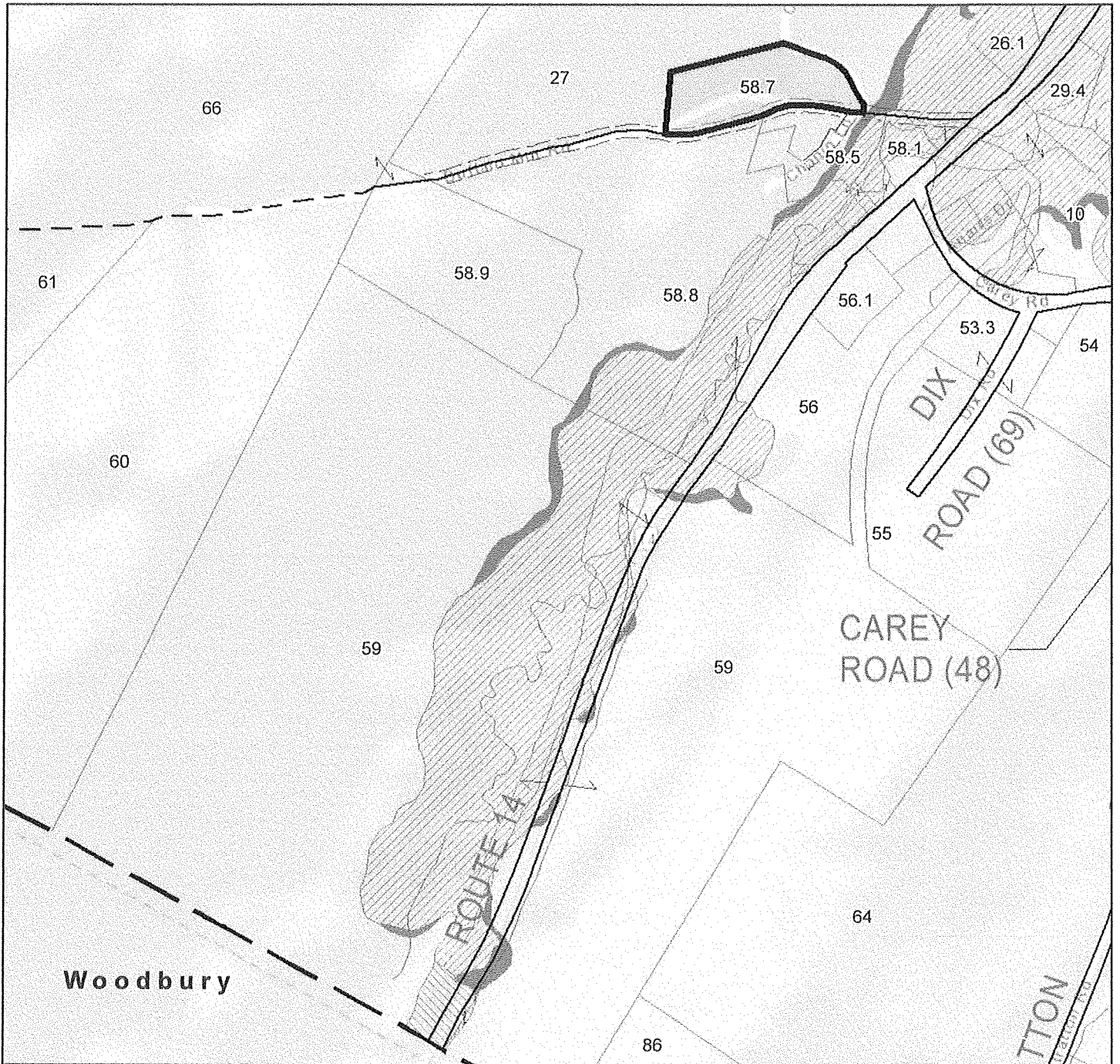
Hardwick, VT



June 3, 2019

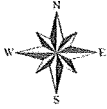
1 inch = 537 Feet

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- Large Scale ——— Private Road ——— PropNotPar 100 Year - Zone A
- CAI Town Line ——— Property Line ——— Property Hook 100 Year - Zone AE
- Dashed Road ——— Public Road ——— WaterLines
- PWater ——— Right of Way 500 Year Flood Zone

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



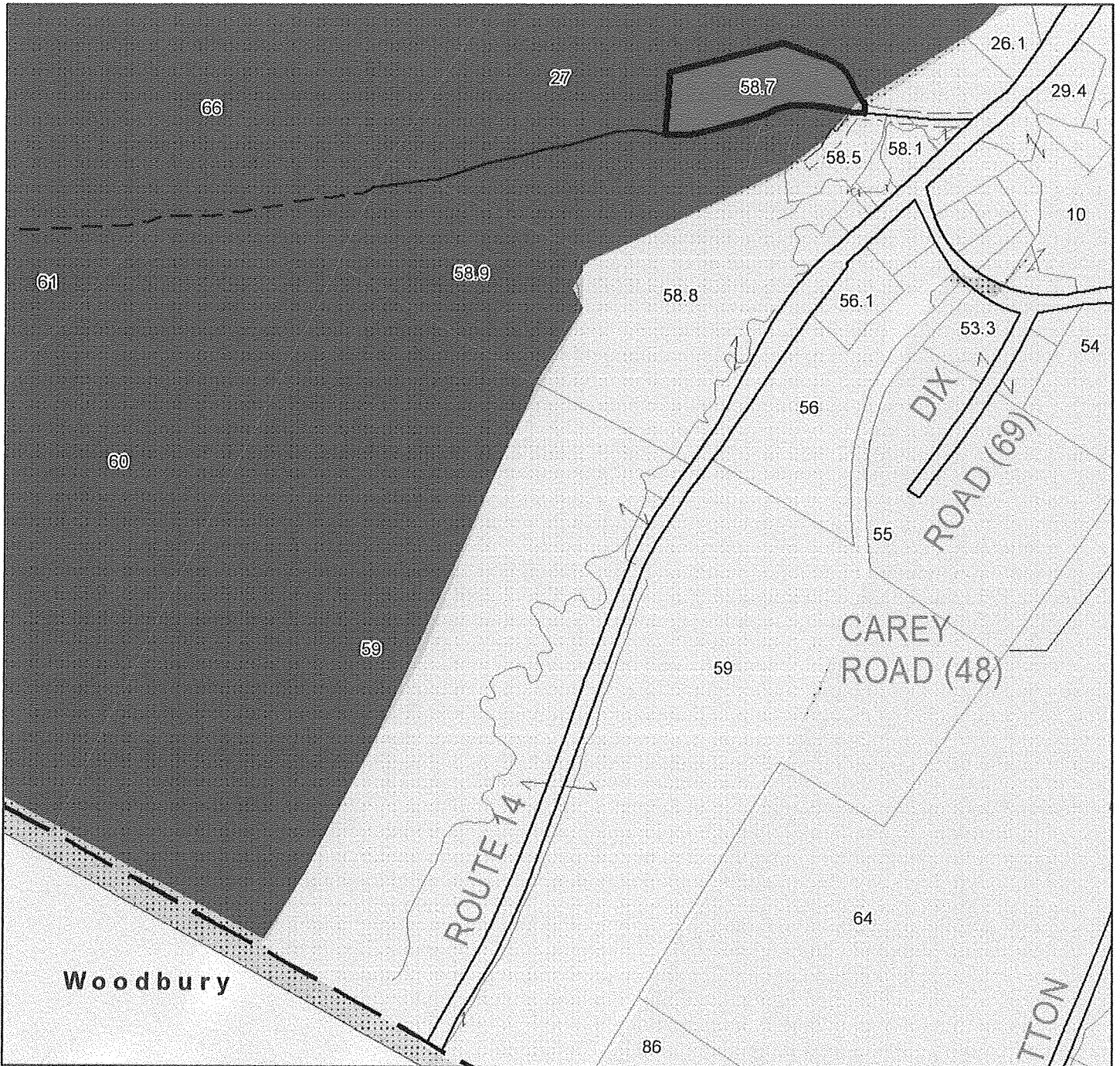
Hardwick, VT



June 3, 2019

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|---------------|---------------|----------------------------|------------------------------|
| Large Scale | Private Road | PropNotPar | Compact Residential District |
| CAI Town Line | Property Line | Property Hook | Forest Reserve District |
| Dashed Road | Public Road | WaterLines | Rural Residential District |
| PWater | Right of Way | Highway Mixed Use District | |

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