

Hardwick Development Review Board
Conditional Use Review Request
Landowner: Buffalo Mountain Coop Inc.
Applicant: Buffalo Mountain Market
91 Mill Street, Hardwick
Application #2022-065 Amending 2019-041
December 7, 2022

To consider a Conditional Use Review request by the Buffalo Mountain Co-op Inc. for the amendment of Condition #3 on the Decision for permit #2019-041 in the Central Business zoning district. Development would occur at 91 Mill Street, Hardwick, VT.

Warnings were posted on Tuesday, November 15, 2022 at the Hardwick Memorial Building, the Hardwick Post Office and the East Hardwick Post Office. The warning was sent to the following neighboring property owners: Bair LLC; Rural Arts Collaborative Inc; Town of Hardwick; and George and Melissa Hay on Wednesday, November 16, 2022. It was published in News and Citizen on Thursday, November 17, 2022 and in The Hardwick Gazette on Wednesday, November 16, 2022.

Development Review Board members present: Kate Brooke; Ruth Gaillard; John Mandeville; Helm Nottermann; and Kole.

Development Review Board members absent: None.

Others present: Kristen Leahy, Zoning Administrator (acting clerk); Janet Bellavance; Diane and Marcel Sholan; William Chidsey, Applicant representative; Nate and Sarah Apolito.

During the course of the hearing and prior to the hearing the following exhibits were submitted: N/A

Summary of Discussion

Chair John Mandeville began the hearing at 7:20 pm. He noted that the hearing was quasi-judicial, explained the hearing procedure, asked board members for any disclosures of conflict of interest, and swore in all those who wished to speak at the hearing.

The representative for the Buffalo Mountain Market, William Chidsey, was invited to present the application.

The Buffalo Mountain Market purchased 91 Mill Street from 91 Mill Street LLC. The Buffalo Mountain Market is attempting to improve the traffic flow, pedestrian access and the Mill Street access within the parking area for the Market, which encompasses 75 and 91 Mill Street. The Market intends to remove the parking from the front of the existing structure, delineate the angled parking spaces with 3' jersey barriers, create one-way traffic patterns, and bring the parking area out of the 25 feet ROW for Mill Street.

Buffalo Mountain Market will be seeking to pave the entire parking area next spring (2023) and to replace the jersey barriers with more aesthetically pleasing barriers between the vehicle parking and the proposed pedestrian walkway.

William Chidsey met with Tom Fadden to review the proposed parking and traffic patterns and received verbal approval of the plans. Mr. Chidsey has also met with the Hardwick Planning Commission and will be meeting with the Commission on December 13, 2022 to incorporate pedestrian safety aspects.

To enable these updates, the previous Development Review Board decision, 2019-041, would need to be amended. In Condition #3, the Applicant and Landowner are seeking to remove **"The existing curb cut will have adequate impediments to prevent vehicular usage."** The residual language will remain as provided.

“Furthermore, the Mill Street boundary of the property will have adequate impediments to clearly delineate the line between the parking area and the existing sidewalk.”

The hearing ended at 7:30. Helm Nottermann made the motion to enter into deliberative session after the following hearing and Kole seconded. All members were in favor.

Decision and Conditions

Based upon these findings, the Development Review Board voted 5-0 to approve the Buffalo Mountain Co-Op Inc conditional use application as presented and amended with the following conditions:

Conditions:

1. *Remains intact*
2. *Remains intact*
3. ~~The existing curb cut will have adequate impediments to prevent vehicular usage.~~ Furthermore, the Mill Street boundary of the property will have adequate impediments to clearly delineate the line between the parking area and the existing sidewalk.

Signed:

 _____, Chair
John Mandeville, DRB Chair

Date 12/22/2022

 _____, acting clerk
Kristen Leahy, Zoning Administrator

Date 12/12/2022

NOTICE:

This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding (in person or in writing) before the Development Review Board. Such appeal must be made within 30 days of the date of this decision, pursuant to 24 V.S.A. #4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.