

APPLICATION FOR CONDITIONAL USE PERMIT/VARIANCE

Town of Hardwick

PO Box 523, Hardwick, VT 05843

(802) 472-1686

zoning.administrator@hardwickvt.org

FOR TOWN USE ONLY

Application Number: 2023 - 017

Tax Map Number 24051 - 00040

Zoning District CB

Date Application Received 5 / 9 / 23

Fee Paid \$ 240

Date Paid 5 / 9 / 23

Please provide all of the information requested in this application. Failure to provide all required information will delay the processing of this application. Submit the completed application and a check payable to the *Town of Hardwick* according to the attached fee schedule.

Applicant(s):

Name(s): Buffalo Mountain Market Agent: William Chidsey Facilities Manager

Mailing Address: P.O. box 336 Hardwick, Vermont 05843

Telephone(s) Home: 802-249-6004

Work: same

Cell: same

E-Mail: bill@buffalomountaincoop.org

Landowner(s) (if different from applicant(s)):

Name(s): Buffalo Mountain Coop Inc. Board Member: Bruce Kaufman

Mailing Address: P.O. box 336 Hardwick, Vermont 05843

Telephone(s) Home: 802-472-6169

Work: 802-472-6020

Cell: 802-479-4202

E-Mail: bkriversidefarm@gmail.com

Physical Location of Property (911 address):

75 Mill Street, Hardwick, Vermont 05843

Type of Permit:

☒ Conditional Use ☐ Variance

Proposed Use/Development (please check all that apply):

New Construction

☒ Commercial

Accessory Use

☒ Renovation/Remodeling

☒ Change of Use (please describe): 10-15 seat Cafe, ADA automatic door storefront, ~~Reception~~, Parking lot lighting

Sign or Other (please describe): _____

Estimated Value of Project: \$ 75,000

Other Permits or Verifications Which May Be Necessary:

State Potable Water and Wastewater Permits - _____

Town of Hardwick Water and/or Sewer Connection Verification - Book 162 Page 181-182

Site visit approval **Schedule site visit when completed application is submitted.**

Local utility company has been consulted - ☒ yes ☐ no _____

Curb Cut - requires a separate application - necessary if a new driveway must be installed.

☐ Applied (date) _____

☒ Not required

Property Description:Acreage in lot .65

(Please Note: If your property is enrolled in the Current Use Program, your conditional use or variance application may impact your Current Use status. Please verify your status with Vermont Property Valuation and Review, Current Use Program at 802-828-6633).

Feet of Road Frontage 187'Setbacks: Front 80' (to center of road)
Right side 102'
Stream 20' at rearLeft Side 20'
Rear 20'
Other _____**Dimensions of Proposed and Existing Buildings:**Existing:
Length 100'
Width 60'
Height 18.5'No. of Stories 1

Proposed:

Length 108'
Width 74' 60'
Height 18.5'No. of Stories 1Existing use and occupancy. (If there are no buildings currently on the property, please write "bare land.") Retail sales (grocery store)Proposed use and occupancy. grocery store + restaurant → Mixed Use**General Location Map and Site Plan:**

In order for a Conditional Use application to be reviewed by the Development Review Board, a general location map and a completed site plan must be provided.

☒ A general location map (on a USGS topographic map or Vermont orthophoto base) showing the location of the proposed development in relation to zoning districts, public highways, drainage and surface waters, and adjoining properties and uses.

☒ A completed site plan includes, but is not limited to:

1. North Arrow, scale, project name, date and name and address of the person or firm preparing the map;
2. The dimensions of the lot, property lines and setback distances from boundaries;
3. The location and names of roads and streets abutting the property;
4. Existing site features, including ridgelines, hill tops and areas of steep slope (greater than 25%); drainage, surface waters, wetlands, and associated setback areas; vegetation and tree lines; historic features (ie. Stone walls), and designated critical habitat, flood hazard and source protection areas;
5. The location (footprints) of existing and proposed structures, including all buildings, other structures, signs, and/or walls;
6. Existing and proposed rights-of-way and easements;
7. Existing and proposed roads, driveways, parking and loading areas (traffic circulation), and pedestrian paths;
8. Existing and proposed utility lines, water supply and wastewater disposal areas;
9. Proposed site grading (cut and fill), stormwater management, and erosion control measures; and
10. Proposed outdoor lighting, landscape design and screening.

Sketch a floor plan or diagram showing the dimensions of the proposed building, addition or alteration.
(This should show the rooms in the inside of the building, including both upstairs and downstairs if there is more than one floor.)

See Attached plans

NOTE FOR CONDITIONAL USE PERMITS: Additional information may be required by the Development Review Board to determine conformance with the Town of Hardwick Zoning Bylaws. The application will not be considered complete by the DRB until all required materials have been submitted. One or more application requirements may be waived by the DRB, at the request of the applicant, should the DRB determine that the information is unnecessary for a comprehensive review of the application. Waivers shall be issued by the Board in writing at the time the application is accepted and deemed complete.

☐ Applicant requests a waiver from application requirements. Reason(s) for waiver include(s) the following:

Conditional Use Criteria – Article 5 – Section 5.2:

At your Development Review Board hearing, you will be asked to present your proposal. Please be prepared to address the impact of your project based on the following criteria.

"Conditional use approval shall be granted by the Board of Adjustment (DRB) upon finding that the proposed development will not result in an undue adverse effect on any of the following:

- 1. The capacity of existing or planned community facilities and services.** The Board shall consider the demand for community facilities and services that will result from the proposed development in relation to the existing and planned capacity of such facilities and services, and any adopted capital budget and program currently in effect. The Board may request information or testimony from other local officials to help evaluate potential impacts on community facilities and services. To minimize adverse impacts to community facilities and services, the Board may impose conditions as necessary on the provision of facilities, services or related improvements needed to serve the development, and/or the timing and phasing of development in relation to planned municipal capital expenditures or improvements;
- 2. Character of the area affected.** The Board shall consider the design, location, scale, and intensity of the proposed development in relation to the character of the neighborhood or area affected by the proposed development, as determined from zoning district purpose statements, municipal plan policies and recommendations, and evidence submitted in hearing. The Board may impose conditions as necessary to eliminate or mitigate adverse impacts to the area, neighboring properties and uses, including conditions on the design, scale, intensity, or operation of the proposed use;
- 3. Traffic on roads and highways in the vicinity.** The Board shall consider the potential impact of traffic generated by the proposed development on the function, capacity, safety, efficiency, and maintenance of roads, highways, intersections, bridges, and other transportation infrastructure in the vicinity of the project. The Board may request information or testimony from the Selectboard, Road Commissioner or state officials to help evaluate potential impacts on town and state highways in the vicinity of the development. A traffic study also may be required to determine potential adverse impacts and appropriate mitigation measures. The Board may impose conditions for pedestrians or motorists, including the installation of infrastructure or accepted traffic management and control measures as required by the development;
- 4. Bylaws in effect.** The Board shall determine whether the proposed development conforms to other applicable municipal bylaws and ordinances currently in effect including, but not limited to, town road, health, and facility (e.g., sewer, water) ordinances. The Board shall not approve proposed development that does not meet the requirements of other municipal regulations in effect at the time of application;
- 5. The utilization of renewable energy resources.** The Board shall consider whether the proposed development will interfere with the sustainable use of renewable energy resources either by diminishing their future availability, or by interfering with access to such resources. Conditions may be imposed as necessary to ensure the long-term availability of, and continued access to, renewable energy resources.

Specific Review Standards shall include:

- 1. Siting & Dimensional Standards.** All conditional uses shall meet minimum applicable dimensional and density standards as specified for the district in which the use is located (Article 2), the particular use (Article 4), and for the protection of surface waters (Section 3.12). In addition, the Board may specify as a condition of approval lower densities of development, increased frontage or setback distances, increased buffer areas, and/or designated building envelopes that limit the area to be used for structures and parking, as necessary to avoid or minimize adverse impacts to the character of the area, to significant natural and historic resources identified in the town plan or through site investigation, or to adjoining properties and uses.

2. Performance Standards. All conditional uses shall meet performance standards as specified in Section 3.11. In determining appropriate performance standards for a particular use, the Board may consult with state regulatory officials and consider accepted industry standards. In addition, the Board may limit the hours of operation so that the proposed use is compatible with the character of the neighborhood and area.

3. Access & Circulation Standards. All conditional uses shall meet applicable access management standards as specified in Section 6.6. The Board, in consultation with the Selectboard and state, may impose conditions as necessary to ensure the safety of vehicular and pedestrian traffic on and off-site, including but not limited to conditions on the location and number of access and intersection locations, requirements for shared access and/or parking, and provisions for emergency access, parking, service and loading area, snow storage, pedestrian paths and transit facilities (e.g. sheltered bus stops), as appropriate.

4. Landscaping & Screening Standards. The Board may require landscaping, fencing, screening or site grading as necessary to maintain the character of the area, or to screen unsightly or incompatible uses from town highways, other public rights-of-way, or adjoining properties. Particular consideration will be given to the preservation of existing vegetation, visibility of the development from public vantage points (including roads), and the adequacy of landscaping and screening materials to meet seasonal weather and soil conditions. A landscaping management plan, and surety for up to three years that is acceptable to the Board of Adjustment, may be required to ensure that required landscaping and screening is properly installed and maintained.

5. Stormwater Management & Erosion Control Standards. All conditional uses shall incorporate accepted stormwater management and erosion control practices as appropriate for the setting, scale and intensity of the existing and planned development. Development shall be sited and designed to minimize stormwater runoff and erosion during all phases of development. The Board may require the submission of a stormwater management and/or erosion control plan, prepared by a qualified professional, that incorporates accepted management practices recommended by the state in the *Vermont Stormwater Management Manual* and the *Vermont Handbook for Soil erosion and Sediment Control on Construction Sites*, as most recently amended.

District Standards.

1. Central Business District. Within the Central Business District, development shall be designed in accordance with the following standards:

- a. The use of front yards shall be limited to landscaping, pedestrian paths and associated pedestrian amenities (e.g. street furniture, pedestrian scale lighting and signs) and driveways. Outdoor storage, parking and loading areas shall not be located within front yards unless the Board finds that the property is a pre-existing building or that no other practical alternative exists.
- b. Buildings should be oriented toward and relate to, both functionally and visually, public streets and/or common greens, parks or plazas, and not be oriented toward parking lots. The front façade should include a main entry-way and pedestrian access to the street. Buildings located on corner lots shall either be oriented toward the major street or include a corner entrance. The Board may impose a maximum setback, relative to adjacent buildings, to achieve a consistent streetscape.
- c. New buildings and additions to existing buildings shall be designed to be compatible with, and not stand in contrast to, historic structures located within the district with regard to building scale, massing, materials, orientation and rhythm of openings.

2. Village Neighborhood District. Within the Village Neighborhood District development shall be designed in accordance with the following standards:

- a. The use of front yards shall be limited to landscaping, pedestrian paths and associated pedestrian amenities (e.g. street furniture, pedestrian scale lighting and signs) and driveways. Outdoor storage, parking and loading areas shall not be located within front yards unless the Board finds that the property is a pre-existing building or that no other practical alternative exists.

- b. Buildings should be oriented toward and relate to, both functionally and visually, public streets include a main entry-way and pedestrian access to the street. The Board may impose a maximum setback, relative to adjacent buildings, to achieve a consistent streetscape.
- c. The scale and massing of new buildings, including height, weight, street frontage and roof type, shall be compatible and harmonious with surrounding residential structures. Consideration shall be given to buildings serving special civic, social or cultural functions, including places of worship, that may be designed to serve as prominent focal points within the district.

3. Highway Mixed-Use District. Within the Highway Mixed Use District, development with frontage on state highways (Route 15, Route 14, Route 16) shall be designed in a manner that meets the following standards:

- a. Within and contiguous to parking areas, landscaping shall emphasize the use of shade trees to provide a tree canopy, provide separation between parking spaces to avoid large expanses of parking and minimize the visibility of parking areas from off-site. Suitable locations for shade trees include along walkways, in center islands, in between parking space and clustered in appropriate locations.
- b. A landscaped strip of at least twenty (20) feet shall be provided parallel to the road, which may be crossed by driveways and sidewalks. Form, location, and composition of the landscaped strip shall be shown on the site plan and approved by the Board of Adjustment.

4. Rural Residential and Compact Residential Districts. Within the Rural Residential and Compact Residential Districts, development shall be designed in accordance with the following standards:

- a. Development shall be designed to minimize loss of agricultural land and natural habitat, impact on water quality, and diminishment of the scenic and rural qualities of the site as experienced both on-site and from other vantage points in the Town.
- b. Access roads, driveways and utility corridors shall be shared to the extent feasible; and, where sites include linear features such as existing roads, tree lines, stone walls, and/or fence lines, shall follow these features to the extent feasible in order to minimize the loss of productive agricultural and forest land, and to avoid physical and visual impacts.

5. Forest Reserve District. Development within the Forest District should not detract from the site's scenic qualities, nor obstruct significant views from public vantage points, and should blend in with the existing landscape. Development shall take into consideration existing contours and forest cover to ensure that adequate opportunities exist for the siting and natural screening of development to minimize site disturbance and visual impacts. The Board may require the submission of a visual impact assessment for conditional uses within this district, and/or require additional screening of structures consistent with the natural and built environment.

Notes:

Permission to Enter Property & Applicant Certification Signatures

Signing of this application authorizes Town Personnel to enter onto the premises for the purpose of verifying information presented.

The undersigned hereby certifies that the information submitted in this application regarding the above property is true, accurate and complete and that I (we) have full authority to request approval for the proposed use of the property and any proposed structures. I (we) understand that any permit will be issued in reliance of the above representations and will be automatically void if any are untrue or incorrect.

The undersigned understand that additional information, such as a survey of the property or expert testimony may be required for review and consideration of this application by the Zoning Administrator or by the Development Review Board and, that, upon my written authorization, fees for such additional information shall be my responsibility.

The permit will expire and become null and void within 2 years from the date of issuance if the permitted development has not commenced.

Construction may not be started until 30 days from the date of Development Review Board approval.

Signature of Applicant(s) William Chidsey F. M. Date 4/25/23

Signature of Landowner(s) Bm / k Blc Date 4/26/23

Note: Failure to develop your property in accordance with your application and any conditions of this permit may result in an enforcement action and may affect your ability to sell or transfer clear title to your property.

The applicant or any interested person who has participated in the proceeding may appeal a decision of the Development Review Board within 30 days of such decision to the Vermont Environmental Court, in accordance with the Act (4471, 4472).

Please note that this is only a local permit and state permits may be needed for your project. Please contact the Permit Specialist at the VT Agency of Natural Resources at (802) 477-2241 or

jeff.mcmahon@vermont.gov

FOR ADMINISTRATIVE USE ONLY

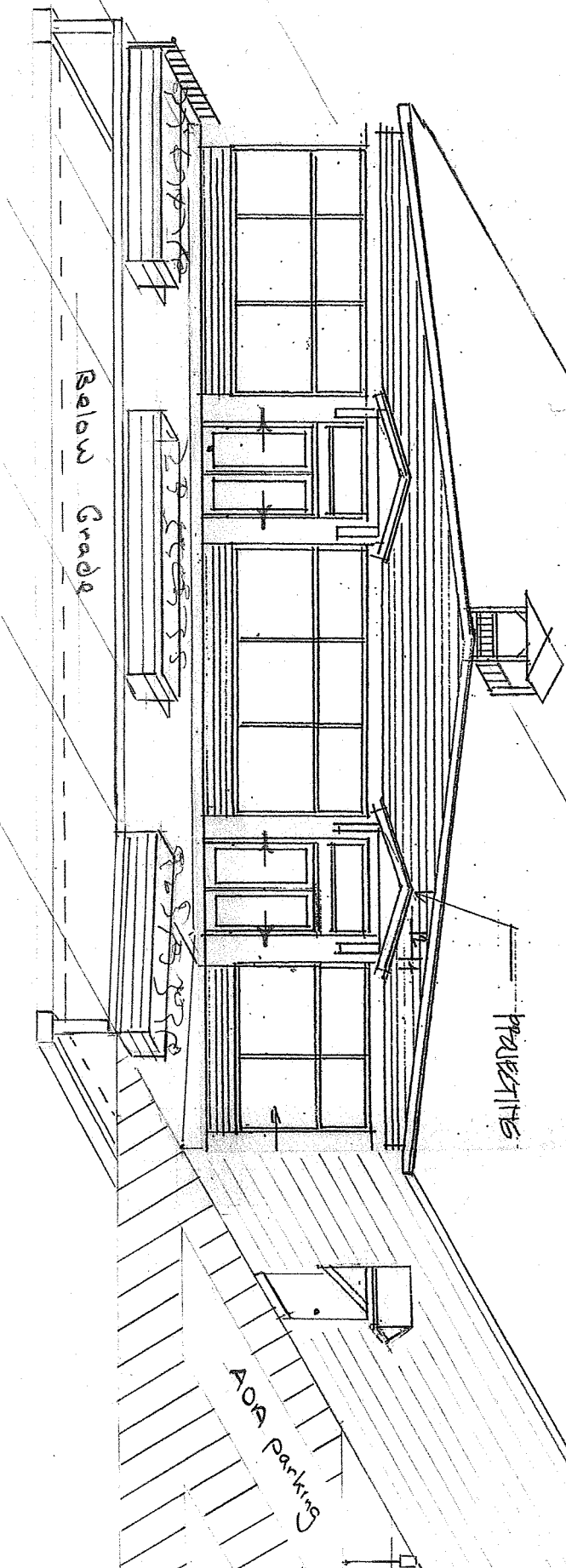
Date of Approval or Denial by Development Review Board: _____

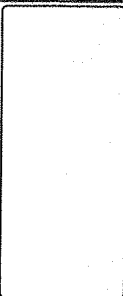
Applicant/Landowner Received a Copy of the Applicable Building Energy Standards: _____ (Date) _____

Applicant/Landowner Did NOT Need to Receive a Copy of the Applicable Building Energy Standards (Due to the fact that the structure will not be heated or cooled): _____ (Date) _____

- x 20' long both car & van accessible with [2] signs
- 1 full length [less than 1/48 access aisles
- ed [with contrasting paint] connecting directly to store walkway
- concrete walkway [less than 1/20 slope]
- concrete storefront landing [less than 1/48 cross slope]
- /stem in reinforced insulated concrete slab
- ak-out] automatic doors
- riors with storefront bench [1] cedar planters / vehicle barrier [sloped walkway]
- ing along delivery truck lane

6000 ft² PV





BUFFALO MOUNTAIN
CO-OP
FARMHOUSE

ARCHITECT

1/11

Scale: 1/8" = 1'-0"



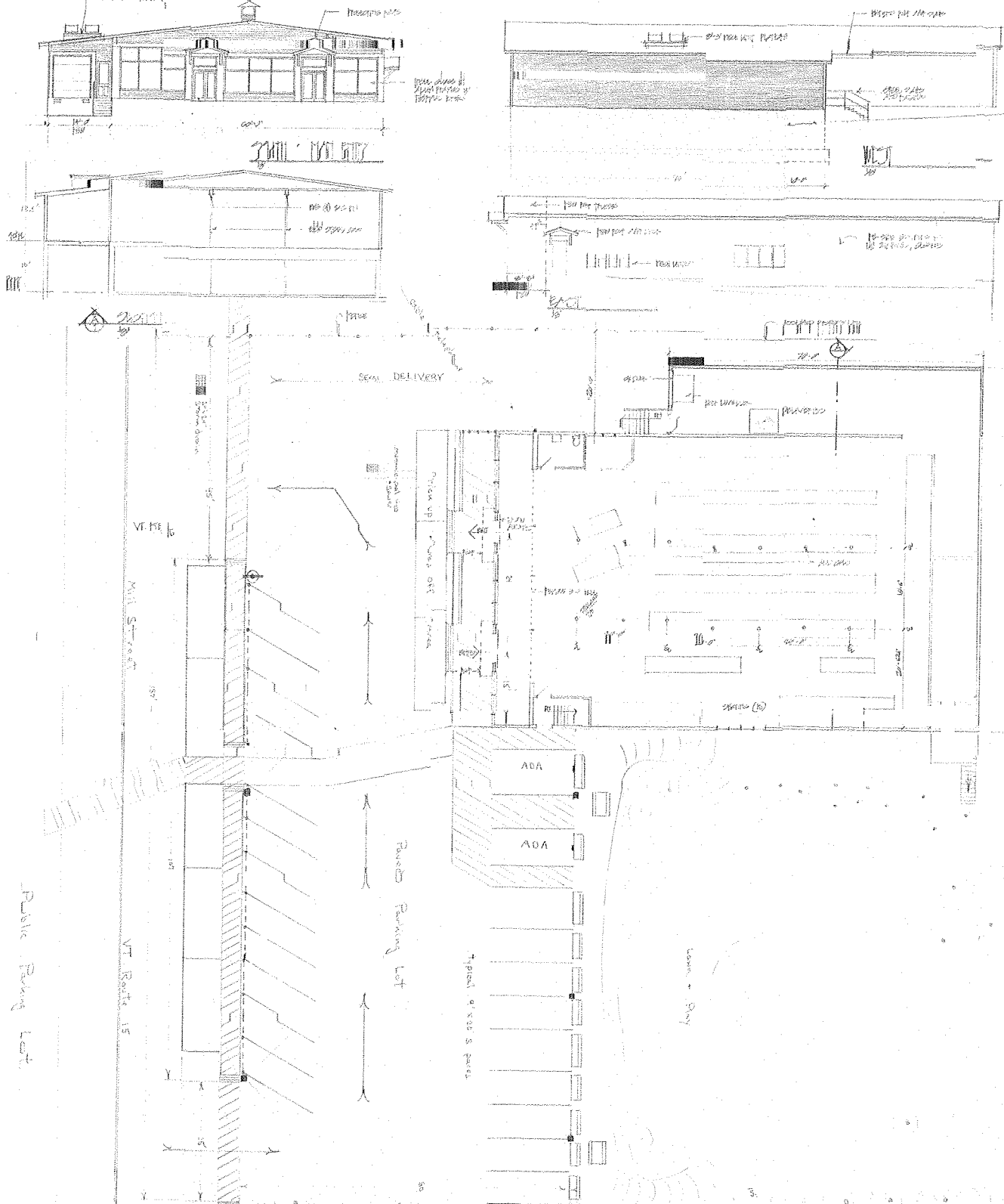
Buffalo Mountain Food Co-op Inc. 75 Mill Street, Hardwick Vermont

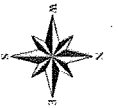
Better Building by Design Site Plan - 1st Floor Plan - Elevations

Objectives outline:

- *Full Access and Inclusion for All
 - *ADA Parking and signage
 - *Accessible Corridor markings
 - *Pedestrian walkways with vehicle barriers
 - *Vehicle barrier planters
 - *Landings with 5 foot automatic doors
 - *Sidewalk area pre-paved for Village
 - *Pick-up and drop-off zone
 - *Receiving dock
 - *EV charger ready
- *Parking lot - graded, paved, marked, and one way for safety
 - *Riverbank/ Greenspace Conservation Plan and Riparian zone
 - *End existing delivery lane winter salt and erosion pollution
 - *People and Play space
 - *LED Parking lot lighting - no glare, downfacing, unoccupied, self-dimming
 - *25 foot setback from Mill St center with vehicle fence
- *Respect for the Village
 - *Noise reduction
 - *Riverside condensing unit removal
 - *Riverside dumpster removal
 - *Rooftop quiet condenser fan coil
 - *Mill St setback makes way for sidewalk and parallel parking
 - *Light pollution reduction
- *Cafe prepared foods and take-out 10-15 seats
- *Employee and customer safety and efficiency
 - *Receiving dock and shelter with elevator eliminating conveyor
 - *Snowmelt ADA walkway and landing
 - *New LED ceiling lights
 - *Produce dept located on first floor
- *Climate and environment stewardship
 - *New advanced low (GWP) global warming potential refrigeration
 - *Pack compressor in basement
 - *Quiet rooftop fan coil
 - *Refrigerant heat recovery replacing heating fuel oil consumption
 - *Rooftop solar PV
 - *Micro-grid battery back-up system
 - *Net-Zero building science construction efficiency up-grades
 - *Filtered and conditioned IAQ ventilation with ERV
 - *Smart device level controls and data
- *Community resiliency
 - *Ample inventory bulk and frozen staples
 - *Local agriculture producer - Vermont food hub priorities
 - *Co-op owner/ member leadership, values and experience since 1975.

Site Plan by Facilities Manager
William Chubbey
604 VT 604 1587, Hardwick VT 05743





May 9, 2023

Town of Hardwick, VT

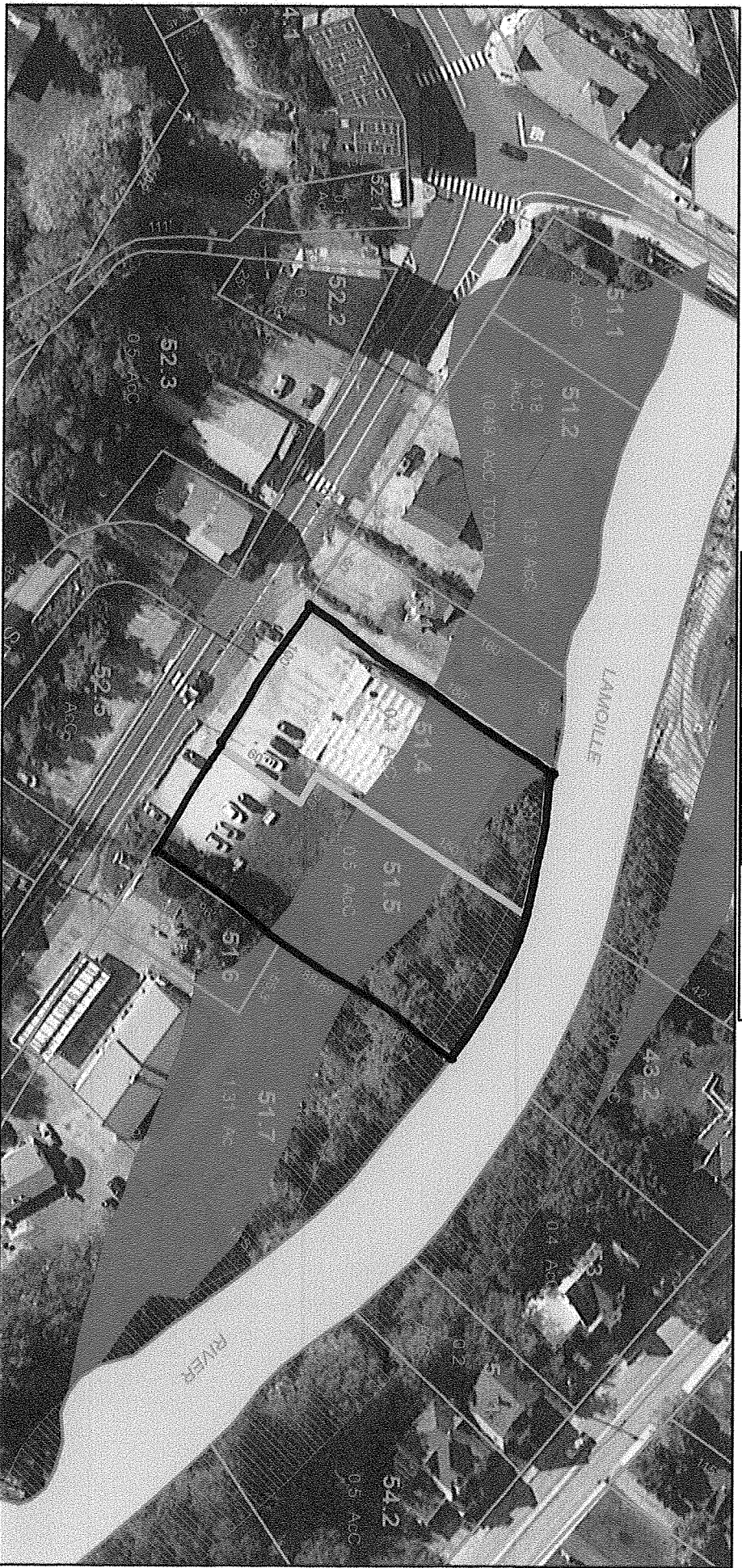
1 inch = 94 Feet



CAI Technologies

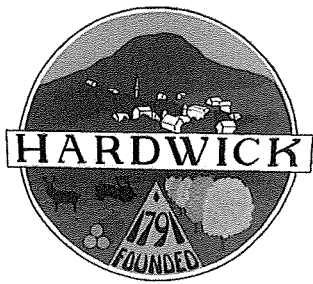
Produce Mapping & GIS Services

www.cai-tech.com



Water	CommonNotPar	PropNotPar	Water-poly
Property Line	Right of Way	Property Hook	500 Year Flood Zone
Public Road	Bridge	ParcelText_Leaders	100 Year - Zone AE

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.



**Town of Hardwick
Office of the Town Manager
P.O. Box 523
Hardwick, Vermont 05843**

phone: (802) 472-6120 • e-mail: david.upson@hardwickvt.gov • fax: (802) 472-3793

February 10, 2023

Buffalo Mountain Market
75 Mill Street
Hardwick, VT 05843

Re: Water & Sewer Allocation

To: Emily Hershberger, General Manager

The purpose of this letter is to confirm that the Town of Hardwick currently has the capacity to serve your proposed 10-15 seat restaurant with both municipal drinking water and wastewater treatment for the design flow rate consistent with your current allocation.

If you have any questions, please don't hesitate to contact me.

Sincerely,

David Upson
Town Manager
Town of Hardwick
Wastewater Treatment Facility 3-1143

Cc: Don Marsh, Grenier Engineering

Zoning Administrator's Office
Town Clerk's Office
Public Works Foreman

Kristen Leahy
Tonia Chase
Tom Fadden

(802) 472-1686
(802) 472-5971
(802) 472-6029



David

MEMORANDUM

To: Chris Duff
Fr: Don Marsh
Date: 8/18/2022
RE: Buffalo Mountain Co-Op – Hardwick Seating

Chris,

We understand you wish to add 10 to 15 seats which may be considered as restaurant seats but are for patrons to eat food already prepared in the Co-Op.

As the food preparation is already accounted for in the store's design flows there will be no change in the overall flows. Furthermore, as you are not adding any new water fixtures your peak flows will also not change.

We have previously inspected and determined your water and sewer services are properly sized for your uses and this will not impact those services.

In conclusion , it is our opinion that adding these extra seats will have no adverse impacts on the Coop's ability to provide proper water and sewer services.

Call anytime if you have questions.





March 10, 2022

Kristen Leahy, Zoning Administrator
20 Church Street
Hardwick, VT 05843

RE: Buffalo Mountain Food Coop

Dear Kristen:

We are working with Chris Duff on permitting issues related to the acquisition of the Hardwick Village Market. As you may know the Coop intends to acquire the Market and move their retail operations into the Market facility. Although there will be some minor internal plumbing improvements there will be no change in design flows as both the building uses and square footage will remain the same. As there will be no changes to the existing water or sewer services no Agency of Natural Resources Water Supply and Wastewater Disposal Permit will be needed. Further, I confirmed with the Department of Health Inspector, Robert Bruce, that they also do not required a WW Permit.

They will of course need a zoning permit for the building modifications but no environmental permits are needed.

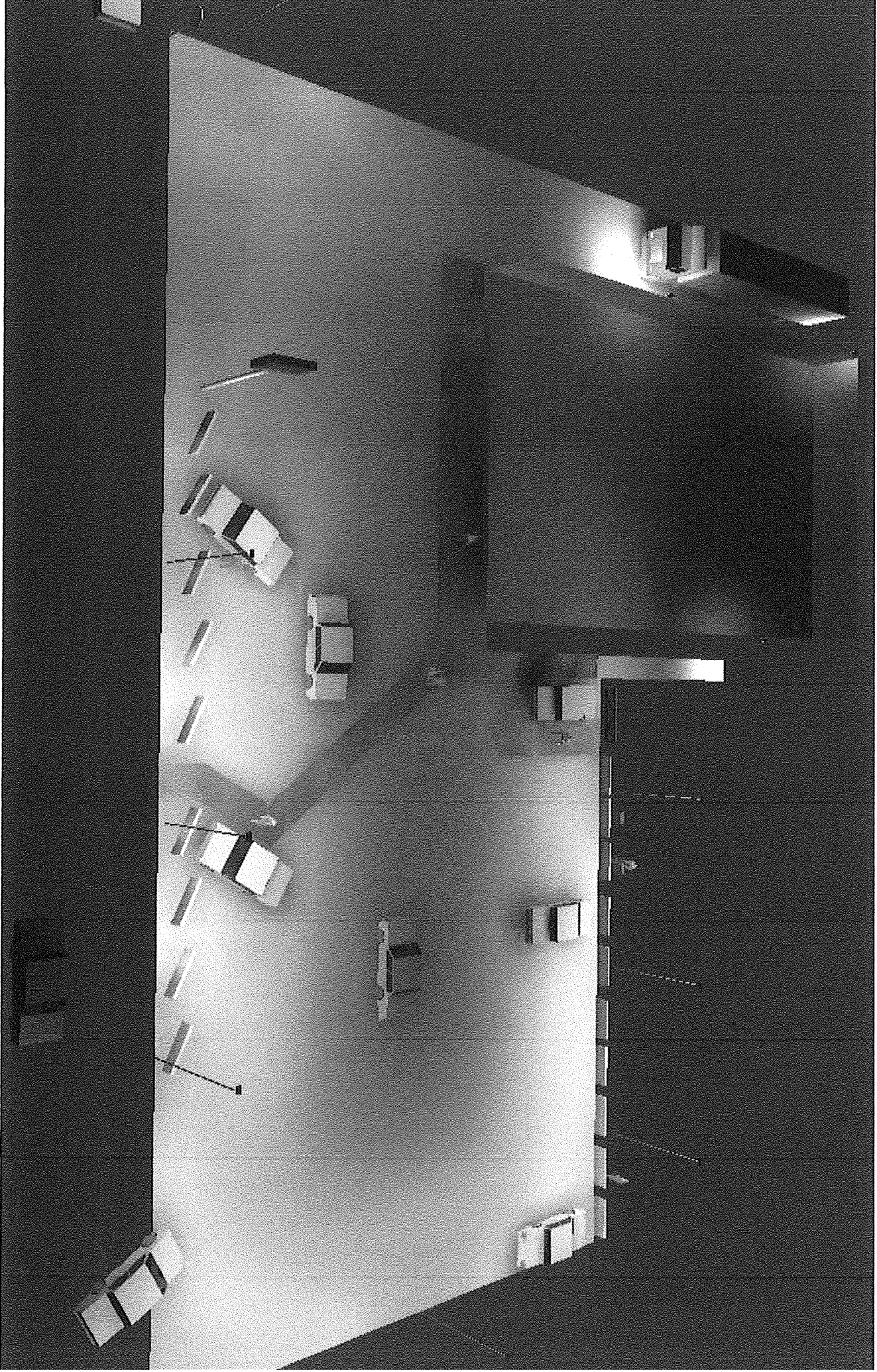
Please feel free to call anytime, if you need additional information.

Respectfully,

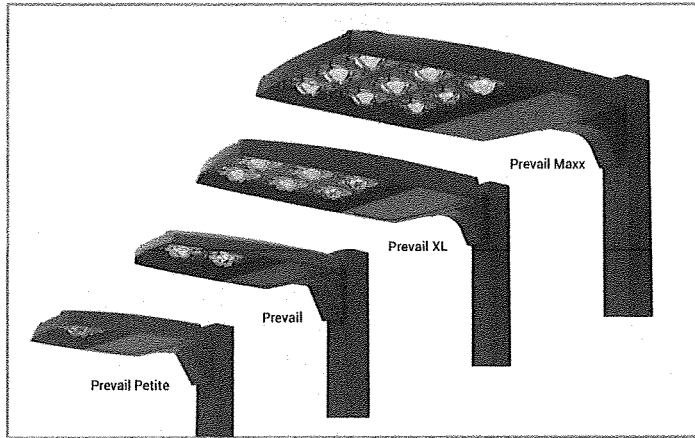


Don Marsh, P.E.
Senior Engineer

C: Chris Duff



Project	BUFFALO MOUNTAIN MARKET	Catalog #	PRV-P-C25-D-UNV-T3-ADJA-BZ-SPB4	Type	A
Prepared by	BEN LECLAIR	Notes	75 MILL STREET HARDWICK, VT	Date	1/30/2023



Lumark

Prevail LED

Area / Site Luminaire

Product Features



Product Certifications



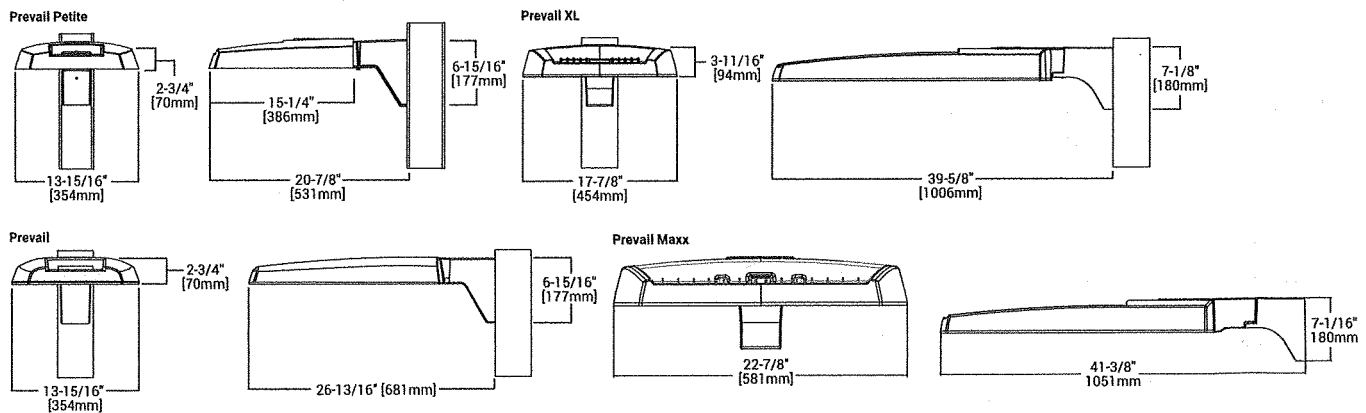
Interactive Menu

- Ordering Information page 2
- Mounting Details page 3, 4
- Optical Configurations page 5
- Product Specifications page 5
- Energy and Performance Data page 6, 7
- Control Options page 8

Quick Facts

- Lumen packages range from 4,800 - 84,000 lumens (35W - 588W)
- Replaces 70W up to 1,000W HID equivalents
- Efficacies up to 160 lumens per watt
- Energy and maintenance savings up to 85% versus HID solutions
- Standard universal quick mount arm with universal drill pattern

Dimensional Details



NOTES:

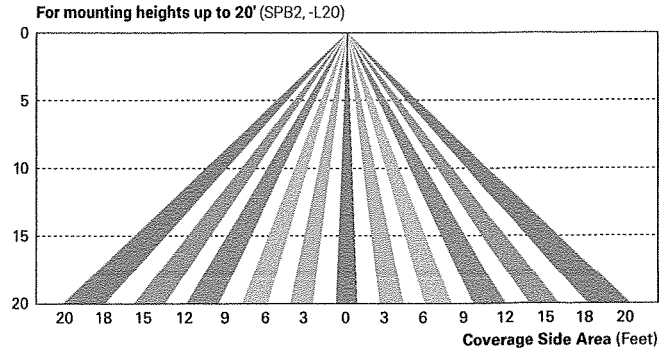
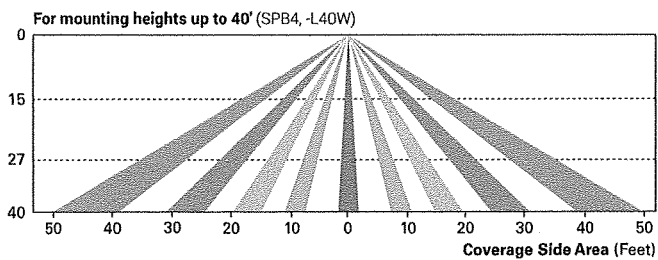
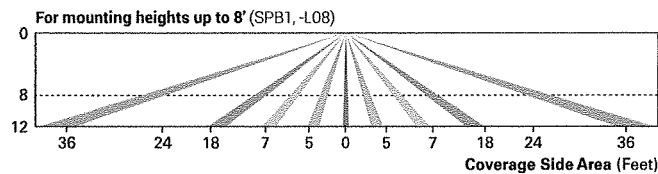
1. Visit <https://www.designlights.org/search/> to confirm qualification. Not all product variations are DLC qualified.
2. IDA Certified for 3000K CCT and warmer only.

Control Options

0-10V This fixture provides 0-10V dimming wire leads for use with a lighting control panel or other control method.

Photocontrol (PER and PER7) Photocontrol receptacles provide a flexible solution to enable "dusk-to-dawn" lighting by sensing light levels. Advanced control systems compatible with NEMA 7-PIN standards can be utilized with the PER7 receptacle.

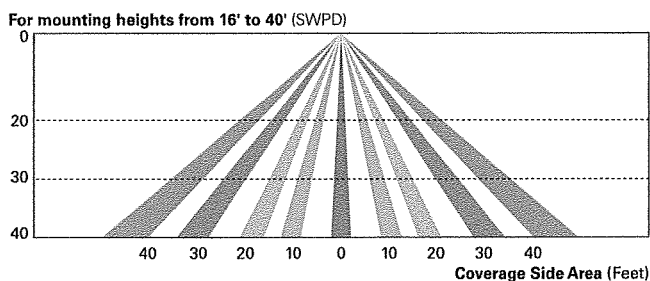
Dimming Occupancy Sensor (SPB, MS/DIM-LXX and MS-LXX) These sensors are factory installed in the luminaire housing. When the SPB or MS/DIM sensor options are selected, the luminaire will dim down after five minutes of no activity detected. When activity is detected, the luminaire returns to full light output. When a sensor for ON/OFF operation (MS-LXX) is selected, the luminaire will turn off after five minutes of no activity. These occupancy sensors include an integral photocell for "dusk-to-dawn" control or "daylight harvesting." Factory default is enabled for the MS sensors and disabled for the SPB. SPB motion sensors require the Sensor Configuration mobile application by Wattstopper to change factory default dimming level, time delay, sensitivity and other parameters. Available for iOS and Android devices. The SPB sensor is factory preset to dim down to approximately 10% power with a time delay of five minutes.



WaveLinx Wireless Control and Monitoring System Available in 7-PIN or 4-PIN configurations, the WaveLinx Outdoor control platform operates on a wireless mesh network based on IEEE 802.15.4 standards enabling wireless control of outdoor lighting. At least one Wireless Area Controller (WAC) is required for full functionality and remote communication (including adjustment of any factory pre-sets).

WaveLinx Outdoor Control Module (WOLC-7P-10A) A photocontrol that enables astronomical or time-based schedules to provide ON, OFF and dimming control of fixtures utilizing a 7-PIN receptacle. The out-of-box functionality is ON at dusk and OFF at dawn.

WaveLinx Wireless Sensor (SWPD4 and SWPD5) These outdoor sensors offer passive infrared (PIR) occupancy sensing and a photocell for closed-loop daylight sensing. These sensors can be factory installed or field-installed via simple, tool-less integration into luminaires equipped with the Zhaga Book 18 compliant 4-PIN receptacle (ZD or ZW). These sensors are factory preset to dim down to approximately 50 percent power after 15 minutes of no activity detected, and the photocell for "dusk-to-dawn" control is default enabled. A variety of sensor lenses are available to optimize the coverage pattern for mounting heights from 7'-40'.



LumenSafe (LD) The LumenSafe integrated network camera is a streamlined, outdoor-ready camera that provides high definition video surveillance. This IP camera solution is optimally designed to integrate into virtually any video management system or security software platform of choice. No additional wiring is needed beyond providing line power to the luminaire. LumenSafe features factory-installed power and networking gear in a variety of networking options allowing security integrators to design the optimal solution for active surveillance.

Zoning Review of 2023-017
Applicant Name: Buffalo Mountain Market
Landowner Name: Buffalo Mountain Coop Inc.
Location: 75 Mill Street, Hardwick
Zoning District: Central Business
Created by Hardwick Zoning Administrator on November 21, 2022

DRB Meeting Scheduled for Wednesday, June 7, 2023 at 7:00 pm In-person with a Zoom option.

Applicant has submitted a Conditional Use application to convert an existing nonconforming Structure with Retail Sales (Grocery Store) to a Mixed Use with both Retail Sales (Grocery Store) and a Restaurant (10-15 seat Café) in the Central Business Zoning District. Applicant is seeking to expand the footprint by enclosing the front entryway of the existing structure. The Applicant will also be seeking approval for a parking lot lighting plan.

Zoning District: Central Business

Overlay Districts: None.

The property currently has an existing 100'x60' structure. Application is to expand the structure to 108'x60' and to convert the structure to a Mixed Use with both Retail Sales and a Restaurant.

The Central Business zoning district (Table 2.1) lists Retail Sales, Mixed Use, and Restaurants as Conditional Uses for the district.

The proposed development will convert a previously existing structure and add to the structure. Minimum setbacks from the front/roads (0 feet) will be met (80'). Side setbacks are previously established at 20' and 102'. Rear setback is existing at 20', which meets the district setback, but is within the 75' setback from a Surface Water (existing nonconformity).

Section 3.7 Height Requirements: Height of Existing Structure: 18.5'. **Not applicable.**

Section 3.9 Nonconforming Structures & Nonconforming Uses – **proposed project will need to be verified under this Section.**

Section 3.11 Performance Standards - **proposed project will need to be reviewed under each. In particular, the parking lot lighting plan will need to be reviewed.**

Section 3.12 Protection of Water Resources – Structure is within the 74 feet from the Lamoille River. "All structures shall be setback a minimum of 75 feet from all streams, rivers and public lakes, although the Development Review Board may, in accordance with conditional use review under Section 5.2, approve the placement of a structure within the 75 feet setback providing it meets the following standards: a) the structure is located within the Central Business District or the Village Neighborhood District; b) the building placement will better reflect the historic settlement pattern and character of the surrounding area; c) reasonable provision is made for the protection of water quality such as, but not limited to, the planting of shade trees adjacent to streambanks, and/or stormwater management provisions to collect and disperse stormwater away from the stream or river; and d) the structure, if located in a flood hazard area, shall meet the development standards of Section 5.3 of these bylaws." **Proposed project will need to be verified under this Section.**

Section 3.13 Parking & Loading Requirements: Parking requirements in the Central Business district: "Off-street parking will be required only for employees, on the basis of one space per two (2) employees per shift, and for dwelling or lodging units as provided for in Table 3.1" **Proposed project will need to be reviewed under this Section.**

Section 3.15 Steep Slopes & Erosion Control - Site does not have a slope gradient of 25% or greater. **Not applicable.**

Section 4.12 Mixed Use - **proposed project will need to be reviewed under each condition for Mixed Use.**

The DRB will need to review the project under the conditional use review criteria – Section 5.2 - see application for all applicable criteria.

The Central Business District has District Standards (Section 5.2G1) which need to be considered.

Zoning Bylaws utilized – Table 2.1 (Central Business District), Section 3.9 (Nonconforming Structures & Nonconforming Uses), Section 3.11 (Performance Standards), Section 3.12 (Protection of Water Resources), Section 3.13 (Parking & Loading Requirements), Section 4.12 (Mixed Use), Section 5.2 (Conditional Use Review) and Section 5.2G1 (Central Business District).