

Hardwick Development Review Board
Conditional Use – Temporary Special Event
Caledonia Spirits – Applicant and Todd Hardie - Landowner
46 Log Yard Drive, Hardwick
Application #2018-015
May 30, 2018

To consider a Temporary Special Event request by Caledonia Spirits to host the second Annual Pollinators Festival with an expected attendance of over 100 people at 46 Log Yard Road in the Industrial zoning district.

The application requires a review under the following sections of the Hardwick Unified Development Bylaws: 2.5 Industrial District Table; 3.11 Performance Standards; 4.18C (Temporary Structure or Use – Special Events); and 5.2 Conditional Use Review.

Warnings were posted on May 8, 2018 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: Hardwick Electric; Hardwick Lake LLC; Margaret Marcy Rev. Living Trust; and Lamoille Valley Holdings LLC on May 8, 2018. It was also published in The Hardwick Gazette on Wednesday, May 9, 2018.

Development Review Board members present: Ruth Gaillard; Edward Keene; John Page, Acting Chair; Helm Nottermann; Kate Brooke; and Cheryl Michaels.

Development Review Board members absent: John Mandeville, Chair

Others present: Kristen Leahy, Zoning Administrator (acting clerk) and Riva Reynolds, Representative for Caledonia Spirits.

During the course of the hearing and prior to the hearing the following exhibits were submitted:
None.

Summary of Discussion

Acting Chair John Page began the hearing at 7:05 pm. He noted the hearing was quasi-judicial, explained the procedure for the hearing, and swore in all those who wished to speak at the hearing.

Mr. Page then asked Riva Reynolds, a representative for Caledonia Spirits, to describe the proposed event. Caledonia Spirits, a Hardwick distillery, held its first pollinator festival last year. The festival is a combination of a farmers market and a cocktail party held at the Distillery on Log Yard Drive. Donations are raised to assist in raising awareness about the pollinator population. Last year's festival drew 350 people over the course of the day. Caledonia Spirits is anticipating a similar number of visitors, depending on the weather. The event will transpire between the hours of noon and 5:00 pm on Sunday, July 22, 2018. Caledonia Spirits and their vendors will obtain all necessary liquor licenses for the event. Live music will be provided but will not be amplified.

Ms. Reynolds testified that the Pollinators Festival utilized parking attendants last year and does have the parking capacity on site and near site to handle the projected 350+ attendees.

Two conditions were proposed by the Hardwick Police Chief and were introduced by the Zoning Administrator (Traffic at Vermont Route 15 West shall be monitored as requested by the Hardwick Police Department and No parking for this event will be allowed on Vermont Route 15 West).

Caledonia Spirits will have temporary signage on Vermont Route 15 West which will be removed after the event.

The Board reviewed the performance standards with Ms. Reynolds. The decibel limit is 70 decibels as this lot is located in the Industrial zone. As this is a day-time event, no lighting is anticipated with the exception of decorative lights (such as a holiday lights). A porta-potty will be rented and available for solid waste. All vendors will be instructed to “pack in/pack out” waste and trash removal will be provided by Caledonia Spirits for additional refuse created by the event.

The hearing ended at 7:16 pm. Cheryl Michaels made the motion to close the hearing and enter into deliberative session after the following hearing and Helm Nottermann seconded. All members were in favor.

Findings of Fact:

Based on the application and testimony, the Development Review Board makes the following findings:

2.5 Industrial District – all setbacks and dimensional standards are met for this district. Temporary Special Event is allowed under conditional use.

3.11 Performance Standards –No adverse aspects were identified. See conditions.

4.18 Temporary Structure or Use – meets all requirements of this section.

5.2 Conditional Use Review

E) General Review Standards

The proposed conditional use will/ 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 proposed use will not affect either capacity.
2. **Character of the area affected.** Proposal is temporary and the area is non-residential, surrounded by Lamoille Valley Ford automobile dealership and a log yard.
3. **Traffic on roads and highways in the vicinity.** Proposal is temporary. Caledonia Spirits will monitor traffic impact on Vermont Route 15 West.
4. **Bylaws in effect.** N/A
5. **The utilization of renewable energy resources.** N/A

F) 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). **All standards are met by the proposal.**
2. **Performance Standards.** All conditional uses shall meet performance standards as specified in Section 3.11. **Proposal is temporary.**
3. **Access & Circulation Standards.** All conditional uses shall meet applicable access management standards as specified in Section 6.6. **Proposed event is temporary.**
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. **Event is temporary.**

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. N/A

Decision and Conditions

Based upon these findings, the Development Review Board voted 6-0 to approve the Caledonia Spirits application as presented with the following conditions:

Conditions:

1. Applicants shall abide by dusk-time ending of music. No bright lights will be utilized.
2. Any signs used for the event shall be placed and removed on the day of the event.
3. Traffic at Vermont Route 15 West shall be monitored as requested by the Hardwick Police Department.
4. No parking for this event will be allowed on Vermont Route 15 West.

Signed:


_____, acting Chair
John Page


_____, acting clerk
Kristen Leahy, Zoning Administrator

Date 6/4/18

Date 6/4/18

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.