

Hardwick Development Review Board  
Conditional Use and Floodplain Review Request  
The Civic Standard – landowner and applicant  
42 South Main Street, Hardwick  
Application #2025-006  
May 7, 2025

To consider a Conditional Use and Floodplain Review request by the Civic Standard for a Substantial Improvement of the existing Historic non-conforming structure in the Central Business zoning district. No change of use is requested at this time. Development would be Substantial Improvement in the Floodway in the Flood Hazard Area Overlay.

The application requires a review under the following sections of the Hardwick Unified Development Bylaws: Table 2.1 Central Business District; 2.8 Flood Hazard Area Overlay; 3.9 Nonconforming Structures & Nonconforming Uses; 3.11 Performance Standards; 3.12 Protection of Water Resources; Section 5.2 Conditional Use Review; Section 5.2 G(1) Central Business District Standards; and 5.3 Flood Hazard Review.

**Warnings** were posted on Wednesday, April 9, 2025 in the Hardwick Memorial Building, at the Hardwick Post Office and the East Hardwick Post Office. The warning was sent to the following neighboring property owners: Lynn Delaricheliere; Mike's Gulf Service Center Inc; Clay Hill Apartments LLC; Jeudevine Housing Limited Partnership (*Returned as refused by addressee*); 35 South Main LLC; Quickfox Hamilton RE Holdings; Bemis Block Housing Lmt'd Partnership (*Returned as refused by addressee*); and Wei Gao on Wednesday, April 9, 2025. It was also published in The News and Citizen on Thursday, April 10, 2025.

**Development Review Board members present:** John Mandeville, Chair; Kole; Helm Nottermann; Gillian D'Acierno; and Ruth Gaillard.

**Development Review Board members absent:** Kate Brooke

**Others present:** Kristen Leahy, Zoning Administrator (acting clerk); Rose Friedman; David Upson, Town Manager; Jackson Evans (by Zoom); Helen Sher; Raymond Lewis; and Paul Fixx, editor of the Hardwick Gazette.

**During the course of the hearing and prior to the hearing the following exhibits were submitted:**

1. Information from the National Register of Historic Places Inventory regarding 42 South Main Street
2. Project Review Sheet from the State of Vermont – provided by Preservation Trust of Vermont
3. Updated foundation plans from Engineering Ventures – dated April 25, 2025
4. Email letter from Sacha Pealer, State of Vermont Flood Plain Manager, dated May 7, 2025
5. Vermont Division of Historic Preservation dated May 7, 2025

**Summary of Discussion**

Chair John Mandeville began the hearing at 8:16 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.

Mr. Mandeville invited the applicants to present their proposal. Rose Friedman discussed the required repairs – the foundation is undermined from the flooding and the insurance company needs the roof and the exterior painting to be completed to retain eligibility for building insurance. Engineering Ventures reviewed the building after the 2023 flooding and the foundation work is deemed to be important.

The Civic Standard is working with the Preservation Trust of Vermont and the Town of Hardwick on future options. The building is currently in the FEMA buyout program but this is only so that the opportunity continues to be available. The Freeman Foundation has provided funding to complete the required repairs.

The hearing ended at 8:35 pm. Gillian D’Acierno made the motion to enter into deliberative session after the hearing and Kole seconded. All members were in favor.

### **Findings of Fact:**

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

**2.1 Central Business – the existing structure is non-conforming as the building does not meet the rear setback in the Central Business district. In addition, the location is within the 75 feet from the Lamoille River. Applicants are not requesting to change their use. Location meets the 0 feet setback from the front setback and the 0 feet from the sidelines. The Lamoille River has reclaimed all land to the rear of the structure – 15 feet from the water’s edge is not existent.**

**2.8 Flood Hazard Area Overlay District – The Flood Hazard Area Overlay District lists “Substantial improvements to existing structures” as a Conditional Use for Floodway properties. All proposed updates are required to meet basic insurance thresholds. The Floodplain Manager also reviewed the request and submitted a letter on May 7, 2025 (See Exhibit #4).**

**3.9 Nonconforming Structures & Nonconforming Uses – the Structure is nonconforming due to its location next to the Lamoille River. No expansion of the footprint will be made to the existing structure.**

**3.11 Performance Standards – review was made of the performance standards by the DRB. Not needed to be reviewed as they were reviewed for last year’s change of use.**

**3.12 Protection of Water Resources – the property is located in the Floodway in the Flood Hazard Area Overlay. The existing building is within the setback required from the Lamoille River. The requested improvements will not impact the location of the building.**

### **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.** Location within the Central Business district matches the purpose of this district and the character of the surrounding area.
3. **Traffic on roads and highways in the vicinity.** The Central Business district circulation and traffic pattern on Main Street is directed by the existing uses in the area. No adverse effect was identified.
4. **Bylaws in effect.** Not applicable.
5. **The utilization of renewable energy resources.** Not applicable.

#### **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. **The performance standards were reviewed.**

3. **Access & Circulation Standards.** All conditional uses shall meet applicable access management standards as specified in Section 6.6. **Standards will be met by the proposed changes.**

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. **Landscaping was not indicated as necessary.**

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. **No additional plans were indicated as necessary.**

#### **5.2G1 Central Business District 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. **The proposal utilizes a pre-existing structure.**
- 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. **The proposal utilizes a pre-existing structure with an established orientation.**
- 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. **No new buildings or additions are being requested.**

#### **5.3 Flood Hazard Review**

D. Conditional Use Review is required for Non-Substantial and Substantial improvements to existing structures in the Floodway. **Although this structure is in the Floodway, it is also a historic structure by the definition of such and it is permitted to be improved without bringing it into compliance with the existing Flood Hazard Area Overlay rules. See Exhibit #1, #4, and #5.**

E. Application . A Vermont Agency of Natural Resources Project Review Sheet is required for the proposal. **See Exhibit #2.**



G. The Town of Hardwick prohibits “Critical Facilities” from being established in the Flood Hazard Area Overlay. The definition of a Critical Facility is as follows: “Includes police stations, fire and rescue facilities, hospitals, shelters, schools, nursing homes, water supply and waste treatment facilities, and other structures the community identifies as essential to the health and welfare of the population and that are especially important following a disaster.” The Civic Standard did provide critical support during and after the flooding in 2023, their location was not critical. The Civic Standard has previously testified that they are not a critical facility.

**H. Development Standards – Floodway Areas.**

- (1) Within the Floodway new encroachments are prohibited except for the following, which shall also comply with Section 2 below:
- a. changes to existing structures where the footprint is proposed to expand horizontally into the floodway less than 500 square feet.
  - b. new encroachments relating to bridges, culverts, roads, stabilization projects, public utilities, functionally dependent uses, and river and floodplain restoration projects.
  - c. new encroachments relating to health and safety measures, such as replacement of pre-existing on-site septic and water supply systems, if other practical alternatives are not available.
- (2) Within the Floodway all proposed new encroachments are required to provide a hydraulic analysis, performed by a registered professional engineer, in accordance with standard engineering practice, certifying that the proposed development will:
- a. not result in any increase in flood levels during the occurrence of the base flood;
  - b. not increase base flood velocities; and,
  - c. not increase any risk to surrounding properties, facilities, or structures from erosion or flooding.
- (3) For development that will not result in any change in grade, the hydrologic and hydraulic analyses may be waived. **No new encroachments are being requested at this time.**

**Decision and Conditions**

Based upon these findings, the Development Review Board voted 5-0 to approve The Civic Standard conditional use application as presented and amended with the following conditions:

**Conditions:**

- 1. Any and all necessary state and federal permits must be in place before development can commence.
- 2. The Applicant will adhere to the Performance Standards as detailed in the Hardwick Unified Development Bylaws, Section 3.11 (Attached).

Signed:

 \_\_\_\_\_, Chair  
John Mandeville, DRB Chair  
Administrator

 \_\_\_\_\_, acting clerk  
Kristen Leahy, Zoning

Date 5/13/25

Date 5/13/25

**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.



## Hardwick Unified Development Standards

### Section 3.11 Performance Standards

(A) The following performance standards must be met and maintained for all Conditional Uses and Home Occupation uses in all districts, except for agriculture and forestry, as measured at the property line. In determining ongoing compliance, the burden of proof shall fall on the applicant, property owner, and/or all successors and assigns; in the case of appeals to the Zoning Administrator alleging a violation of one or more of the following standards, the burden of proof shall rest with the appellant. No Conditional Uses or Home Occupation uses, under normal conditions, shall cause, create or result in:

(1) **regularly occurring noise**, which:

represents a significant increase in noise levels in the vicinity of the use so as to be incompatible with the surrounding area; or

in excess of 65 decibels, or 70 decibels within the Industrial District.

(2) **releases of heat, cold, moisture, mist, fog** or condensation which are detrimental to neighboring properties and uses, or the public health, safety, and welfare;

(3) **any electromagnetic disturbances or electronic transmissions or signals** which will repeatedly and substantially interfere with the reception of radio, television, or other electronic signals, or which are otherwise detrimental to public health, safety and welfare (except from telecommunications facilities which are specifically licensed and regulated through the Federal Communications Commission);

(4) **glare, lumen, light or reflection** which constitutes a nuisance to other property owners or tenants, which impairs the vision of motor vehicle operators, or which is otherwise detrimental to public health safety and welfare;

(5) **liquid or solid waste or refuse** in excess of available capacities for proper disposal which cannot be disposed of by available existing methods without undue burden to municipal or public disposal facilities; which pollute surface or ground waters; or which is otherwise detrimental to public health, safety and welfare;

(6) **undue fire, safety, explosive, radioactive emission or other hazard** which endangers the public, public facilities, or neighboring properties; or which results in a significantly increased burden on municipal facilities and services.

(7) **clearly apparent vibration** which, when transmitted through the ground, is discernable at property lines without the aid of instruments; or

(8) **smoke, dust, noxious gases, or other forms of air pollution** which constitute a nuisance or threat to neighboring landowners, businesses or residents; which endanger or adversely affect public health, safety or welfare; which cause damage to property or vegetation; or which are offensive and uncharacteristic of the affected area;





#S 61, 60



United States Department of the Interior  
National Park Service

**National Register of Historic Places  
Inventory—Nomination Form**

For NPS use only

received

date entered

Continuation sheet 7-29

Item number 7

Page 29

#60 cont'd

This 2-story, plus mansard French Second Empire building, of wood-frame construction, is now covered with asphalt shingles. The commercial first floor is composed of two large display windows of unequal size - the window to the west is approximately twice as large as its companion to the east. Paired doors are off-center and recessed. A cornice runs across the top of the storefronts, above which rises the porch for the second floor, consisting of four square columns slightly enriched with period brackets, and a simple railing with turned balusters. The second floor is divided into 4 bays, two windows to the east and a door and window to the west - all four with enriched molded window-caps. A small plain cornice delineates the edge of the flared mansard which rises up to another cornice above the level of the attic floor. Two symmetrically-placed dormers project through the mansard on the front and east side, each having a shallow-pitched gable roof enriched by a crown molding. The windows are all two-over-two, apparently original.

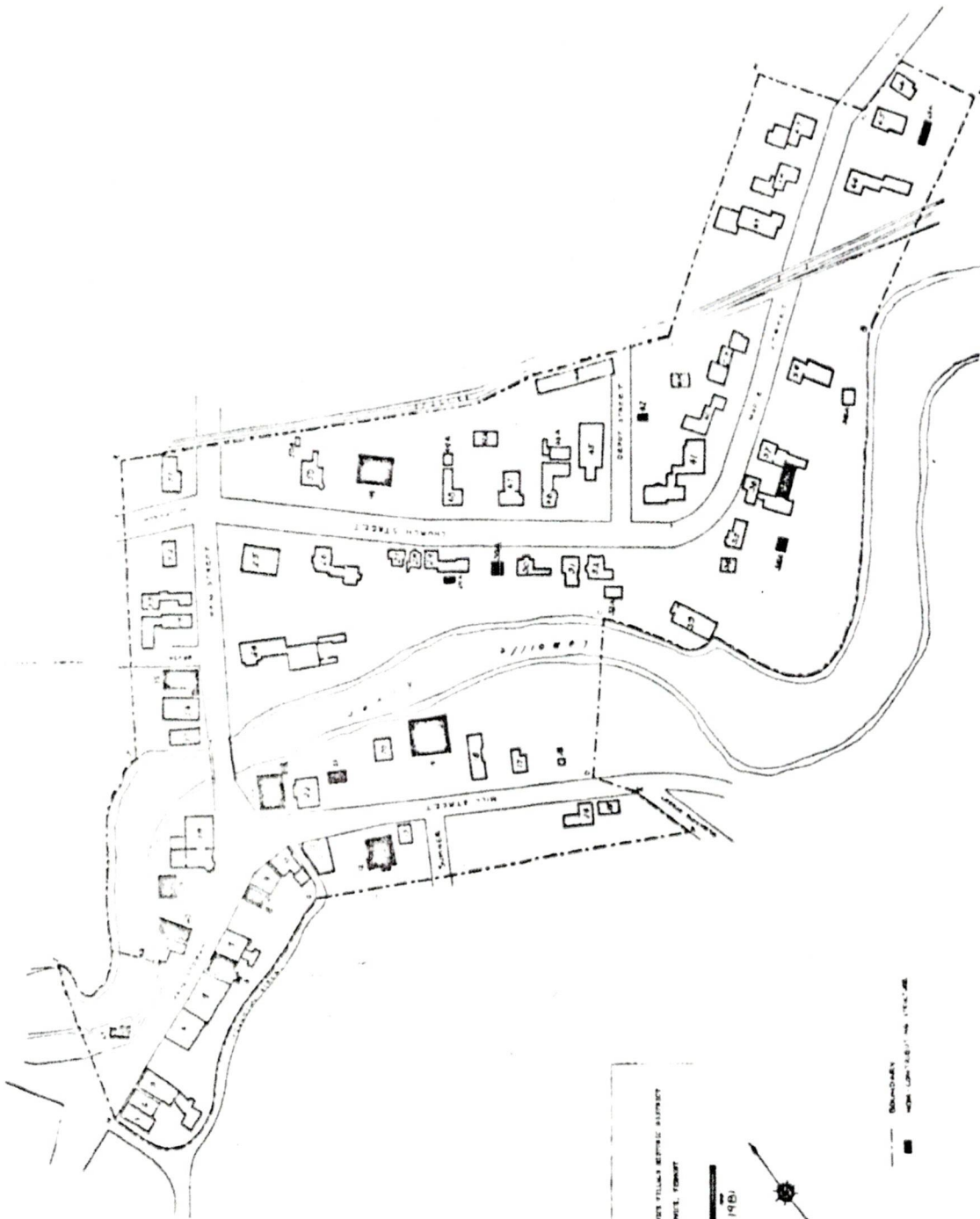
#61 The Gazette Building (South Main Street), c.1850

The Gazette Building is a 2½-story, gable front, vernacular building consisting of a commercial first floor with symmetrical display windows flanking a recessed center entry, with a modest storefront cornice. The windows, three evenly-spaced double-hung windows on the second floor, and one in the peak, are all cased in simple, flat trim. The walls are clapboarded, with characteristic wide corner boards; the frieze is plain and the eaves overhang deep. The soffit is composed of beaded matched boards, painted white; a shallow-pitched extension of the roof projects from the west side of the building, covering a second story porch and stairs from the ground to the porch. A modern metal roof is punctured by one modern chimney with lead flashing. The rear of the building sits down one story below street level, at the river. The foundation is a mixture of granite and rubble stone, much of which has been covered with concrete. Several original six-over-six windows remain in the riverfront elevation, along with a number of more recent two-over-twos and one-over-ones. Four-by-four braces supporting the porch stairs are chamfered, and the building has been recently insulated as evidenced by a number of evenly-spaced patched holes.

#62 Footbridge (Suspension), c.1900

This wood-decked, single-span suspension footbridge is supported by steel cables which rise over the steel angle towers at either end of the bridge and are attached to deadweights buried in the bank at either side.





DERRY STREET  
 WALL STREET  
 RIVER  
 VILLAGE STREET  
 BOUNDARY  
 1981



## Your Permit Navigator Results

**PNR-0000010900**

On the following page, you will find the following results based on the information that you provided. If the information you provided changes, for example if you change the location or size of your project, you should start over as the results below are no longer valid

**Disclaimer:** The Permit Navigator Results Summary is based on the information provided, and is not intended as an official or binding permitting determination by the ANR or the NRB. The Agency and the NRB reserve the right to require additional permits and/or approvals depending on the specific details of the project.

☒ By checking this box I confirm that I have read and understood the disclaimer.

Permits are likely needed for your project:



## PROJECT INFORMATION REVIEW

### Project Address

42 S MAIN ST. HARDWICK, 05843

### Category

Business/Municipality/Government  
Entity

### Industry / Activity

Other Sectors

### New Construction or Renovation?

No

## YOUR LOCATION SELECTION DATA

### Latitude

44.5043

### Longitude

-72.3669

### SPAN

282-089-10307

### Property Owner

CIVIC STANDARD INC  
42 S MAIN ST. HARDWICK, 05843

### Location

[View map of your selection](#)

This link may contain valuable information about this parcel. We suggest clicking on this link and viewing it in the ANR Atlas to see the environmental considerations (such as wells, existing permits, and required setbacks) present.

## ENVIRONMENTAL CONSIDERATIONS BASED ON MAPPED RESULTS

ID

MAP RESULT

## CONTACT INFORMATION

### First Name

Jackson

### Last Name

Evans

### Phone

(802) 335-9007

### Email

jackson@ptvermont.org

### Address 1

90 Main Street

### Address 2

Suite 304

### City

Montpelier

### State

Vermont



## Mailing Zip/Postal Code

05602

## Act 250

Next you will be asked some questions about the nature of your project, acreage, and who the developer is (or the "person" as that term is defined by Act 250). In most cases the questions will be easy (such as when you own one lot and you have no business partners). In some cases it can get pretty complicated. We are here to help. If you don't know the answer to these questions please select: "I don't know," and you will receive information about who to call to help you when you get to the end of these questions.

Has Act 250 already provided a Jurisdictional Opinion (JO) for your proposed project?

Answer:

 I don't know

Is the land already subject to an Act 250 land use permit?

Answer:

 I don't know

Is there currently any commercial activity taking place on this parcel of land?

Answer:

 NO

What County is your project in?

Answer:

Caledonia

What Town is the project in? (Caledonia County)

Answer:

Hardwick

Ten-Acre Towns: Does the project involve any of the following? Select all that apply. (Tip: Click the appropriate selection and use the right facing arrow in the middle to move it to the Selected Values box. If you want to deselect it, click the selection and use the left facing arrow to move it out of the Selected Values box).

Answer:

- None of the above

## Salvage Yards

Does your project involve storing four or more junk vehicles or scrap metal outside?

Answer:

 NO

## Industrial User Pretreatment Program

Is your project commercial or industrial in nature?

Answer:

 NO

## Other State and Local Permit Information


In addition to environmental permitting, there are other requirements that may apply. Below are some helpful resources:

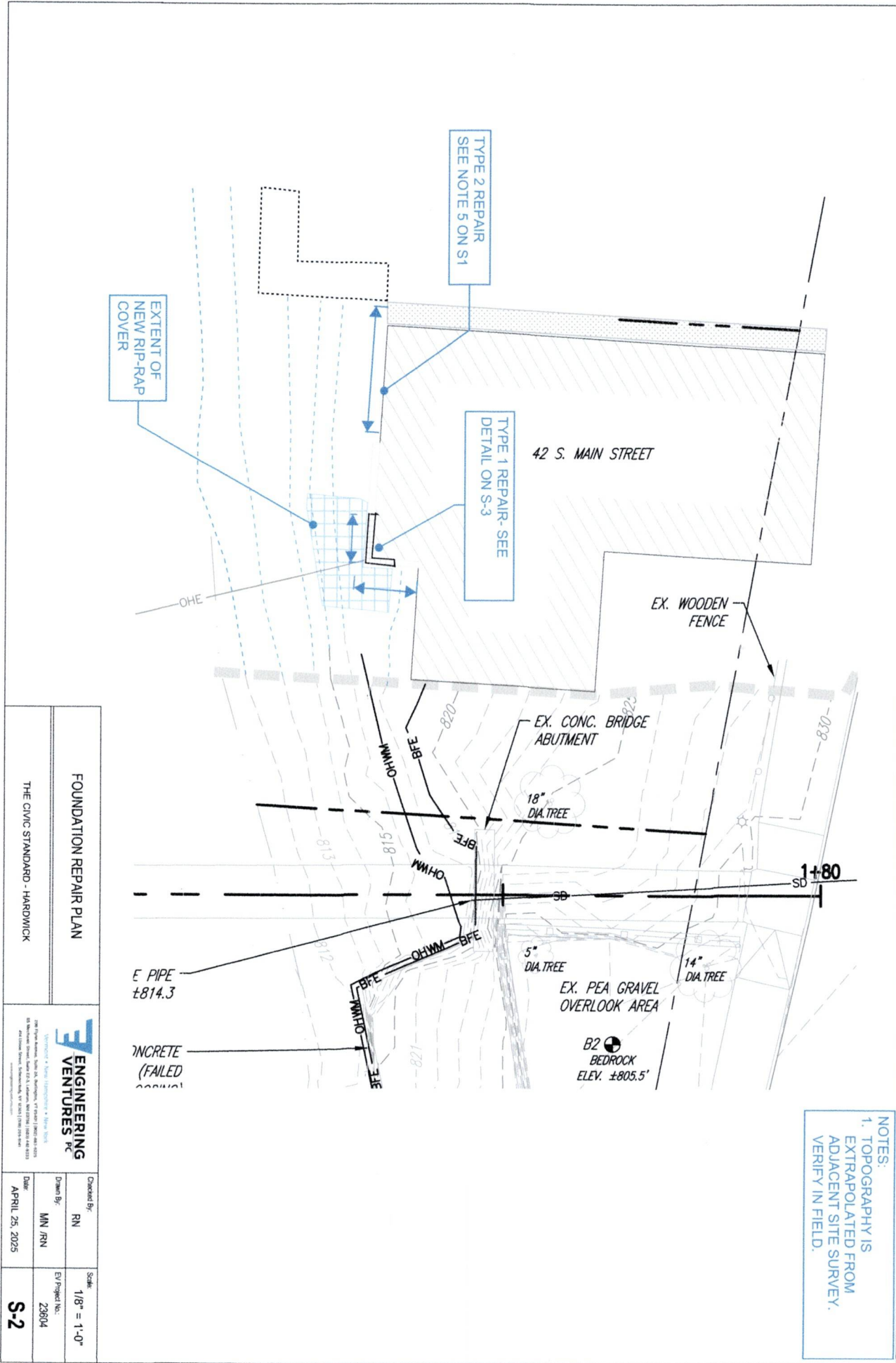
- Office of the State Fire Marshal: <https://firesafety.vermont.gov/>
- Vermont Building Energy Standards: <https://publicservice.vermont.gov/content/building-energy-standards>
- Secretary of State business registration: <https://sos.vermont.gov/corporations/registration/>
- Secretary of State professional Boards: <https://sos.vermont.gov/opr/>
- Department of Taxes: <https://tax.vermont.gov/>
- For local permits - please see your Town Clerk, Zoning Administrator, Planning Commission or Public Works




NOTES

- 1. THIS PLAN IS INTENDED TO BE A TEMPORARY MEASURE TO PROVIDE STABILITY TO THE BUILDING FOUNDATION WHILE PERMANENT MEASURES ARE BEING CONSIDERED AND DESIGNED.
- 2. THE WORK CONSISTS OF UNDERPINNING AN EXISTING FOUNDATION THAT WAS UNDERMINED DURING THE FLOOD EVENTS OF 2023 AND 2024 AND POINTING EXISTING STONE FOUNDATIONS.
- 3. THE INTENT OF THE WORK IS TO PROVIDE STABILIZATION WHILE AVOIDING ENCROACHING INTO THE FLOODWAY BEYOND THE CONDITIONS THAT EXISTED PRIOR TO THE RECENT FLOOD EVENTS. A PHOTOGRAPH FROM A 2020 BRIDGE EVALUATION IS INCLUDED TO PROVIDE REFERENCE TO PRE-FLOOD CONDITIONS
- 4. RIP RAP SHALL MEET THE REQUIREMENTS OF VAOT 706.03 AND SHALL NOT BE PLACED HIGHER THAN THE TOP OF THE EXISTING CONCRETE WALL BASE.
- 5. REPOINTING OF THE EXISTING STONE WALL AT REPAIR TYPE 2 SHALL USE A TYPE S MORTAR. JOINTS SHALL BE PACKED WITH MORTAR TO A DEPTH WHERE SOLID MATERIAL IS DISCOVERED.
- 6. CONCRETE FOR UNDERPINNING SHALL BE MINIMUM 3500 PSI AT 28 DAYS AND SHALL BE AIR ENTRAINED 4-6%<sup>6/</sup>

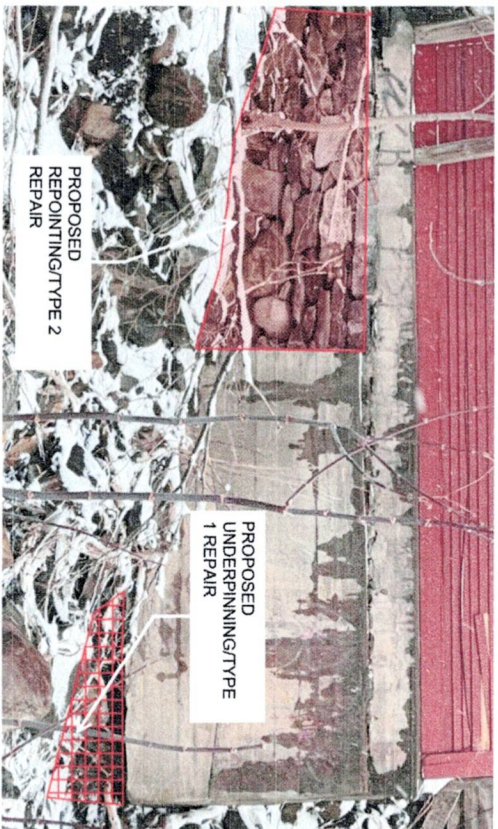
GENERAL NOTES		 <small>200 Maple Avenue, Suite 20, Minneapolis, MN 55411   (612) 442-4233 200 Main Street, Suite 100, St. Paul, MN 55101   (612) 224-8444 www.engineeringventures.com</small>	
THE CIVIC STANDARD - HARDWICK		Checked By: RN	Scale:
		Drawn By: MN	EV Project No.: 22604
		Date: APRIL 25, 2025	S-1



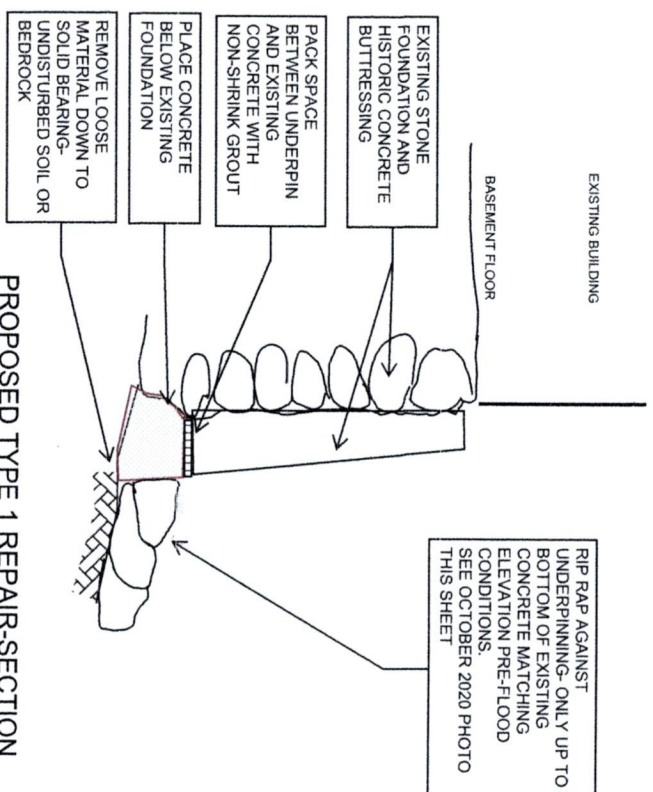
NOTES:  
1. TOPOGRAPHY IS  
EXTRAPOLATED FROM  
ADJACENT SITE SURVEY.  
VERIFY IN FIELD.

FOUNDATION REPAIR PLAN	
THE CIVIC STANDARD - HARDWICK	
 ENGINEERING VENTURES PC 2000 Highway 100, Suite 100, Hardwick, VT 05743 Tel: 802.352.1234 Fax: 802.352.1235 www.engineeringventurespc.com	
Checked By: RN	Scale: 1/8" = 1'-0"
Drawn By: MN/RN	EV Project No.: 22604
Date: APRIL 25, 2025	S-2





# PROPOSED REPAIRS- WALL ELEVATION



## PROPOSED TYPE 1 REPAIR-SECTION

GENERAL NOTES		 <p>204 Type Avenue, Suite 20, Monticello, VT 05602-4823 85 Main Street, Suite 212, Lamoille, VT 05745-1002-4823 and other states, depending on state   800.368.4444 www.engineeringventures.com</p>	
THE CIVIC STANDARD - HARDWICK		Checked By: RN	Scale:
		Drawn By: MN	EV Project No.: 23804
		Date: APRIL 26, 2025	S-3



Kristen Leahy &lt;zoning.administrator@hardwickvt.gov&gt;

## Flood Hazard Review - 42 South Main Street - foundation stabilization and other improvements

1 message

Pealer, Sacha &lt;Sacha.Pealer@vermont.gov&gt;

Wed, May 7, 2025 at 2:44 PM

To: Kristen Leahy &lt;zoning.administrator@hardwickvt.gov&gt;

Hi Kristen,

Thanks for sending this application in for state floodplain review comments under 24 V.S.A. §4424. I understand you have a DRB hearing tonight. Sorry for the last-minute nature of these comments, but I wanted to wait and see if additional information would come in from the applicants.

As the application packet says, this structure is in the Special Flood Hazard Area (Zone AE) and floodway and subject to review under Hardwick's Flood Hazard Area Regulations (Section 5.3 of Hardwick's Unified Development Bylaws).

### Flood Risk – General Comments

This building's foundation sits right on the Lamoille River's bank. Recent flooding has washed stone out from under the foundation corner. Even with the proposed repairs, the building could very likely be undermined by future riverbank erosion.

I see a partial elevation certificate for this building. According to this certificate, the lowest ground touching the building (the "lowest adjacent grade") is more than five feet below the published FEMA base flood elevation. If correct, this suggests the building's foundation walls are directly exposed to at least five feet of very strong, fast current during the base flood.

Damaging erosion is common under these conditions, and the building may be even more exposed to flooding than the elevation certificate suggests. FEMA is now working on new flood mapping for the Lamoille River, and this could mean revised base flood elevations. The revised base flood elevation could go up at this location. Also, floodwater could enter or push on the building at higher elevations (e.g., above the foundation level) if debris blocks the river during a flood; the FEMA data does not account for such debris dynamics.

The information in the elevation certificate does need to be confirmed and signed by a licensed land surveyor or professional engineer. I recommend that the applicants get a complete elevation certificate to inform flood mitigation options for the building.

### Substantial Improvement/Historic Status

In the original application you sent, I see the proposed project includes both roof and foundation improvements. I'm not sure if that is still the proposal, or if the project has been scaled back to just include the temporary foundation stabilization (dated 4/25/25 from Engineering Ventures) at this time.



As you know, buildings that meet the definition of Historic Structure in Hardwick's Article 8 are exempt from the substantial improvement requirement to elevate the lowest floor above the Design Flood Elevation in 5.3(G)(4) of Hardwick's Bylaws. The exemption is found in the definition of substantial improvement (Article 8):

*Substantial Improvement: For purposes of floodplain management, includes any reconstruction, rehabilitation, addition, or other improvement of a structure after the date of adoption of this bylaw, the cost of which, over one year, or over a period of a "common plan of development," cumulatively equals or exceeds fifty percent of the market value of the structure before the "start of construction" of the improvement. The term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either: a) Any project for improvement of a structure to address violations of state or local health, sanitary, or safety code specifications, which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or b) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."*

Please note I underlined some of the text above. Before applying the exemption from substantial improvement, I recommend the town require documentation that the proposed work will not change the "historic structure" listing (e.g., a letter from the state Historic Preservation office).

Also, even if a historic structure is exempt from lowest floor elevation requirements, I recommend the building be flood-protected in all other possible ways when improvements are "substantial." That includes making sure the foundation is fully designed to meet the standards under 5.3 (G) (1) given the flood forces known at the site. If the current foundation repairs are "temporary", the town may want to wait on approving other building improvements later, when a proposal for the more permanent, holistic flood mitigation of the building is ready. Doing so might also allow you to confirm the continued historic status for all permanent building changes at once.

#### Floodway Requirements

I looked over the plans dated 4/25/25 from Engineering Ventures, which propose a temporary measure to stabilize the foundation stabilization. I understand the goal is to later come up with a more long-term solution to mitigate flood risk at the building.

The floodway standards in 5.3 (H) of Hardwick's Bylaws do not allow "new encroachments" without an engineer's floodway analysis certifying no flood impacts. To avoid being a new encroachment, the work must not stick out into the floodway and river channel in a way that blocks or diverts flows during the base flood. Based on the 4/25/25 plans, it sounds like the repair would not be a new encroachment because the proposed concrete fits immediately under the existing foundation corner and the proposed stone protection extends no further into the channel than the pre-flood stone protection. In other words, the project looks like it is matching pre-flood bank and foundation dimensions. Thus, the town could waive the hydraulic analysis described in 5.3 (H)(2), if it finds the project meets 5.3 (H)(3):

*(2) Within the Floodway all proposed new encroachments are required to provide a hydraulic analysis, performed by a registered professional engineer, in accordance with standard engineering practice, certifying that the proposed development will:*

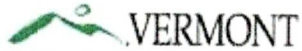
- a. not result in any increase in flood levels during the occurrence of the base flood;*
- b. not increase base flood velocities; and,*
- c. not increase any risk to surrounding properties, facilities, or structures from erosion or flooding.*

*(3) For development that will not result in any change in grade, the hydrologic and hydraulic analyses may be waived, where the applicant will provide pre- and post-development elevations demonstrating that there will be no change in grade, and that the development will be adequately protected from scour.*

From the information provided, it looks like there will be no change in grade and that the rip rap is an attempt to protect from scour, given the temporary intent of the repair. However, I do have some questions about whether this temporary fix is enough if the building is going to be substantially improved (see comments above under "substantial improvement"). Unless the town has an engineer's certification that the repair is "adequately protected from scour" and the repair meets the standards for "all development" in 5.3 (G)(1) given the flood forces at the site, it may be best to hold off on other substantial building investments until there is a full flood mitigation design ready.

Please let me know if you have any questions.

Best wishes,



Sacha Pealer (she, her), CFM|Northeastern River Scientist & Floodplain Manager  
Vermont Agency of Natural Resources | Department of Environmental Conservation  
Watershed Management Division, Rivers Program  
[1 National Life Drive](#), Davis 3 | Montpelier, VT 05620-3522  
802-490-6162 office & cell  
[Sacha.Pealer@vermont.gov](mailto:Sacha.Pealer@vermont.gov)  
<https://dec.vermont.gov/watershed/rivers>

[ANR After the Flood Resources Page](#)  
<https://floodready.vermont.gov/help-after-flooding>

**From:** Kristen Leahy <[zoning.administrator@hardwickvt.gov](mailto:zoning.administrator@hardwickvt.gov)>  
**Sent:** Wednesday, April 30, 2025 3:42 PM  
**To:** Pealer, Sacha <[Sacha.Pealer@vermont.gov](mailto:Sacha.Pealer@vermont.gov)>  
**Subject:** Re: 42 South Main Street - DRB application update

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Same one but attached as well.

Kristen Leahy  
Zoning and Floodplain Administrator  
Resilience & Adaptation Coordinator  
(802) 472-1686

Spring and Summer 2025 Office Hours:

Monday - 11 am to 1 pm

Tuesday - 8:30 am to 2 pm





**State of Vermont**  
**Division for Historic Preservation**  
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*Agency of Commerce and  
Community Development*

May 7th, 2025

**RE: Temporary Stabilization for 42 South Main Street, Hardwick, VT.**

To Whom It May Concern,

Thank you for the opportunity to comment on the proposed stabilization work at 42 South Main Street, known in the historical record as the Gazette Building, in Hardwick, VT. 42 South Main Street is a contributing resource in the Downtown Hardwick Village Historic District, listed on the National Register of Historic Places. The Vermont Division of Historic Preservation greatly encourages the preservation of this important building, as it is the lone surviving historic period building east of the historic Centennial Inn (now The Hardwick Inn) located on the banks of the Lamoille River. Given its prominent location within the village's downtown and its temporal relationship with many of the buildings lining the opposite side of South Main Street, the preservation of this building is important in showing the extent of the historic period downtown of Hardwick and dates to the late 19<sup>th</sup> century period when most of the prominent commercial buildings in the downtown were built.

Our office has been asked to comment on the proposed scope of work and assess whether any elements of the proposed work will not preclude the structure's continued designation as a historic structure. I have spoken with Jackson Evans of Preservation Trust of Vermont, who has been assisting the property owners with the DRB application, regarding the overall scope of work proposed for the building. The proposed permit contains the following:

1. Make repairs to the concrete and stone foundation at the rear of the building.
2. Replace the current aging metal roof with a new standing seam metal roof.
3. Paint the building.

Repainting the building is considered maintenance and as such will not adversely affect the building. Similarly, replacing the current metal roof with a similar standing seam metal roof would be considered an in-kind replacement and will not adversely affect the building. Regarding the foundation repairs, I have reviewed in detail the plans provided by Engineering Ventures, dated April 25<sup>th</sup>, 2025. The corner of foundation that is proposed for underpinning has previously been buttressed with concrete, a historic measure to prevent water damage to the exposed stone foundation. Considering the current conditions, a new concrete underpinning is essential to prevent further damage to the building's foundation. The underpinning is proposed



to be covered from view by new rip rap, recreating the pre-flood conditions and the modern concrete underpinning will be virtually unnoticeable. The proposed repointing of the exposed portion of the historic stone foundation adheres to preservation standards and recreates the likely original conditions of the foundation. It's probable that the foundation was originally pointed which has been lost through repeated flooding events over the years. Repointing the exposed foundation will strengthen it, decrease the likelihood of material loss and restore the probable historic condition. In total, the work being done on the foundation does not cause an adverse effect on the building and, furthermore, ensures the preservation of the building as a whole by greatly decreasing the likelihood of foundation failure.

Overall, the Vermont Division of Historic Preservation is supportive of this project and believes that the proposed scope of work will not do anything that would preclude the building's continued designation as a historic structure. Upon the completion of this scope of work, 42 South Main Street will retain its status as a contributing structure to the National Register-listed Downtown Hardwick Village Historic District. If you have any questions or need clarification regarding any of the above, please do not hesitate to contact us.

Sincerely,

VERMONT DIVISION OF HISTORIC PRESERVATION



Greg Socinski

Historic Resources Specialist - Architecture

