

# APPLICATION FOR CONDITIONAL USE PERMIT/VARIANCE FLOOD HAZARD OVERLAY

Town of Hardwick PO Box 523, Hardwick, VT 05843 (802) 472-1686

zoning.administrator@hardwickvt.gov

FOR TOWN USI	ONLY
Application Number: 2025 - 006 Tax May	Number 23653 - 00000
Zoning District CB Date Application Received 3 /24 /25 Fee Paid S	24000
Please provide all of the information requested in this application will delay the processing of this application. Submit the con of Hardwick according to the 2024 Zoning Fee schedule.	ation. Failure to provide all required information appleted application and a check payable to the <i>Town</i>
Applicant(s):	
Name(s): The Civic Standard Attn:	Rose Friedman
Mailing Address: Po Box 256 Harry	UICR, VT 05843
Name(s): The Civic Standard Attn: Mailing Address: PO Box 250, HARDE Telephone(s) Home: Work: E-Mail: the cuic Standard gmail.	Cell: 802-595- 8820
The correction of gradine	en e
Landowner(s) (if different from applicant(s)):	
Name(s): SAME Mailing Address:	
	Cell:
E-Mail:	Cen
Physical Location of Property (911 address):	Dogo Flood Flood: (TCTZ
42 South Main Street	Dase Flood Elevation (If Known)
42 South Main Street	Base Flood Elevation (If Known)
Type of Permit:  □ Conditional Use □ Variance	8/9.
Type of Permit:  Conditional Use   Variance	8/9.
Type of Permit:  Conditional Use   Variance  Proposed Use/Development (please check all that applies):	8/9.
Type of Permit:  Conditional Use   Variance	
Type of Permit:  Conditional Use   Variance  Proposed Use/Development (please check all that applies):  New Construction  Commercial	FIOODWAY
Type of Permit:  Conditional Use   Variance  Proposed Use/Development (please check all that applies):  New Construction  Commercial	FIOODWAY ior and/or Exterior) - SUBSTANTIAL
Type of Permit:  Conditional Use   Variance  Proposed Use/Development (please check all that applies):  New Construction  Commercial  Renovation/Remodeling - Substantial Improvement (Inter Change of Use (please describe):	ior and/or Exterior) - But Historic
Type of Permit:  Conditional Use   Variance  Proposed Use/Development (please check all that applies):  New Construction  Commercial  Renovation/Remodeling - Substantial Improvement (Inter Change of Use (please describe):  Estimated Value of Project: \$ 167,500 In the	ior and/or Exterior) - But Historic  The Flood Hazard Area Overlay, the application
Type of Permit:  Conditional Use   Variance  Proposed Use/Development (please check all that applies):  New Construction  Commercial  Renovation/Remodeling - Substantial Improvement (Intereduced Change of Use (please describe):  Estimated Value of Project: \$	ior and/or Exterior) But Historic  The Flood Hazard Area Overlay, the application to Please attach a list with labor and materials ded and excluded costs is attached to the end of
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Type of Permit:  Conditional Use   Variance  Proposed Use/Development (please check all that applies):  New Construction  Commercial  Renovation/Remodeling - Substantial Improvement (Interest Change of Use (please describe):  Estimated Value of Project: \$	ior and/or Exterior) - But Historic  ne Flood Hazard Area Overlay, the application t. Please attach a list with labor and materials ded and excluded costs is attached to the end of  mid action 58,000 for the Roof  ation - N/A
Type of Permit:  Conditional Use   Variance  Proposed Use/Development (please check all that applies):  New Construction  Commercial  Renovation/Remodeling - Substantial Improvement (Intered Change of Use (please describe):  Estimated Value of Project: \$ 157,500 In the must have a detailed account of the expenses in the project for all included repairs and/or renovations. A list of included this application.  Other Permits or Verifications Which May Be Necessary:  State Potable Water and Wastewater Permits - N/A  Town of Hardwick Water and/or Sewer Connection Verifical Local utility company has been consulted - [] yes [] not the property of the project of th	ior and/or Exterior) — But Historic  The Flood Hazard Area Overlay, the application t. Please attach a list with labor and materials ded and excluded costs is attached to the end of the start of the s
Type of Permit:  Conditional Use   Variance  Proposed Use/Development (please check all that applies):  New Construction  Commercial  Renovation/Remodeling - Substantial Improvement (Interest Change of Use (please describe):  Estimated Value of Project: \$	ior and/or Exterior) But Historic  ne Flood Hazard Area Overlay, the application t. Please attach a list with labor and materials ded and excluded costs is attached to the end of  moderation 58,000 for the Roof  ation - N/A  new driveway must be installed.

	e: If your property is	enrolled in the Current I	Jse Program, your cond	litional use or variance
	may impact your Cur	rent Use status. Please v se Program at 802-828-6	erify your status with V	
Feet of Road	Frontage 451			
		(to center of road)	Left Side O' Rear O' Other	
	of Proposed and Exis		0	
Existing: Length Width Height	6' No. of Sto	pries <u>8/2</u> L. Stories W. H.	roposed: ength /idth eight	No. of Stories
		re are no buildings current		
Proposed use	e and occupancy. Sh	ME		
In order for a map and a co	ompleted site plan must	cation to be reviewed by to be provided.		
the proposed	location map (on a US development in relation perties and uses.	on to zoning districts, publi		

**Property Description:** 

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
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 equirements 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 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:

#### Variance Criteria:

"The Board of Adjustment (DRB) shall hear and decide upon requests for variances pursuant to the Act 4469 and appeal procedures under Section 7.3. The Board may grant a variance and render a decision in favor of the appellant only if all of the following facts are found, and the findings are specified in its written decision.

- 1. There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning regulation in the neighborhood or district in which the property is located;
- 2. Because of these physical circumstances and conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning regulation and that the authorization of a variance is necessary to enable the reasonable use of the property;
- 3. The unnecessary hardship has not been created by the appellant;
- 4. The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, nor be detrimental to the public welfare.
- 5. The variance, if authorized, will represent the minimum that will afford relief and will represent the least deviation possible from the zoning regulation and from the plan."

(If you are requesting a variance, you will be asked to present your proposal. Please be prepared to explain to the Development Review Board why your project should be granted a variance.)

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	n the date of Development Review Board approval.
Signature of Applicant(s) Run Hill	Date 3/24/25
Signature of Landowner(s)	Date
Note: Failure to develop your property in accorda permit may result in an enforcement action and mayour property.	nce with your application and any conditions of this ay affect your ability to sell or transfer clear title to
The applicant or any interested person who has particed Development Review Board within 30 days of such deaccordance with the Act (4471, 4472).	pated in the proceeding may appeal a decision of the ecision to the Vermont Environmental Court, in
Please note that this is only a local permit and state contact the Permit Specialist at the VT Agency of Nieff.mcmahon@vermont.gov	e permits may be needed for your project. Please Vatural Resources at (802) 477-2241 or
FOR ADMINIST	TRATIVE USE ONLY
Date of Approval or Denial by Development Review I	Board:
Applicant/Landowner Received a Copy of the Applica	able Building Energy Standards:  (Date)
Applicant/Landowner Did NOT Need to Receive a Co (Due to the fact that the structure will not be heated or	opy of the Applicable Building Energy Standards

(Date)

# FEMA National Floodplain Insurance Program (NFIP) **Guidelines for Construction Cost Estimates**

# Improvement Costs That Must Be Included

# > All Structural Elements, including but not limited to:

- Spread or continuous foundation footings and pilings
- Monolithic concrete slab foundations
- Bearing walls, tie beams, and trusses
- Wood or reinforced concrete decking or roofing
- Floors and ceilings, including insulation
- Attached decks, stairways, and porches
- Interior partition walls
- Exterior wall finishes
- Windows and doors
- Roof sheathing
- Roof re-shingling or re-tiling
- Roof dormers
- Balconies .
- Hardware .

# > All Interior Finish Elements, including but not limited to:

- Floor cover such as tile, wood, vinyl, carpet, marble, etc. 0
- Wall and ceiling finishes such as drywall, painting, stucco, plaster, wood paneling, marble, etc.
- Kitchen, utility, bathroom and garage cabinets and counter tops
- Built-in bookcases, cabinets, entertainment centers, aquariums, bars, wine racks, etc.

# > All Utility and Service Equipment, including but not limited to:

- HVAC equipment including ducting, boilers, chillers, etc.
- Plumbing services including water heaters, sinks, fixtures, toilets, showers, tubs, etc.
- Electrical services including light fixtures, ceiling fans, etc.
- Built-in appliances including dishwashers, ovens, ranges, garbage disposers, trash compactors, etc.
- Security and fire alarms, and fire suppression systems
- Central vacuum systems
- Water filtration, conditioning or recirculation systems

# **Donated or Discounted Materials**

- The value of donated or discounted materials must be included at their full market value and estimated as though they were purchased during a normal market transaction.
- Self or Volunteered Labor
- The value of self or volunteered labor must be estimated at prevailing wages for the appropriate type of construction wage scale.
- Miscellaneous Costs That Must Be Included:
- Labor and other costs associated with demolishing, removing, or altering of building components
- Overhead and profit

# **Guidelines for Construction Cost Estimates**

## **Improvement Costs That May Be Excluded**

# > Costs of Improvements to Correct Existing Violations

Violations of state or local health, sanitary or safety codes may be excluded only if:

- 1) A regulatory official was informed and knew the extent of the code related deficiencies; AND...
- 2) The deficiency was in existence prior to the damage event or improvement.

Note: Only the "minimum necessary" to assure safe living conditions may be excluded from the improvement cost.

For clarification, contact your FEMA planner and/or DWR Floodplain Management specialist.

#### Debris Removal and Clean-up Costs

- Debris removal
  - Removal of debris from building or lot
  - Dumpster rental
  - Transport fees to landfill
  - Landfill dumping fees
- Clean-up
  - Dirt and mud removal
  - Building dry-out, etc.

#### > Outside Improvements

- Landscaping
- Sidewalks
- Fences
- Yard lights
- Swimming pools
- Screened pool enclosures
- Sheds
- Gazebos
- Detached structures, including garages
- Landscape irrigation systems
- Wells and septic systems

# > Items Not Considered Real Property

- Throw rugs
- Furniture
- Refrigerators
- Other contents not connected/attached to, or part of, the structure

#### Other Excludable Costs

- Plans and specifications
- Surveys
- · Permit fees

#### Zoning Review of 2025-006

Landowners: The Civic Standard

Applicant: The Civic Standard - Rose Friedman

Location: 42 South Main Street Zoning District: Central Business

Overlay Districts: Flood Hazard Area Overlay & Floodway

Created by Hardwick Zoning and Floodplain Administrator on April 3, 2025

#### DRB Meeting Scheduled for Wednesday, May 7, 2025 at 7:45 pm via Zoom and In-Person (Hybrid Approach).

Applicant has submitted a Conditional Use application to repair and reinforce the foundation, paint and replace the roof of the pre-existing, non-conforming historic structure in the Flood Hazard Area Overlay (Floodway). The cost would make this a Substantial Improvement per the value of the structure.

**Zoning District: Central Business** 

Overlay Districts: Flood Hazard Area Overlay (in the Floodway)

The building is a pre-existing, nonconforming historic office space. The structure is in the setback from a water course and does not meet the rear setback for a building in the Central Business zoning district.

The Central Business district (Table 2.1) lists Mixed Use, Community Center, Cultural Facility and Office as Conditional Uses for the district. Minimum Lot Area is 5,000 square feet.

The proposed development will repair a previously existing structure. Minimum setbacks from the front/roads (0 feet) have been met. Side setbacks are permitted to be 0 feet. Rear setback is not 15 feet from the property line (non-conforming) nor is it beyond the 75' setback from a Surface Water (also non-conforming).

Table 2.8 (Flood Hazard Area Overlay (FHO)) - The building is located in the Floodway. Non-substantial and substantial improvements are required to pursue a Conditional Use and Floodplain Review when structures are in the Floodway. The definition of Substantial Improvement does exempt "any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure." Please note that the financial threshold of the project does match the definition of substantial improvement (over 50% of assessed building value) but the structure is a historic building.

Section 3.7 Height Requirements: Height of Existing Structure: 2 ½ stories. Not applicable.

Section 3.9 Nonconforming Structures & Nonconforming Uses – **proposed project is a repair of a non-conforming structure in the Floodway.** 

Section 3.11 Performance Standards - proposed project will need to be reviewed under each.

Section 3.12 Protection of Water Resources – Structure is within the 75 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 reviewed under this Section.** 

Section 3.13 Proposed project will not need to be reviewed under this Section.

The Civic Standard – Substantial Improvement of a Historic Structure in the Floodway – Conditional Use & Floodplain Review

Section 3.15 Steep Slopes & Erosion Control – No physical changes will be done at this time. Not applicable.

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.

The DRB will need to review the project under the Flood Hazard Review rules (Section 5.3). See pages 57-61.

Zoning Bylaws utilized – Table 2.1 (Central Business District), Table 2.8 (Flood Hazard Area Overlay 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), Section 5.2G1 (Central Business District) and Section 5.3 (Flood Hazard Review).

## Assessment Field Card

Town of Hardwick, Vermont



#### **Parcel Information**

Address: 42 SOUTH MAIN ST Map-Lot: 23053-00020

Patriot Account #: 196

Owner: CIVIC STANDARD INC

Co-Owner:

Mailing Address: PO BOX 256

HARDWICK, VT 05843

# 02.23.20

#### **Building Exterior Details**

Building Type: COMM/RESD

Year Built: 1860 Grade: C Frame Type: WOOD

Living Units: 1

Building Condition: Fair-Avg Roof Cover: METAL

Roof Type: GABLE Exterior Wall Type: CLAPBOARD

Pool: False

#### **General Information**

Total Acres: 0.07 Land Use Code: 41 Neighborhood Code: 35 Owner Occupied:

Condo Name: Condo Unit:

Zone: Utility Code 1: Utility Code 2: Utility Code 3:

#### **Building Area**

Gross Area: 4148 sqft Finished Area: 1866 sqft

Basement Area: 921 sqft

Garage Area: 0 sqft
Detached Garage: sqft

Basement Garage: 0 sqft

#### **Ownership History**

Sale Date: 12/29/2023

Sale Price: \$0

Nal Description: RIGHTS TRANS Grantor (Seller): SMALL,RAMOND

Book/Page: 164-73-74

#### **Building Interior**

No. Total Rooms: 1 No. Bedrooms: 0

> No. Full Baths: 1 No. Half Baths: 1

Bath Rating: AVER

No. Kitchens: 1 Kitchen Rating: FAIR

**Building Framing: WOOD**Interior Wall Type: PLASTER

Fireplaces: 0
Solar Hot Water: False

Central Vac: False

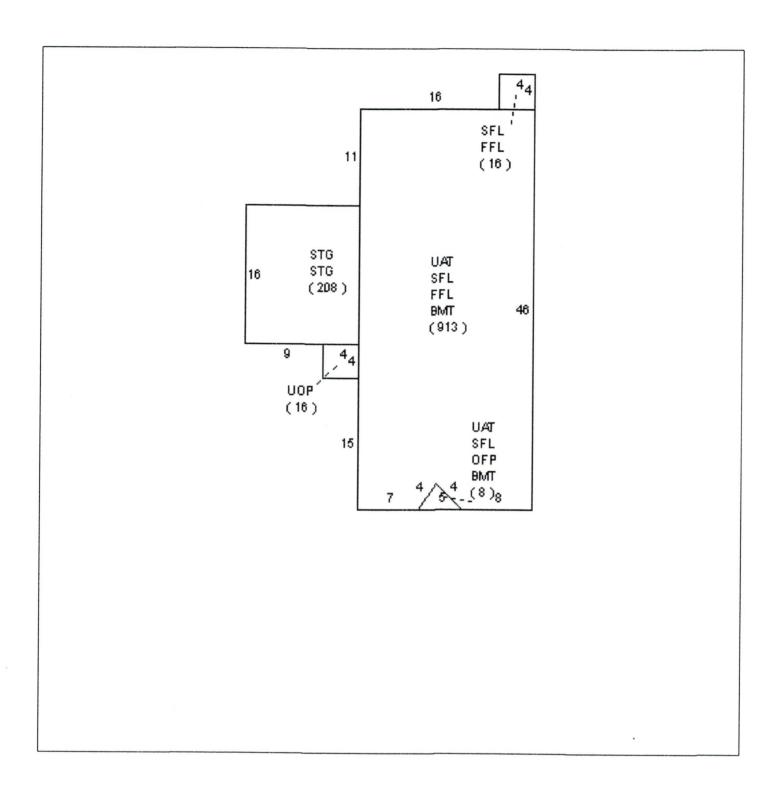
Floor Type: HARDWOOD Heat Type: WALL UNIT Heat Fuel: GAS

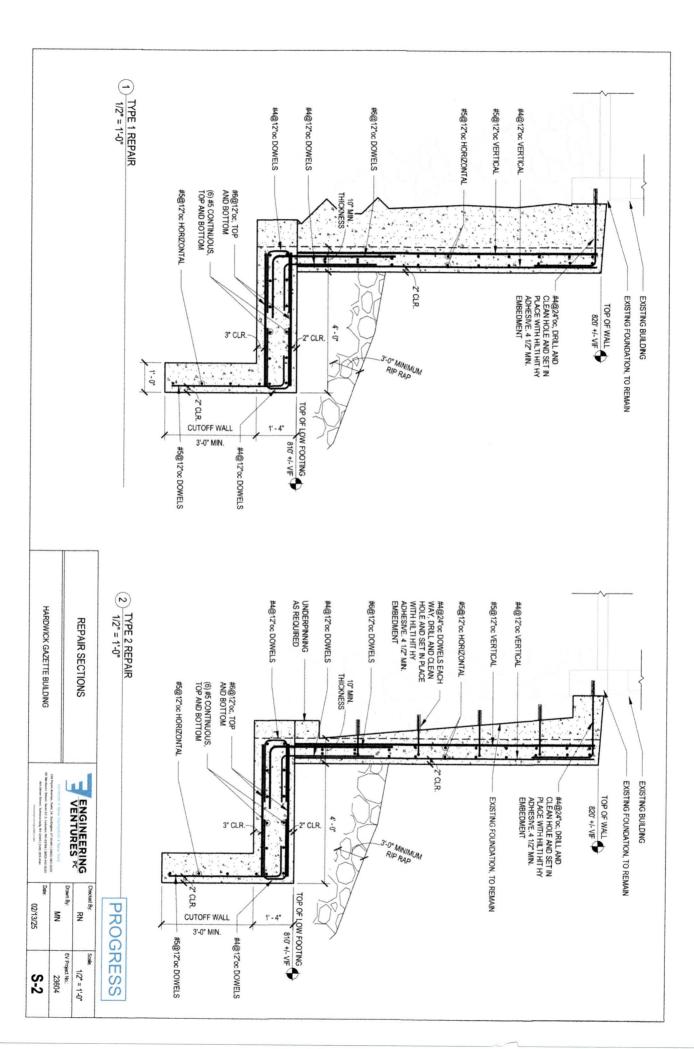
Percent A/C: 0

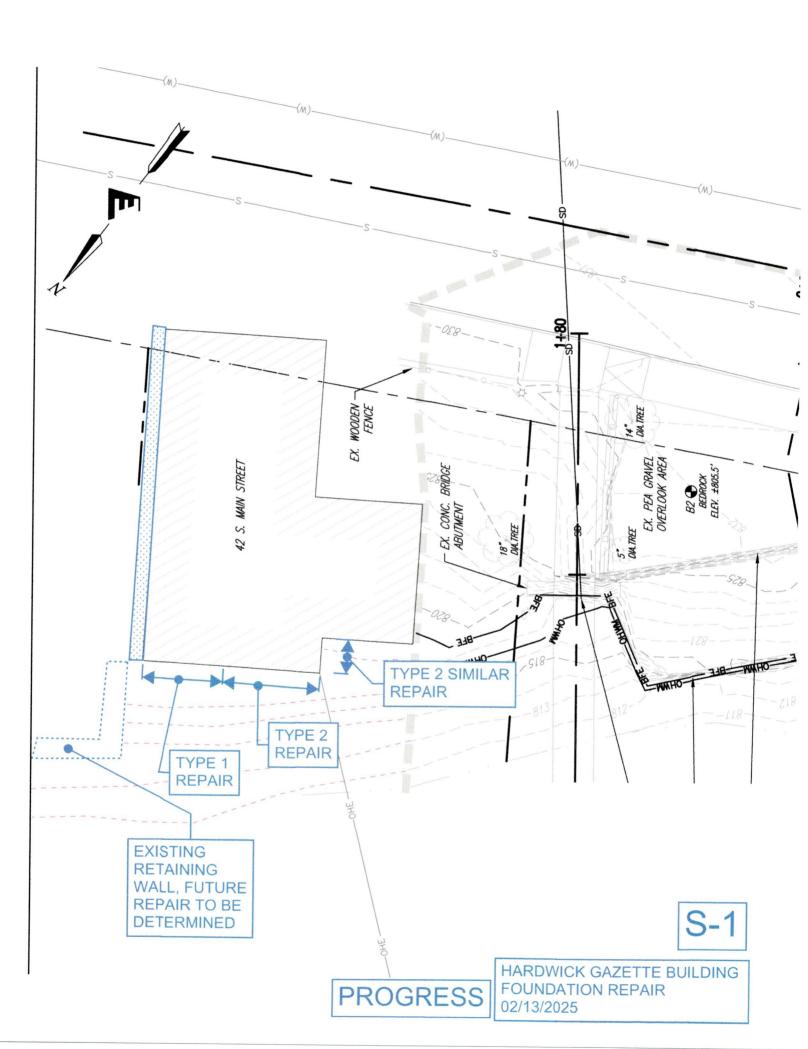
#### Assessed Value

Assessed Yard Value: \$ 0 Assessed Land Value: \$ 37700 Assessed Bldg Value: \$82500 Total Assessed Value: \$120200









# 42 South Main Street – in the Lamoille River Floodway

#### Front view from South Main Street



View looking left

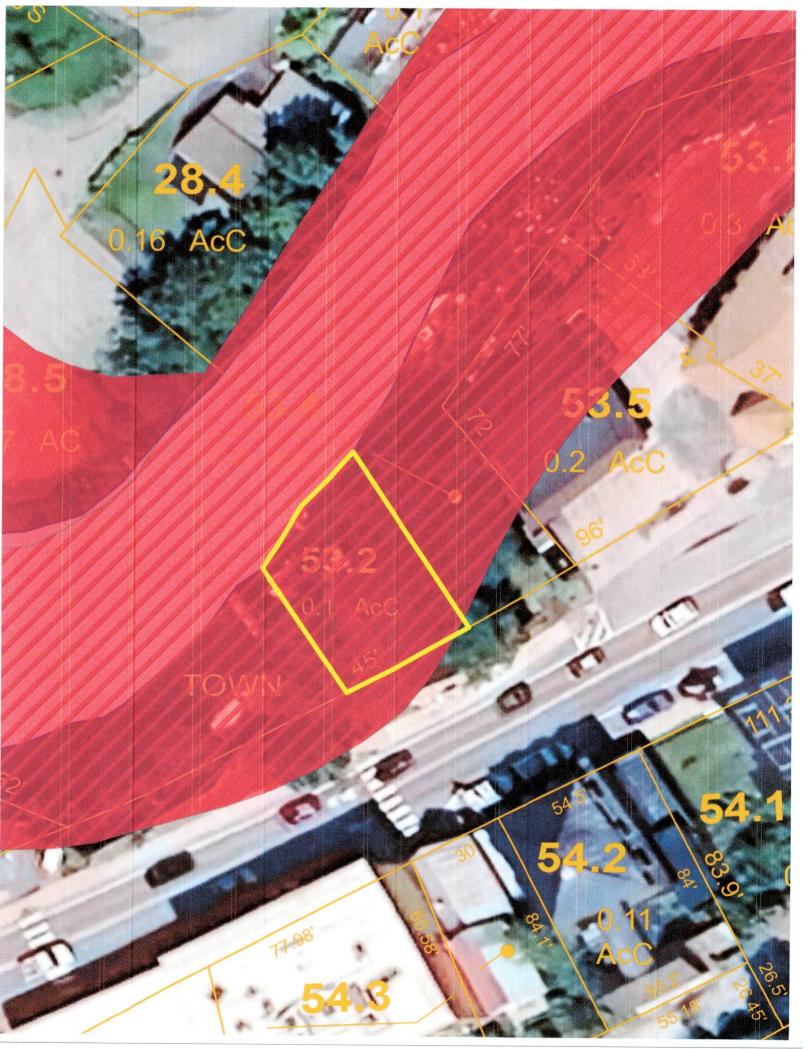


View from the right



View from rear – over the Lamoille River





# U.S. DEPARTMENT OF HOMELAND SECURITY Federal Emergency Management Agency National Flood Insurance Program

OMB No. 1660-0008 Expiration Date: November 30, 2022

# **ELEVATION CERTIFICATE**

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION				FOR INSU	FOR INSURANCE COMPANY USE			
A1. Building Owner's Name				Policy Num	ber:			
	Raymond and Kimberly Small							
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.				Company N	Company NAIC Number:			
42 South Main Streeet								
City State Hardwick Vermont				ZIP Code				
Hardwick Vermont 05843  A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)								
Lot 1, as described in the Warranty Deed recorded in Book 148, Page 414, in the Office of the Town Clerk, Town of Hardwick								
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.)Business								
A5. Latitude/Longi	tude: Lat. 4	4.50430959	Long.	72.36680538		Horizonta	I Datum: NAD	1927 X NAD 1983
A6. Attach at least	2 photograp	hs of the building if the	e Certific	cate is being u	used to	obtain floor	d insurance.	
A7. Building Diagra	am Number	1B						
A8. For a building	with a crawls	space or enclosure(s):						
a) Square foo	tage of crawl	space or enclosure(s)	)			sq ft		
b) Number of	permanent flo	ood openings in the cr	awlspace	e or enclosure	e(s) wit	hin 1.0 foot	above adjacent gra	ade
		penings in A8.b		sq in				AND COMPANY OF THE PARTY OF THE
d) Engineered	flood openir	ngs? Yes	No	professional description of the second secon				
A9. For a building v		tour 100 board 1	•					
a) Square footage of attached garage sq ft								
		ood openings in the at	tached o			t above adi:	acent grade	
90 1000 900 0		penings in A9.b	taciled 9			t above adje	acent grade	tell, deside et de secondo de distribución de deside contact
		And the Control of th		sq	In			
d) Engineered	flood openin	gs? Yes N	10					
		CTION B - FLOOD	INSURA	NCE RATE	MAP (	FIRM) INF	ORMATION	
		Community Number		B2. County	Name			B3. State
Town and Village o	f Hardwick of	00027		Caledonia				Vermont
B4. Map/Panel Number	B5. Suffix	B6. FIRM Index Date	B7. FIRM Panel Effective/ Revised Date 07-17-2002  B8. Flood Zone(s)  AE				B9. Base Flood E (Zone AO, us	Elevation(s) e Base Flood Depth)
14	D	06-28-1974				819.5	.5	
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9:								
FIS Profile	→ X FIRM	Community Determined	mined [	Other/Sour	rce:			
B11. Indicate elevation datum used for BFE in Item B9: X NGVD 1929 NAVD 1988 Other/Source:								
B12. Is the building	g located in a	Coastal Barrier Reso	urces Sy	stem (CBRS)	) area (	or Otherwise	e Protected Area (0	DPA)? ☐ Yes ☒ No
Designation [			CBRS	ПОРА				Irrand brazzed
Normal Named								

#### **ELEVATION CERTIFICATE**

OMB No. 1660-0008 Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.				FOR INSURANCE COMPANY USE		
	ng Street Address (including Apt., Unit, Suite, and/ outh Main Streeet	-	Policy Number:			
City Hardy		tate ermont	ZIP Code 05843	Company NAIC Number		
SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)						
C1.	Building elevations are based on: Construct	tion Drawings*	Building Under Constru	iction* [X	Finished Construction	
*A new Elevation Certificate will be required when construction of the building is complete.						
C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.  Benchmark Utilized: NGS PID D07655  Vertical Datum: NAVD88						
Indicate elevation datum used for the elevations in items a) through h) below.						
NGVD 1929 ☐ NAVD 1988 ☐ Other/Source:  Datum used for building elevations must be the same as that used for the BFE.						
		The de that does le			the measurement used.	
	<ul> <li>Top of bottom floor (including basement, crawls</li> </ul>	space, or enclosure	e floor)	825.2 ×	feet meters	
	b) Top of the next higher floor			834.2	feet meters	
	c) Bottom of the lowest horizontal structural memb	per (V Zones only)	surface is a report of the more dealing or a relative to the converse report		feet meters	
	d) Attached garage (top of slab)				feet meters	
	<ul> <li>e) Lowest elevation of machinery or equipment se (Describe type of equipment and location in Col</li> </ul>	ervicing the building mments)			feet meters	
	f) Lowest adjacent (finished) grade next to buildin	g (LAG)		814.3 ×	feet meters	
	g) Highest adjacent (finished) grade next to buildin	ng (HAG)		830.0	feet meters	
	<ul> <li>h) Lowest adjacent grade at lowest elevation of de structural support</li> </ul>	eck or stairs, includ	ling	830.4	feet meters	
	SECTION D - SURVEYOR	R, ENGINEER, OF	R ARCHITECT CERTIFIC	CATION	Omicide de comission de començación com de tendre en participado en defenda de comissión de comissión de comis	
This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.						
Were	latitude and longitude in Section A provided by a I	licensed land surve	eyor? ⊠Yes □No	Che	ck here if attachments.	
	fier's Name n Sean Fuller	License Numbe VT#60706	er			
Title	1 Gean Fundi	V 1#60700		_		
-	Member				Proc N	
Com	Dany Name	The second secon		-	Place	
Verm	ont Land Integrity				Seal	
Addr 449 I	ess Hays Drive	- PPENETTINE BY A PARET CONTRACTOR OF THE STATE OF THE ST			Here	
City Hard	vick	State Vermont	ZIP Code 05843			
Signa	ture   Cuptairs somed by Aaron Fuller   Cuptairs somed by Aaron Fuller   Cube 2023 03 15 20 02 28 -04:07	Date 03-15-2023	Telephone (802) 793-7484	Ext.		
Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.						
Comr	nents (including type of equipment and location, pe	r C2(e), if applicab	ole)			



#### 42 S Main Street - Civic Standard - Flood Hazard Review

**Pealer, Sacha** <Sacha.Pealer@vermont.gov>
To: "zoning.administrator" <zoning.administrator@hardwickvt.gov>

Fri, Mar 1, 2024 at 9:22 AM

Hi Kristen.

Thanks for sending this application in for state floodplain review comments under 24 V.S.A. §4424.

I agree 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).

In the application packet, I noticed the comment "no changes to the building" other than "change of use." In general, flood hazard regulations focus on physical changes to the structure or land that could increase flood hazard or damage. On the surface, it appears this application does not include any physical changes. However, below are three questions to help you confirm that all is in line with the flood hazard regulations.

#### Is this an improvement to the building?

Sounds like there may not be any actual physical alterations to the building proposed. Assuming there are no improvements (alterations), then the simplest thing would be to clearly note that in the permit file. Please recall, though, that the National Flood Insurance Program considers both exterior and interior changes to a structure as improvements that need review and permitting under your local bylaws. Improvements are changes to the structure itself rather than the contents. For example, with a change in use, there are often changes in floor/wall finishings, electrical, plumbing, heating, built-in appliances/furnishings like cabinets, etc., that qualify as improvements to the structure that need review and permitting within the Special Flood Hazard Area. If there are improvements, then Hardwick would need to check whether the project is a substantial improvement. Article 8 of Hardwick Bylaws defines substantial improvement as follows:

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."

When checking for substantial improvement, the town would also look at whether the project meets the criteria for historic structures highlighted in part b of the definition above. I see that you did find this structure is listed as historic on the National Register, so if there were alterations to the building proposed, then I'd suggest the town request confirmation (e.g., from the state Historic Preservation office) that the project would not change the "historic structure" listing.

#### Is there any development that could have floodway impacts?

I noticed foundation repair and bank stabilization work are not included as part of this application. I mention this work because we had discussed it with the applicant at our site visit on 11/29/23. If that work is not part of this application, then floodway requirements under Section 5.3 H are not applicable at this point. However, please keep in mind that foundation/bank repair work will need to be reviewed and permitted under Hardwick Bylaws Section 5.3 H for floodway impacts, so I wanted to touch on it briefly as a reminder. A partial elevation certificate (prepared by Aaron Fuller, dated 3/15/23) suggests that most of building (including lowest floor) is above the effective base flood elevation, except for the foundation which extends below base flood elevation. Therefore, foundation work or bank stabilization/reconstruction is likely to be below base flood elevation in the floodway and so would require floodway certification from an engineer. Also, foundation work would likely be an improvement to the structure itself which brings us back to substantial improvement/historic structure considerations discussed above.

## Does the proposed use itself present any concerns under the flood hazard area regulations?

Again, flood hazard regulations typically do not focus on the use per se. However, if the proposed use converted the building into a critical facility, as defined in Article 8, then it would not be allowed under Table 2.8 D. The use described in the application does not sound like a critical facility, but the town may want to confirm that.

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

https://dec.vermont.gov/watershed/rivers

From: Kristen Leahy <zoning.administrator@hardwickvt.gov>

Sent: Thursday, February 8, 2024 9:49 AM

To: Pealer, Sacha <Sacha.Pealer@vermont.gov>
Subject: Development Review Submission (x2)



#### **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

29 Page

#60 cont'd

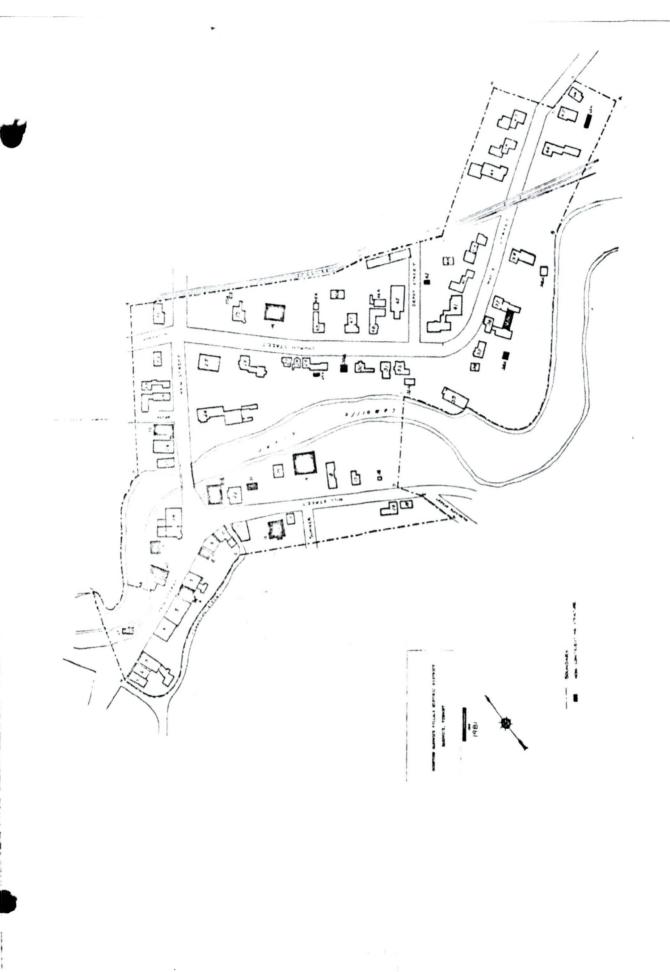
This 2-story, plus mansard French Second Empire building, of wood-frame construction, is now covered with asphalt shingles. The commercial first floor is composed of two large display windows of unequal size - the win dow to the west is approximately twice as large as its companion to the east. Paired 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.

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

The Cazette Building is a 212-story, gable front, vernacular building consisting of a commerical 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 chamferred, 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.







November 6, 2023

## Post Flooding Conditions Assessment Hardwick Gazette Building – 42 S. Main Street

#### Introduction:

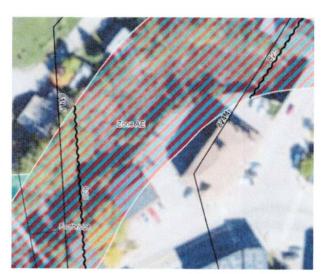
At the request of the Preservation Trust of Vermont, Bob Neeld, PE of Engineering Ventures, PC and Ryan Edwards, Architect, of R. Edwards & Company, PLC met with the building owners and Jackson Evans from PTV on September 28, 2023 to review the Hardwick Gazette Building after flooding from the July 2023 storms. The following is a report of our observations and recommendations and discussions.

This assessment report has been funded by the Preservation Trust of Vermont.

#### **Observations & Discussion:**

The building is 2-1/2 stories plus a basement and measures about 20'x50'. The back side of the building is on a steep bank adjacent to the river. The basement level opens out to the river with windows that have been infilled with insulation board.

The recent flood levels reached about a foot below the basement level. The flooding caused washout of material below and adjacent to the foundations. The FEMA FIRM (Flood Insurance Rate Map) map indicates the floodway and 100 year flood elevation is at an elevation of approximately 825'. Based on the survey completed for the adjacent bridge project, this puts the floodway elevation at or just below the basement floor level.



Page | 2

A small shed houses stair access to the basement level and is in poor condition.

The basement level has a concrete slab that has cracked, spalled, and settled significantly. A void of an inch or more was noted under the east foundation. Additionally, there appears to be a lean of a few degrees towards the river. It is possible that these issues are related to past flood events and washing out of material below the foundation and slabs. These issues should be addressed in an overall/comprehensive renovation.

A comprehensive conditions assessment report (attached) was developed by R. Edwards & Company, PLC in 2022. There are observations and recommendations relating to structural and general deterioration in that report which are not repeated here.

The original stone foundations were armored with concrete in some areas in the past. These areas have been undermined and they are no longer fully supported. The remaining stone foundations are in poor condition and there are loose stones and undermining. The foundation washout will need to be repaired as soon as possible. There could be continued movement of the foundation and another flood could cause significant damage.

Since the flood level is very close to the foundation, it is suggested that additional flood proofing measures are implemented. The possible flood proofing options include dry floodproofing and wet floodproofing.

#### **Dry Flood Proofing:**

Dry flood proofing would mean providing a barrier to infiltration at the perimeter of the building. Since the level of potential floodwaters is not high (likely less than the bottom of the basement windows) it is possible to resist with the wood framing or possibly by replacing the lower 1-2 feet with concrete foundation as part of a more comprehensive renovation project.

#### Wet Floodproofing:

Wet floodproofing usually consists of installing flood vents to allow water in and allow water out without damaging the building. This requires that the spaces allowed to flood are easily cleaned and are of uses that are not severely affected by flooding. This approach would work in this case as the basement is not used. All electrical and mechanical equipment should be moved out of the basement or mounted up a few feet.

#### **Recommendations:**

#### Immediate:

The priority should be to stabilize and armor the foundation so that further movement does not occur. Additionally, the work should armor the foundation against scour from a future flood event.

**Estimated Costs** 

\$20,000 to \$30,000

#### Short Term:

- A flood proof door leading to the basement
- Sealing the wood framing up to bottom of window height

**Estimated Costs** 

\$2,000 to \$3,000

Consider removing the small shed addition.

**Estimated Costs** 

\$10,000 to \$15,000

#### Long Term:

Consider a more complete renovation of the building and incorporate flood resistant measures into the renovations.

**Estimated Costs** 

\$300 to \$500 /Square foot

#### Limitations:

This report is a conditions assessment related to flooding during the July 2023 storms to outline conceptual repairs needed to stabilize the building identify potential approaches to increasing the resilience of the building in future flood events.

The focus is to provide assistance toward financial planning, restoration, and re-use and this report is not intended to be used as a construction document for implementation of specific work. Additional design, drawings, specifications and integration of project steps will be required to finalize recommendations and provide direction to contractors.

Opinions of Construction Cost provided herein are to be considered preliminary for planning purposes only. Since a final design has not been developed and we have no control over the costs or price of labor, equipment, or materials, or over the selected contractor's method of pricing, it is understood that the opinions of cost provided are made based on experience and may differ from bid or actual costs.

No attempt has been made to identify hazardous materials as this is beyond the scope of this report and outside of the expertise of the team.

Modifications for Life Safety, egress, electrical and other Code issues are beyond the scope of this report.

cc: Jenna Lapachinski, Jackson Evans, PTV



**VIEW FROM RIVER** 



STONE WALL EROSION



**VOID UNDER EAST FOUNDATION** 



UNDERMINING AT CORNER OF FOUNDATION



**BASEMENT FLOOR** 



## RE: Questions about Building in Hardwick

Pealer, Sacha <Sacha.Pealer@vermont.gov>

Fri, Nov 3, 2023 at 3:11 PM

To: Jackson Evans <jackson@ptvermont.org>

Cc: The Civic Standard <a href="mailto:rhocivicstandard@gmail.com">hecivicstandard@gmail.com</a>, "zoning.administrator" < zoning.administrator@hardwickvt.gov>

Hi Jackson and Rose,

Thanks for contacting me and sorry for the delayed reply. I'm looping in Kristen Leahy, Hardwick Zoning, as most likely the permitting side of things would be through the town. The town's zoning bylaws include flood hazard regulations that come from the National Flood Insurance Program. Those regulations affect interior/exterior changes to buildings in the flood hazard area mapped by FEMA. I help the town by providing technical flood hazard review as part of the local permit process.

Attached is a map showing the flood hazard area at this address. The red stiped zone is the floodway and 1% annual chance flood plain. "1% annual chance" means the flood having at least 1% chance of happening in any year and is sometimes called the "100-year" flood. These flood chances were calculated decades ago, and we are seeing these floods more often.

I haven't looked at the back of this building, but in general, I'd guess the big threat is floodwater/ice/debris undercutting, collapsing, or weakening the foundation.

If you're thinking about pursuing federal funding, there may be grant-related floodplain requirements on top of the local floodplain/zoning permit requirements.

The very basic outline is that if you have a structure in the floodplain, and you want to substantially improve it, the lowest floor including basement is required to be elevated above the base flood elevation under the town's regulations and possibly higher under grant requirements. Substantial improvement is when the cost of improvements or repairs in one year is 50% or more of the structure's market value. Structures that are on the state or federal register/district and retain their historic status (even after the project) may be eligible for a pass on the lowest floor requirement, but the project would still need to look at flood safe practices/systems, such as bringing furnace, electric, hot water systems to a higher floor, using building materials that are resistant to floodwater damage while meeting historic values, and looking at what may be needed to protect the foundation. You don't need to be doing a substantial improvement before you decide to incorporate flood protection practices, though!

I'd be glad to visit the building with you and suggest that Kristen join if she can. We can brainstorm what might help protect the building. Below are possible times I could do a visit:

11/15 at 3PM

11/16 after 11 AM

11/29 at 9 AM or 3PM

11/30 after 9 AM

Please let me know if you want to schedule a visit. Or we can start with email or phone if you prefer.

#### Thanks!



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

https://dec.vermont.gov/watershed/rivers

From: Jackson Evans <jackson@ptvermont.org>
Sent: Tuesday, October 24, 2023 10:48 AM
To: Pealer, Sacha <Sacha.Pealer@vermont.gov>
Cc: The Civic Standard <thecivicstandard@gmail.com>

Subject: Questions about Building in Hardwick

You don't often get email from jackson@ptvermont.org. Learn why this is important

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

Good morning Sacha,

My name is Jackson Evans and I serve as a Field Service Representative for the Preservation Trust of Vermont. I am working with a non-profit organization in Hardwick called the Civic Standard to help them understand the feasibility of preserving the historic Hardwick Gazette Building at 42 South Main Street.

Following (and even prior to) the summer's flooding, the group had concerns and questions about taking ownership of a building located directly on the banks of the Lamoille River. With some uncertainty about what they can can't do with the building, what sort of permitting might be required and other questions swirling around, I have offered to help them better understand their situation with regards to the river. My colleague at PTV, Nicole Gratton suggested that contacting you would be a good first step.

I'm hoping that you can connect with Rose Friedman at the Civic Standard (CC'd on this email) to begin to shine a light on the subject. If a site visit would be helpful, I'd love to tag along to learn more.

Let me know what I can do to help facilitate!