

Hardwick Development Review Board
Conditional Use – Temporary Special Event
Buffalo Mountain Market – Applicant
Center for an Agricultural Economy - Landowner
100 Granite Street (Atkins Field), Hardwick
Application #2025-033
June 25, 2025

To consider a Temporary Special Event request by Buffalo Mountain Market to host a birthday celebration with an expected attendance of over 100 people at 100 Granite Street on September 13, 2025.

The application requires a review under the following sections of the Hardwick Unified Development Bylaws: 2.3 Highway Mixed Use Zoning District Table; 3.11 Performance Standards; 4.18C2 (Temporary Structure or Use – Special Events); and 5.2 Conditional Use Review.

Warnings were posted on June 10, 2025 at the Hardwick Memorial Building, the Hardwick Post Office and the East Hardwick Post Office. The warning was sent to the following neighboring property owners: Christopher Davis and Margaret Davis; Nicholas Vasiliadis; Osprey Holdings LLC; Matthew and Rebecca Larose; Stanley and Mary Ainsworth Life Estate; Steven Collier; Gregory and Sherry Lussier; Granite Street LLC; Dwaine and Sandra Hood; Helen Willey Life Estate; Beverly Phelps Life Estate; Margaret Laggis; Sunne LLC; Lawrence and Sandra Thibault; Bret and Todd Hodgdon; Emily Hershberger; Nichole and Robert Clark; Jonathan and Jocelyn Lussier; Mary and Ronald Metevoir on July 11, 2024. It was also published in News and Citizen on Thursday, June 5, 2025

Development Review Board members present: Kole; Ruth Gaillard; Gillian D’Acierno; and John Mandeville, Chair

Development Review Board members absent: Helm Nottermann and Kate Brooke

Others present: Kristen Leahy, Zoning and Floodplain Administrator; Chris Duff, Applicant for Buffalo Mountain Market (Co-op)

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

Summary of Discussion

Chair John Mandeville began the hearing at 7:50 pm. He noted the hearing was quasi-judicial, explained the procedure for the hearing, and swore in all those who wished to speak at the hearing.

Mr. Mandeville invited the applicant to present the proposal. Chris Duff introduced the event. This will be a 50 year anniversary celebration for the Buffalo Mountain Coop (Market). The celebration will occur at Atkins Field on September 13, 2025 from 4 pm to 10 pm. There will be music, food, and no alcohol served. The attendance will be weather dependent but they anticipate 500+ people. They have spoken with the Police and the Rescue Squad and they will be working with the Fire Department as well.

They will utilize volunteers as parking attendants and they may establish shuttles to larger parking areas.

The hearing ended at 8:00 pm. Gillian D’Acierno made the motion to close the hearing and enter into deliberative session and Ruth Gaillard seconded. All members were in favor.

Findings of Fact:

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

2.3 Highway Mixed Use – all setbacks and dimensional standards are met for this district. Temporary Special Event is allowed under conditional use if it does not exceed more than seven days in a year period of time. This will be a one-time event this fall (September 13, 2025).

3.11 Performance Standards –No adverse aspects were identified.

4.18 Temporary Structure or Use – A special event with an expected attendance of over 100 people shall be subject to conditional use review. Conditional Use Review was conducted.

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.** The proposal is temporary.
3. **Traffic on roads and highways in the vicinity.** Proposal is temporary. There will be a parking attendant.
4. **Bylaws in effect.** N/A
5. **The utilization of renewable energy resources.** N/A

F) Specific Review Standards shall include:

1. **Siting & Dimensional Standards.** All conditional uses shall meet minimum applicable dimensional and density standards as specified for the district in which the use is located (Article 2), the particular use (Article 4), and for the protection of surface waters (Section 3.12). **All standards are met by the proposal.**
2. **Performance Standards.** All conditional uses shall meet performance standards as specified in Section 3.11. **Proposal is temporary and a review did not reveal any possible issues. There will be porta-potties on site to handle solid waste items. No fog machines will be in use. The music will be amplified. There may be fire dancers and/or a bonfire but they will work with the Fire Department on that aspect.**
3. **Access & Circulation Standards.** All conditional uses shall meet applicable access management standards as specified in Section 6.6. **Proposed event is temporary.**
4. **Landscaping & Screening Standards.** The Board may require landscaping, fencing, screening or site grading as necessary to maintain the character of the area, or to screen unsightly or incompatible uses from town highways, other public rights-of-way, or adjoining properties. **Proposed event is temporary.**
5. **Stormwater Management & Erosion Control Standards.** All conditional uses shall incorporate accepted stormwater management and erosion control practices as appropriate for the setting, scale and intensity of the existing and planned development. N/A

Decision and Conditions

Based upon these findings, the Development Review Board voted 4-0 to approve the Buffalo Mountain Market application as presented with the following conditions:

Conditions:

1. Any signs used for the event shall be removed by the day after the event.
2. Traffic on Granite Street and Wolcott Street shall be monitored.

3. No parking for this event will be allowed on Wolcott Street.

Signed:


_____, Chair
John Mandeville

Date 7/1/25


_____, acting clerk
Kristen Leahy, Zoning Administrator

Date 7/1/25

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