

Hardwick Development Review Board  
Conditional Use Review Request  
Gravel Construction – applicant  
New Leaf Realty, LLC - landowner  
*143 VT Route 15 West, Hardwick (also known as Aubuchon Hardware)*  
*Application #2025-078*  
December 3, 2025

To consider a Conditional Use Review request by Gravel Construction and New Leaf Realty, LLC to construct an addition on an existing Retail Sales location in the Highway Mixed Use zoning district.

The application requires a review under the following sections of the Hardwick Unified Development Bylaws: Table 2.3 Highway Mixed Use District; 3.11 Performance Standards; Section 3.13 Parking and Loading Requirements; Section 5.2 Conditional Use Review; and Section 5.2 G(3) Highway Mixed Use District Standards

**Warnings** were posted on Wednesday, November 19, 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: LB2, LLC; Cary Besette; KP Auto Center, LP; Merchants Bank Community Bank NA; Union Bank; Vermont Maple Holdings LLC; Hardwick Enterprise Group LLC; and the Center for an Agricultural Economy on Wednesday, November 19, 2025. It was also published in The News and Citizen on Wednesday, November 19, 2025.

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

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

**Others present:** Kristen Leahy, Zoning Administrator (acting clerk); Joe Pizziferi, III (landowner), and Dana Gravel (Gravel Construction – Applicant).

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

**Summary of Discussion**

Chair John Mandeville began the hearing at 7:00 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 applicant and the landowner to present the proposal. Dana Gravel testified that the request is to build a 2,168-sf addition to the existing Retail Sales (Aubuchon Hardware) location. In addition, a portion of the existing gravel parking area will be regraded and paved. The addition would provide internal space for shipping and receiving at this location. The proposed addition would allow the existing containers to be removed from the site. The addition will theoretically improve both the aesthetics and the noise levels of the area.

The color scheme and the roof line of the current structure would be retained and continued. A new stormwater plan is in development, and an Act 250 modification has been requested.

The hearing ended at 7:15 pm. Helm Nottermann made the motion to enter deliberative session after the following 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:

**2.3 Highway Mixed Use – all setbacks and dimensional standards are met for this district.** Retail Sales are listed as Conditional Use in the district. Applicants are requesting to expand the current use with an addition. **Pre-existing location is 70 feet from the centerline of Vermont Route 15 West and 40+ feet from the side setbacks. Addition will be 70+ feet from the center of Junction Road and 80+ feet from the rear setback.**

**3.11 Performance Standards – review was made of the performance standards by the DRB. No adverse aspects were identified.**

**3.13 Parking and Loading Requirements –** The Highway Mixed Use District lists Retail Sales parking as a separate category. Table 3.1 indicates that 1 parking spot per 300 sf of gross floor area is required. Additionally, “off-street loading areas shall be provided for commercial uses which will receive shipments in vehicles too large for a standard parking space.” “Non-Residential parking areas shall be located to the side or rear of buildings unless otherwise approved under site plan or conditional use review and shall be screened from adjoining residential properties.” **The space will have approximately 11,200 gross floor area. There will be 1-2 employees on staff. DRB found that adequate parking exists on site. No testimony was received to indicate that screening from adjoining properties would be necessary.**

**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 Highway Mixed Use district matches the purpose of this district and the character of the surrounding area.
- 3. Traffic on roads and highways in the vicinity.** The Highway Mixed Use circulation and traffic pattern on Vermont Route 15 West is directed by the existing use in the area. No adverse effect was identified.
- 4. Bylaws in effect.** Town water and sewer concerns were addressed by the Town Manager and by the State.
- 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. See Condition #2.**

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.**

### 5.2G3 Highway Mixed Use District 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 spaces and clustered in appropriate locations. **The proposal utilizes a pre-existing structure with established parking areas and landscaping.**
- 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 Development Review Board. **The proposal utilizes a pre-existing structure with an established landscaping strip which will continue to be used.**

### Decision and Conditions

Based upon these findings, the Development Review Board voted 5-0 to approve the New Leaf Realty, LLC 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).
3. No vehicular parking will occur on VT Route 15 West.
4. Any additional external lighting will be downlit and designed to reduce light pollution.

Signed:

  
John Mandeville, DRB Chair

Date 12/12/25



Kristen Leahy, Zoning Administrator

Date 12/12/25

### 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;