

Town of Hardwick
Office of the Zoning Administrator
P.O. Box 523
Hardwick, Vermont 05843
phone: (802) 472-1686
e-mail: zoning.administrator@hardwickvt.gov

**HARDWICK DEVELOPMENT REVIEW BOARD
NOTICE OF PUBLIC HEARING**

A public hearing of the Hardwick Development Review Board will be held on the third floor of the Memorial Building on Wednesday, June 3, 2026, beginning at 7:00 p.m. to discuss the following:

7:00 pm Conditional Use and Floodplain Review for change of use to an existing Retail Sales structure to Mixed Use with Retail Sales, Health Clinic, Motor Vehicle Sales, Office, Personal Service, and Recreation (Indoor) in the Highway Mixed Use zoning district and the Flood Hazard Area Overlay. Application #2026-018 (KP Auto Center LP) is located at 82 Route 15 West in Hardwick.

A virtual option is available through Zoom. To join the hearing with Zoom, at 7:00 pm on Wednesday, June 3, 2026, go to Zoom and click on: join a meeting. The meeting number 448 607 6957. The passcode is 1rdCRH.

To join the Zoom Meeting:

<https://us06web.zoom.us/j/4486076957?pwd=WFJzSDg4aGdpWWtZOTFCbzJLcDQ3UT09&omn=81466317543>

The applications are available for inspection in the Hardwick Memorial Building or on the Hardwick website on the Development Review Board (DRB) page. Pursuant to 24 V.S.A. " 4464(a)(1)(C) and 4471(a), participation in this local proceeding is a prerequisite to the right to take any subsequent appeal. People wishing to be heard may join the hearing virtually or in person or be represented by an authorized agent or attorney at the hearing.

Communications regarding the above applications may be filed in writing with the Hardwick Development Review Board at the Zoning Administrator's Office in the Hardwick Memorial Building or by email at zoning.administrator@hardwickvt.gov. Communications must be received prior to the scheduled hearing.

Kristen Leahy, Zoning and Floodplain Administrator

Town Manager's Office
Town Clerk's Office
Town Highway Department

David Upson, Jr.
Tonia Chase
Tom Fadden

(802) 472-6120
(802) 472-5971
(802) 472-6029



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 USE ONLY

Application Number: 2026-018 Tax Map Number 21010-00000
Zoning District HMU
Date Application Received 5/4/26 Fee Paid \$ 240 Date Paid 5/4/26

Please provide all of the information requested in this application. Failure to provide all required information will delay the processing of this application. Submit the completed application and a check payable to the *Town of Hardwick* according to the 2025 Zoning Fee schedule.

Applicant(s): k.p. auto center lp

Name(s): _____
Mailing Address: 4077 RANDOLPH RD MORRISTOWN, VT 05661
Telephone(s) Home: 310-850-7424 Work: _____ Cell: _____
E-Mail: MKOPER886@GMAIL.COM

Landowner(s) (if different from applicant(s)):

Name(s): _____
Mailing Address: _____
Telephone(s) Home: _____ Work: _____ Cell: _____
E-Mail: _____

Physical Location of Property (911 address):

Base Flood Elevation (If Known)

82 ROUTE 15 W HARDWICK, VT

Type of Permit:

Conditional Use Variance

Proposed Use/Development (please check all that applies):

- New Construction
- Commercial
- Renovation/Remodeling – Substantial Improvement (Interior and/or Exterior)
- Change of Use (please describe): CAR DEALERSHIP

Mixed Use - Retail Sales, Health Clinic, Motor Vehicle Sales, Office, Personal Services, Indoor Rec.

Estimated Value of Project: \$ N/A In the Flood Hazard Area Overlay, the application must have a detailed account of the expenses in the project. Please attach a list with labor and materials for all included repairs and/or renovations. A list of included and excluded costs is attached to the end of 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 Verification - N/A
- Local utility company has been consulted - [] yes [] no UNK.
- Curb Cut - requires a separate application - necessary if a new driveway must be installed.
[] Applied (date) _____ [X] Not required

Property Description:

Acreage in lot 5

(Please Note: If your property is enrolled in the Current Use Program, your conditional use or variance application may impact your Current Use status. Please verify your status with Vermont Property Valuation and Review, Current Use Program at 802-828-5860 ext 2 or tax.currentuse@vermont.gov).

Feet of Road Frontage _____

Setbacks: Front _____ (to center of road) Left Side _____
Right side _____ Rear _____
Stream _____ Other _____

Dimensions of Proposed and Existing Buildings:

Existing: Proposed:
Length _____ No. of Stories _____ Length _____ No. of Stories _____
Width _____ Width _____
Height _____ Height _____

Existing use and occupancy. (If there are no buildings currently on the property, please write "bare land.") SHOPPING CENTER/GROCERY STORE - RETAIL SALES

Proposed use and occupancy. CAR DEALERSHIP Mixed USE - Retail Sales Health Clinic, Motor Vehicle Sales, Office, Personal Service, Indoor Rec

General Location Map and Site Plan:

In order for a Conditional Use application to be reviewed by the Development Review Board, a general location map and a completed site plan must be provided.

- A general location map (on a USGS topographic map or Vermont orthophoto base) showing the location of the proposed development in relation to zoning districts, public highways, drainage and surface waters, and adjoining properties and uses.
- A completed site plan includes, but is not limited to:
 1. North Arrow, scale, project name, date and name and address of the person or firm preparing the map;
 2. The dimensions of the lot, property lines and setback distances from boundaries;
 3. The location and names of roads and streets abutting the property;
 4. Existing site features, including ridgelines, hill tops and areas of steep slope (greater than 25%); drainage, surface waters, wetlands, and associated setback areas; vegetation and tree lines; historic features (ie. Stone walls), and designated critical habitat, flood hazard and source protection areas;
 5. The location (footprints) of existing and proposed structures, including all buildings, other structures, signs, and/or walls;
 6. Existing and proposed rights-of-way and easements;
 7. Existing and proposed roads, driveways, parking and loading areas (traffic circulation), and pedestrian paths;
 8. Existing and proposed utility lines, water supply and wastewater disposal areas;
 9. Proposed site grading (cut and fill), stormwater management, and erosion control measures; and
 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 requirements 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 in 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 the date of Development Review Board approval.

Signature of Applicant(s) Michael Koper Date 5/1/26

Signature of Landowner(s) Michael Koper Date 5/1/26

Note: Failure to develop your property in accordance with your application and any conditions of this permit may result in an enforcement action and may affect your ability to sell or transfer clear title to your property.

The applicant or any interested person who has participated in the proceeding may appeal a decision of the Development Review Board within 30 days of such decision to the Vermont Environmental Court, in accordance with the Act (4471, 4472).

Please note that this is only a local permit and state permits may be needed for your project. Please contact the Permit Specialist at the VT Agency of Natural Resources at (802) 477-2241 or jeff.mcmahon@vermont.gov

FOR ADMINISTRATIVE USE ONLY

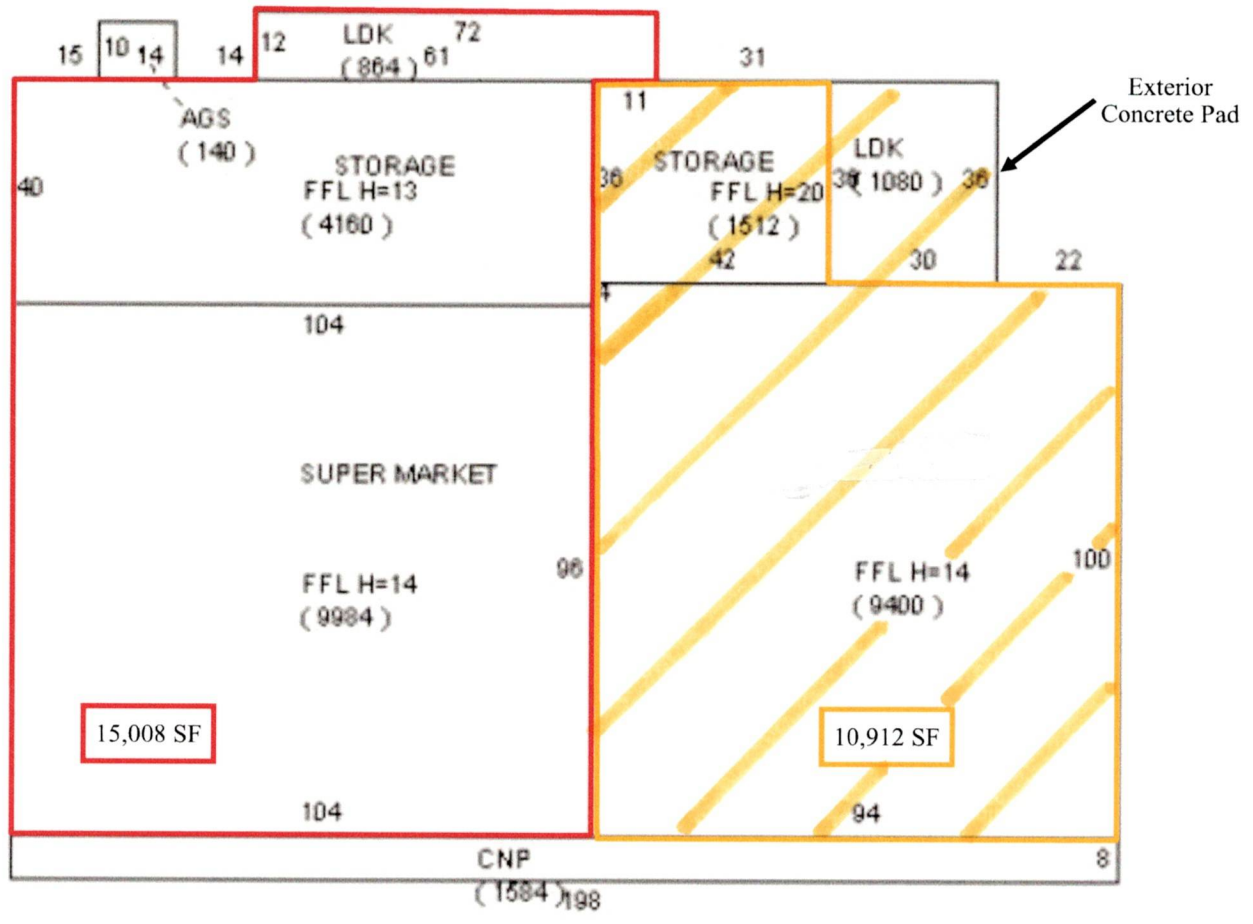
Date of Approval or Denial by Development Review Board: _____

Applicant/Landowner Received a Copy of the Applicable Building Energy Standards: _____ (Date) _____

Applicant/Landowner Did NOT Need to Receive a Copy of the Applicable Building Energy Standards (Due to the fact that the structure will not be heated or cooled): _____ (Date) _____

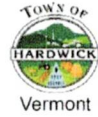


Boundary Lines Are Approximate



Assessment Field Card

Town of Hardwick, Vermont

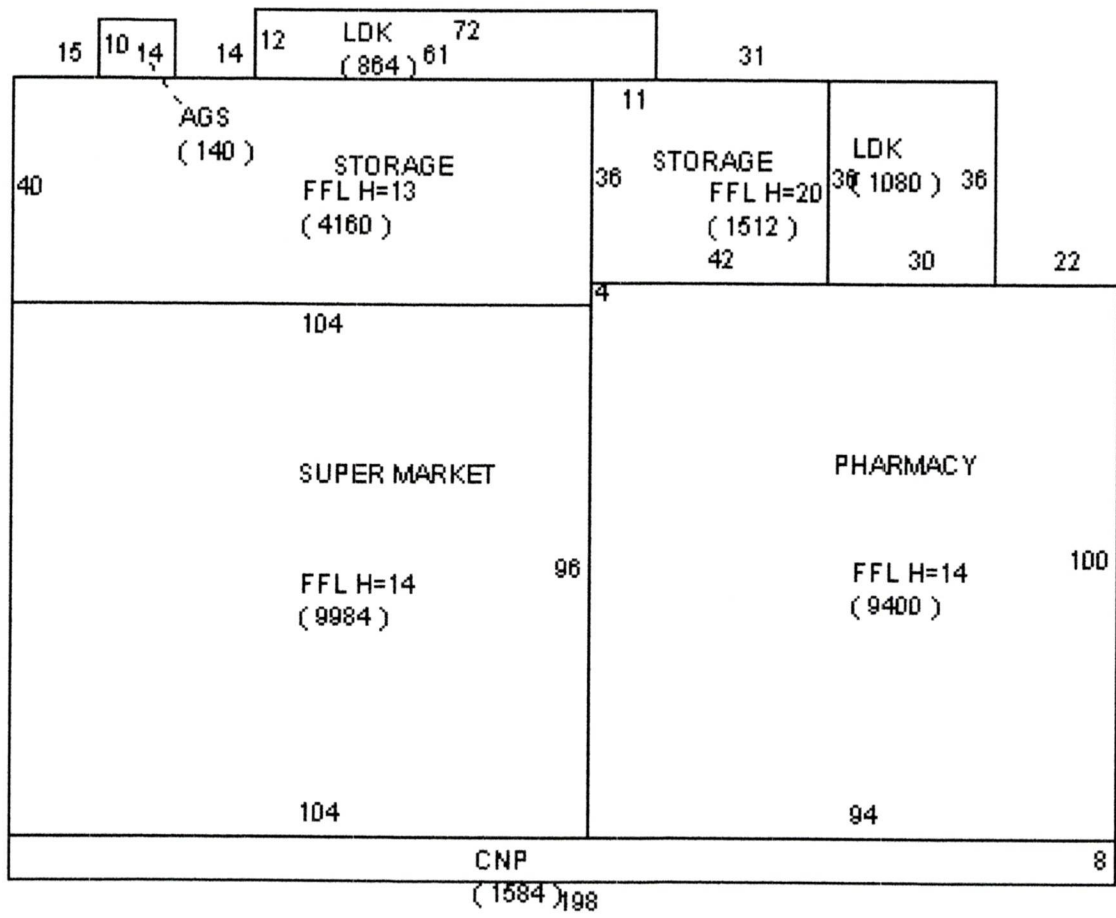


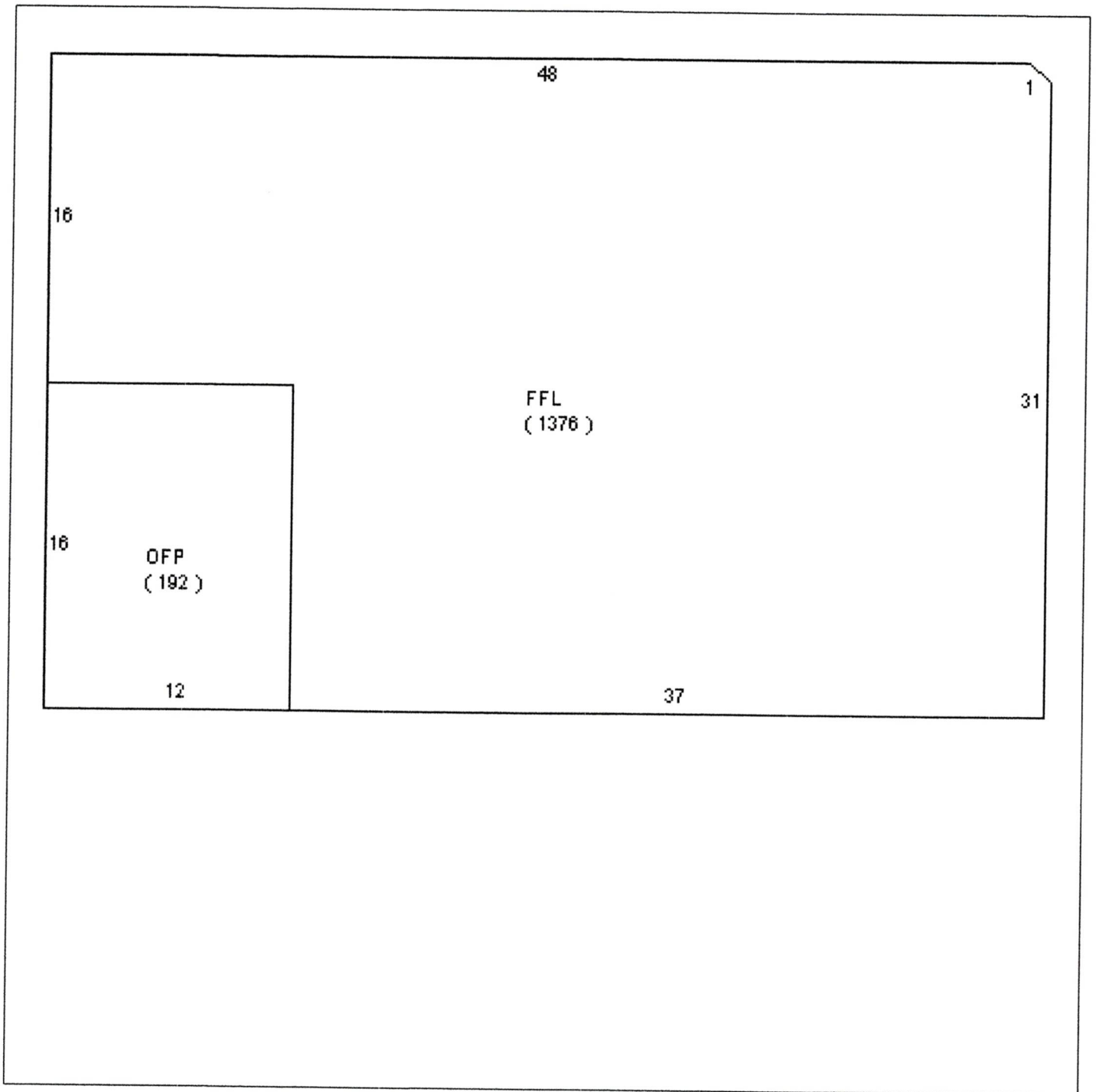
Parcel Information	
	<p> Address: 82 VT ROUTE 15 WEST Map-Lot: 21010-00000 Patriot Account #: 848 Owner: WALGREEN EASTERN CO INC Co-Owner: Mailing Address: 104 WILMOT RD MS 144G DEERFIELD, IL 60015 </p>
Building Exterior Details	General Information
<p> Building Type: SHOP CTR Year Built: 1976 Grade: C Frame Type: WOOD Living Units: 2 Building Condition: Avg-Good Roof Cover: MEMBRANE Roof Type: FLAT Exterior Wall Type: CONC BLOCK Pool: False </p>	<p> Total Acres: 4.95 Land Use Code: 41 Neighborhood Code: 28 Owner Occupied: Condo Name: Condo Unit: Zone: Utility Code 1: Utility Code 2: Utility Code 3: </p>
Building Area	Ownership History
<p> Gross Area: 30292 sqft Finished Area: 26432 sqft Basement Area: 0 sqft Garage Area: 0 sqft Detached Garage: sqft Basement Garage: 0 sqft </p>	<p> Sale Date: 1/31/2018 Sale Price: \$ 1560000 Nal Description: Grantor (Seller): PJC REALTY NE LLC Book/Page: 160-102-103 </p>
Building Interior	Assessed Value
<p> No. Total Rooms: 0 No. Bedrooms: 0 No. Full Baths: 0 No. Half Baths: 4 Bath Rating: No. Kitchens: 0 Kitchen Rating: Building Framing: WOOD Interior Wall Type: DRYWALL Fireplaces: 0 Solar Hot Water: False Central Vac: False Floor Type: ASPHL TILE Heat Type: UNIT HTRS Heat Fuel: GAS Percent A/C: 100 </p>	<p> Assessed Yard Value: \$ 16500 Assessed Land Value: \$ 148900 Assessed Bldg Value: \$1533800 Total Assessed Value: \$1699200 </p>



www.cai-tech.com

This information is believed to be correct but is subject to change and is not warranted.





www.cai-tech.com

This information is believed to be correct but is subject to change and is not warranted.



Tops Market Follow Up

2 messages

Nevins, Alexis <Alexis.Nevins@vermont.gov>

Fri, Feb 13, 2026 at 9:20 AM

To: "zoning.administrator@hardwickvt.gov" <zoning.administrator@hardwickvt.gov>

Cc: "Pealer, Sacha" <Sacha.Pealer@vermont.gov>

Hello Kristen,

I am following up from our site visit to Tops market on February 5, 2026. Please feel free to forward or repackage this information for Tops market. At the site visit we discussed flooding and damages sustained to the Tops building. We understand the importance of Tops figuring out a short-term solution in the event of flooding in 2026. The grocery store and attached future pharmacy are critical facilities for the Town of Hardwick and must be protected.

We discussed a temporary deployable product (Aqua fence or similar product) as a short-term solution for flooding. This could be a good option for the near term, but should not replace a long-term, meaningful mitigation practice for Tops. If the Aqua fence/similar is proposed there may or may not need to be compensatory storage provided to offset the floodwater displacement. This will depend on the location of the fencing/barrier. If it is tight to each exterior wall vs. further from the building exterior. We can discuss this in detail if it seems like compensatory storage will be required. To add to the short-term solutions (that will benefit the long-term) is to consider elevating the electrical components that are on the rear-exterior of the building in the wooden housing, as well as any other exterior electrical/utility components. The doorways and low windows in the front of the building may need additional protection but this will depend on the product chosen.

A note to keep in mind if the Aqua fence/similar is chosen for the short-term flood mitigation is that an emergency plan should be created and practiced for the installation and deployment of this fence in the event of a flood. As we know, flooding can happen quickly and at any time of day/night, so having a robust emergency plan will only improve the effectiveness of this mitigation measure.

The plan details for the Shaw's Supermarket dry-floodproof retrofit have been provided as an example of a long-term meaningful mitigation practice. We recommend a similar route is taken for the Tops grocery store. Since the Tops structure is considered a critical facility, the structure would need to be dry-floodproofed to at least one foot above the elevation of the 0.2% annual flood height (500-year floodplain), or three feet above base flood elevation, whichever is higher per Hardwick zoning. For this site, the approximate BFE is ~805.6' NGVD29 and the 0.2% annual flood height is ~808.2' NGVD29. Using these numbers, the dry-floodproof would be designed to at least ~809.2' NGVD29 (this would be the Design Flood Elevation or DFE for this site) but can always go higher for extra protection.

Another aspect of this mitigation is a FEMA "Dry Floodproofing Certificate for Non-Residential Structures" (attached). While technically this is not required because the structure was not Substantially Damaged, it is worthwhile to design and build to the certificate standards. This will help with flood insurance and any future Substantial Improvements.


The next steps for this project could look like:

1. Temporary flood walls/fence to mitigate any spring/summer flooding in 2026 (with compensatory storage if needed)
2. Contact a land surveyor to complete an Elevation Certificate on the current structure as an initial investigation to see where the building currently sits in comparison to the DFE.
3. Engage with engineers for initial ideas/cost/timelines for the long-term mitigation.
4. Obtain permits required for the work
5. Begin construction on the dry floodproof retrofit

If Tops market would like we can schedule a Teams/Zoom meeting to discuss all of this and answer any questions. Just let me know. Also please let me know if there are any other guidance documents or information I can provide.

Thank you and enjoy the weekend!

Alexis Nevins | River Corridor and Floodplain Manager
Vermont Department of Environmental Conservation
[374 Emerson Falls Road, Suite 4 | St. Johnsbury, VT 05819](#)
802-480-1687 cell | alexis.nevins@vermont.gov
dec.vermont.gov

 **fema_form-ff-206-fy22-153.pdf**
897K

Kristen Leahy <zoning.administrator@hardwickvt.gov>
To: "Nevins, Alexis" <Alexis.Nevins@vermont.gov>
Cc: "Pealer, Sacha" <Sacha.Pealer@vermont.gov>

Tue, Feb 17, 2026 at 4:03 PM

Thank you!!!! I repackaged and sent it to Michael. Copied your email for his electronic file.

I'm certain there will be more.

Best Wishes,

Kristen Leahy

Zoning and Floodplain Administrator

Resilience & Adaptation Coordinator

(802) 472-1686

Winter 2025-2026 Office Hours:

Monday - 11 am to 1 pm

Tuesday - 8:30 am to 2 pm

Wednesday - 9:30 am to 2 pm

Thursday - 8:30 am to 2 pm

Friday and Saturday - By appointment

Outside of daily stated hours, by appointment.

Any decision or act of the Zoning Administrator may be appealed within 15 days of such decision or act as per Section 7.3A of the Hardwick Unified Development Bylaws.

[Quoted text hidden]

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expires March 31, 2012

Important: Read the instructions on pages 1-9.

SECTION A - PROPERTY INFORMATION		For Insurance Company Use:
A1. Building Owner's Name <u>PJC Realty N.E. L.L.C.</u>	Policy Number	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. <u>82 VT Route 15 W</u>	Company NAIC Number	
City <u>Hardwick</u> State <u>VT</u> ZIP Code <u>05843</u>		
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) <u>Parcel Number 21010.00000, land & premises as described in Vol. 110, Pgs. 434,435</u>		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>Commercial</u>		
A5. Latitude/Longitude: Lat. <u>44.51343</u> Long. <u>-072.37238</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983		
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.		
A7. Building Diagram Number <u>1A</u>		
A8. For a building with a crawlspace or enclosure(s):		A9. For a building with an attached garage:
a) Square footage of crawlspace or enclosure(s) <u>N/A</u> sq ft		a) Square footage of attached garage <u>N/A</u> sq ft
b) No. of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>N/A</u>		b) No. of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>N/A</u>
c) Total net area of flood openings in A8.b <u>N/A</u> sq in		c) Total net area of flood openings in A9.b <u>N/A</u> sq in
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number <u>Town and Village of Hardwick 500027</u>		B2. County Name <u>Caledonia</u>	B3. State <u>VT</u>		
B4. Map/Panel Number <u>0012</u>	B5. Suffix <u>D</u>	B6. FIRM Index Date <u>July 17, 2002</u>	B7. FIRM Panel Effective/Revised Date <u>July 17, 2002</u>	B8. Flood Zone(s) <u>AE</u>	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) <u>805.7</u>
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9. <input checked="" type="checkbox"/> FIS Profile <input type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other (Describe) _____					
B11. Indicate elevation datum used for BFE in Item B9: <input checked="" type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other (Describe) _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* 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. Use the same datum as the BFE.
Benchmark Utilized PID DM7840 Vertical Datum NAD 83(2011) ELLIP HT
Conversion/Comments NAD 83(2011) ELLIP HT of PID DM7840 converted to NGVD 29 with Geoid12/VERTCON. NGVD 29 elevations shown below.


Check the measurement used.

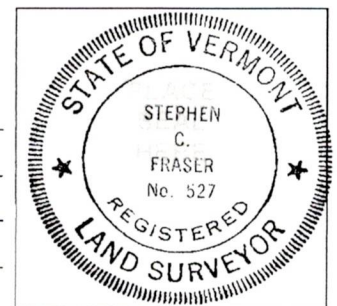
a) Top of bottom floor (including basement, crawlspace, or enclosure floor) <u>804.7</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
b) Top of the next higher floor <u>N/A</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
c) Bottom of the lowest horizontal structural member (V Zones only) <u>N/A</u>	<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
d) Attached garage (top of slab) <u>N/A</u>	<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) <u>804.7</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
f) Lowest adjacent (finished) grade next to building (LAG) <u>801.0</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
g) Highest adjacent (finished) grade next to building (HAG) <u>804.9</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support <u>800.8</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

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.

Check here if comments are provided on back of form. Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No

Certifier's Name <u>Stephen C. Fraser</u>	License Number <u>VT LS 527</u>
Title <u>President</u>	Company Name <u>Vermont Survey and Engineering, Inc.</u>
Address <u>79 River Street, Suite 201</u>	City <u>Montpelier</u> State <u>VT</u> ZIP Code <u>05602</u>
Signature 	Date <u>Sep. 6, 2012</u> Telephone <u>(802) 229-9138</u>




IMPORTANT: In these spaces, copy the corresponding information from Section A.	For Insurance Company Use:
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 82 VT Route 15 W	Policy Number
City Hardwick State VT ZIP Code 05843	Company NAIC Number

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

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

Comments Generator on slab in enclosed shed near NE corner of structure

Signature  Date 9/6/2012 Check here if attachments

SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

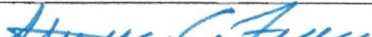
For Zones AO and A (without BFE), complete Items E1-E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1-E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
 a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ feet meters above or below the HAG.
 b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ feet meters above or below the LAG.
- E2. For Building Diagrams 6-9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 8-9 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ feet meters above or below the HAG.
- E3. Attached garage (top of slab) is _____ feet meters above or below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is _____ feet meters above or below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown. The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. *The statements in Sections A, B, and E are correct to the best of my knowledge.*

Property Owner's or Owner's Authorized Representative's Name
 Stephen C. Fraser, Vermont Survey and Engineering, Inc.
 Address 79 River Street, Suite 201 City Montpelier State VT ZIP Code 05602

Signature  Date 9/6/2012 Telephone (802) 229-9138

Comments

Check here if attachments

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8 and G9.

- G1. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. The following information (Items G4-G9) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate Of Compliance/Occupancy Issued
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- G7. This permit has been issued for: New Construction Substantial Improvement
- G8. Elevation of as-built lowest floor (including basement) of the building: _____ feet meters (PR) Datum _____
- G9. BFE or (in Zone AO) depth of flooding at the building site: _____ feet meters (PR) Datum _____
- G10. Community's design flood elevation _____ feet meters (PR) Datum _____

Local Official's Name _____ Title _____

Community Name _____ Telephone _____

Signature _____ Date _____

Comments

Check here if attachments



ACT 250 JURISDICTIONAL OPINION

JO 7-477

State of Vermont
Land Use Review Board
District 7 Environmental Commission
374 Emerson Falls Road, Suite 4
St. Johnsbury, VT 05819
<https://act250.vermont.gov/>

14 This is a jurisdictional opinion (JO) based upon available information and a written request from the landowner/agent or other person. Any notified person or entity will be bound by this JO unless that person or entity files a request for reconsideration with the District Coordinator or an appeal with the Superior Court, Environmental Division within 30 days of the issuance of this JO (see below). This JO identifies Act 250 jurisdiction only. Other permits may be required (e.g., <https://dec.vermont.gov/permits>). For more information, please contact the Agency of Natural Resources Environmental Assistance Office: (<https://dec.vermont.gov/assistance/permits>).

I hereby request a jurisdictional opinion from the District Coordinator regarding the jurisdiction of 10 V.S.A. Chapter 151 (Act 250) over the project described below.

Michael Koper
K.P. Auto Center LP
4077 Randolph Rd.
Morrisville, VT 05661
mkoper886@gmail.com

- Landowner
- Agent
- Other

Project Description: Change of retail tenant in existing shopping center from pharmacy to car dealership (the "Project"). Project includes replacement of two signs with signs of the same dimensions, content to be determined. One of the replacement signs will be collocated on an existing freestanding sign along Route 15. The other replacement sign would be mounted on the building above the entrance to the dealership and would be internally illuminated. No other construction is proposed. Up to 50 for-sale vehicles may be stored on site.

Project Location: 82 Route 15 W Hardwick, VT 05843. SPAN: 282-089-11228.

Existing Act 250 permit number(s) or series: 7C0246.

Project Type: Commercial Subdivision Municipal/State Mixed
 Farming/Forestry Housing Other _____

Has the landowner or affiliated person subdivided before? Yes No N/A

AN ACT 250 PERMIT IS REQUIRED: YES NO

BASIS FOR DECISION: Material change to a permitted development (Act 250 Rule 34(A)).



Act 250 Rule 34(A) requires a permit amendment for any material change to a permitted development or subdivision.

“Material change” means “any cognizable change to a development or subdivision subject to a permit under Act 250..., which has a significant impact on any finding, conclusion, term or condition of the project’s permit or which may result in a significant adverse impact with respect to any of the criteria specified in 10 V.S.A. § 6086(a)(1) through (a)(10).” Act 250 Rule 2(C)(6).

“Cognizable change” means “any physical change or change in use, including, where applicable, any change that may result in a significant impact on any finding, conclusion, term or condition of the project’s permit.” Act 250 Rule 2(C)(26).

The Project occurs at the development authorized by Land Use Permit 7C0246 and amendments. The most recent amendment, 7C0246-4, approved construction of a driveway and upgrades to the parking lot, lighting, and signage. It includes the following conditions:

4. No changes shall be made in the design or use of this project without the written approval of the District Coordinator or the Commission, whichever is appropriate under the Environmental Board Rules.

13. The installation of exterior light fixtures is limited to those approved herein. All exterior lighting shall be installed or shielded in such a manner as to conceal light sources and reflector surfaces from view beyond the perimeter of the area to be illuminated.

14. The Permittees shall not erect additional exterior signage without first obtaining approval from the District Commission. Signage includes banners, flags, and other advertising displays, excepting temporary real estate marketing signs.

Findings issued with 7C0246-4 indicate the Commission sought to ensure that “lighting be subtle, and not glaring...”. Findings at 2. Application documents indicate the freestanding “pylon” sign would be externally illuminated but do not address whether and how building mounted signs would be illuminated. Schedule B of the application form, at page 15, indicates that parking will increase from 130 to 158 spaces for the shopping center and bank.

Sign and lighting details filed with the applications for 7C0246 and 7C0246-2 indicate that storefronts and individual store signs are to be downlighted.

The Project is a material change for the following reasons.

1. An internally illuminated building mounted sign creates glare and does not appear to have been approved by the Commission in 7C0246-4 or prior permits. Condition 13 of 7C0246-4 limits approval of exterior light fixtures to “those approved herein.” Therefore, the Project has a significant impact on prior findings and permit conditions and may result in significant adverse impacts under Criterion 8 (aesthetics).
2. The change in use from pharmacy to car dealership, though both are retail uses, affects parking and circulation insofar as a car dealership requires storage and display of vehicles for sale. Because the Project proposes no new vehicle storage area, customer parking in this case could be reduced by as many as 50 spaces across the shopping center, or nearly

one third. This change may result in congestion and thus significant adverse impacts under Criterion 5(A) (unreasonable congestion or unsafe conditions with respect to means of transportation). Remaining parking may be sufficient, but Commission review is warranted.

Therefore, the Project is a material change to the development permitted in 7C0246 and amendments that requires a permit amendment pursuant to Act 250 Rule 34(A).

/s/ Kevin Anderson DATE: May 7, 2026
Kevin Anderson
District 7 Coordinator
374 Emerson Falls Road, Suite 4, St. Johnsbury, VT 05819
Telephone: 802-522-6074
Email: Kevin.Anderson@vermont.gov

Any party may file within 30 days from the date of a decision of the District Coordinator a request for reconsideration with respect to the jurisdictional opinion, pursuant to Act 250 Rule 3(B). Any reply to a request for reconsideration shall be filed within 15 days of the service of the request, unless otherwise provided by the District Coordinator.

Any person aggrieved by an act or decision of a District Commission or District Coordinator, or any party by right, may appeal to the Environmental Division of Vermont Superior Court within 30 days of the act or decision pursuant to 10 V.S.A. § 8504. Such appeals are governed by Rule 5 of the Vermont Rules for Environmental Court Proceedings. The appellant must file a notice of appeal with the clerk of the court and pay any fee required under 32 V.S.A. § 1431.

The appellant must also serve a copy of the Notice of Appeal on the Land Use Review Board and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. The Land Use Review Board's copy may be sent to act250.legal@vermont.gov and/or 10 Baldwin Street, Montpelier, VT 05633-3201.

Please note that there are certain limitations on the right to appeal, including interlocutory appeals. See, e.g., 10 V.S.A. § 8504(k), 3 V.S.A. § 815, and Vermont Rule of Appellate Procedure 5. For additional information on filing appeals, see the Court's website at: <http://www.vermontjudiciary.org/GTC/environmental/default.aspx> or call (802) 951-1740. The Court's mailing address is Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401.

The foregoing statements regarding requests for reconsideration and appeals are intended for informational purposes only. They neither supplant any rights or obligations provided for by law nor do they constitute a complete statement of the rights or obligations of any person or party.

Zoning Review of 2026-018

Zoning Review – Application #2026-018

Landowner: KP Auto Center LP

Applicant: Same

Location: 82 Route 15 West, Hardwick VT (a/k/a former Walgreens Building)

Zoning District: Highway Mixed Use

Overlay Districts: Flood Hazard Area Overlay

Prepared by the Hardwick Zoning Administrator

DRB Meeting: June 3, 2026 – 7:00 PM (Hybrid)

The applicant has submitted a Conditional Use application to change the use of the existing retail structure located at 82 Route 15 West. The applicant is requesting a change to Mixed Use with the following uses: Retail Sales, Office, Personal Service, Motor Vehicle Sales, Health Clinic, and Recreation (Indoor).

The property is in the Highway Mixed Use District and is also within the Flood Hazard Area Overlay. The change of use will not, at this time, include any structural changes to the interior or the exterior of the existing building.

Mixed Use, Retail Sales, Office, Personal Service, Motor Vehicle Sales, Health Clinic, and Recreation (Indoor) are listed as a Conditional Use in the Highway Mixed Use District (Table 2.4) of the Hardwick Unified Development Bylaws.

The empty space (former Walgreens location) within the building would be adjusted to meet the tenants needs. The structure is preexisting and meets the dimensional standards of the district. Minimum setbacks from the roads have been met on VT Route 15 West. The side and rear setbacks also meet the required minimum of 20 feet for the district.

The Flood Hazard Area Overlay (Table 2.9) lists non-substantial improvements to existing structures as a permitted use outside of the Floodway. The project has been submitted to the Floodplain Manager's office and comments may be received prior to the DRB meeting.

Section 3.7 – Height Requirements

The structure is pre-existing and no height changes are proposed.

Section 3.11 – Performance Standards

The proposed project will need to be reviewed under the applicable performance standards.

Section 3.12 – Protection of Water Resources – Surface Waters

The development is located near the Lamoille River. Based on the application materials, the structure appears to be located outside of the 75-foot stream setback established by this section.

Section 3.13 – Parking and Loading Requirements

Off-street parking is required when a use is established or expanded. Because the project establishes several uses, parking requirements should be reviewed as part of the DRB's consideration.

Section 3.15 – Steep Slopes and Erosion Control

The site does not have a slope gradient of 25% or greater and this section does not appear to apply.

Section 4.12 – Mixed Use

The building will need to be reviewed under the sections of Mixed Use criteria.

DRB Review

The Development Review Board will need to review the project under the Conditional Use Review criteria (Section 5.2). See the application materials for the full list of criteria.

In addition, Highway Mixed Use District Standards (Section 5.2 G(3)) will need to be considered.

These include:

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.

B) A landscaped strip of at least twenty (20) feet shall be provided parallel to the road. This strip may be crossed by driveways and sidewalks. The form, location, and composition of the landscaped strip must be shown on the site plan and approved by the Development Review Board.

The DRB will also need to review the project under the Flood Hazard Review provisions (Section 5.3). See pages 61-66 of the Hardwick Unified Development Bylaws.

Questions for DRB Consideration

- Does the proposed change of use to Mixed Use alter the intensity of the building traffic in a way that affects parking demand under Section 3.13?
- Are there any additional site plan considerations, such as circulation, parking layout, or landscaping, that the Board wishes to address as part of Conditional Use Review?

Bylaw Sections Referenced

Table 2.4 – Highway Mixed Use District

Table 2.9 – Flood Hazard Area Overlay District

Section 3.11 – Performance Standards

Section 3.12 – Protection of Water Resources

Section 3.13 – Parking and Loading Requirements

Section 4.12 – Mixed Use

Section 5.2 – Conditional Use Review

Section 5.2(G)(3) – Highway Mixed Use District Standards

Section 5.3 – Flood Hazard Review