Hardwick Development Review Board
Conditional Use Review Request
Elishalom Adamah (Eli Adam) – Applicant and Landowner
50 Weeks Place, Hardwick
Application #2026-050
October 7, 2026

Shareable link:

https://us06web.zoom.us/rec/share/BUSxZBtWQHRJwl_g2qjp5ObqvZIZDjiy7ebWEKmbCFwUEUtDG87o_DpGN55C0iRM.3DNtzH2ngfy49wXV
Passcode: %LoC2E5S

To consider a Conditional Use Review request to change the use of a property from a Single Unit Dwelling to Mixed Use (Single Unit Dwelling and Nursery) in the Rural Residential district. The proposal includes three associated accessory structures for the nursery operation.

The application requires a review under the following sections of the Hardwick Unified Development Bylaws: Table 2.7 Rural Residential District; Section 3.11 Performance Standards; Section 3.13 Parking and Loading Requirements; Section 4.12 Mixed Use; Section 5.2 Conditional Use Review; and Section 5.2 (G)(4) Rural Residential District Standards.

Warnings were posted on September 22, 2026, 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: Timothy and Theodore Love; William and Lorraine Tillotson; Donald and Ethel Williams Life Estate; Dillan Cafferky; Wilfred Mcallister; Chubb Farm Properties, LLC; and Lawrence Chadwick on September 22, 2026. It was also published in The News and Citizen on Thursday, September 17, 2026.

Development Review Board members present: Kole, Chair; Andrew Gilbert; Ruth Gaillard; Peter Moskovitz; Helm Nottermann; and Joe Nudell.

Development Review Board members absent: Daphne Kalmar and Grace Johnstone

Others present: Kristen Leahy, Zoning Administrator (acting clerk); Eli Adamah, Applicant; Brian and Monica Morrissey (following applicants.)

During the hearing and prior to the hearing the following exhibits were submitted:
N/A

Summary of Discussion
Chairperson Kole began the hearing at 7:07 pm. They 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.

Kole invited the applicant to present their proposal.

Eli Adamah's property currently has a single unit dwelling (his residence). The property is located approximately 1000 feet from Route 15 near the Wolcott town boundary. The property is in the Rural Residential Zoning district. The current business, Elmore Roots, is in Elmore. The proprietor is seeking to retire and focus on the orchard aspect of the business model. The nursery would transfer to the Hardwick location with the current residence location.

Approximately 1 acre of the property would be utilized. Three new structures would be necessary – a small office (14x20); a cold storage building (14x20) and a pole barn (14x20). The cold storage building would be utilized to extend the selling season.

In the current Elmore location, there are 7 parking spaces. This Hardwick location application provides parking spaces for 11-12 cars.

The proposal has been discussed with the neighbors by the applicant. Applicant reports that no concerns were voiced. The Zoning Office did not receive any comments or questions from the neighborhood.

Peter Moskovitz inquired about any possible deforestation with the proposed change of use. The applicant does not anticipate needing to remove more than 1 or 2 trees to provide the space for the business.

Water usage will be supplied by the current well on site.

There was a question about having a sign on Route 15. The Zoning Administrator explained that the state statutes regarding billboards prevent the use of offsite signage throughout Vermont. Eli Adamah is interested in the State's sign program (the ZA will provide additional information for the applicant on that program).

The product will initially be brought in from 1-3 nurseries and grown on site with the eventual shift to on site production.

Electric consumption will be analogous to a regular residential household. No lights are anticipated currently.

Eli Adamah anticipates having 1-2 employees. Parking will be available for the employees at the residence.

The driveway location has been approved by the Town of Hardwick's Town Manager and Road Foreman.

The hearing ended at 7:30 p.m. Ruth Gaillard made the motion to enter deliberative session after the following hearing and Joe Nudell seconded. All members were in favor.

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

2.7 Rural Residential – all setbacks and dimensional standards are met for this district. Nursery and Mixed Use are Conditional Uses in the district. The Single Unit Dwelling is a permitted use (already present). The Applicants are requesting to construct three accessory structures to support the Nursery use. **Location must be over 20 feet from the side and rear setbacks. All accessory structures will be within the dimensional standards.**

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 - Off-street parking is required when a use is established or expanded. Because the project creates a new Greenhouse/Nursery, parking requirements are "Other" – as determined under site plan or conditional use review. **The applicant utilized the current parking numbers in Elmore (7 cars) to extrapolate an amount necessary for the new location. Eleven to twelve parking spots will be created for customers. No cars will be able to park on Marsh Road (see Condition #3) The owner and the anticipated employees (1-2) will be able to park at the additional residential location.**

4.12 Mixed Use – All uses must be permitted or conditional use, all uses must meet the applicable standards, and all uses must meet the parking. **The proposed mixed use is a permitted use, a conditional use, meets the applicable standards and meets the parking standards defined for "Other."**

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 Rural Residential district matches the purpose of this district and the character of the surrounding area. Installation of a nursery matches the location.

3. **Traffic on roads and highways in the vicinity.** The Rural Residential circulation and traffic pattern on Marsh Road is accessed by Route 15 East. No adverse effects were identified.

4. **Bylaws in effect.** No additional wastewater or water usage will be necessary from this expansion.

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 installation.**

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.**

5.2(G4) Rural Residential District Standards. 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. **As per the testimony of the applicant, no impacts of this nature will be incurred.**

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. **As per the testimony of the applicant, no impacts of this nature will be incurred.**

Decision and Conditions
Based upon these findings, the Development Review Board voted 6-0 to approve the Adamah conditional use application as presented and amended with the following conditions:

Conditions:
1. 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 Marsh Road.
4. Any additional external lighting will be downlit and designed to reduce light pollution.

Signed:

_____, Chair
Kole , DRB Chair

Date 10/9/26

Kristen Leahy, Zoning Administrator

Date 10/10/26

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 to be incompatible with the surrounding area; or more than 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 for 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** more than 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.