



Town of Hardwick
Office of the Zoning Administrator
P.O. Box 523
Hardwick, Vermont 05843

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Hardwick Planning Commission Reporting Form for Municipal Bylaw Amendments Public Hearing Scheduled on October 11, 2016

The Hardwick Planning Commission held a Public Hearing on October 11, 2016 at 6:30 pm in the Hardwick Memorial Building.

This report is in accordance with 24 V.S.A. §4441(c) which states:

“When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. A single report may be prepared so as to satisfy the requirements of this subsection concerning bylaw amendments and subsection 4384(c) of this title concerning plan amendments..... The report shall provide(:)

1.) brief explanation of the proposed bylaw, amendment, or repeal andinclude a statement of purpose as required for notice under §4444 of this title,

Summary of proposed changes:

The proposed changes to the Hardwick Unified Development Bylaws (known hereafter as “Bylaws”) will serve the following purposes:

- 1) A global change to the Bylaws removing all references to “**Board of Adjustment**” and replacing with the words “**Development Review Board**” and changing assignment of tasks from the Planning Commission to the Development Review Board as necessary.
- 2) Full integration of the National Flood Insurance Program Requirements throughout the Bylaws. Minimal compliance with current regulations achieved as permitted by state law.
- 3) Incorporation of the 2008 Interim Bylaw Amendment regarding “**Agricultural and Forest Processing**”.
- 4) Inclusion of new **Section 3.10 Discontinued Uses** – establishes time frame of five years.
- 5) Clarification of **Section 3.14 Sign Regulations** – expands and defines sign rules. Newly incorporates off-premise signs.
- 6) Inclusion of new **Section 4.7 Residential Care and Group Homes** (to conform to state law) and new **Section 4.11 “Agricultural and Forest Processing.”**
- 7) Creation of **Section 5.1 Site Plan Review** for the approval of non-frontage lots as per Section 3.3.
- 8) Extensive updating of **Section 5.3 Flood Hazard Review** to ensure minimal compliance with NFIP.
- 9) Addition of **Section 5.5 Local Act 250 Review** – authorizes the Development Review Board to undertake local Act 250 Review for Criteria 6, 7, and 10. Inclusion will allow Hardwick to pursue



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the Downtown Designation in the future.

10) Clarification of **Section 7.2 Exemptions**.

11) **Section 7.6 Municipal Administrative Requirements** – Changes to subsections (A) and (A)(1) correct appointment procedure of Zoning Administrator to align with the Town Charter.

12) **Section 8.2 Definitions** – fully updated and includes commonly accepted FEMA and flood terminology.

13) Public request for Boundary Amendment to expand the Highway Mixed-Use District into the Rural Residential District on VT Route 15 East.

Full text of the proposed changes can be found at the Hardwick Town Offices in the Zoning Office or on the town's website at www.hardwickvt.org/zoning/.

These proposed amendments were drafted by the Hardwick Planning Commission with the assistance of the Northeastern Vermont Development Association (NVDA). They are intended to accomplish the following purposes:

First, to bring the Unified Bylaws into compliance with 24 V.S.A. Section 4448(a) and with portions of the Town Charter regarding the appointment of the Zoning Administrator and to ensure that the Zoning Administrator properly holds the authority intended by the bylaws. Presently, the Unified Bylaw appointment provisions contradict both the enabling act and the Charter. Similarly, the replacement of the term "Board of Adjustment" and select replacement of the term "Planning Commission" with the term "Development Review Board" throughout the Unified Bylaws harmonizes the bylaws with the actual creation and appointment of the DRB by the Select Board in 2006.

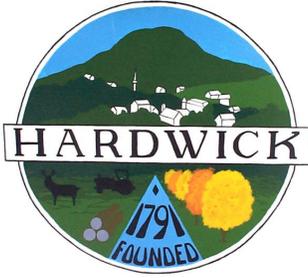
Second, to bring the Unified Bylaws into minimal compliance with the National Flood Insurance Program Requirements and to meet current State flood hazard regulations. Full integration was sought throughout the Bylaws, including the extensive update of Section 5.3 Flood Hazard Review.

Third, to ensure the ability of the Town of Hardwick to seek inclusion into the Downtown Designation program from the State of Vermont. The ability to institute local Act 250 Review for Criteria 6, 7, and 10 will enable Hardwick to fulfill the zoning component of the Downtown Designation.

Fourth, to address inconsistencies identified by the Hardwick Planning Commission and by NVDA.

II.) Findings regarding how the proposals:

A.) Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:



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The proposed changes to the Hardwick Unified Development Bylaws are intended to address inconsistencies identified by the Hardwick Planning Commission and by NVDA.

The Hardwick Town Plan, however, does include the following goal related to Economic Development: **“For Hardwick to have a diverse and resilient economy based on agriculture, small business, and light industry that is compatible with Hardwick’s scenic landscape and will raise income levels and provide employment for Hardwick residents.”** One tool for implementation of this goal (identified in the plan, Appendix A) is a fair and efficient zoning process. The proposed amendments may improve efficacy of this tool in support of the stated goal.

The Hardwick Town Plan also incorporates an entire chapter regarding Flood Resilience. This chapter recognizes the following strategy: **“Adopt flood hazard regulations that, at a minimum, ensure eligibility for flood insurance through the National Flood Insurance Program.”** The proposed changes establish compliance (minimally) with the NFIP.

The Economic Development component of the Hardwick Town Plan includes the recommendation that the Town **“should investigate Downtown Designation for the village area.”** This investigation is currently in process. The actual application for the designation must have the requisite zoning component which is addressed by the inclusion of the local Act 250 Review. Furthermore, several sections of the Town Plan have policies which urge the Town to review “Act 250 “ applications and participate in the Act 250 process.

B.) Is compatible with the proposed future land uses and densities of the municipal plan:

With the exception of a proposed amendment to the Highway Mixed-Use district (the addition of 10+ acres), the current zoning districts will remain the same and the changes propose no new densities or land uses.

C.) Carries out, as applicable, any specific proposals for any planned community facilities.”

The proposed amendments do not involve planned community facilities nor are they intended to create a need for new facilities.

Prepared by Kristen Leahy, Zoning Administrator, for the Hardwick Planning Commission.