

Wilmington Selectboard Special Meeting - Public Hearing
October 30, 2014 at 6 pm
MINUTES

Selectboard Members Present: James Burke, Diane Chapman, Jacob White, and Thomas Fitzgerald, Susan Haughwout

Others Present: Scott Murphy, Mary Towne, Jack Deming of Deerfield Valley News, Chris Mays of Brattleboro Reformer, Nicki Steel, Lynne Matthews, Arlene Palmiter, Tom Consolino, Peter Wallace, Len Chapman, Craig Ohlson, Sheila Osler, Carolyn Palmer, Fred Houston, Liliias Hart, Frank Sprague

1. **Public Hearing – Proposed Revisions to Wilmington Zoning Ordinance:** Chairman Burke opened the public hearing at 6:01pm.

a. **Article IV – Signs:** Testimony on Article IV included:

1. Nicki Steel: Spoke about state statute on signs and thinks they should be in the ordinance. She asked the Selectboard to reconsider the removal of wording regarding off-premise signs. Asked why the wording was removed. Replies: Fitzgerald: redundant; Chapman: people like signs for direction; White: doesn't want to make it too difficult for businesses – ZA has ability to ask correction in a friendly manner; Haughwout: In best interest of the town.
2. Lynne Matthews: Notice that there is nothing in the article about off-premise signs. The state allows directional signs throughout the state. If Selectboard is going to allow off-premise signs, there should be information about size, shape etc.
3. Carolyn Palmer: Thinks we are more lenient than state about off-premise signs. Planning Commission did try to make it easy to understand, but that wording is now removed and no longer true. The town cannot do anything that is less strict than the state.
4. Arlene Palmiter: Agrees that only the state directional signs should be used. Off-premise signs are not mentioned. Even if it is in state statute, it should still be listed in ordinance. There should be design standards for sandwich signs. It is irresponsible to not mention off-premise signs because new businesses may end up paying for a sign they can't use.
5. Sheila Osler: Agrees that the state directional signs should be used (cost \$75 per year). Sandwich signs should be professional – specifics could be made clearer. Businesses in the village try to be respectful of other businesses and would be resentful if others disregard. They can have a sign on the building and ads in the newspaper.
6. Liliias Hart: Important to make it clear in ordinance that no off-premise signs except state ones are allowed. Disservice to new businesses so they don't make a sign and have to remove it.
7. Frank Sprague: Would like to see more enforcement. Listed several signs that are illegal. Off premise signs will get out of control.
8. Tom Consolino: Thinks it is a big mistake to be silent on off-premise signs.
9. Fred Houston: RE: Section 423 E: Is the statute reference correct? Should it be 5 and 8 or 5-8? Section 434 A: Freestanding signs need to comply.

b. **Article V – Administration:** Testimony on Article V included:

1. Fred Houston: RE: Section 551 Municipal Rights: He thinks it is redundant. If there is an exemption for the town, why go to the DRB? Why not word it the town shall not be subject to this bylaw?
2. Susan Haughwout: It is a good paper trail to have. It reflects the statute. It allows abutters to be notified.
3. Carolyn Palmer: The important thing is allowing public comment.

4. Nicki Steel: Also re: Section 551: Would be better to have DRB or ZA issue a permit. The town should not have a 'get-out-of-jail-free' card. Provide checks and balances. Does it apply only to town owned land or include leased land too?

c. Appendix I – Definitions: Testimony on Appendix I included:

1. Arlene Palmiter: Hopes that off-premise signs will added to the Appendix.

There being no further testimony, the public hearing was closed.

2. Possibly Vote to Adopt the Proposed Revisions: Article IV – Signs, Article V – Administration, Appendix I – Definitions:

a. Discussion included:

1. Fitzgerald: would like copy of the off-premise wording that was removed.
2. Haughwout: When handing out ordinance, could hand out an info sheet about the state statute on off-premise signs.
3. White: The document is always an on-going document and if adopted tonight, could be amended again.
4. Burke: The state statutes are referenced in Section 461 so it is up to people to check that law.
5. Chapman: It is a living breathing document. We have had three hearings and thinks we need to go ahead and go forward.
6. Arlene Palmiter: Doesn't think the off-premise sign info is redundant. She urged the board to fix it now and doesn't trust that it will be tweaked later.
7. Carolyn Palmer: There are already some changes in Article IV that will be coming up through the Planning Commission as soon as they finish Articles II and III, which are almost completed.

b. Haughwout moved and White seconded to adopt the Proposed Revisions to Article IV – Signs, Article V – Administration, Appendix I – Definitions as written. Vote: All in favor.

3. Possibly Vote to Repeal: Haughwout moved and Chapman seconded to repeal the Existing Sign Ordinance that became first effective November 1, 1999 and was last revised and adopted July 18, 2011, and also Section 620 (C), (D), (E), and (F) and Section 630 (F) of Article VI, Historic Review District, Wilmington Zoning Ordinance. Vote: All in favor.

4. Possibly Vote to Dissolve: Haughwout moved and White seconded to dissolve the roles of Sign Administrator and Sign Board of Adjustment. Vote: All in favor.

Meeting adjourned at 7pm.

Respectfully submitted,

Mary Towne, Administrative Assistant

Approved by Wilmington Selectboard:

James R. Burke, Chair

Diane Chapman, Vice Chair

Susan Joy Haughwout, Clerk

Jacob White

Thomas J. Fitzgerald