

TOWN OF WILMINGTON
SIGN BOARD OF ADJUSTMENT
FINDINGS OF FACT AND STATEMENT OF FINDINGS
WILMINGTON, VERMONT 05363

A request for a permit was made to **Gordon R & Carolyn Lucas**
the Board by:

Applicant(s) Mailing Address: **P.O. Box 2119**
West Dover
Vermont 05356

Address of the entity to be served: **661 Route 100 North**
(Corner of Rte. 100 and Higley Hill)
Wilmington, Vermont

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A copy of the request is filed in the office of **Case #: 166**
the Board and is referred to as

Description of Case per Public Notice: Section: 8. B. 2. - Variance from setback requirements and maximum square footage requirements of Sign Ordinance.

Notice for a public hearing was published in the Valley News on: April 28, 2005

Notice was posted in one public place on: May 5, 2005
April 28, 2005

A copy was mailed to the appellant on :_____ April 28, 2005

The public hearing was held on: May 16, 2005

Action taken on this application may be appealed by anyone identified as an interested party, pursuant to Vermont Statutes Annotated.

REVIEW period for this Case expires on:	July 20, 2005
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A copy of these findings was sent Certified **June 20, 2005**
Mail to the appellant on:

Copies were mailed to those persons listed below as having been heard.

The following persons were heard by the Board in connection with this request:

I. The Board FINDS:

The following are the circumstances which give rise to the request, and the following are facts and opinions presented to the Board at the hearing and developed by the Board in independent investigation.

The following items were presented as evidence and labeled as shown:

Exhibit A A color drawing of the proposed sign.

Exhibit B A scale drawing of the existing sign structure and planter base.

Exhibit C A letter stating their intentions for the new sign and the reasons for requesting a variance.

Exhibit D A copy of Case # 109 in which Mr. Kenneth Hobson requested a variance for signage on the property.

Bonnie Lorimer testified that there was a correction to the warning in that no variance for setback was required since the existing sign met all the criteria of the Sign Ordinance in Section 6. D. 1.

Gordon and Carolyn Lucas testified that the existing sign had been in use for the last 16 years by the three previous owners. The new owners said they planned to repaint the main double sided sign as shown in Exhibit A. This sign measures 3 feet by 8 feet providing of 48 square feet of signage. An auxiliary double sided blackboard sign will hang below the main sign and will be used to inform the public of changing seasonal specials. The blackboard measures 4 feet by 6 feet 10 inches to

contribute an additional 54.66 square feet of signage for a total of 102.66 square feet of signage . The structure that supports these two signs is 10 feet 10 inches tall and is anchored a planter base that is 2 feet deep by 4 feet wide by 10 feet long. The sign and base are located across from the main entrance to the store and are parallel to and in line with the row of parking spaces along the guardrail separating Vt. Rte. 100 and River Valley Market. Mr. Lucas said the he felt that planter would help to beautify the area and provide protection to the sign. There are currently two lights on either side at the top of the structure that are aimed down at the sign and planter. No additional lighting or signage is planned.

The Board noted that the River Valley Market is located at the intersection of heavily traveled Vt. Rte. 100 and Higley Hill Road. Because the road is straight and flat in this area the estimated average speed of thru traffic at this location is around 50 miles per hour. The Board did not feel that the location of the existing sign encumbered visibility at the intersection.

II. The Board CONCLUDES:

The Board reviewed this application under the criteria listed in Section 8. B. 2. & 3. of the Sign Ordinance and determined that in consideration of the long line of sight and the speed of traffic in this area that the continued use of the existing structure and the associated additional signage would be permitted for the following reasons.

- A. It does not affect public safety because it does not interfere with visibility of drivers exiting Higley Hill Road at the intersection.
- B. The planter at the bottom of the sign is integrated into the parking area and can provide additional beauty to the area as well as protection to the sign.
- C. While the main sign is not overly large, the oversized blackboard sign should be easily readable and a convenience to the traveling public.
- D. The continued use of the existing sign and structure that have been in place for the last 16 years should

have little impact on the area.

This is granted subject to the following restrictions, requirements, limitations or specifications:

- A. Is limited to the existing structure. Replacement of the existing structure will require a new permit.
- B. Is limited to the 3' X 8" and 4' X 6'10" double sided signs requested in this application for total signage of 102.66 square feet. Any additional signage will require a new permit.

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Thus, the Sign Board of Adjustment **approves** the application for the continued use of the existing sign structure and two signs for a total of 102.66 square feet of signage.

Sign variances *do not* run with the land. The sign(s) approved in this Case may not be replaced if the sign use is terminated. Any new sign(s) will require a new application.

If unused, this Approval expires 1 year from the date of issue. A request for extension may be made in writing before the expiration date. Such request shall be in the form of an APPLICATION FOR EXTENSION.

This approval **does not relieve you**, as applicant, from obtaining any and ALL applicable State and other local permits.

IN FAVOR of granting *approval* FOR the above referenced application, with whatever restrictions, requirements, limitations or specifications are contained herein:

Sherri Brissette (Acting Chair.)
Louis Clark
Carl Boyd
Nona Monis
Andrew Schindel

OPPOSED:

None

ABSTAINING:

None

ABSENT:

Polly (Nicki) Steel

