

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 the Board by: Susan K. & Gerald L. Goodman

Applicant(s) Mailing Address PO Box 1899
 Wilmington, VT. 05363

Address of the entity to be served: 153 Route 9 West
 Wilmington, VT. 05363

A copy of the request is filed in the office of the Board and is referred to as: Case # 169

Description of Case per Public Notice **SBA Case #: 169 Tax Map #: # 020-20-014.000 Owner(s):**Susan K. & Gerald L. Goodman
Property Address: 153 Rt. 9 W Owners are applying for Variance from the minimum # number of signs and square footage allowed by Ordinance

Notice for a public hearing was published in the Valley News on: June 1, 2006
 June 8, 2006

Notice was posted in one public place on: May 30, 2006

A copy was mailed to the appellant on :____ May 31,2006

The public hearing was held on: June 19, 2006

A copy of these findings was sent Certified Mail to the appellant on: **July 21, 2006**

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

Bonnie Lorimer, Wilmington Zoning Administrator

Note: A person with appropriate standing may seek review of the Sign Board of Adjustment in superior court.

The Board received and entered into evidence the following items:

Exhibit A - Site Map

Exhibit B - Proposal Letter for Retail Bakery and Farm Stand

Exhibit C - Abutters List

Exhibit D - Sketch of Proposed Signage with dimensions

Exhibit E - Sketch of Existing Signage with dimensions

Exhibit F - Sketch of Farm Stand front elevation with Proposed Signage

Exhibit G - Sketch of Farm Stand footprint and side elevation showing Proposed Signage

Exhibit H - Summary Sheet of Signage

Exhibit I - Photographs of existing Signage (3 pages)

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 subject property is located on Route 9 West. The speed limit at the subject property is 35 mph.

Currently the property is identified with signage at the Main Entry (West Driveway) and at the East Driveway. Signage consists of 2 double sided signs with the West Sign measuring 41" high by 60" wide and the East Sign measuring 32" high By 42" inches wide for a total

The Applicant proposes to add 2 signs; One attached to the Farm Stand measuring 24" high by 48" wide and a 2 sided sandwich board sign measuring 48" high by 24" wide to be place on the subject property between the west and east driveways. The signs to be worded as follows:

Farm Stand sign: Nutmeg Country Inn Bakery & Farm Stand

Sandwich board sign: Bakery & Farm Stand Open (verbiage may change seasonally)

No lighting is planned for these signs.

Testimony was given that the Farm Stand was not visible from Route 9

II. The Board CONCLUDES:

The Nutmeg Inn, Farm Stand and Bakery are one business

The Farm Stand is not visible from Route 9

Wilmington Sign Evaluation states a total of 60 square feet. The Board, using the dimensions on Exhibit E calculates the existing signage to be 52.82 sq feet. The Sign Board of Adjustment places a total of 52.82 square feet on the existing signage. The Wilmington Sign Ordinance of 1999 limits the total square footage of signage to 64 square feet

The signage as proposed would add 24 square feet for a total of 76.82 square feet and require a variance.

The Board finds that although an application was made for the Farm Stand sign no permit is required as the Farm Stand is not visible from a public way, thus 8 square feet to be removed from the calculation.

The opinion of the Board is that a sandwich sign 48" high would be an impediment in the sightline for exiting the Main Entrance and that a sign lower in height is needed for safety reasons.

Thus, the Sign Board of Adjustment **approves** the application for Owner(s) to modify the signage with variance under Section 8.B. 2 of the Ordinance with the following conditions:

1. Sandwich Sign shall be no higher than 36"
2. Sandwich Sign shall be 2 sided with sides no larger than 24" by 36".
3. Sandwich Sign to be placed as proposed.
4. Total Signage shall not exceed 64.82 - rounded to 65 square feet – thus a variance for 1 square foot is granted.
5. A variance is also granted for signage in excess of two (2) signs, which is the number permitted pursuant to the Wilmington Sign Ordinance. Total number of signs shall not exceed 3.

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:

Thomas Manton
Andrew Schindel
Polly (Nicki) Steel
Sherry Brissette
Carl Boyd

OPPOSED:

None

ABSTAINING:

None

ABSENT:

None

RECUSED:

None

/s/ Andrew Schindel

July 21, 2006

For the Board
Andrew Schindel

Date
Vice-Chairperson