

ARTICLE V
HISTORIC DESIGN REVIEW DISTRICT
AN OVERLAY DISTRICT
DESCRIPTION, USES, AND REGULATIONS

Section 500: Authority

An Overlay Districts: As provided for in 24 VSA § 4414(2) Overlay districts, the Historic Design Review District was created to modify the zoning requirements otherwise applicable in the underlying district in order to provide supplementary provisions to an area having unique historic, and community interest or value, 24 VSA § 4411(F) and high risk of flood hazard, 24 VSA § 4411(G)

A Design Review District: As provided in 24 VSA § 4414(E) - Zoning districts, zoning regulations may contain provisions for the establishment of design review districts for areas with structures of “historical, architectural, or cultural merit, and other areas of community interest and participation such as a central business district, civic center, or a similar grouping of focus of activities. These areas may include townscape areas that resemble in important aspects the earliest permanent settlement, including a concentrated urban settlement with striking vistas, views extending across open fields and up to a forest edge, a central focal point or town green, and buildings of architectural quality, including styles of the early 19th century. Within such a designated design review district, no structure may be erected, reconstructed, substantially altered, restored, moved, demolished or changed in use or type of occupancy without approval of the plans” by the Development Review Board.

The Historic Design Review District is an Overlay District and a Design Review District as provided for under the above regulatory authority.

Within the Historic Design Review District no structure may be erected, reconstructed, altered, restored, moved, demolished or changed in use or type of occupancy, except as otherwise provided for in Section 550 of this Article, without approval of the plans by the Development Review Board, subject to Site Plan and Design Review or administrative approval by the Zoning Administrator as provided for within this zoning ordinance pursuant to 24 VSA § 4464 (C).

Section 510: District Purpose

The natural beauty and the visual and historic character of the Village of Wilmington represent an important asset to the community by providing a source of pleasure for both residents and visitors, and contributing to the economic development of the community. The village has striking vistas and many buildings of historic significance as defined by the National and State Registers of Historic Places dating from the early 19th century. In order to protect these characteristics, it is necessary to ensure that buildings are properly related to their surroundings, that proper attention is given to the exterior appearances of buildings so as to provide a means by which property values can be stabilized or improved, and to protect and foster the economic well-being of the community.

The basis for a Historic Design Review District is found in the Wilmington Town Plan and recommends “The Village Commercial District of Wilmington should be established as a Historic Design Review District by an amendment to the Zoning Bylaws.”

Section 520: District Boundaries (Identification of District)

The Historic Design Review District Boundaries are illustrated on the zoning map.

The district boundaries are as follows:

The district includes those structures and properties with frontage on North, South, East and West Main Street, intersecting in the town center up to the following perimeter boundaries:

East – West Perimeter:

East Main Street (24 East Main – north side, 21 East Main – south side)

Across the intersection of Main Streets, continuing up to and including

West Main Street (37 West Main – north side, 36 West Main – south side)

North – South Perimeter

South Main Street (19 South Main – west side, Buzzy Town Park – east side)

Across the intersection of Main Streets, continuing up to and including

North Main Street (17 North Main – east side, 18 North Main – west side)

2 Lisle Hill Rd, which once fronted on North Main Street, is also included in the Historic Design Review District.

Section 530: Development Review Board Site Plan and Design Review Required on All Development

With the exception of those situations defined in Section 550, all development Permits filed through the Zoning Administrator for this Design Review District must be referred to the Development Review Board for approval (see Section 500 above), including but not limited to:

- A. Construction of a building.
- B. Addition to or alteration of the exterior of a building which increases or decreases the square footage of the building, whether enclosed or not.
- C. Alteration of the exterior wall or roof of a building, by tearing down or removing any portion thereof, or by filling in, sealing, boarding up, closing or enclosing any portion of an existing window, door, space, porch, or breezeway thereon.
- D. Alteration of the roof line to a building including, but not limited to, alteration of a gable roof to a flat roof, but specifically excluding any alterations to chimneys.
- E. Addition or removal of materials to or from the exterior walls of a building where the materials so added or exposed are of a kind or type different from those existing.
- F. Significant changes to site features including, but not limited to trees, hedges and or bushes, screenings, fencing, walls, drives, parking areas, signs, service areas, site structures, and other site components of a permanent nature.
- G. Changes to conditions of previously approved DRB plan.

Please refer to Article III for submission requirements and approval processes.

Section 540: Goals of the District

The Site Plan and Design Goals of the Wilmington Historic Design Review District are as follows:

- A. To promote the use of buildings and property in a manner that benefits the community and

individual property owners, while preserving those features that have architectural or historic merit.

- B. To encourage public and private investments that may result in a positive contribution to visual harmony and economic vitality, and protect these assets for future generations.
- C. To attract visitors and encourage tourism by enhancing the visual character as a New England village.
- D. To support maintenance to and preservation of buildings and property and changes in accordance with recognized and accepted standards for historic preservation projects such as Historic Preservation Trust guidelines or US Government's National Park Service Preservation Briefs.
- E. To accommodate growth within the community while maintaining the New England character.

The goals of this District shall be considered by the Development Review Board when considering proposed land development for this District.

Section 550: Exceptions to Zoning Permit or Development Review Board Site Plan and Design Review Requirements

A. Zoning Permit from Zoning Administrator Not Required; No Development Review Board Approval Required.

As provided in 24 VSA § 4414 (E) within a designated design review district, no structure may be erected, reconstructed, altered, restored, moved, demolished or changed in use or type of occupancy without approval of the plans by the Development Review Board and Permitting by the Zoning Administrator as defined in Article II, except as defined below. The following are not considered to be a form of reconstruction, alteration, or restoral and are consistent with the goals of this district. As such they do not require prior plan approval from the Development Review Board or Permitting from the Zoning Administrator.

1. Temporary outdoor display of products or ads that represent products. (Outdoor displays are treated as a temporary sign and must, as applicable, meet Sign Standards as defined in Section 870.)
2. Resurfacing of driveways & walkways when fully on the property owner's lot.
3. Window or door repair or installation (including screen and storm windows/doors) matching the historical style and design of the original structure.
4. Landscaping installation/change or maintenance of any kind that protects and enhances the natural features and character of the neighborhood and community. **No natural features or trees over 6' feet in height may be removed without the approval of the Development Review Board.**
5. Minor repairs and maintenance that are consistent with Appendix I Site Plan and Design Guidelines do not require a zoning Permit or approval of the Development Review Board. **All changes of any nature that are not consistent with these guidelines are subject to review by the Development Review Board and Permitting by the Zoning Administrator.**

B. Zoning Permit from Zoning Administrator Required; No Development Review Board Approval Required.

In the following cases the Zoning Administrator will make an administrative decision as to whether the requested development is allowed and a Permit will be approved without Development Review Board review, so as to have a quicker decision.

1. Roof repair using the same roof material as was most recently on the structure and with no change to the roof structure, or replacing current roof materials with a slate colored metal roof consistent with the Site Plan and Design Guidelines.
2. Replacing vinyl siding with wood or wood look-alike synthetic clapboards consistent with the Site Plan and Design Guidelines.
3. Replacing windows with historically appropriate divided light windows consistent with the Site Plan and Design Guidelines. All skylight replacements must be reviewed by the Development Review Board.
4. Painting of structures with historically appropriate color to the historic style of the building, consistent with the Site Plan and Design Guidelines (such as white for Greek Revival, light colors with a lighter or deeper shade for trim or white trim for most other styles).
5. Handicap ramps anywhere on the building.
6. Additions to a building meeting the requirements of this ordinance that face away from the public road (on the rear of the structure) and are not visible from public areas.
7. Minor changes to plans previously approved by the Development Review Board that do not modify the conditions of the Development Review Board decision or the testimony on which the decision was based. If the Zoning Administrator believes a requested change meets the criteria the Zoning Administrator will issue a minor change Permit on a plan previously approved by the DRB. If the proposed change alters anything related to the conditions of the decision or the testimony of facts on which the decision was based, the Zoning Administrator will re-submit the Permit request to the Development Review Board for a decision.

All other repairs and replacements not meeting these criteria must be reviewed by the Development Review Board.

If the Zoning Administrator does not have sufficient information to make a determination and is unable to obtain the needed information to make a determination, the case will be referred to the Development Review Board for review.

Section 560: Site Plan and Design Review Standards

- A. All development and land improvements within the Historic Design Review District are subject to the Standards as defined in Article VII as well as any applicable standards as set forth in Article VI Flood Hazard Area, Article VIII Signs, and Article IX Telecommunications.
- B. All development and land improvements within the Historic Design Review District shall conform to the Site Plan and Design Guidelines of Appendix I to the extent reasonable and possible to satisfy the intent of this ordinance and preserve, rehabilitate or restore the historic structures of the town as defined in Sections 730, 731, and 732 of this ordinance.