

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: **Robert M. Rubin, 2 Cornell Inc; Agent for Doug and Camille Swanson, owners**

Applicant(s) Mailing Address: **18 Cold Brook Road, Wilmington VT 05363**

Address of the entity to be served: **18 Cold Brook Road, Wilmington, VT 05363**

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A copy of the request is filed in the office of the Board and is referred to as **Case #:170**

Description of Case per Public Notice: **SBA Case #: 170 Tax Map #: # 002-04-052.000 Owner(s): Doug & Camille Swanson Agent(s): 2 Cornell Inc., Robert M. Rubin** Application is being made by Agent to modify the signage approved under SBA Case # 124, which signage received variance under Section 8.B. 2 of the Ordinance. **Property Address: 18 Cold Brook Road** (Haystack Meadows Prop.

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 18, 2006**

A copy of these findings was sent Certified Mail to the appellant on: **July 19, 2006**

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

Bonnie Lorimer, Wilmington Sign 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* - Corporate Resolution of 2 Cornell, Inc.
- Exhibit B* - Letter of Agent Authorization from D. and C. Swanson
- Exhibit C* - Site Map (2 pages)
- Exhibit D* - Commercial Lease Agreement (4 pages) 2 Cornell Corp. d/b/a The Haystack Club and Douglas and Camille Swanson
- Exhibit E* - Sketch of Signage with dimensions (2 pages)
- Exhibit F*- Photographs of existing signage on subject property (7 pages)
- Exhibit G* - Abutters list for subject property
- Exhibit H* - SBA Case #124, dated 1/20/1992
- Exhibit I* - New Sketch of Signage, replaces page 1 of Exhibit E

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 at the corner of Cold Brook Road and Route 100. It is a commercial building currently housing several businesses. The speed limit along Route 100 is 50 miles per hour and the speed limit along Cold Brook Road is 45 miles per hour.

The agent is renting the lobby of the property. A brochure rack with information about the Haystack Golf Club will occupy this lobby.

It is possible that an employee will be present at this rack occasionally to fill this rack and give people verbal directions to and information regarding the Golf Club,

which is located some distance away on Mann Road, off of Cold Brook Road.

Currently the property is identified with signage at the corner of Route 100 and Cold Brook Road consisting of a multi-business identification sign (Hayloft Meadows) and three smaller signs each 7 feet 6 inches by 14 inches, identifying the three businesses located in the building. In addition to the large sign structure at the corner of Route 100 and Cold Brook Road there is a smaller sign reading "Hayloft Meadows" at the property entrance on Cold Brook Road. There is also a small sign directory on the building to direct customers to the appropriate business location.

The agent, Mr. Rubin, proposes to replace the existing "Hayloft Meadows" multi-business identification sign with a similar sized sign with the wording:

Haystack Golf Club
Stop at Hayloft Meadows

The upper line will be at least twice as large as the lower line (Exhibit I).

It is the intention of 2 Cornell Inc. to renovate the existing sign, stone sign base and metal brackets. They are in slight disrepair and could use some attention.

The three signs shown hanging off-center under the existing multi-business identification sign in Exhibit F have been re-centered recently.

No new lighting is planned for this sign.

Size of the proposed sign is 163 inches across by 32 inches in length. (2 Sided for total of 72. 4 sq ft).

II. The Board CONCLUDES:

The Haystack Golf Club is not located at the subject property, but several miles away on Mann Road.

The agent has no plans for any employee to regularly work at the subject property in connection with the Haystack Golf Club.

It was noted that the proposed signage is for the Haystack Golf Club, yet the lease is under the name 2 Cornell Corp. d/b/a The Haystack Club.

The existing multi-business identification sign in question identifies the subject property. The smaller business plaques under the plaza sign identify individual businesses housed in the subject property. The additional signs on the property are directional in nature and are not counted in the total signage allotment at this time.

The three signs currently hanging under the multi-business identification sign account for a total of 52.2 square feet of signage.

These three signs are :

- a. Swan Electric / Swan Security
- b. Kay Martin Real Estate
- c. RMR Rock Maple Racing

In SBA case # 124 (Exhibit H), the Board conditioned that any changes to the signage on the property must first be approved by the Wilmington Sign Board of Adjustment. It is unclear if any of the current business signs were approved in that case.

Removing the existing multi-business identification sign and replacing it with a similar-sized sign advertising a brochure rack was considered by the Board.

The Board encourages the use of multi-business identification signs instead of large amounts of signage for individual businesses.

Therefore, the Board will allow the applicant a double sided sign not greater than 7 feet 6 inches by 14 inches. This sign shall hang below the multi-business identification sign with the other signs identifying the businesses located on the property.

Thus, the Sign Board of Adjustment approves the application for Agent to modify the signage approved under SBA Case # 124, which signage received variance under Section 8.B. 2 of the Ordinance with the following conditions:

1. The sign shall say "The Haystack Club information". No other words may appear on the sign. A directional arrow pointing towards the building is approved.
2. The Hayloft Meadows (2 Sided Sign w/approximate square footage of 72 feet 4 inches) sign shall remain, as it is a multi-business identification sign.
3. At this time a total of four (4) signs are allowed to hang below the multi-business identification sign. If any of the current businesses vacate the premises, their sign shall be removed promptly. The sign(s) approved in this Case may not be replaced if the sign use is terminated.
4. All signage on the property shall comply with 10 V.S.A. Chapter 21 section 493, section 495 and section 505. It shall also comply with any other local and state statutes not specifically mentioned.

Sign variances do not run with the land. 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

 For the Board
 Andrew Schindel

 Date
 Vice-Chairperson