

TOWN OF WILMINGTON  
DEVELOPMENT REVIEW BOARD  
FINDINGS OF FACT AND STATEMENT OF FINDINGS  
WILMINGTON, VERMONT 05363

A request for a permit was made to the Board by: **Clifford and Dianna Duncan**

Owner/Applicant(s) Mailing Address: **PO Box 685, Wilmington, VT 05363**

Address of the subject property: **36 West Main Street, Wilmington, VT 05363**

Tax Map: #20-20-074.000

A copy of the request is filed in the office of the Board and is referred to as: **Case #: 2015-079**

**Description of Case per Public Notice:**

Application # 2015-079; Owner: Clifford Duncan; Application is being made to replace an existing asphalt shingle roof with a simulated, heavy wood shake product and reconstruct the overhang on front of building. Village zoning district (Historic Review District) ; Section 620 A (3); location: 36 West Main Street.

Notice for a public hearing was published in the Valley News on: **August 13, 2015**

Notice was posted in three public places on: **August 13, 2015**

A copy of the notice was mailed to the applicant on: **August 13, 2015**

A copy of the notice was mailed to the abutters on: **August 13, 2015**

The public hearing was held on: **August 31, 2015**

Action taken on this application may be appealed by anyone identified as an interested party, pursuant to Vermont Statutes Annotated. Said appeal shall be made to the Vermont Environment Court.

**Appeal period for this Case expires on: October 9, 2015**

**Approval expires on: October 9, 2016**

In *addition* to the Applicant/Agent the following persons, heard by the Board in connection with this request, were determined by the Board to be “interested persons”: Copies of this decision have been mailed to those persons listed below.

Craig Ohlson Zoning Administrator

The following Exhibits were placed in evidence by the Applicant or Interested Person:

- Application
- Abutters list
- Exhibit A Photo of proposed roofing material installed

**I. The Board FINDS the following:**

- The subject property is in the Village District of the Town of Wilmington. The property is identified as Tax Map 20-20-074.000. It is also in the Historic Review District and is subject to Flood Regulations.
- The property has one building and was completely renovated in 2014 after Tropical Storm Irene destroyed the property in August of 2011. The current use is an outdoor outfitter called Zoar.
- The applicant is requesting to replace existing asphalt roofing with a simulated, heavy wood shake product.
- The front porch will be replaced as a continuation of the roof pitch and will have 4 columns along the front.
- The South, flat roof will be a EPDM membrane roofing material with a build up to connect the pitched Gable portion.
- Case #: 2014-013 which expired on April 2, 2015 gave applicant approval for such work requested.
- **The Board CONCLUDES:**
- That 36 West Main Street Renovation is in the Historic Review District and requires a Site Review and Building Review. (Section 630 D 3)

With regards to the criteria for a conditional use permit, the Board concludes that this proposal *will* conform to the requirements of the Wilmington Zoning Ordinance and the following standards:

**Section 610: Site Review Criteria:**

The DRB when reviewing an application for new construction or exterior renovations shall consider the following criteria where germane:

A. RELATE DEVELOPMENT TO ITS ENVIRONMENT. Proposal conformance with established neighborhood building scale;

~ **Not applicable. Renovating roof and replacing pre-existing porch only**

B. PRESERVE THE LANDSCAPE. If natural features and existing landscaping are proposed to be removed, special attention shall be accorded to plans to replace such features and landscaping;

~ **Not applicable. renovating roof only.**

C. PROVIDE EFFICIENT AND EFFECTIVE CIRCULATION. With respect to vehicular and pedestrian circulation, special attention shall be giving to the location and number of access points to public streets and sidewalks, to the separation of vehicles and pedestrians, to the arrangement of parking areas and to service and loading areas, and to the location of accessible routes and ramps for the disabled;

~ **Not applicable. Renovating roof only.**

D. PROVIDE FOR NATURE'S EVENTS. Special attention shall be according to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. Attention shall also be accorded to design features which address the effects of rain, snow and ice at building entrances and to provisions for snow and ice removal from circulation areas;

~ **No change in roof pitch or roofline to the South. The replacement of the porch roof on the North side will help keep snow and prevent rain from effecting the entranceway.**

E. INTEGRATE UTILITARIAN FEATURES WITH THE DESIGN. Exposed storage areas, machinery and equipment installation, service areas, truck loading areas, utility connections, meters and structures, lighting, and similar accessory structures shall be subject to such setbacks, screen planting or other mitigation or screening methods as shall reasonably be required to prevent their being incongruous with or incompatible with existing or proposed structures and surrounding properties. Utilitarian features which are essential to a structure's function shall be incorporated into the original structure design, not added as an afterthought;

~ **Not applicable, Renovating roof and replacing porch only.**

F. PROTECT WILMINGTON'S HERITAGE. The removal or disruption of historic, or traditional structures, architectural features or neighborhood patterns of the district shall be minimized insofar as practicable. New structures, additions, and alterations shall be sympathetic to and complement the scale and design of surrounding historic structures.

~ **Although the subject property is in the Historic District, the building itself is not considered historic. The composite wood shakes are considered in keeping with the design of historic structures in Wilmington.**

G. CONSIDER THE LOCAL ENVIRONS. Any development which proposes new structures, additional lot coverage, or the installation of machinery or equipment which emits heat, vapor, fumes, or noise shall endeavor to minimize, insofar as practicable, any adverse impact on light, air, and water resources, or on the noise and temperature levels of the immediate environment.

~ **Not applicable, Renovating roof and replace porch only.**

#### **SECTION 620: Building Review Criteria**

The DRB when reviewing an application for new construction or renovations shall consider the following criteria where germane:

##### A. Form Relationships

1. Style: New construction or renovations should be of similar historic architectural style(s) to that found within the subject building. For new buildings where design compatibility does not exist, it is the intent of the Historic review District to promote architectural styles found within the Village.

~ **The asphalt roof is to be replaced with a composite wood shake roof. Several wood roofs currently exist within the Historic Review District including the nearby Norton House.**

2. Proportion: The ratio of height to width of the front elevations of new buildings and additions should be related to existing or adjacent properties.

~ **New porch roof line will give less of an "add on" appearance and give more symmetry to building.**

3. Roof Type and Pitch: Similarity in roof style, pitch, and materials and roof structural integrity, i.e. snow load, should be considered in the planning and design of new buildings. New roof materials on additions should match existing roof materials.

**~ See responses to Section 620 A 1 above. Additionally, applicant gave testimony that the proposed roofing material does not hold snow. Applicant also will address the transition between the pitched and flat roof on the South side.**

B. Visual Appearance

1. Materials and Texture: Vinyl siding is not recommended in this district but is allowed. Materials for new construction should be compatible to the types and textures of materials used within the District. Renovations, restorations and maintenance work should make every effort to match existing materials and textures. Compatibility of materials and texture within the district or of the existing structures should be considered in the planning and design of new buildings or renovations.

**~ See responses to Section 620 A1 above.**

2. Architectural Details: For new construction, architectural details characteristic of the particular architectural style proposed should be incorporated into the design. It is the intent to promote architecture of a traditional New England character in areas where design compatibility does not exist. Renovations should retain existing architectural details.

**~ The replacement of the porch roof will promote architecture of a traditional New England character and will be compatible with buildings in the Historic Review District.**

3. Solid to Void Proportions: The proportions of solid to voids (doors and windows) in the facade of a building establishes a rhythm that is perceived by a person viewing the building. The harmonious use of windows and doors openings designed with consistent intervals so as to respect the original character of the building. Every effort should be made to see that such modifications respect the original character of the building, as well as relate positively with its surroundings.

**~ Not applicable.**

### **III. CONDITIONS:**

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

1. Roofing material shall be as presented in testimony.
2. Porch roof will follow existing roof line.

The Development Review Board **approves** the application for the construction of simulated, heavy wood shake roof and reconstruct the overhang on front of the building for 36 West Main Street in the (Historic Review District)

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

There is a thirty (30) day appeal period from the date of signature before this Approval becomes final. In addition, all fees must be paid and a Zoning Permit *must* be issued prior to the commencement of any work requested in this application. When a Zoning Permit is issued, there is an additional fifteen (15) day appeal period before the Permit becomes final. Work may commence when the Permit has been issued and all Appeal periods have ended.

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

Town of Wilmington, Zoning Administrator reserves the right to monitor compliance with this decision and all decisions issued by the Development Review Board.

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

Peter Wallace

Wendy Manners

Meg Streeter

Allan Taylor

Tim Hall

OPPOSED:

None

ABSTAINING:

None

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For the Board: Peter Wallace, Chairperson

Date: 00/00/2014

Appeal Rights: An interested person may appeal this decision to the Vermont Superior Court, Environmental Division, pursuant to 24 VSA 4471 and VRECP Rule 5, in writing, within 30 days from the date this decision is issued. If you fail to appeal this decision, your right to challenge this decision at some future time may be lost because you waited too long. You will be bound by the decision, pursuant to 24 VSA 4472(d) (exclusivity of remedy; finality).

*This approval does not relieve the Applicant of the responsibility to obtain all other applicable approvals that may be required by Federal, State, and local laws and ordinances.*