

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: **Michael Riccio of Lorista Holdings**

Owner/Applicant(s) Mailing Address: **70 William Street - Wallingford, Ct. 06492**

Address of the subject property: **15 West Main Street - Wilmington, Vermont 05363**

Tax Map **#020-20-071**

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

**Case #: 2014-031**

**Description of Case per Public Notice:**

Application # 2014-031; owner: Michael Riccio of Lorista Holdings .  
Application being made for Flood Hazard Historic District Review review to allow change of use of the property to an Inn; installation of new windows and a handicap ramp; Flood Hazard Area Regulation Sections 804 & 811 and the Zoning Ordinance Section 630 and 7, location: 15 West Main Street.

Notice for a public hearing was posted in three public places and was published in the Valley News on: **3/21/2014**

A copy of the notice was mailed to the applicant and to the abutters on: **3/21/2014**

The public hearing was held on: **5/12/2014**

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 5/31/14.**

**The Approval expires on 5/31/16.**

In *addition* to the Applicant / Agent the following persons were heard by the Board in connection with this request: (Copies were mailed to those persons listed below as having been heard.)

Adam Grinold, Lisa Sullivan, Liliias Hart, Richard Covey

- **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 evaluation.

EXHIBITS:

Application (ten pages)

- A Attachment 1 – Planned work
- B Attachment 2 – Floor Plan
- D Sample Window
- E Abutters List

1. The subject property is in the Historic District of the Town of Wilmington. The property is identified as Tax Map 020-20-071

2. Subject property was most recently a Hotel (Vermont House) with a 62 Seat Restaurant and 11 Guest Rooms.

3. The Applicant is proposing to completely renovate the interior and exterior of the building to accommodate two handicap guest rooms on the first floor, four guest rooms

each on the second and third floor and an inn keepers apartment on the forth. For a total of ten guest rooms and a Inn keepers apartment.

4. All windows will be replaced with Marvin insulated glass true divided light units.
5. All wood Clapboards and shutters will be replaced or repaired as needed and painted as exists, white clapboards and black shutters.
6. Rear fire escape will be removed and rebuilt as an interior structure as per state fire code.
7. Front stairs will be rebuilt to state code and be sixteen feet wide.
8. Slate roof will remain and snow stops will be installed on both East and West eaves.
9. Building mechanicals will be moved from the basement to the first floor North wall.
10. Propane Tank will be buried in the back, North yard.
11. A new, four foot wide hardscape handicap ramp will be installed along the East wall and lead to the back entrance.
12. The wood back deck will be removed and replaced with a stone or similar patio.
13. A Sprinkling system will be installed between subject property and adjacent Bartleby's Books.
14. Rear retaining wall will be built against the hill.

- **The Board CONCLUDES:**

An Inn is a Conditional Use in the Historic District and requires Conditional Use review. 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:

- **Will the proposed Change of Use have an undue adverse effect on the capacity of existing or planned community facilities?**

The Board finds that the proposed project does not have a undue adverse effect on town facilities as the proposed project will not have a restaurant and has proposed ten guest rooms plus an Inn keepers apartment utilizing public water and sewer.

- **Will the proposed Conditional Use have an undue adverse effect on traffic on roads and highways in the vicinity?**

The Board finds that the proposed project does not have an undue adverse effect on traffic on roads and highways.

**Will the proposed Conditional Use have an undue adverse effect on the character of the area, as defined by the purpose or purposes of the zoning district within which the project is located? The purpose of the Historic District is to encourage the historic character of the village providing a source of pleasure for both residents and visitors.**

This proposal meets that goal. The Board finds that the proposed project does not have an adverse effect on the character of the area and adheres to the bylaws within.

- **Will the proposed Conditional Use comply with specifically stated policies and standards of the Town Plan?**

The Board finds that the project does comply.

- **CONDITIONS:**

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

1. Plantings shall be maintained in the buffer zone between the front deck and sidewalk.
2. Water run off and drainage shall be diverted so that neighboring properties are not affected by rear retaining wall.

Thus, the Development Review Board does approve the application for **Flood Hazard Review in the Historic District to change use of the property to an Inn; installation of new windows and a handicap ramp.**

**If unused, this Approval expires 2 years 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.

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

Peter Wallace

Debby Dorset

Wendy Manners

Meg Streeter

OPPOSED:

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For the Board: Peter Wallace, Chairperson

Date: 05/16/2014

A handwritten signature in black ink, appearing to be 'Peter Wallace', with a long horizontal stroke extending to the right.

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.*