

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 **Pioneers, Inc – Owner/Anchor Sign, Inc-- Agent**

Owner/Applicant(s) Mailing Address: Pioneers, LLC, 107 E Main St, Wilmington, VT 05363
Agent: Megan Jackson-Anchor Sign, Inc. 2200 Discher Avenue, Charleston, SC 29405

Address of the subject property: **107 East Main Street, Wilmington, VT, 05363**

Tax Map: **021-22-042**

A copy of the request is filed in the office of the Board.

Description of Case per Public Notice:

Application # **2019 - 006**

Notice for a public hearing was published in the Valley News on: April 1st, 2019

Notice was posted in three public places on: April 1st, 2019

A copy of the notice was mailed to the applicant on: April 3rd, 2019

A copy of the notice was mailed to the abutters on: April 3rd, 2019

A public hearing was held on April 15th, 2019.

There was no Site Visit.

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 Environmental Court.

Appeal period for this Case expires on: May 22nd, 2019

Approval Expires on: April 22nd, 2021

The following presented testimony on behalf of the Applicant or an Interested Person:

- Andy Gault

The following Exhibits were placed by the Applicant:

- Application for DRB review - Exhibit 1
- List of Abutters - Exhibit 2
- Site Identification, Arial site view - Exhibit 3
- Site Identification, Front Elevation -Exhibit 4
- Site Identification, Channel Letters, 10'7" - Exhibit 5
- Site Identification, Mounting Detail (Walgreens Letters) - Exhibit 6
- Site Identification, Channel Letters, 8'7" - Exhibit 7
- Site Identification, Mounting Detail (Pharmacy Letters) - Exhibit 8
- Site Identification, Channel Letters (Plaque) - Exhibit 9
- Site Identification, Ground Sign - Exhibit 10
- Site Identification, Face Replacement - Exhibit 11

SYNOPSIS

Application is being made to allow changes to several existing internally illuminated signs. Namely, changing the wording and color of the signs.

APPLICABLE DISTRICT

Findings of Fact: Subject property is identified as Parcel ID# 021-22-042

Conclusion of Law: The structure for the sign in question is in the Residential/Commercial district

ARTICLE VIII

SECTION 842 - When is a Zoning Permit Required

A sign permit shall be secured from the zoning Administrator:

- A. For all signs described in Sections 831, 832 and 833.
- B. Prior to the placement, erection, reconstruction, relocation or modification of any permanent or temporary sign, except signs as described in Sections 820, 821, 822 and 823.
- C. For alteration or change of an existing sign resulting in a different sized sign or a substantially changed sign. Rewording of a sign for an existing Use while maintaining uniformity of background shall not be deemed to constitute a sign alteration.

Findings of Fact: Testimony was received from that agent that while the wording of the signs was changing the background was remaining the same.

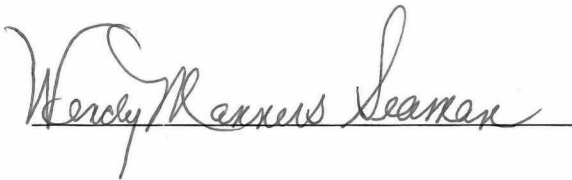
Conclusions of Law: Section 842 C states that "Rewording of a sign for an existing Use while maintaining uniformity of background shall not be deemed to constitute a sign alteration." As such the Development Review Board concludes that a Permit is not required and the applicant may proceed with planned wording changes to signage without obtaining a permit.

IN FAVOR OF THIS DECISION:

Charles Foster
Fred Houston
Cheryl LaFlamme
Paul Lockyear
Wendy Manners-Seaman

OPPOSED

None



Wendy Manners Seaman, Chairperson

Date: April 22, 2019

This finding does not relieve you, as applicant, from obtaining any and all applicable State and Local Permits.

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).