

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

A request for permit was made to Board by: **Town of Wilmington**

Owner/Applicant(s) Mailing Address: **2 East Main Street, Wilmington VT**

Address of the subject property: **South Main Street Municipal Parking Lot**

Tax Map: **Parcel ID # 20-22-016.000**

A copy of the request is filed in the office of the Board and is referred to as: **# 2022-025.**

**Description of Case per Public Notice:**

Application # **2022-025**: **Owner: Town of Wilmington; Agent: Blink Charging**

Project Summary: Application being made for the installation of EV Charging Stations as part of a State funded grant project.

**Applicable Wilmington Code Sections:**

Article II - Sections 222, 223, 224, 226, 227, 228  
Article IV - Sections 420, 423, 426, 440, 450 B  
Article V - Sections 551, 512, 530, 540  
Article VI - Sections 602, 603, 604, 606, 610 C  
Article VII - Sections 721, 722 B

Notice for a public hearing was published in the Valley News on: **May 19, 2022**

Notice was posted in three public places on: **May 17, 2022**

A copy of the notice was mailed to the applicant on: **May 18, 2022**

A copy of the notice was mailed to the abutters on: **May 18, 2022**

**HEARING DATE: June 6, 2022**

**Appeal period for this Case expires on: July 28, 2022**

**Approval expires on: June 27, 2024**

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

David Soens – Blink Charging  
John O’Sullivan – Installation Partner to Blink Charging  
Therese Lounsbury – Abutter

**EXHIBITS**

The following Exhibits were placed in evidence by the Applicant or their Agent:

1. Application for DRB Review (5 Pages)
2. Hearing Notice
3. Abutters List and Letter (3 Pages)
4. Blink Information (29 Pages)
5. E-Mail from John Broker-Campbell – Vermont Agency of Natural Resources (2 Pages)

## **ARTICLE II: ADMINISTRATIVE PROCEDURES**

**Section 222** Conditional Uses

**Section 223** Development Review Board Site Plan and Design Review

**Section 224** Development Review Board Site Plan and Design Review Submission Requirements

**Section 226** Development Review Board decisions

**Section 227** Plan Changes after receiving a DRB decision

**Section 228** State & Federal Permits & Development Review Board Decisions

**Finding of Facts:** Sections noted outline administrative procedures, definitions, role of the DRB, and responsibility of the applicant. Application was received containing all necessary documents.

**Conclusion of Law:** Article II is met.

## **ARTICLE IV: DISTRICTS & USES**

**Section 420** Uses

**Section 423** Conditional Uses

**Section 426** Uses not provided for

**Section 440** Districts & District Requirements

**Section 450 B** District Purposes & Descriptions

**Finding of Facts:** Subject property is in the Village district inside the Historic Design Review District.

**Conclusions of Law:** Applicant testified to understanding the requirements of this district. Article is met.

## **ARTICLE V: DESIGN REVIEW DISTRICTS**

**Section 511** Village Design Review District Boundaries

**Section 512** Goals of the Village Design Review District

The site plan and design goals of the Village 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 the visual character of the village
- B. To attract visitors and encourage tourism by enhancing the visual character as a New England village.
- C. To encourage maintenance of buildings and property, and support a visually attractive village for the pleasure of residents and visitors
- D. To encourage and support economic growth and prosperity within the community while maintain the visual character of the village
- E. To encourage public and private investment and to protect the interests of future generations.

These goals will be considered by the DRB when considering proposed development.

**Section 530** Development Review Board Site Plan and Design Review Required on Design Review District Development

**Section 540** Site Plan and Design Review Standards

**Finding of Facts:** Subject property is subject to Village Design Review District requirements. Applicant testimony confirmed the project will support the goals of the Village Design Review District.

**Conclusions of Law:** This article is met.

## **ARTICLE VI: FLOOD HAZARD DISTRICT**

**Section 602:** Lands to Which These Regulations Apply

**Section 603:** Development Permit Required

**Section 604:** Interpretation of Flood Hazard Area Boundaries

**Section 606:** Conditional Uses

**Section 610:** Development Standards

**Findings of Fact:** Proposed project has undergone review by ANR and the design has been approved – email from John Broker-Campbell Agency of Natural Resources

**Conclusions of Law:** This article is met.

**ARTICLE VII: STANDARDS**

**SECTIONS 721: CONDITIONAL USE - GENERAL STANDARDS**

The proposed use shall protect against adverse effect on:

- A: The Capacity of Existing or Planned Community, Municipal or Educational Facilities**
- B. Traffic on Roads and Highways**
- C: Bylaws and Ordinances in Effect**
- D. Utilization of Renewable Energy**
- E. Air Quality**
- F. Character of the Area**

**Findings of Fact:** Applicant testimony confirms that these general standards are understood and will be maintained.

**Conclusion of Law:** General Standard is met with conditions.

**SECTIONS 722: CONDITIONAL USE – Preserving the Character of the Town**

Land development and Uses in all Districts shall preserve the character of town consistent with its rural and agricultural heritage, conforming to the following:

**A. Economic Development Contributing to the Character of the Town:**

Merchandise or services shall not detract from the historic character and nature of the town as a family destination for tourists and a family focused residential community.

**Findings of Fact:** Applicant testimony indicates that this project will enhance the economic development of the town by providing renewable energy resources for guests and residents of Wilmington. Applicant has taken into consideration this Section with the placement of the recharging stations in the back corner of the Dixon lot.

**Conclusion of Law:** Conditional use is met.

**CONDITIONS:**

The application for development is Approved, with the following conditions, restrictions, requirements, limitations and specifications.

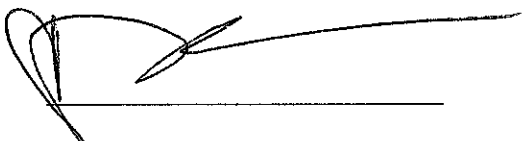
1. Except as otherwise required to accommodate the conditions of this decision, development will be executed in accordance with testimony and plans provided. Any changes to the plans will require an administrative approval from the Zoning Administrator and/or a review by the Development Review Board, in conformance with the ordinance.
2. According to testimony, the proposed design meets all standards of the Agency of Natural Resources (ANR).
3. During and after construction the town shall inspect the structure to verify that it was built to the dimensions proposed and development in the floodway was completed using ANR approved plans.
4. The construction site shall be managed so as to ensure pedestrian and vehicular safety throughout the construction process.

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

Cheryl LaFlamme  
Diane Abate  
Chrystal Holt  
Paul Lockyear

OPPOSED:

ABSTAINING:



Date: 6/28/2022

For the Board: Cheryl LaFlamme, Chairperson

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.*

---