

**TOWN OF WILMINGTON  
COVER SHEET  
DRB FINDINGS OF FACT ATTACHED**

**Zoning Permit Application Number:**

2023-039

**Date of First Hearing:**

7.3.23

**Public Hearing Notice published in the Deerfield Valley News on:**

6.15.23

**Notice was posted in three public places on:**

6.12.23

**A copy of the Notice was mailed to the applicant and abutters on:**

6.12.23

**Appeal period for this DRB Decision expires on:**

11.30.23

**Approved Permit (after two years) expires on:**

11.2.25

**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: **William and Sharon Adams Revocable Trusts/Agent – Jill Adams Mancivalano**

Owner/Applicant(s) Mailing Address: 15 Higley Hill Road, Wilmington, VT 05363

Address of the subject property: **Adams Farm, 15 Higley Road, Wilmington, VT 05363**

Tax Map: parcel # **03-03-1.3 and 02-04-28**

A copy of the request is filed in the office of the Board and is referred to as: **Permit #2023-039**

**Description of Case per Public Notice**

Application # **2023-039**

**Applicant proposes change of use for lodging, two food trucks/RVs and two additional RV sites in the Commercial/Residential District.**

Applicable Code Sections:

Article II- Sections: 222, 223, 226, 227 & 272

Article IV- Sections: 420, 423, 440 & 450 E

Article VII- Sections: 710, 720, 721, 722, 730 A, B, C, D, E, G, & H & 732 H & J

Notice for a public hearing was published in the Valley News on: **6/15/2023**

Notice was posted in three public places on: **6/12/2023**

A copy of the notice was mailed to the applicant on: **6/12/2023**

A copy of the notice was mailed to the abutters on: **6/12/2023**

**Appeal period for this Case expires on: \_\_\_\_\_ 12/30/23 \_\_\_\_\_**

**Approval expires on: \_\_\_\_\_ 10/30/2025 \_\_\_\_\_**

Date of Public Hearing: **July 3, 2023, continued to July 17, 2023, August 21, 2023 and September 18, 2023.**

The following presented testimony as the applicant or on behalf of the Applicant:  
Jill Adams Mancivalano, Agent  
Sharon Adams

**EXHIBITS**

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

1. Warning of DRB Hearing
2. DRB Cover Sheet
3. List of abutters
4. Application for DRB Review (89 pages)
5. AAFM Letter dated 9/8/2023
6. Site map

## **SYNOPSIS**

Applicant proposes changes of use for a one-family dwelling unit, three units of lodging, two food trucks and two RV sites in the Commercial/Residential District.

## **ARTICLE II: ADMINISTRATIVE PROCEDURES**

Section 222 Land Development and Uses Requiring Development Review Board Written Decision and Approval

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 Development Review Board Decision

Section 272 Who May Attend and Be Heard at A Public Hearing

**Finding of Facts:** Sections noted outline administrative procedures, definitions, role of the DRB, and responsibility of the applicant. This application (as amended by Exhibits 6 and 7) was received containing all necessary documents and those in attendance were advised of who may provide testimony during the hearing.

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

## **Act 143 of 2018 (24 VSA § 4412(11)) – Accessory on Farm Business**

**Findings of Fact:** Applicants submitted a letter from the Agency of Agriculture, Food & Markets (AAFM), dated September 8, 2023. In that letter, AAFM determined that the Applicants are “farming” on 101 acres located at 15 Higley Hill Road and required to comply with Required Agricultural Practices Regulation (RAPs). The letter noted that the farm operation consisted of raising sheep, laying hens and Coturnix quail, growing vegetables, corn and a variety of Indigenous beans, selling eggs, garden produce and jams and jellies. These are not the uses found in the Applicants’ application. Although Applicants raised the issue of Accessory On-Farm Businesses and the application of Act 143 of 2018 at one point in the hearing, they later testified that they were not claiming that any of the uses found in their application were Accessory On-Farm Businesses. Furthermore, none of the uses described in the application involved the storage, preparation and sale of qualifying products. Nor do any of the uses described in the application involve a farm stay or educational, recreational or social activities on the farm that feature agricultural practices or qualifying agricultural products.

**Conclusion of Law:** None of the uses described in Applicants application meet the definition of an Accessory On-Farm Business. Therefore, the requirements of Act 143 of 2018 do not apply to this application.

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

Section 420 Uses

Section 423 Conditional Uses

Section 440 Districts and District Requirements

Section 450 E District Purposes and Descriptions – Commercial/Residential (COM/RES)

**Finding of Facts:** Subject property is within the Commercial/Residential District (Section 450 E).

The property is identified as Tax Map parcels # 03-03-1.3 and 02-04-28. The primary uses are agricultural and residential. However, since 1993 the DRB has approved several commercial uses for the property. Applicants testified that they wanted to maintain these uses, except for paintball. This application seeks approval for changes of use/conditional uses to add (1) a dwelling unit at 29 Higley Hill; (2) three units of lodging at 15, 17 and 29 Higley Hill; (3) two Food Stands (i.e., food trucks) in the Adams Farm Parking lot and (4) a Campground/Recreational Vehicle Park with two campsites near 29 Higley Hill. Applicants’ application and testimony indicated that they moved a Park RV to 29 Higley Road, connected it to electricity, propane, water and cable, installed a holding tank for sewer and added skirting and a porch to the RV. Applicants testified that the RV is not registered with the Vermont Department of Motor Vehicles, nor has it moved from its location at 29 Higley Hill since it was originally moved there. Applicants are now requesting that it be permitted as a structural dwelling. The subject property (03-03-1.3) is over 100 acres. The new dwelling unit is set back over 65 feet from Higley Hill Road and the side and rear setbacks are well over 20 feet measured from the property lines. The roof eave is below 24 feet. Applicants’ application and testimony also indicated that 15, 17 and 29 Higley Hill had previously been used as

short-term rentals. Applicants are now requesting that these structures be permitted as lodging for short-term rentals. Applicants are also requesting a change of use for a portion of the Adams Farm parking lot and lawn for two food trucks. The Applicants will not operate the food trucks, but they will lease space for the operation of no more than two food trucks. Finally, the Applicants are seeking a change of use to permit two camping sites for recreational vehicles, campers and vans near 29 Higley Hill.

**Conclusion of Law:** Section IV is met as follows:

- (1) Twenty-nine Higley Hill is a recreational vehicle that has been converted into a one-family dwelling unit. A second one-family dwelling unit is a permitted use in the Commercial/Residential District with a Zoning Permit. The addition of this dwelling unit conforms to all Site Criteria.
- (2) Fifteen Higley Hill is a two-bedroom apartment that is part of a house. Seventeen Higley Hill is a house with three bedrooms. Twenty-nine Higley Hill is a one-bedroom structure. Together these units have two or more guest rooms of lodging. Lodging with more than two guest rooms is a Conditional Use and is allowed in the Commercial/Residential District with approval from the DRB.
- (3) A food truck is a type of Food Stand. Food Stands are a Conditional Use and are allowed in the Commercial/Residential District with approval from the DRB.
- (4) A RV campsite falls within the definition of a Campground/Recreational Vehicle Park. A Campground/Recreational Vehicle Park is a Conditional Use and is allowed in the Commercial/Residential District with approval from the DRB.

The Commercial/Residential District allows an unlimited number of Commercial Structures and Uses.

## **ARTICLE VII: STANDARDS**

Section 710 Use Performance Standards

Section 720: Applicability of Conditional Use Standards and Site Plan and Design Guidelines

Section 721: Conditional Use – General Standards

Section 722: Conditional Use – Preserving the Character of the Town

Section 730 Specific Standards C, F, G & H

Section 732 H & J

### **Section 710 Use Performance Standards**

**A. Vibration:** No continuous, permanent, ongoing or frequent vibration that is discernible at the property line.

**Findings of Fact:** Applicant testified that there will be no continuous, permanent, ongoing or frequent vibrations.

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

**B. Noise:** Continuous, permanent, ongoing or frequent noise in excess of that of a normal conservation must not exist at the property line. Recurring periodic noise in excess of that of a normal lawn mower at the property line is allowed provided it does not occur between the hours of 9 PM and 7 AM and does not significantly detract from or diminish other property's allowed use or land development.

**Findings of fact:** Applicants testified that both the Food Stands (i.e., food trucks) and RVs using the Campground/Recreational Vehicle Park campsites will have electrical hookups. Applicants further testified that RVs using the Campground/Recreational Vehicle Park campsites will not be allowed to use their generators and the Food Stands will only use their generators if there is an electricity outage and then only between the hours of 7:00 am and 9:00 pm. Finally, Applicants testified that the Food Stands hours of operation would be from 7:00 am until 9:00 pm only.

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

**C. Air Emissions for Commercial Operations:** There shall be no emission of dust, ash, smoke or other particulate matter that can:

1. Cause damage to human or animal health, vegetation or property by reason of concentration or toxicity,
2. Contaminate the property or beyond the property boundaries.
3. Have solid or liquid particulates in concentrations exceeding state standards.
4. Cause odorous matter in quantities as to be offensive.

**Findings of Fact:** Applicant testified that the Food Stands will not be allowed to use large fryolators.

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

**D. Injurious or Noxious Practices:** No operations or use shall create electromagnetic, liquid or solid refuse or waste, heat, cold, dampness, explosive, fire, glare or other hazard which will cause injury or damage to human or animal health, vegetation or property.

**Findings of Fact:** Applicants testified that there would be no injurious or noxious practices. The food trucks will each have a fenced area for trash and would be responsible for removing their own gray water and trash on a daily basis.

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

### **Section 721: General Standards**

The proposed use shall protect against adverse impact on:

- A. Community, Municipal or Educational Facilities
- B. Traffic on Roads and Highways
- C. Bylaws and Ordinances in Effect
- D. Utilization of Renewable Energy & Natural Resources
- E. Air Quality
- F. Character of the Area

**Findings of Fact:** No burdens are anticipated to be placed on schools, police, fire, health care facilities or other community services or facilities. Adams Farm is accessed from Higley Hill Road. There is ample parking on site for the several uses. There will be no parking on Higley Hill Road or Route 100. RVs appear to have ample clearance and maneuverability to pull into and out of the property safely. The proposed development has been shown to be conforming to all bylaws and ordinances in effect at the time of this decision including the Zoning Ordinance and the Town Plan. Air quality is addressed in Section 710 above. The purpose of the Commercial/Residential District is to encourage clustered economic development while preserving designated open spaces and historic village settlement patters thus preventing sprawl and roadside strip development. Since 1993, the DRB has approved several commercial uses for Adams Farm. The proposed uses are not inconsistent with those previously approved uses.

**Conclusions of Law:** Having considered the physical site, exhibits provided, and description of the uses provided by the Applicants, the (1) a dwelling unit at 29 Higley Hill; (2) three units of lodging at 15, 17 and 29 Higley Hill; (3) two Food Stands (i.e., food trucks) in the Adams Farm Parking lot and (4) a Campground/Recreational Vehicle Park near 29 Higley Hill should not have an adverse effect on A-F above. Section 721 is met.

### **Section 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:

1. Preservation of the Town's Character: Business development shall, to the extent reasonable and possible, occur in a manner that preserves the rural and agricultural character and ambiance of the community and the historic downtown.
2. 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.
3. Development Consistent with the Rural, Agricultural, and Historic Nature of the Town: Construction, reconstruction, or land development, whether allowed, Permitted, or Conditional shall, to the extent reasonable and possible, reflect and/or compliment the historic nature of the town and the rural and agricultural appearance of the neighborhood and region.
4. Formula Businesses: The visual appearance of Formula Businesses (also known as chain stores, including things such as grocery stores, gas stations, chain drugs stores, dollar stores, etc. See Article X for a complete definition of this term, including signage, shall project an appearance

harmonious with the character of the rural, agricultural, and historic nature of the town, reflecting the distinctive and unique character of the town, consistent with the Site Plan and Design Guidelines of Appendix I.

5. **Maximum Square Footage for Retail:** All retail businesses with a proposed footprint of greater than two thousand (2,000) square feet (for example a 50' long x 40' wide store) shall require Development Review Board review, written decision and approval in all districts. Stores exceeding the two thousand (2,000) square foot maximum may be approved by the Development Review Board in the event that the business:
  - is consistent with the unique character and ambiance of the community
  - is found to be in the best interest of the community
  - is the minimum size required to reasonably accommodate the business
  - will enhance or preserve the economic base and economic diversity of the town as a whole
  - will create economic stability and viability for the community
6. **Building Scale Conformity:** Development shall conform to the scale of the established neighborhood.
7. **Utility Placement:** to preserve the aesthetics and natural beauty of the area, underground utilities are encouraged where possible, particularly in areas of natural scenic beauty and in the Historic Design Review District.

**Finding of Facts:** The proposed uses are outside the historic downtown. The uses are proposed for an area that has been a mixed-use commercial/residential area. The addition of lodging in three pre-existing residential structures, two Food Stands and two Campground/Recreational Vehicle Park campsites does not detract from the historic or rural/agricultural character of the town. The presence of lodging (i.e., short-term rentals), Food Stands and Campground/Recreational Vehicle Park serve the needs of tourists and residents alike, contributing to services available and the character of the town.

**Conclusion of Law:** Section 722 is met.

#### **Section 730: Specific Standards**

All land development and Uses in all Districts and Overlay Districts shall conform to the following:

**A. Lighting and Glare:** All exterior lighting shall be shielded and downcast. Glare and reflection are prohibited if it is an unreasonable nuisance to other property owners or tenants, does not contribute to aesthetics, scenic value or character of the area, or could impair vision of pedestrians or drivers.

**Findings of Fact:** The applicant proposes no new lighting in the food truck area. Except for solar torches at the entrance to the campsites to allow users to know where to turn, no additional lighting of this area had been requested.

**Conclusion of Law:** Food truck lighting will be shielded and downcast with the minimum lumens necessary to meet the needs of preserving pedestrian and vehicular safety. The solar torches at the entrance to the campsites will be shielded and downcast with the minimum lumens necessary to meet the needs of preserving pedestrian and vehicular safety. Lighting will not interfere with the aesthetics, scenic value or the character of the area.

**B. Safety:** Shall minimize physical hazards where there are potential safety hazards.

**Finding of Fact:** As shown in Exhibit 6 (site map), a split rail fence shall be placed between Higley Hill Road, the entrance driveway and exit driveway and the food truck service area to keep pedestrians clear of the traveled way of Higley Hill Road and the entrance and exit driveways of Adams Farm. In the winter, the split rail fence may be removed and snowbanks will be plowed so as to keep pedestrians clear of the traveled way of Higley Hill Road and the entrance and exit driveways of Adams Farm.

**Conclusions of Law:** Section 730 B is met.

**C. Traffic and Pedestrian Safety:** Pedestrian walkways to ensure safe and efficient navigation by foot or bicycle. Special consideration shall be made for children's safety. Traffic patterns will be reviewed for safety, ease of flow and efficiency.

**Findings of Fact:** In the food truck area, pedestrians will be kept separate and safe from vehicular traffic by the installation of a split rail fence and roped off parking as shown in Exhibit 6 (site plan). Speed bumps will also be placed in the entrance way to Adams Farm to reduce the speed of vehicles entering the property from Higley Hill Road. See Exhibit 6 (site plan).

**Conclusions of Law:** Section 730 C is met.

**D. Commercial Parking and Loading:**

Pursuant to 24 V.S.A. § 4414(4) All commercial parking and loading areas in all districts in the town shall adhere to the following standards:

1. **Parking Spaces Required:** With the exception of the Historic Design Review District, for every building hereafter changed in Use, erected, or altered or extended in such a way as likely to increase the need for more parking, there shall be off-street parking spaces as set forth below.
2. **Size of Parking Spaces:** Parking space size shall be a minimum of ten (10) feet by eighteen (18) feet. Smaller parking spaces are allowed only where circumstances calling for added spaces outweigh the risks and public inconvenience of smaller spaces. Special consideration should be given to safety, pedestrian, and disabled persons concerns when smaller spaces are allowed.
3. **Minimum Number of Spaces:** The minimum number of required spaces are:
  - i. **Dwelling, Multi-Family:** Two (2) parking spaces for every Dwelling unit.
  - ii. **Lodging:** One and one-half (1.5) parking space for every guest bedroom.
  - iii. **Multi Business Centers and Offices:** One (1) parking space for every four hundred (400) square feet of business or office space.
  - iv. **Retail Business:** One (1) parking space for every two hundred (200) square feet of retail area.
  - v. **Restaurant, Bar, Lounge, Entertainment / Cultural Facility:** One (1) parking space for every three (3) persons Permitted for occupancy by the Vermont Department of Labor and Industry.
  - vi. **Manufacturing:** One (1) parking space per employee per shift.

**Finding of Fact:** According to the application, there are 55 to 60 parking spaces in the main Adams Farm lot. Additional parking also is available on Applicants' property across Higley Hill Road and in the area adjoining the Pavilion and along Adams Farm's internal roads. There also are parking spaces near each of the short-term rentals. DRB Decision 2008-081 prohibits any parking along Higley Hill Road of Route 100.

**Conclusions of Law:** Section 730 D is met.

**F. Landscaping, Screening and Buffer Areas:** As defined in Section 722 (A) development shall "preserve the rural and agricultural character and ambiance of the community". Natural features characteristic of the town's rural and agricultural character shall be used in Landscaping and Screening to preserve and protect the aesthetic and scenic value of the town, its neighborhoods, residents, and neighboring properties.

**Finding of Facts:** No landscaping changes are planned, except for a split rail fence near the food trucks.

**Conclusion of Law:** Section 730 F is met.

**G. Land and Water Management:** Pursuant to 24 V.S.A. § 4414 (1)(G) and 24 V.S.A. § 4414 (9) the development plan shall protect properties, transportation systems, and public safety by:

1. Providing for safe and environmentally appropriate water management including but not limited to water supply quality/availability, stormwater retention/absorption and impervious surface runoff management.
2. Preventing water pollution.
3. Making appropriate provision for management of erosion, preservation of rivers and streams, river/stream banks, wetlands, waterways, channels, and agricultural lands.
4. Preserving and promoting scenic or aesthetic features and open spaces

If the project is not subject to the State of Vermont Act 250 written decision and approval process, determination of conformity of this provision may be made through expert testimony or studies.

**Finding of Facts:** There are no planned changes to the site, except that Applicants testified that may pave the two campsites.

**Conclusion of Law:** If Applicants decide to pave the two campsites a stormwater permit or other permits may be required.

**H. Wastewater and Potable Water:** Pursuant to 24 V.S.A. § 4414 (13) the Zoning Administrator may issue an initial Permit conditioned upon receipt of evidence of a wastewater and potable water supply Permit, if none is provided with the submitted application. A final Permit may be issued by the Zoning Administrator after receiving evidence that a Permit has been issued, as applicable, under chapter 64 Title 10. Development Review Board decisions shall instruct the applicant of their responsibility in obtaining state and federal Permits and may condition their decision on obtaining such a Permit if none has been obtained.

**Finding of Facts:** The Applicants testified that the food trucks would have self-contained clean and wastewater management systems. However, the application stated that Adams Farm could provide water to the food trucks if a prospective food truck tenant needs it. The application and Applicants testimony indicated that the Park RV is connected to water and that there is an installed holding tank for wastewater.

**Conclusion of Law:** The Applicants shall apply for a wastewater and potable water supply permit for the Park RV. If wastewater or water is provided to either of the food trucks, the Applicants shall apply for a wastewater and potable water supply permit for the food truck(s).

#### **Section 732: Other Specific Standards**

**H. Recreational Vehicle Storage:** Recreational vehicle(s)/travel trailer(s), tent(s) or boat(s) may be stored by a homeowner on their property but shall not be used as living quarters for longer than 30 days per year and shall not be connected to any utility, including water and sewer.

**Finding of Facts:** Applicants' application and testimony indicated that they moved a Park RV to 29 Higley Road, connected it to electricity, propane, water and cable, installed a holding tank for sewer and added skirting and a porch to the RV. Applicants testified that the RV is not registered with the Vermont Department of Motor Vehicles, nor has it moved from its location at 29 Higley Hill since it was originally moved there. Applicants are now requesting that it be permitted as a structural dwelling.

**Conclusion of Law:** Section 732 H is not applicable.

#### **J. Temporary Outdoor Retail:**

Temporary Outdoor Retail operating less than or equal to four days per calendar year is Allowed without a zoning Permit.

Temporary Outdoor Retail of five (5) days or up to two (2) months per calendar year requires a zoning Permit from the Zoning Administrator.

Retail of greater than two (2) months is not considered temporary and requires the written decision and approval of the Development Review Board.

**Finding of Facts:** Applicants are requesting a change of use for a portion of the Adams Farm parking lot and lawn for two food trucks. The Applicants will not operate the food trucks, but they will lease space for the operation of no more than two food trucks. A food truck is a type of Food Stand. Food Stands are a Conditional Use and are allowed in the Commercial/Residential District with approval from the DRB.

**Conclusion of Law:** Section 732 J is not applicable.

#### **CONDITIONS:**

This 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 the application (Exhibit 4), additional material provided by the Applicants (Exhibits 5-7) and the testimony 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. The Applicants shall apply for a State wastewater and potable water supply permit for the Park Model RV located at 29 Higley Hill Road. A copy of the approved Permit must be provided to



the Zoning Administrator as a condition of this DRB decision.

3. The conditional use for a portion of the Adams Farm parking lot and lawn to be used for two Foods Stands (i.e., food trucks) is approved with the following conditions:
  - a. The food trucks shall be maintained in working condition and licensed, registered and safety inspected with the Department of Motor Vehicles.
  - b. Food truck dimensions cannot exceed 36 feet in length and 10 feet in width.
  - c. Hours of operation shall be from 7:00 am to 9:00 pm.
  - d. Food truck lighting will be shielded and downcast with the minimum lumens necessary to meet the needs of preserving pedestrian and vehicular safety. Lighting will not interfere with the aesthetics, scenic value or the character of the area.
  - e. No additional lighting of this area had been requested and shall not be permitted.
  - f. There shall be no significant air emissions of dust, ash smoke or to other particulate matter.
  - g. Food trucks shall have electrical service.
  - h. Food trucks will not run their generators unless there is an electrical utility outage. If there is an electrical utility outage, food trucks may run their generators only from 7:00 am until 9:00 pm.
  - i. Refuse containers shall be placed in the picnic area and in the storage area behind the food trucks and shall be emptied daily and the picnic area shall be kept clear of trash.
  - j. If wastewater or water is provided to either of the food trucks, the Applicants shall apply for a wastewater and potable water supply permit. A copy of the approved Permit must be provided to the Zoning Administrator as a condition of this DRB decision.
  - k. As noted in the Exhibit 4 (Application), as shown in Exhibit 6 (site map) and as the Applicants testified, dumpsters and food truck storage shall be fenced behind a seven-foot-high fence behind each food truck.
  - l. As shown in Exhibit 6 (site map), a split rail fence shall be placed between Higley Hill Road, the entrance driveway and exit driveway and the food truck service area to keep pedestrians clear of the traveled way of Higley Hill Road and the entrance and exit driveways of Adams Farm. In the winter, the split rail fence may be removed as long as snowbanks are plowed so as to keep pedestrians clear of the traveled way of Higley Hill Road and the entrance and exit driveways of Adams Farm. No picnic tables shall be permitted on the opposite side of the entrance driveway to Adams Farm from the food truck service area.
  - m. As shown in Exhibit 6 (site map) and as the Applicants testified, designated parking shall be established for the food trucks.
  - n. As noted in Exhibit 6 (site map), speed bumps shall be placed in the entrance way to Adams Farm to reduce the speed of vehicles entering the property from Higley Hill Road.
4. The conditional use of the Campground/Recreational Vehicle Park campsites located near the Park RV is approved with the following conditions:
  - a. The campsites shall be for RVs, campers and vans with their own interior toilets.
  - b. Any concrete or asphalt pad that may be constructed for the each of the two campsites shall be no more than 30 feet wide and 60 feet long.
  - c. The length of stay for any RV, camper or van will be no more than 30 days
  - d. There shall be no gray or blackwater dumping offered at Adams Farm.
  - e. RVs, campers and vans shall not be longer than 42 feet.
  - f. RVs, campers and vans shall not run their generators at any time.
  - g. Except for solar torches at the entrance to the campsites to allow users to know where to turn, no additional lighting of this area had been requested and shall not be permitted. The solar torches at the entrance to the campsites will be shielded and downcast with the minimum lumens necessary to meet the needs of preserving pedestrian and vehicular safety. Lighting will not interfere with the aesthetics, scenic value or the character of the area.
5. Paintball is no longer an approved use. All other uses that have been approved by the DRB since 1993 are not affected by this decision. However, any conditions in those previous decisions remain in effect unless the DRB expressly found those conditions to be no longer warranted. See, e.g., Decision No. 2008-081.
6. There shall be no parking on Higley Hill Road or Route 100.
7. In addition to the permits referenced above, the Applicants are responsible for obtaining any other needed Federal or State permits.

There is a thirty (30) day appeal period from the date of signature before this Approval becomes final.

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

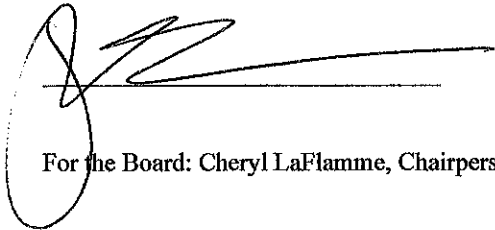
Cheryl LaFlamme  
John Gannon  
Chrystal Holt

OPPOSED:

None

ABSTAINING:

None



Date: 10/30/2023

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.