

3 EAST MAIN

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

Zoning Permit Application Number:

2025-022

Date of First Hearing:

4.7.25

Public Hearing Notice published in the Deerfield Valley News on:

3.14.25

Notice was posted in three public places on:

3.10.25

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

3.10.25

Appeal period for this DRB Decision expires on:

12/20/25

Approved Permit (after two years) expires on:

DENIED

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: **3-5 East Main Street, LLC**

Owner/Applicant(s) Mailing Address: 7 Seward Drive, Woodbury, NY 11797

Address of the subject property: **3 East Main St, Wilmington, VT**

Tax Map: parcel # **21-22-7**

A copy of the request is filed in the office of the Board and is referred to as: **2025-022**

**Description of Case per Public Notice:**

Application # 2025-022

Owner: 3-5 East Main Street, LLC  
Agent: Eric Silverstein

Applicant is seeking to demolish a historic building and stabilize the site for future multistory residential housing.

**Applicable Code Sections:**

Article II- Sections: 221, 222, 223, 224, 226, 240, 246, 271 & 272  
Article IV- Sections: 420, 440, 450 B  
Article V – Sections: 510, 511, 512, 520, 521, 522, 530, 531 & 540  
Article VI-Section 602,609 & 620  
Article VII- Sections: 710, 720, 721, 722 A, 723

Notice for a public hearing was published in the Valley News on: **3/14/25**

Notice was posted in three public places on: **3/10/25**

A copy of the notice was mailed to the applicant on: **3/10/25**

A copy of the notice was mailed to the abutters on: **3/10/25**

Appeal period for this Case expires on: 12/20/2025

Approval expires on: 11/20/2027

Date of Public Hearings: **April 7, 2025 & October 6, 2025**

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

Eric Silverstein, Agent for Applicant  
Sheila Osler  
Jerry Osler  
Jason Vittorini

## **EXHIBITS**

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

1. DRB Cover Sheet
2. Warning of DRB Hearing
3. Application for DRB Review (3 pages)
4. Parcel map
5. Transfer Deed
6. List of abutters

The following Exhibits were placed into evidence by the DRB case manager, which includes applicant's prior submissions to the DRB, issued permits and Findings of Facts for the same subject properties, unless noted otherwise.

7. Application 2019-002 #021-22-007 & 008, dated Jan 23, 2019, including exhibits (historic references, photos, plans, elevations, window types, memo of Site Criteria for 3-5 East Main Street, Notice of Hearing Feb 11, 2019,
8. Permit Issued June 14, 2019, DRB Findings of Facts for application #2019-002
9. Permit Issued June 2, 2023, Zoning Application #2023-023 including exhibits, DRB Findings of Facts dated 5/31/23, ZA Warning Notice of alleged violation for boarding windows, doors, Feb 17, 2023
10. List of Qualified Consultants by the Division for Historic Preservation (VDHP)
11. October 2018, Letter of Opinion by Engineer (*Provided by Applicant*)
12. Photos taken on April 21, 2025 – Site Visit

## **SYNOPSIS**

Applicant seeks to demolish the building located at 3 East Main Street and seeks a change of use to residential housing. The building is located in the Village district and the Historic Design Review District. The building is listed in the National Register of Historic Places.

Public hearings were held on: April 7, 2025, and October 6, 2025  
A site visit was conducted on April 21, 2025

## **ARTICLE II: ADMINISTRATIVE PROCEDURES**

Section 221: Role of the DRB

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

Section 221 The Role of the Development Review Board

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

Section 240 Appeals

Section 246 Appealing Decisions

Section 271 Public Hearings – Held by the DRB

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 was received with documents as noted in exhibits above. Application did not include proposed site plan and design review for proposed residential housing. Nor has any documentation with respect to the proposed housing been submitted after the application was submitted. Those in attendance were advised of who may provide testimony during the hearing. The applicant confirmed understanding and did not have any questions.

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

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

#### Section 450: District Purposes and Descriptions

District:

- VIL = Village

In addition, these two (2) zonings overlays apply:

- HDRD = Historic Design Review District (Article V)
- VDRD = Village Design Review District (Article V)

#### Village District (VIL)

**Purpose:** To retain the character of the existing village, provide for future residential and commercial development through historically appropriate Structures and business types at appropriate densities, and promote residential and tourist quality of life by preserving and developing a clustered village reflecting a visibly vibrant and energized community.

Development and reconstruction shall reflect the character and ambiance of the historic village.

Building Structures will be reflective of the historic nature of the town.

The Historic Design Review District, as defined in Article V, is included in this district. Some of the parcels in the village are also subject to the Historic Design Review District Guidelines in Article V.

#### Site Criteria – Village District inside the Historic Design Review District:

<b>Density Limits</b>	Unlimited
<b>Structures/Uses Per Lot</b>	Unlimited
<b>Dimensional Requirements - New Lots</b>	
<b>Minimum Lot Size:</b>	1/8 acre
<b>Minimum Lot Frontage:</b>	40 ft
<b>Structure Height (Max):</b>	38 ft to the highest point of the ridge line All Structures over 24 feet from average grade to the eave line or 38 feet to the ridge line are subject to Development Review Board written decision and approval. *
<b>Setback-Front (Min):</b>	0 ft Measured from edge of the actual or proposed road right-of-way to the dripline for 0 setback
<b>Setback-Side/Rear (Min):</b>	0 ft Measured from the dripline.

#### ARTICLE IV:

**Findings of Fact:** Subject property is within the Village District (Section 450 B). The property is identified as Tax Map: parcel # 21-22-7. The primary use is currently as an Office. See Exhibit 9.

Applicant seeks a change of use to residential. Applicant failed to provide a site plan, designs plans or any other specific information on the proposed new residential building. While many residential dwellings are permitted uses in the Village District requiring no Design Review Board approval, some residential dwellings are conditional uses (for example, Dwelling, Multi-family 5 or more units) requiring Design Review Board approval prior to commencing construction.

**Conclusion of Law:** Article IV is not met since there was insufficient information to approve the proposed change is use.

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

Section 510: Village Design Review District Purpose

Section 511: Village Design Review District Boundaries

Section 512: Goals of the Village Design Review District

Section 520 Historic Design Review District Purpose

Section 521 Historic Design Review District Boundaries

Section 522 Goals of the Historic Design Review District

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

Section 531: Development Review Board Site Plan and Design Review Required on Design Review District Development

Section 540 Site Plan and Design Review Standards

### **Section 510: Village Design Review District Purpose**

The basis for a Design Review District is to preserve the natural beauty, vistas and the visual character of the Village of Wilmington. The visual aspects of the Design Review Districts represent an important asset to the community by providing a source of pleasure for both residents and visitors and contributing to the economic development of the community.

### **Section 511: Village Design Review District Boundaries (Identification of District)**

The Village Design Review District Boundaries are illustrated on the Zoning Map.

### **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 maintaining the visual character of the village.
- E. To encourage public and private investment and to protect the interests of future generations.

The goals of this District shall be considered by the Development Review Board when considering proposed Land Development for this District.

### **Section 520: Historic Design Review District Purpose**

The basis for the Historic Design Review District is to preserve the beauty, vistas and visual character of the many buildings of historic significance as defined by the National and State Registers of Historic Places dating from the early 19<sup>th</sup> century. In order to protect these characteristics, it is necessary to ensure that proper attention is given to the historic exterior features of buildings and structures so as to provide a means by which long term economic prosperity may be supported, property values can be stabilized or improved, and economic well-being of the community protected and fostered.

### **Section 521: Historic Design Review District Boundaries (Identification of District)**

The Historic Design Review District Boundaries are illustrated on the Zoning Map.

### **Section 522: Goals of the Historic Design Review District**

The Site Plan and Design Goals of the Wilmington Historic Design Review District are as follows:

- A. To preserve the historic and cultural heritage of the historic downtown.
- B. To support maintenance, change and preservation of buildings and property in accordance with the design guidelines of this Zoning Ordinance and consistent with recognized and accepted standards for historic preservation projects.
- C. To promote the use of buildings and property in a manner that benefits the community and individual property owners, while preserving those features that have architectural or historic merit.
- D. To attract visitors and encourage tourism by enhancing the visual character as a New England

village.

- E. To encourage maintenance and preservation of buildings and property and changes to support a visually attractive village for the pleasure of residents and visitors.
- F. To encourage and support economic growth and prosperity within the community while maintaining the New England character.
- G. To encourage public and private investments that may result in a positive contribution to visual harmony and economic vitality and protect these assets for future generations.

The goals of this District shall be considered by the Development Review Board when considering proposed Land Development for this District.

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

As required by §4414(1)(E), no structure in any Design Review District (Historic or Village), "may be erected, renovated, substantially altered, restored, moved, demolished, or changed in Use or type of occupancy without a written decision and approval of the plans by the appropriate municipal panel." (The Development Review Board).

With the exception of those situations defined in § 531, all development in a Design Review District must receive a written decision and approval from the Development Review Board and a Permit from the Zoning Administrator, including but is not limited to:

For the Historic Design Review District and the Village Design Review District:

- A. Construction of a building.
  - B. Alteration of, tearing down, or removing any portion of an exterior wall or roof.
  - C. Filling in, sealing, boarding up, closing or enclosing any portion of an existing window, door, space, porch, or breezeway.
  - D. Changes to the materials of the exterior of a building that are of a kind or type different from the existing.
- 
- E. Significant changes to site features including, but not limited to screenings, driveways, parking areas, signs, service areas, and structures. Changes to conditions of previously approved DRB plan.

For the Historic Design Review District (Not applicable to the Village Design Review District)

- F. Addition to or alteration of the exterior of a building which increases or decreases the square footage of the building, whether enclosed or not.
- G. Alteration of the roof line to a building including, but not limited to, alteration of a gable roof to a flat roof, but specifically excluding any alterations to chimneys.

Refer to Article II §§ 223 —227 for submission requirements and written decision and approval processes of the Development Review Board.

#### **Section 531: Exceptions to Zoning Permit or Development Review Board Site Plan and Design Review Requirements**

- A. Zoning Permit from Zoning Administrator not required; no Development Review Board written decision and approval required:

As provided in 24 V.S.A. § 4414(1)(E) within a designated design review District, no structure may be erected, reconstructed, altered, restored, moved, demolished or changed in Use or type of occupancy without a written decision and approval of the plans by the Development Review Board and Permitting by the Zoning Administrator as defined in Article II, except as defined below.

The following are not considered to be a form of reconstruction, alteration, or restoration and are consistent with the goals of this District. As such they do not require prior written decision and approval of the Development Review Board or Permitting from the Zoning Administrator.

1. Temporary outdoor display of products or ads that represent products. (Outdoor displays are treated as a temporary sign and must, as applicable, meet Sign Standards as defined in § 870.)
2. Resurfacing of driveways and walkways when fully on the property owner's Lot.
3. Window or door repair or installation (including screen and storm windows/doors) matching the historical style and design of the original structure.
4. Landscaping installation/change or maintenance of any kind that protects and enhances the natural features and character of the neighborhood and community including removal and replacement of dead or dying plants, trees, shrubs, flowers or other live

natural features.

5. Minor repairs and maintenance that follow the guidelines of Appendix Site Plan and Design Guidelines do not require a Zoning Permit or written decision and approval of the Development Review Board. All changes of any nature that do not follow these guidelines are subject to review by the Development Review Board and, if approved, permitting by the Zoning Administrator.

**B. Zoning Permit from Zoning Administrator required; no Development Review Board written decision and approval required:**

In the following cases the Zoning Administrator will make an Administrative Decision as to whether the requested development is allowed and a Permit will be approved without Development Review Board review, so as to have a quicker decision.

1. Roof repair using the same roof material as was most recently on the structure and with no change to the roof structure or replacing current roof materials with a slate-colored metal roof consistent with the Site Plan and Design Guidelines.
2. Replacing vinyl siding with wood or wood look-alike synthetic clapboards consistent with the Site Plan and Design Guidelines.
3. Handicap ramps anywhere on the building.
4. Non-substantial additions to a building meeting the design guidelines of this Ordinance.
5. Healthy shrubs, hedges, or trees plainly visible from a public area or way may be removed with approval of the Zoning Administrator for health and safety or replacement with other landscaping or features such as a fence or stone wall.
6. Minor changes to plans previously approved by the Development Review Board that do not modify the conditions of the Development Review Board decision or the testimony on which the decision was based. If the Zoning Administrator believes a requested change meets the criteria the Zoning Administrator will issue a minor change Permit on a plan previously approved by the DRB. If the proposed change alters anything related to the conditions of the decision or the testimony of facts on which the decision was based, the Zoning Administrator will re-submit the Permit request to the Development Review Board for a decision.
7. Businesses may erect temporary fencing or other means of delineating outdoor areas for the sole purpose of extending seasonal outdoor dining for a period of no more than 120 days from the date of approval by the Zoning Administrator. Areas must not restrict access to public rights of way and must be in compliance with all other regulations of this Ordinance, as well as state and local regulations governing capacity and/or licensing for outdoor dining areas.

All other repairs and replacements not meeting these criteria must be reviewed by the Development Review Board.

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

- A. All development and land improvements within a Design Review District are subject to the Standards as defined in Article VII as well as any applicable standards as set forth in Article VI Flood Hazard Area, Article VIII Signs, and Article IX Telecommunications.
- B. All development and land improvement within the Village Design Review District shall preserve the character of the village and conform to the Goals of this District as defined in § 513.
- C. All development and land improvements within the Historic Design Review District shall conform to the Site Plan and Design Guidelines of Appendix I to the extent reasonable and possible to satisfy the intent of this Ordinance and preserve, rehabilitate or restore the historic structures of the Town as defined in § 730, 731, and 732 of this Ordinance

**□ARTICLE V:**

**Finding of Facts:** As required by 24 VSA § 4414(1)(E) and Section 530, no Structure in any Design Review District (Historic or Village), may be erected, renovated, substantially altered, restored, moved, demolished, or changed in Use or type of occupancy without a written decision and approval of the plans by the Development Review Board.

Furthermore, Section 540 requires that all development and land improvements within the Historic Design Review District shall conform to the Site Plan and Design Guidelines of Appendix I to the extent reasonable and possible to satisfy the intent of this Ordinance.

Three East Main Street is in the Village District and the Historic Design Review District. Applicant failed to provide a site plan, design plans or any of the information noted in Appendix I for either the proposed residential building or site stabilization.

**Conclusion of Law:** Article V is not met due to insufficient information.

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

### **Section 602 ( A-C) Lands to which these Regulations Apply**

These regulations apply to development in all areas of the town identified as special flood hazard in and on the most current flood insurance studies and maps published by the Department of Homeland Security, FEMA and the National Flood Insurance Program as provided by the ANR pursuant to the 10 V.S.A. section 753.

**Findings of Facts:** Three East Main Street is not within the Floodway or the Floodway Fringe of the Flood Hazard District as defined by DHS, NFIP or FEMA flood maps based on prior applications and testimony.

**Conclusions of Law:** Flood Hazard Standards are not applicable. However, in consideration of the history of flooding of 3 East Main street, the Board would encourage the Applicant to consider flood control measures and precautions on a strictly voluntary basis.

## **ARTICLE VII: STANDARDS**

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

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

### **Section 721 F (Character and Aesthetics)**

### **Section 722 A Conditional Use- Preserving the Character of Town**

### **Section 723 Conditional Use- Preserving the Character of Town: Historic Preservation**

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

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

**Findings of Fact:** Agent 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:** Agent testified that there would be no noise in violation of this section.

**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:** Agent testified that there would be no emission of dust, ash, smoke or other particulate matter.

**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:** Agent testified that there would be no injurious or noxious practices.

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

**Section 721: Conditional Use - General Standards**

In all Districts, all Conditional Use development shall protect from undue adverse effects. [24 V.S.A. § 4414 (3)(A)]

No Land Development or Use shall result in an undue adverse effect on any of the following:

- A. The capacity of existing or planned community, municipal or educational facilities.
- B. Impact on traffic, roads, highways, transportation systems, pedestrian walkways in the vicinity.
- C. By-laws and Ordinances in effect at the time.
- D. Utilization of renewable energy resources.
- E. Air quality.
- F. The character, aesthetics, and scenic value of the neighborhood and area affected, as defined by the purpose or purposes of the Zoning District within which the project is located and specifically stated policies and standards of this Ordinance and the Town Plan.

The Development Review Board shall review all proposed Conditional Use development in all Districts, demonstrating no undue adverse effect on Conditional Use General Standards A - F above. In establishing conformity with General Standard F, the Development Review Board shall seek to preserve the character of the Town consistent with the rural, agricultural, and historic nature of the Town as defined in §§ 722 and 723 below.

**Finding of Facts:** Applicant seeks to demolish a historic structure and construct a multi-story residential dwelling. No site plan or designs plans of the proposed residential development were submitted to the DRB for review.

**Conclusion of Law:** Section 721 is not met. The demolition of historic structure will have an adverse effect on the town's character, history and social and aesthetic value and is inconsistent with the preservation of the historic nature of the town as defined in Sections 722 and 723. With respect to the proposed multi-story residential dwelling, there is insufficient information to assess the projects impact on the Section 721 standards.

**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:

- A. 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.
- B. 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.
- C. 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.
- D. 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 1.
- E. 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:
  - 1. Is consistent with the unique character and ambiance of the community.
  - 2. Is found to be in the best interest of the community.
  - 3. Is the minimum size required to reasonably accommodate the business.
  - 4. Will enhance or preserve the economic base and economic diversity of the Town as a whole.
  - 5. Will create economic stability and viability for the community.

F. Building scale conformity: development shall conform to the scale of the established neighborhood.

G. 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 demolition of the historic structures within the village historic district would have an adverse effect on the town. Historic buildings are known to boost local economies through tourism and reuse. They provide unique architectural and design features that are lost when demolished. Applicant discussed new housing plans – but provided no information for the DRB to be able to assess if that project would meet the Section 722 standards.

**Conclusion of Law:** Section 722 is not met. No site plans or designs plans of this proposed residential development were submitted to the DRB for review. The demolition of historic building at 3 East Main does not preserve the Town's character.

**Section 723: Conditional Use - Preserving the Character of the Town: Historic Preservation** Compliance with the following guidelines is required in the Historic Design Review District, a Design Review District to the extent reasonable and possible to preserve, rehabilitate, or restore historic structures, as defined below.

Compliance with these guidelines is encouraged in all other Districts. However, in no case shall the Development Review Board withhold approval of proposed development outside of the Historic Design Review District based solely on conformity with the criteria of this § 723.

A. Historic Structures: all Conditional Uses for a certified historic structure as defined by Internal Revenue Code 26 U.S.C § 47(c) and/or recognized in the National Register of Historic Places, or by the Preservation Trust of Vermont shall not engage in Land Development that will compromise the structure's historic status. Every effort shall be made to preserve and enhance the historic features of structures dating to 1920 or earlier. Preservation and enhancement of historic structures shall be compatible with the historic character of the Town and region.

**No historic structure may be demolished without the written decision and approval of the Development Review Board. See also §§ 530 and 723(E).**

B. Historic Preservation, Rehabilitation, and Restoration: With particular attention to those historic structures listed in the State or Federal registries of historic places (see Appendix II) historic features and historic structures shall, to the extent reasonable and possible, be preserved, rehabilitated, or restored. In determining whether historic elements will be preserved, rehabilitated or restored, the following guidelines shall be considered.

1. **Preservation: If historic elements are in good repair,** historic materials, features and structures shall be maintained and repaired to preserve the form and character of the property.
2. **Rehabilitation: If historic elements are not in good repair,** to the extent that historic materials, features and structure must be altered or added to meet continuing or changing Uses, the original material, feature or structure shall be preserved and any alteration or addition shall retain the property's historic character and not detract from the historic materials, features and structures.
3. **Restoration including reconstruction: If historic elements are not salvageable,** historic materials, features and structures that have been altered over time or have had elements added to the structure from other periods, a restoration shall occur, removing evidence of those elements not in keeping with the historic character of the original structure and restoring the original features of the structure. Reconstruction shall re- create vanished or non-surviving portions of a property for interpretive purposes.

See the Vermont State recommended guidelines for historic preservation online:  
Secretary of the Interior's Standards for Rehabilitation

Guidelines for Rehabilitating Historic Buildings;  
The Preservation Briefs

C. Historic Features: For reconstruction, historic features of the structure or complimenting the historic features of the region shall be retained or reconstructed.

D. Criteria for determining preservation, rehabilitation, restoration/reconstruction: in considering the reasonableness of requiring preservation, rehabilitation, and restoration the Development Review Board shall consider the following criteria:

1. Property's historical significance.
2. Property's physical condition.
3. Proposed Use.
4. Reasonableness of undertaking preservation, rehabilitation, or restoration.
5. Degree to which preservation, rehabilitation, or restoration will contribute to preserving or enhancing the character of the community.

E. Demolition of Historic Structures: An historic structure that may reasonably be preserved, rehabilitated, or restored/renovated (See § 723(B)) by the current owner seeking application for Land Development; and the owner shall not demolish any historic structure certified as a historic structure as defined by Internal Revenue Code 26 U.S.C § 47(c) or listed on any State or Federal Register of Historic Places (see Appendix II). The Development Review Board may require the applicant to pay the reasonable costs of an Independent Technical Review and may recess the Hearing pending receipt of Independent Technical Review findings. See Section 730 (N).

#### **Finding of Facts:**

**Historical Significance:** Three East Main plays a significant role in the cultural and historic legacy of the town. It is listed on both the State and National Historic Registers.

**Property's physical condition:** This building was significantly damaged during the flood Irene in 2011. An engineer's report was written on behalf of the applicant in 2018 shortly after their acquisition of the property and describes the post flood condition before any stabilization work by the new owner was undertaken. The building's exterior wood siding and trim needs painting and repairs. The interior walls had been stripped to their studs.

Full replacements of interior finishes, heating system, plumbing fixtures, water and sewer and electricity are needed. Historic windows and doors have been secured with plywood at both properties. The windows and doors are boarded with plywood windows and there is a general lack of upkeep to the exterior facade. During our site visit, we observed areas of the foundation and structure that were reinforced to stabilize the building, and the owner has invested in a newer roof with new roof trusses and framing for the building.

**Proposed Use.** The agent gave testimony that he wanted to demolish the building at 3 East Main to make way for high-density four-story housing. No site plans or design plans of the proposed use were provided.

**Reasonableness of undertaking preservation, rehabilitation or restoration.** The Applicant has made some capital improvements to the building's structure post-flood. In 2019 and 2023, this Board approved Applicant's repeated requests to preserve and restore this building. In the hearings on those two applications, exhibits outlined plans to preserve and restore the property in a historically thoughtful and appropriate manner. These adaptive re-use plans preserved the building's unique character and appeal and would have restored its place as significant gateway building into the historic village of Wilmington and would have provided additional housing and business opportunities for the community.

**Degree to which preservation, rehabilitation, or restoration will contribute to preserving or enhancing the character of the community.** The building at 3 West Main Street is highly visible, contributes to the town's historic fabric and is prominently located near the town's center adjacent to the town's administrative offices.

**Conclusions of Law:** Section 723 is not met. The building at 3 West Main Street can be reasonably preserved as the Applicant's two applications and DRB decisions in 2019 and 2023 aptly demonstrate.

#### **DECISION:**

The application for demolition of a historic building, site stabilization and a change of use is **DENIED**.

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

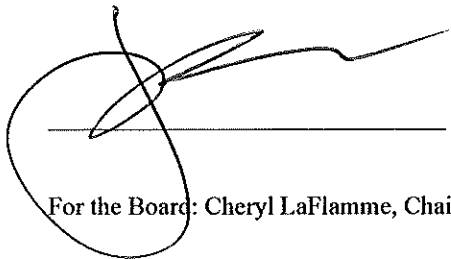
The Town of Wilmington Zoning Administrator reserves the right to monitor compliance with this decision and all decisions issued by the Development Review Board

IN FAVOR of **DENYING** the above referenced application:

Cheryl LaFlamme  
Diane Abate  
Charlie Foster  
Chrystal Holt  
John Gannon

OPPOSED:  
None

ABSTAINING:  
None

A handwritten signature in black ink, appearing to be "Cheryl LaFlamme", is written over a horizontal line. The signature is stylized with a large loop at the beginning and a long, sweeping tail.

For the Board: Cheryl LaFlamme, Chairperson

Date: 11/20/2025

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).

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