

TOWN OF WILMINGTON
COVER SHEET
DRB FINDINGS OF FACT ATTACHED

Zoning Permit Application Number:

2025-058

Date of First Hearing:

6.2.28

Public Hearing Notice published in the Deerfield Valley News on:

5.8.28

Notice was posted in three public places on:

5.16.28

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

5.16.28

Appeal period for this DRB Decision expires on:

8.3.28

Approved Permit (after two years) expires on:

7.25.28

**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: **Old School Enrichment Council, Agent: Meg Streeter**

Owner/Applicant(s) Mailing Address: PO Box 204, Wilmington VT 05356

Address of the subject property: **1 School St., Wilmington, VT**

Tax Map: parcel # **21-22-26**

A copy of the request is filed in the office of the Board and is referred to as: **#2025-058**

Description of Case per Public Notice

Application # **2025-058**: Owner: Old School Enrichment Council, Inc

Applicant proposes a variance for after-the-fact approval of Field Sign and electronic Score Board to correct violation for unpermitted sign and scoreboard in the Village District and Design Review and Flood Overlay Districts.

Applicable Code Sections:

Article II- Sections: 221, 222, 223, 224, 226, 227, 228, 229, 233, 235, 271, 272

Article IV- Sections: Section 420, 440, 450 B

Article V – Section 510, 511, 512, 530

Article VI – Section 602, 603, 610 A, G, L, 611 C, 620

Article VIII – Section 803, 832, 850, 874

Notice for a public hearing was published in the Valley News on: **5/9/2025**

Notice was posted in three public places on: **5/16/2025**

A copy of the notice was mailed to the applicant on: **5/16/2025**

A copy of the notice was mailed to the abutters on: **5/16/2025**

Appeal period for this Case expires on: 8/2/2025

Approval expires on: 7/2/2027

Date of Hearing(s): 2 June 2025

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

Applicant's Agent: Meg Streeter

Abutters/Interested Person: None in attendance

EXHIBITS

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

1. Zoning Permit Staff Report
2. Town of Wilmington Cover Sheet
3. Notice of Hearing

4. Application for DRB Review (2 pages)
5. Aerial photo with locations of signs drawn
6. Photo of Sign
7. Photo of Scoreboard
8. Suspected Violation Report Form, dated 2/25/2025 (2 pages)
9. Email correspondence between Zoning Administrator and Regional Floodplain Manager (2 pages)
10. List of abutters and postage mailing date

SYNOPSIS

Applicant proposes a variance for after-the-fact approval of Field Sign and electronic Score Board to correct violation for unpermitted sign and scoreboard in the Village District and Design Review and Flood Overlay Districts.

ARTICLE II: ADMINISTRATIVE PROCEDURES

Section 221 The Role of the Development Review Board

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 228 State and Federal Permits and Development Review Board Decisions

Section 229 Dimensional and Sign Waivers Granted by the Development Review Board

Section 233 Criteria for Obtaining a Sign Waiver from the Development Review Board

Section 235 Variances Granted by the Development Review Board for Other than Renewable Energy Resources Structures

Section 271 Public Hearings

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. Sections noted also explain how state and federal requirements must be met, and that the burden of proof is on the applicant when requesting a waiver. Application was received at the time of the hearing, and additional testimony was received from the applicant regarding the application. Applicant/agent confirmed there were no questions or concerns with this article. Criteria for obtaining a sign waiver requires that the following question be considered- Is the sign found to be in the public interest and will contribute to the character of the area? Testimony was received from the Applicant's agent that the scoreboard and sign both indeed contribute to the public interest and the character of the area. No information was presented to the DRB at this hearing to indicate otherwise.
Conclusion of Law: Article II is met.

ARTICLE IV: DISTRICTS & USES

Section 420 Uses

Section 440 Districts and District Requirements

Section 450 B District Purposes and Descriptions- Village District (VIL)

Finding of Facts: Subject property is within the Village district (Section 450 B). The property is identified as Tax Map parcel #21-22-26 per the Zoning Administrator. The proposed variance requires DRB approval. Per the Zoning Administrator, the subject property spans approximately nine acres and includes substantial parking infrastructure and multiple athletic fields. The current land use supports recreational programming, small business operations, office space, and a variety of community-oriented activities. Additionally, some portions of the property are located within a known flood-prone area and therefore requires additional compliance for all structural features, including signs.
Conclusion of Law: Article IV is met.

ARTICLE V: HISTORIC DESIGN REVIEW DISTRICT

Article 510 Village Design Review District Purpose

Article 511 Village Design Review District Boundaries

Article 512 Goals of the Village Design Review District

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

Findings of Fact: The field sign and scoreboard in this application appear to benefit the community while preserving the visual character of the village, see exhibits 6 and 7 for photos. The Applicant's Agent testified that a version of the sign indicating the field name has been present for many years and

was recently updated when the field was renamed "Hayford Field". Per the testimony, this sign is anchored securely and located in an area that does in fall within the floodway. The Scoreboard has also been installed using anchored posts and due to its location within the floodway is subject to the additional requirements of Article VI.

Conclusions of Law: Article V is met.

ARTICLE VI: FLOOD HAZARD DISTRICT – AN OVERLAY DISTRICT

Section 602 Lands to Which These Regulations Apply

Section 603 Development Permit Required

Section 606 Conditional Uses

Section 610 Development Standards

Section 611 Administration and Variances

Section 620 Flood Hazard Area Definitions

Findings of Fact: The Scoreboard in this application is permitted in the flood hazard district on the condition that it is securely anchored to prevent displacement or structural fail in high water conditions. Additionally, electronic components are to be installed at a minimum of one (1) foot above the Base Flood Elevation to mitigate the risk of electrical hazards during flood events. At the time of the hearing, the Applicant's Agent was unsure of the height of the electrical components of the scoreboard, but she was made aware of the requirement. Additionally, the Applicant's Agent testified that she would seek out additional information regarding the installation of the Scoreboard to verify the current design meets the criteria presented in this Article. Comments from the Regional Floodplain Manager reiterate the conditions in which development in the floodway is permitted. See exhibit 9 for this correspondence.

Conclusions of Law: Article VI is conditionally met.

ARTICLE VIII: SIGNS

Section 803 Type of Signs

Section 832 Number of Signs

Section 850 Conditional Sign Waivers Requiring Written Decision and Approval from the Development Review Board

Section 874 Calculation of Area and Number of Signs Allowed (not requiring a Permit) and Permitted (Requiring a permit)

Findings of Fact: The Scoreboard is found by this DRB to be in the public interest and contributing to the character of the area and the community in support of sporting events held at the field and therefore meets the requirements for a conditional sign waiver. The freestanding sign in this application meets the standards in this Article and is therefore permitted.

Conclusions of Law: Article VIII 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 Exhibits and the testimony provided. Any changes to the plans will require administrative approval from the Zoning Administrator and/or a review by the Development Review Board, in conformance with the ordinance.
2. Applicant to verify that electrical components of the Scoreboard are at least one (1) foot above the Base Flood Elevation, per the requirements for development in a floodway.

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.

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

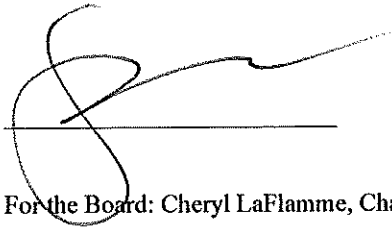
Cheryl LaFlamme
Charlie Foster
Chrystal Holt
John Gannon
Diane Abate

OPPOSED:

None

ABSTAINING:

None



Date: 7/2/2025

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.