

TOWN OF WILMINGTON

DRB Case COVER SHEET

DRB FINDINGS OF FACT to be ATTACHED

Applicant HORN

Address/Lot 7 N MAIN ST
21-21-30

Zoning Permit Application Number:

V 119/2025-018
11/03/25

Date of First Hearing:

Public Hearing Notice published in the Deerfield Valley News on:

10/17/25

Notice was posted in three public places on:

10/16/25

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

10/16/25

Added to paper packet after processing:

☒ P-Poster Posted

☒ Abutter List

☒ DRB warning

☒ Packet sent to DRB

Appeal period for this DRB Decision expires on: 12/13/25

Approved Permit (after two years) expires on: 11/13/27

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

A request for permit was made to the Board by: **Matt and Veronica Horn**

Owner/Applicant(s) Mailing Address: PO Box 1688, Wilmington VT 05363
Address of the subject property: 7 North Main Street, Wilmington VT

Tax Map Parcel Lot ID#: 21-21-30

A copy of the request is filed in the office of the Board and is referred to as Violation Case 119
Original Application #2025-018

Description of Case per Public Notice: Reconsideration of six signs in the Village District and
Historic Design Review Overlay District which were not allowed in the Development Review
Board Decision issued April 28, 2025

Appeal of Decision Application # 2025-018: Owner: Matt and Veronica Horn

Proposal: Reconsideration of Decision issued April 28, 2025 for Additional Signs in the Village
District and the Historic and Village Design Review Overlay Districts.

Applicable Code Sections:

Article II- Sections: 213, 221-224, 226, 227, 229, 233, 234, 240, 246, 271 & 272

Article IV- Sections: 420, 440 & 450 B [Village District]

Article V – Section 510, 511, 512, 520, 521, 522, 530 E, 540

Article VIII- Sections: 801-803, 822 E, F, H, 823 K, 830-833, 842-844, 850, 860, 870, 871, 873,
874, 880, 881 & 890

Notice for a public hearing was published in the Valley News on 10/17/2025

Notice was posted in three public places on: 10/16/2025

A copy of the notice was mailed to the applicant on: 10/16/2025

A copy of the notice was mailed to the abutters on: 10/16/2025

Appeal period for this Case expires on: 12/13/2025

Approval expires on: 11/13/2027

Dates of Hearing: November 3, 2025

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

Matt Horn

Veronic Horn

EXHIBITS

The following Exhibits were placed in evidence by the Applicant or the Zoning Administrator:

1. Cover Sheet
2. Staff Report
3. Notice of Appeal 2 pages
4. Letter from Matt and Veronica Horn dated 9/30/2025
5. Zoning Site Visit Report with photographs 8 pages
6. Letter dated 9/8/2025 from Monaghan Safar Notice of Violation 2 pages
7. Notice of Hearing
8. Abutter List
9. Zoning Permit and Decision 15 pages
10. Original Warning and Application and Communications 40 pages
11. Signs from Site Inspection (16 photos)

ARTICLE II: ADMINISTRATIVE PROCEDURES

Section 213: Sign Permits Issued by the Zoning Administrator

Section 221: The Role of the DRB

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 a DRB Decision

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 234: Dimensional and Sign Waiver Application and Review Process of the Development Review Board

Section 240: Appeals

Section 246: Appealing Decisions, Acts, or Failures to Act of the Development Review Board

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. Application was received containing all necessary documents to proceed with the hearing. Applicant testified they understood this article and did not have any questions.

Conclusions of Law: Article II is met

ARTICLE IV: DISTRICTS & USES

Section 420: Uses

C. Conditional: Requiring DRB written decision

Section 440: Districts and District Requirements

Section 450 B

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)

Section 450: District Purposes and Descriptions

Village District (VIL)

1. 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:

| | |
|--|---|
| Density Limits | Unlimited |
| Structures/Uses Per Lot | Unlimited |
| Dimensional Requirements - New Lots | |
| Minimum Lot Size: | 1/8 acre |
| Minimum Lot Frontage: | 40 ft |
| Structure Height (Max): | 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. * |
| Setback-Front (Min): | 0 ft Measured from edge of the actual or proposed road right-of-way to the dripline for 0 setback |
| Setback-Side/Rear (Min): | 0 ft Measured from the dripline. |

ARTICLE IV:

Findings of Fact: Subject property is within the Village District and the Historic Design review District (Section 450 B). The property is identified as Tax Map parcel # 21-21-30 per the Zoning Administrator. The primary use is currently retail.

Conclusion of Law: Article IV is met.

ARTICLE V: HISTORIC DESIGN REVIEW DISTRICT

Section 510: Village Design Review District Purpose

Section 511: Village Design Review 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 E: 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: The applicants' property is in the Historic Design Review District, and subject to review of all proposed development to ensure the preservation of the character of the many buildings of historic significance.

Conclusion of Law: Article V is met.

ARTICLE VI: FLOOR HAZARD DISTRICT – AN OVERLAY DISTRICT

Section 602: Lands to Which These Regulations Apply

Section 603: Development Permit Required

Section 606: Conditional Uses [Except for Ag uses, recreational uses and residential uses, everything is a conditional use requiring DRB review and approval]

Section 608: Conditional Use Application Procedures

Section 609: Review Procedures
Section 620: Flood Hazard Area Definitions

Finding of Facts: The applicant's property is in the Flood Hazard District. If no renovations or structural changes are proposed, then no additional permitting requirements need to be addressed.

Conclusion of Law: Article VI is met.

ARTICLE VIII: SIGNS

Section 801: Purpose

Section 802: Application in District

Section 803: Types of Signs

Section 822 E, F & H: Other Signs

Section 823 K: Other Signs

Section 830: Permitted Signs

Section 831: Types of Signs

Section 832: Number of Signs

Section 833: Size of Signs

Section 842: When is a Zoning Permit Required

Section 843: Administrative Amendments to Zoning Permits

Section 844: Obtaining a Zoning Permit for a Sign

Section 850: Conditional sign waivers requiring written decision & approval from the DRB

Section 870: Signs Standards: Applying to all signs

Section 871: Sign Design guidelines

Section 873: Setback and Height Limitations – Applying to All Signs

Section 874: Calculation of Area and Number of Signs Allowed

Section 880: Enforcement and Penalties

Section 881: Appeals and Waivers

Section 890: Signs for Which Provision Is Not Made

Findings of Fact: Applicants have a number of previously permitted or allowed/exempt signs referenced in Town of Wilmington Permit 2025-018 See Exhibit 9

Signs not removed were the subject of a Notice of Violation letter and a follow up letter from Wilmington's Town Attorney. See Exhibits 5 and 6

Conclusions of Law: Applicants, Matt and Veronica Horn, in testimony during the hearing removed the request for signs in Exhibit 5: Polish Sausage Vienna Beef and V Vienna Beef and the interior green cross. In continuing testimony, applicants requested "ski chairs sold here" sign be allowed on Main building south wall.

APPROVED IN PART:

Allowed/Exempt Signs

Under Section 832: One (1) Ski Chairs Sold Here sign ONLY on main building south wall; Sign above on hotdog window MUST be reattached to Logo sign as testified by Matt Horn; Sign below hotdog window Chicago Style Hot Dogs Vienna Beef; and hanging Franks for Coming.

DENIED IN PART

Not Allowed Signs

Signs removed from request during testimony by Applicants (see above); and Hot Dog Lovers Parking sign.

CONDITIONS:

This application for signs is **APPROVED IN PART** with the following conditions, restrictions, requirements, limitations and specifications:

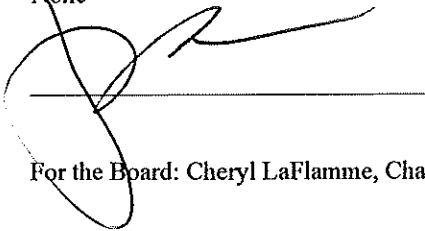
Town of Wilmington, Zoning Administrator reserves the right to monitor compliance with this decision and all decisions issued by the Development Review Board

IN FAVOR of granting APPROVED IN PART and DENIED IN PART in the above referenced application, with whatever restrictions, requirements, limitations or specifications are contained herein:

Cheryl LaFlamme
Charlie Foster
Diane Abate
John Gannon

OPPOSED:
None

ABSTAINING:
None



Date: 11/13/2025

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 VREC 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.