

**TOWN OF WILMINGTON**

**DRB Case COVER SHEET**

*Applicant* Town of Wilmington

**DRB FINDINGS OF FACT to be ATTACHED**

*Address/Lot* 40 Beaver St

**Zoning Permit Application Number:**

2026-005

**Date of First Hearing:**

3/2/26

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

2/13/26

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

2/13/26

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

2/13/26

**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:**

4/4/2026

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

3/4/2028

**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: **Town of Wilmington, Agent(s):  
Christine Richter, Eric Craven**

Owner/Applicant(s) Mailing Address: PO Box 217, Wilmington, VT 05363

Address of the subject property: **40 Beaver Street, Wilmington, VT 05363**

Tax Map: parcel #21-22-22

A copy of the request is filed in the office of the Board and is referred to as **#2026-005**

**Description of Case per Public Notice**

Application # **2026-005**

Owner: Town of Wilmington

Proposal: construction of Veteran's Memorial Park in the Village zoning district and the Village Design Review Overlay. Proposed development would include the installation of stone benches around a memorial stone and the construction of a gazebo.

Applicable Code Sections:

Article II – Section 221, 222, 223, 224, 226, 227, 271, 272

Article IV – Section 420, 450 B

Article V – Section 510, 511, 512, 530, 540

Article VII – Section 710, 720, 721, 722, 730 A, C, F

Notice for a public hearing was published in the Valley News on: **2/13/2026**

Notice was posted in three public places on: **2/13/2026**

A copy of the notice was mailed to the applicant on: **2/13/2026**

A copy of the notice was mailed to the abutters on: **2/13/2026**

Appeal period for this Case expires on: **4/4/2026**

Approval expires on: **3/4/2028**

**Date of Hearing: 3/2/2026**

The following presented testimony as the applicant or on behalf of the Applicant, or as an

Interested Person:

Christine Richter (agent)

Eric Craven (agent)

No abutters were present in person or via zoom

**EXHIBITS**

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

1. Town of Wilmington DRB Case Cover Sheet
2. Zoning Permit Staff Report (2 pages)
3. Application for DRB Review (3 pages)
4. ANR aerial parcel map
5. Parcel Map
6. Preliminary Architectural/Engineering Plans (16 pages)
7. Photos of proposed area
8. Flood hazard details and map with flood overlays (2 pages)
9. Email communication trail between ZA, Architect, Town Manager, and Regional Floodplain Manager from 2023 inquiry into flood hazard impact on proposed location (5 pages)
10. Letter to ZA from ANR Floodplain Manager, dated 2/2/26
11. Copy of Warning
12. List of abutters with date stamp of 2/13/2026 for notice mailing
13. Specifications for proposed lighting

**SYNOPSIS:** construction of Veteran's Memorial Park in the Village zoning district and the Village Design Review Overlay. Proposed development would include the installation of stone benches around a memorial stone and the construction of a gazebo.

#### **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 271 Public Hearings

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

**Finding of Facts:** Article II outlines administrative procedures associated with the DRB, provides definitions, explains the role of the DRB, the responsibility of the applicant, directions on how to handle changes after a DRB decision is received, and explains who may attend and be heard at public hearings. Application was received containing necessary documents at the time of the hearing, and agents provided testimony to support the documentation. Agents confirmed there were no questions regarding this article.

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

#### **ARTICLE IV: DISTRICTS & 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 #21-22-22.000 per the Zoning Administrator. The current uses consist of the Old School Community Center, The Restland Cemetery, recreational athletic facilities, and several residential properties. The principal structure on the property houses operations of the Town's Fire Department and Police Department.

**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 District Boundaries

Section 512 Goals of the Village Design Review District

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

Section 540 Site Plan and Design Review Standards

**Finding of Facts:** Subject property is within the Village Design Review Overlay and is therefore subject to the standards set forth in Article V. The agents testified that the proposed memorial would meet the goals of this overlay district in preserving the beauty of the area, attracting

visitors, and promoting the use of the property in a manner that benefits the community. There is no evidence to suggest otherwise at the time of this hearing.

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

## **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

### **SECTION 710: USE PERFORMANCE STANDARDS**

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

**Findings of Fact:** Agents testified that there will be no continuous, permanent, ongoing or frequent vibrations created by the proposed memorial.

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

**B. Noise:** No continuous, permanent, ongoing or frequent noise in excess of that of a normal conversation that is discernible at the property line.

**Findings of Fact:** Agents testified that there will be no continuous, permanent, ongoing or frequent noise created by the proposed memorial.

**Conclusions of Law:** This standard 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 may cause injury or damage to human or animal health, vegetation, or property.

**Findings of Fact:** Agents testified to no injurious or noxious impacts from the proposed memorial.

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

### **SECTIONS 721: GENERAL STANDARDS**

The proposed use shall protect against adverse effect on:

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.

**Findings of Fact:** Agents provided testimony that confirms no adverse effect to the general standards listed in this section.

**Conclusions of Law:** Section 721 is met.

### **SECTIONS 722: Conditional Use- Preserving the Character of 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

B. Economic Development Contributing to the Character of the Town

C. Development Consistent with the Rural, Agricultural, and Historic Nature of the Town

D. Formula Businesses

E. Maximum Square Footage for Retail

F. Building Scale Conformity

G. Utility Placement

**Findings of Fact:** Agents testified that the proposed memorial will not have a negative impact on the character of town. The proposed memorial would support the goal of preserving the character of our town by utilizing a portion of the property that is currently undeveloped and create a space to memorialize community members who served in the military since World War II. The inclusion of benches, a gazebo, and surrounding walkway with landscaping would beautify the area and attract visitors.

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

**SECTION 730: SPECIFIC STANDARDS**

**A. Lighting and Glare:**

**Findings of Fact:** Lighting, glare or reflection are prohibited if they- 1) Constitute an unreasonable nuisance to the other property owners or tenants, 2) Are found to not contribute to the aesthetics, scenic value, or character of the area and the community, 3) Could impair the vision of pedestrians or the driver of a motor vehicle or an aircraft. Agents testified that lighting would be included in the gazebo and directionally pointed towards the face of the memorial stone. The lighting specifications provided to this DRB show the proposed gazebo lights to meet the criteria of downcast and shielded. Agents testified to utilizing a timer for all lighting as well.

**Conclusions of Law:** This Use Performance Standard is met.

**C. Traffic and Pedestrian Safety:**

**Findings of fact:** Agents testified that the proposed sidewalk would be completed in conjunction with the Town as other sidewalk improvements/installation projects may require coordination of this step. Agents also testified that they would continue to pursue the installation of a crosswalk from the parking area of OSEC to the memorial area.

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

**F. Landscaping, Screening, and Buffer Areas:**

**Findings of Fact:** Agents confirmed they understand the requirements of this section, specifically that all landscaping shall be maintained for general aesthetics and plant health, and should plants not survive, they will be replanted within the growing season.

**Conclusions of Law:** This section 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.

**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:

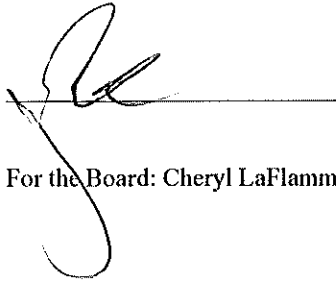
Cheryl LaFlamme  
John Gannon  
Chrystal Holt  
Charles Foster

**OPPOSED:**

None

**ABSTAINING:**

None



Date: 3/4/2026

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).

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*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.*