

MONUMENTS, MEMORIALS, MARKERS, AND PLAQUES POLICIES & PROCEDURES

VILLAGE OF WOODSTOCK, VERMONT

31 The Green
Woodstock, VT 05091

PURPOSE: The purpose of this policy is to establish procedures for the acceptance, placement, and maintenance of monuments, memorials, markers, and plaques proposed by outside entities or persons for placement on Village property. When properly designed, planned, and displayed, memorials can furnish the public with essential information, as well as an enhanced sense of place and understanding of the community.

As the steward of public lands within the Village, the Board of Village Trustees (“Trustees”) are committed to protecting the parks, open spaces, public buildings, and other public areas of the Village while providing opportunities for proposals of appropriately designed monuments, memorials, markers, and plaques that honor an individual, organization or commemorate an event beneficial to the greater good of the immediate and greater community. The Village Trustees’ selection of any proposed monument, memorial, markers, or plaques to be owned by the Village and located on Village Property is government speech. Therefore, the selection of any such monument, memorial, marker, or plaque to be located on Village property is within the sole discretion of the Village Trustees and not subject to scrutiny under the Free Speech Clause of the First Amendment.

NOTE: These policies and procedures are not intended to address proposals of commemorative public artwork. Similarly, these policies and procedures are not intended to address naming requests, which are reviewed and considered under separate Village policies and guidance.

APPLICATION PROCEDURE: Applicants requesting to place a monument, memorial, marker, or plaque on Village property must apply to the Planning & Zoning Department (“Department”). Within thirty (30) calendar days of a determination of a complete application, Department staff will review the application and submit a report as to whether the proposed monument, memorial, marker, or plaque complies with Village’s Zoning Regulations and the criteria of this policy to the Trustees. Even if an application meets all applicable criteria, the Village Trustees retain the right to deny any application in their sole discretion.

To be considered for acceptance, the applicant must first demonstrate that the proposed project meets the following criteria:

- (1) Use of Public Space:** Donors of monuments, memorials, markers, and plaques shall consider the primary uses of public spaces and facilities in their request for a location or suitable site. While appropriate memorials may enrich an area, public parklands, civic spaces, and open spaces are precious commodities. Therefore, monuments, memorials, markers, and plaques should be carefully reviewed to appropriately balance these two public benefits to protect the

greater good.

- (2) **Timelessness:** The quality of timelessness shall be considered in the significance of the individual, organization, or event being memorialized. Memorial proposals should represent long-standing values and principles of the greater community and will therefore offer meaning and relevance not only to the present-day citizenry, but also to future generations.
- (3) **Community Significance:** Proposed projects must serve to commemorate or to identify a particularly significant historic event, organization, or person, and should appeal to the broader interests of the community. To assure that the significance of an event or person has withstood the test of time, a project may commemorate only an event one year or older, and only a person one year or more posthumously. In cases of unusual and compelling circumstances, The Trustees may waive this requirement for those individuals with exceptional community significance.
- (4) **Past Honors:** In consideration of any proposed new memorial, it is recognized that some individuals, organizations, or events may have been sufficiently honored in the past, and that additional recognition may be unwarranted or redundant.
- (5) **Maintenance Planning:** Maintenance concerns should be an essential consideration, with adequate financial provision made for the continued future maintenance. In all cases, permanent memorials should be made from durable materials that will stand up over time. Memorials that include moveable parts or technological elements may not be as enduring and will require additional consideration and review.
- (6) **Financial Responsibility:** The donor of a proposed memorial is required to pay for the complete design, fabrication, and installation to ensure adequate quality of care for the memorial. Funding contributions toward the endowment or maintenance fund may be combined with other donations to benefit not only the donated memorial, but also other memorials. Donations made towards larger scale projects will be pooled and the larger project(s) will appropriately recognize both individual and group donations.
- (7) **Ownership:** Improvements made on Village property, including any donated monument, memorial, marker, or plaque, are the property of the Village of Woodstock.
- (8) **Structures Over Six Feet in Height:** The Vermont Fire & Building Safety Code, the current building code adopted by the Village, requires that any structure over six feet in height be designed according to professional engineering practices and will require an engineer's letter as well as a building permit.
- (9) **The Woodstock Village Green:** The Village Green serves as the centerpiece of the Village. Outdoor spaces and amenities throughout the Green are as integral to the overall appearance and feel of this space as are the individual historic buildings facing this public land. This valuable resource deserves special protection. The following standards shall apply to any proposed new memorial within the Village Green:

 - (a) Plaques recognizing donors for significant improvements or acknowledging the naming

of a significant improvement such as, but not limited to, pocket parks, fountains, gardens, gazebos, overlooks and other significant features may be placed within the Village Green.

1. Plaques shall be no larger than three (3) square feet and must be made of either cast bronze, cast aluminum (or other suitable metal), carved stone, or tile. Any such acknowledgement shall utilize wording like: “a gift from” and shall not contain any corporate logos. Plaques must be placed on or immediately adjacent to the improvement being recognized.
 2. Plaques acknowledging the gift of a public bench, drinking fountain, or other similarly small-scale memorials shall be bronze and no larger than ten inches by four inches (10” x 4”).
 3. Plaques for trees shall be no larger than 10” x 4”.
- (b) Selection of monuments, memorials, markers, and plaques within the Village Green shall be at the sole discretion of the Trustees based upon the advice and recommendations of the Woodstock Department of Planning and Zoning.

DESIGN & PLACEMENT CRITERIA:

All proposed monuments, memorials, markers or plaques on property, owned, maintained or managed by the Village of Woodstock shall be judged for appropriateness based upon the following criteria¹:

- (1) Design Criteria:** The memorial should be at a level commensurate with the quality, scale, and character of the location or setting.
- (a) The memorial must contribute to the location from a functional and design standpoint.
 - (b) The memorial should be designed by a qualified professional in the field appropriate to the size, scale, and complexity of the proposal.
 - (c) Logos (symbols or trademarks designed for easy and definite recognition) shall not be used in the overall design of the memorial. Logos may not appear on a plaque acknowledging the memorial’s donors. An acknowledgment plaque should be incidental to the memorial and not the focus of the memorial.
- (2) Placement Criteria:** There must be some specific geographic justification for the memorial being in the proposed location. To determine whether placement is appropriate, the Trustees must find that the placement will:
- (a) Complement and enhance existing and proposed circulation and use patterns.
 - (b) Be supported by, and not conflict with, the Town’s Master Plan policies, as well as any future public art master plan, applicable neighborhood and the Guidelines for the Treatment of Cultural Landscapes associated with [Secretary of the Interior’s Standards for the Treatment of Historic Properties](#).

BASIC APPLICATION REQUIREMENTS: Before deeming an application complete, the Department shall receive the following:

- (1) Estimated Cost:** The total estimated cost must include the following costs:

¹ Even if an application meets all of the applicable criteria, the Village Trustees retain the right to deny any application in their sole discretion.

- (a) Design;
- (b) Fabrication;
- (c) Plaques;
- (d) Transportation;
- (e) Installation;
- (f) Site preparation work;
- (g) Foundation;
- (h) Lighting;
- (i) Electrical; and
- (j) Permitting.

By applying for review, the applicant or sponsoring party understands that they are responsible for all costs associated with the proposed monuments, memorials, markers, and plaques.

(2) Maintenance: All monuments, memorials, markers, and plaques require:

- (a) A maintenance schedule that ensures long-term care that is satisfactory to both the Village and the donor.
- (b) Any party hired or employed by the donor must provide proof of insurance approved by the Village. Examples include general liability, automobile insurance, professional liability insurance, performance insurance bonds, or workman's compensation coverage.

If an adequate level of maintenance is not continued, the Trustees reserve the right to remove or modify the memorial or any portion of the memorial.

(3) Wording on memorial plaques: Individuals and groups may be recognized for their contributions towards a memorial project. All text and design must be approved by the Trustees prior to the fabrication of the plaque.

**SELECTION PROCESS FOR SIMPLE PLAQUES, ADORNED PLAQUES,
MARKERS, AND SITE ACCESSORIES AND AMENITIES**

(1) Written Proposal: The applicant shall submit a written proposal with as much information as possible as to the design, size, materials, appropriateness of preferred site, map identifying the proposed site, plaque wording, sketches, renderings, a rendering of the plaque or site accessory at the proposed site, and estimated costs to the Department. A maintenance plan must also be submitted prior to final review.

(2) Proposal Review: Within 30 days of the filing of a complete application, the applicant shall complete the following steps before presentation to the Trustees for review:

- (a) Prepare any additional submission requests as required by the Department.
- (b) Provide evidence of financing or fund-raising activities.
- (c) Submit proof of insurance requirements, and a written statement of knowledge and intent to post the necessary surety for long-term maintenance.
- (d) Provide site plans, detailed designs, and schematic drawings. (Any engineering, structural, or site impact questions raised by department staff must be addressed before the proposal can be placed on the Trustees' agenda for review.)

- (e) Submit information about the materials, coatings, and patinas to be used.

Once all the requirements listed above have been completed, the proposal will be placed on the next regularly scheduled Trustees meeting agenda. The Trustees will consider all information, including the staff recommendation, written proposal, concepts, and any public testimony in its decision-making process. In their sole discretion, the Trustees may:

- (1) Approve the placement of the proposed plaque, marker, or site accessory as presented;
- (2) Approve an alternative placement;
- (3) Request additional information on the proposal; or
- (4) Deny the proposal (even if the application meets all applicable criteria).

Upon selection/approval by the Trustees, the applicant shall enter into a contractual agreement with the Village of Woodstock prior to the commencement of any work. This contractual agreement shall include the above noted provisions for the endowment, upkeep and maintenance of the memorial in exchange for use of the Town real property. No work may begin unless the applicant can provide evidence of funding sufficient to cover all costs associated with the design, construction, and placement of the memorial.

RESERVATION OF RIGHTS; ARTIST WAIVER OF RIGHTS

At any time, the Village Trustees reserve the right to remove or require the removal on a temporary or permanent basis, of any monument, memorial, marker, or plaque located on Village property.

Any artist involved in the design and/or manufacture of any such monument, memorial, marker, or plaque shall waive any and all rights in such monument, memorial, marker, or plaque including any rights under the Visual Artists Rights Act of 1990 (17 U.S.C. § 106A) as a condition of the Village Trustees' selection/approval.

DEFINITIONS

Simple Memorials and Plaques:

- (1) SIMPLE PLAQUES: are plaques mounted flush with the ground, flush with a wall, or flush with some other existing durable support object (such as an existing exterior wall, post, boulder, or rock outcropping). The size of the plaque should be appropriately designed to suit the limitations and consideration of the setting.
- (2) ADORNED PLAQUES: are those installed within, and as part of, a larger, more intricate setting. These include plaque installations within, and inclusive of, a decorative surround or frame; and plaque installations which include a new durable support object or base (for example, plaques mounted on a raised pedestal, boulder, wall, or other vertical element, where the support object is proposed new, as a component of the overall monument proposal.
- (3) MARKERS: are small scale, conspicuous, stand-alone objects used to distinguish or mark something.

- (4) BASIC SITE ACCESSORIES AND AMENITIES: include landscaping, benches, seating, picnic tables, drinking fountains, sundials, shade structures, mosaics, unique pathways, etc.

Complex and Large-Scale Memorials:

- (5) MEMORIALS: are medium scale and serve as a remembrance of a person or an event.
- (6) MONUMENTS: are large scale and venerated for their enduring significance or association with an especially notable past person or event.
- (7) FOUNTAINS: Range from being simple to large and complex features combining other site accessories, sculptural elements, and landscaping. All fountains require supportive plumbing and electrical systems. Fountains therefore require additional consideration and review because of the infrastructure required, additional maintenance implied, and possible environmental issues. Some monuments or memorials will incorporate a fountain element as part of the overall design.
- (8) MEMORIAL GARDENS AND PLAZAS: may include one or more of the objects listed above but will also include an overall spatial experience that usually includes elaborate landscaping.