

TOWN OF WILTON

ZONING BOARD OF ADJUSTMENT

SEPTEMBER 9, 1992

VOTING BOARD: Acting chairman Tom Mitchell; member Herb Klein;  
Alternate members Joanna Eckstrom & Jim Tuttle.

CLERK: Diane Nilsson

AGENDA: Bruce Young - request for variance.

Chairman Mitchell called the meeting to order at 7:35 p.m.

Case # 9/9/92-1 YOUNG

Bruce Young (applicant) and Pro-Cut, Inc. (owner), Intervale Road, Lot L-027 in the Residential District, requested a variance to the terms of Section 5.1 of the Wilton Zoning Ordinance to permit a wholesale <sup>bakery</sup> with limited retail facilities.

Mr. Mitchell explained that since there were only four voting members present at this meeting, Mr. Young had the choice of continuing this meeting to Tuesday, September 15, 1992 when five members could be present.

Mr. Young stated that he would like to go ahead this evening and addressed the five criteria on his application.

Mr. Klein noted that the building in question is grandfathered for Industrial use.

Mr. Young stated that he bakes from 10 p.m. to 7 a.m. and then goes out and delivers his product. He has an employee from 9 a.m. to 1 p.m. and would like to have a small retail business in operation from 6 a.m. to 12 p.m.

Selectman Stuart Draper stated that he felt there was substantial justice to the Town and to the owner of the property in allowing the bakery at this site. He felt the bakery was not too intense a use for a residential neighborhood.

Planning Board Chairman David Glines stated that he felt the primary function of the bakery would be light manufacturing.

Abutter Diane Fox stated that she felt the bakery was a good choice for that spot and did not think it would affect the neighborhood adversely but she did voice her concern about the school bus stop remaining on that property.

Abutter Bob Landry had concerns about the amount of trucks coming from and going to the property and also about the hours of retail operation. He stated that he would prefer the retail hours to be 8 a.m. to 12 p.m. instead of 6 a.m. to 12 p.m.

Mr. Young stated that he has approximately three deliveries per week and 1-2 pick-ups per week from Parker's Maple Barn.

The Board felt that this business would have less impact than many others for a residential neighborhood.

MOTION: Mr. Tuttle moved to grant the variance as presented, seconded by Mr. Klein with all in favor.

Mr. Mitchell stated that the variance had been granted. He further stated that the Selectmen, any party to the action or proceedings, or any person affected thereby may apply for a rehearing of this decision. A request for a rehearing must be filed in writing with the Zoning Board of Adjustment on or before September 29, 1992, and must fully specify all grounds on which the rehearing is requested.

FINDINGS OF FACT:

1. The proposed use would not diminish the surrounding property values because **an occupied building is less likely to diminish property values than an unoccupied building.**
2. Granting this variance would be in the public interest because **the use of the building promotes a better economy for the Town of Wilton.**
3. Denial of the variance would cause unnecessary hardship because of the following special circumstances which make the property unique from other properties in the same district: **A wholesale, limited retail bakery fits this unique property and makes use of a grandfathered industrial property in a residential zone.**
4. Granting this variance would do substantial justice because **it allows a vacant building to be put to use and it allows a new business in the area.**
5. The use is not contrary to the spirit of the ordinance because **the business is primarily light manufacturing.**

MOTION: Ms. Eckstrom moved to adjourn the meeting, seconded by Mr. Klein with all in favor.

The meeting was adjourned at 8:50 p.m.

Respectfully Submitted,

Diane Nilsson

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Zoning Board Secretary