

PLANNING & ZONING
COMMISSION
Telephone (203) 563-0185
Fax (203) 563-0284



TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut 06897

RESOLUTION #0222-476SP

February 14, 2022

WHEREAS, the Wilton Planning and Zoning Commission has received an Amendment to Special Permit application, **SP#476**, for Rise Tribe LLC dba Rise Doughnuts from Hugh Mangum to allow a wheelchair accessible ramp, screening and outdoor dining on an existing patio for property located at 28 Center Street, in the Wilton Center “WC” District, Assessor’s Map #73, Lot #13, consisting of 1.16 acres owned by the Old Post Office Square LLC and shown on the plans entitled:

Site Plan, entitled “ Map of Property Prepared for Old Post Office Square, LLC 10-30 Center Street, Wilton, CT” prepared by Roland Gardner, Land Surveyor and drawn at a scale of 1” =20’.

Architectural Plans, entitled “Propose Outdoor Seating Plan, Dough-nut Shop, 28 Center Street, Wilton, CT for Rise Tribe LLC, 28 Center Street, Wilton, CT”, prepared by Marinelli Architects + Planners, Stamford, CT, Sheet A-101, dated 2-1-22, scale 1/4” = 1’-0”.

WHEREAS, the Wilton Planning and Zoning Commission has determined that the modification to allow accessibility and outdoor dining are both goals of the 2019 Plan of Conservation and Development and the application is in substantial compliance with the Wilton Zoning Regulations and, in particular, those requirements governing a fast food restaurant in the Wilton Center zone and the Village Design Guidelines.

WHEREAS, the Wilton Planning and Zoning Commission has determined that the application is in substantial compliance with the Wilton Zoning Regulations;

NOW THEREFORE BE IT RESOLVED that the Wilton Planning and Zoning Commission **APPROVES** an Amendment to Special Permit #476 to allow the establishment of an outdoor dining area and an adjacent wheelchair accessible ramp, for Rise Doughnuts at 28 Center Street, effective February 18, 2022, subject to the following conditions:

1. This Resolution does not replace requirements for the applicant to obtain any other permits or

licenses required by law or regulation by the Town of Wilton, such as, but not limited to: Zoning Permit, Sign Permit, Building Permit, Certificate of Zoning Compliance; or from the State of Connecticut or the Government of the United States. Obtaining such permits or licenses is the responsibility of the applicant.

2. In accordance with Section 8-3.(i) of the Connecticut General Statutes, all work or physical improvements required and/or authorized by the approved Site Plan shall be completed within five years of the effective date of this resolution. This five-year period shall expire on February 18, 2027.
3. The applicant shall file a Land Record Information Form for an Amendment to Special Permit #476, with the Town Clerk (form to be provided by the Planning and Zoning Department) prior to the issuance of a zoning permit.
4. The exterior layout of the outdoor dining area shall be consistent with those plans submitted by the applicant. Any change shall be subject to the review of the Commission's staff and/or Planning and Zoning Commission.
5. Any additional light fixtures shall comply with all Planning and Zoning lighting regulations and shall be subject to Planning and Zoning staff review and approval.
6. That the screening, lighting and accessible ramp were reviewed and approved by the Village District Design Review Committee.

Submittal of revised plans and application:

7. One (1) completed revised set, (collated and bound) shall be submitted to the Commission's office for endorsement as "Final Approved Plan" by the Town Planner prior to the issuance of a Zoning Permit. Said plans shall include all revisions noted above and shall bear an ORIGINAL signature, seal and license number of the professional responsible for preparing each plan or portion of it. Said plans shall include the following notes:

- a. "Pursuant to Section 8-3.(i) of the Connecticut General Statutes, all work in connection with this Special Permit shall be completed within five years after the approval of the plan. Said five-year period shall expire on February 18, 2027."
- b. "For conditions of approval for an Amendment to Special Permit #476, see Resolution **#0222-476SP**

-END RESOLUTION-