

WILTON ZONING BOARD OF APPEALS

NOTICE OF APPEAL

ZBA#

A notice of appeal shall be in accordance with Section 29-13.B. of the Wilton Zoning Regulations and Chapter 124, Section 8-6 of the General Statutes of Connecticut.

All appeals to the Zoning Board of Appeals (ZBA) from an order, requirement, decision or determination of the Zoning Enforcement Officer (ZEO) shall be taken within 30 days of same

No question of hardship shall be involved in such appeal, and the action of the ZBA is limited to the question of whether or not, and to what extent such order, requirement, decision, or determination was a correct interpretation of the subject provision of the Zoning Regulations.

Please TYPE or print clearly...

DOUGLAS CUTLER		221 HANBURY ROAD, WILTON	
APPELLANT'S NAME		ADDRESS	
DOUGLAS CUTLER - BETTER ENVIRONMENTS LLC		221 HANBURY RD.	
OWNER'S NAME		ADDRESS	
24 HANBURY ROAD		DRB	
PROPERTY LOCATION		ZONING DISTRICT	
		83-17	
		34 ACRE	
WLR MAP #	VOLUME	PAGE	TAX MAP # LOT # ACREAGE

Please state concisely the alleged error in the order, requirement, decision or determination of the ZEO from which this appeal is taken. Attach a copy of said order, etc. Explain why the order, requirement, decision is appealed.

PLEASE SUBMIT:

- 1) TEN (10) COLLATED COPIES. (ATTACH SEPARATE SHEETS, if required.)
- 2) \$310 FEE PAYABLE TO: Town of Wilton
- 3) ELECTRONIC SUBMISSION of ALL materials, via PDF email

SEE ATTACHED REPLY

THE UNDERSIGNED WARRANTS the truth of all statements contained herein and in all supporting documents according to the best of his or her knowledge and belief; and hereby grants visitation and inspection of the subject property as described herein.

APPELLANT'S SIGNATURE

7/30/21
DATE

EMAIL ADDRESS

203-761-9561
TELEPHONE

OWNER'S SIGNATURE

7/30/21
DATE

EMAIL ADDRESS

203-761-9561
TELEPHONE

July 27 2021

RE; Reply & Appeal to Notice on Cease & Desist
24 Danbury Road.
Wilton, CT
Dated, 7-20-2021

The property at 24 Danbury Road is primarily used for Retail & Office which are permitted uses in the DRB Zone. The total square footage of approximately 22,000 has about 4,000 square feet of basement used for tenant storage and mechanical systems

There is one tenant that is using space exclusively in the basement for storage. We have given notice to Cassandra Arcano to vacate for storage use.

Walter Schalk Dance Studio had retail & dance studio business in the building with storage as an accessory use. He vacated the retail component and requested not to vacate storage. He is being evicted for nonpayment of rent. Notice has been sent by State Marshall. The State mandate has a 6-month moratorium on past due rent.

The following tenants have office and retail with accessory use for storage. Accessory storage use is permitted. If the town's interpretation of the DRB does not allow accessory storage use than certainly most of the users in DRB Zone of office and retail would be non-compliant under this interpretation.

1. Wilton Laundromat has accessory storage and mechanical space in the basement necessary to run the business.
2. Cares Contracting has retail space on main floor with accessory storage for stock and tools for their business.
3. Liz Hair Salon has mechanical and miscellaneous/accessory storage in the basement.
4. Day Spa has mechanical equip. and minor miscellaneous storage.
5. Your Tech Department a computer repair and tech services with office on second floor has basement and 3rd level storage which houses computer equipment and tools required for business.
6. Wilson Artisans Inc a art and restoration company has office space on second floor with accessory storage in basement and 3rd floor.
7. Evan's Complete Landscaping & Treework has office on second floor with tools and equipment in basement as accessory storage
8. Mehlika Citack is a wholesale designer of children's jewelry and hair accessories called M-Accessories of Children jewelry with office on second floor and stock on 3rd floor.
9. Douglas Cutler Architects PC, surely as the property owner, I have the rights to store my drawings and files on the 3rd floor as part of my architectural practice. If I should be denied this right then certainly most of the property owners in DRB Zone will not comply.
10. Better Environments LLC. a real estate holding company owned by me Douglas Cutler has basement storage for paper products for bathrooms, paint and tools for repair of

building etc. Certainly I have the right to use this space as accessory storage.

If somehow I am denied the rights of use of my property and these privileges of ownership, I will defend these rights in court. I will submit this correspondence to State Superior Court for my ongoing tax appeal as an example of the narrow and restrictive definition of the DRB zone by the Town of Wilton and how it further diminishes the value of the property .

Respectfully,

A handwritten signature in black ink, appearing to be 'Douglas Cutler', with a large, stylized initial 'D' and a long, horizontal flourish extending to the right.

Douglas Cutler

President

Better Environments LLC

cc: Joseph Mulvey Esq.

Certified Mail , Regular Mail and email



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WILTON, CT 06897-9998
(800) 275-8777

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Wilton, CT 06897

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Wilton, CT 06897

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238 DANBURY ROAD
WILTON, CT 06897

Postmark Here
JUL 26 2021
07/27/2021

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

1246 51-7010/2111 135

WEBSTER BANK
WILTON, CT 06897

7/29/2021

PAY TO THE ORDER OF TOWN OF WILTON

Three Hundred Ten and 00/100

TOWN OF WILTON
Town Hall
238 Danbury Road
Wilton, CT 06897

MEMO

Appeal fee on Cease & Desist

AUTHORIZED SIGNATURE

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