

Town of Calais
Development Review Board

Request for a conditional use permit for a change of use from a small, wholesale bakery to a retail business for Sundays only.

Appellants: Ann Bakst and Robert Hunt of Bohemian Bread
Member of the DRB participating in the hearing were Steve Reynes, Acting Chairman, and members Barbara Weedon, Walter Amses, Steve Duke, and Ruth Porter

FINDINGS OF FACT

On October 24, 2012, the appellants submitted an application, 2012-57, requesting a change of use to allow their small bakery to be a retail business for five hours on Sundays. For about a year and a half, up until September 3, 2012, the Bohemian Bread Company had been running a retail business every Sunday from 10am to 3pm at the bakery. A permit had not been requested for that change of use. A Notice Of Violation was issued on July 24, 2012. There had been numerous complaints that the customers of the Sunday business were parking along the road, making it impossible for regular traffic to get through. The appellants submitted an application, 2012-37, which contained a map of where 15 cars could be parked on the property, but DRB members, after a site visit on September 3, 2012, felt that there needed to be parking for between 22 and 35 cars. Ann Bakst and Robert Hunt did not want to put in so much parking, and they decided to withdraw the part of that application which requested a change of use to a retail business one day a week. They voluntarily closed down the Sunday retail operation. Later, they made several parking lots behind the bakery and behind their barn, and on October 24 they reapplied.

There was a duly warned public hearing held on November 15, 2012. The application included a diagram of the new parking lots with at least 24 parking spaces. It also included an overflow parking area beside the road behind the bakery building. A neighbor, Tina Bielenberg objected to that space being used as an overflow parking lot, and Ann Bakst and Robert Hunt agreed to withdraw that space as a possible parking space. The record was closed on the application on November 15, 2012.

DECISION

The DRB finds that the Bohemian Bread Company owned by Ann Bakst and Robert Hunt shall be given a conditional use permit to change their bakery into a retail business on Sundays from 9am to 3pm. Neither the Required nor the Discretionary Standards in the Regulations under Conditional Use Review are affected except for D3, which requires the DRB to consider the traffic on the roads and highways in the vicinity. The DRB feels that since the retail business will only operate on Sunday

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Town of Colton
Development Review Board

request for a conditional use permit for a change of use from a small
retail bakery to a retail business for Sundays only.

Applicants Ann Bakst and Robert Hunt of Bohemian Bread
Member of the DRB participating in the hearing were Steve Kerner,
Aging Chairman, and members Barbara Washon, Walter Amos, Steve
Dobler, and Keith Porter.

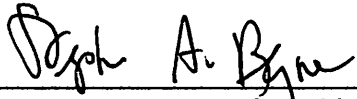
FINDINGS OF FACT

On October 24, 2012, the applicants submitted an application, 2012-27,
requesting a change of use to allow their small bakery to be a retail
business for five hours on Sundays. For about a year and a half up
until September 2, 2012, the Bohemian Bread Company had been
running a retail business every Sunday from 10am to 3pm at the bakery.
A permit had not been requested for that change of use. A Notice Of
Violation was issued on July 24, 2012. There had been numerous
complaints that the customers of the Sunday business were parking
along the road, making it impossible for regular traffic to get through.
The applicant submitted an application, 2012-27, which contained a
map of where 15 cars could be parked on the property, but DRB
members after a site visit on September 3, 2012, felt that there needed
to be parking for between 25 and 35 cars. Ann Bakst and Robert Hunt
did not want to put in so much parking, and they decided to withdraw
the part of that application which requested a change of use to a retail
business one day a week. They voluntarily closed down the Sunday
retail operation. Later, they made several parking lots behind the bakery
and behind their barn, and on October 24 they re-applied.
There was a duly noticed public hearing held on November 15, 2012.
The application included a diagram of the new parking lots with at least
25 parking spaces. It also included an overflow parking area beside the
road behind the bakery building. A neighbor, Jim Harkins, objected to
that space being used as an overflow parking lot, and Ann Bakst and
Robert Hunt agreed to withdraw that space as a possible parking space.
The record was closed on the application on November 15, 2012.

DISCUSSION

The DRB finds that the Bohemian Bread Company owned by Ann Bakst
and Robert Hunt shall be given a conditional use permit to change their
bakery into a retail business on Sundays from 9am to 3pm. Whether the
Regulated use Review and affected except for DR, which requires the
DRB to consider the traffic on the roads and highways in the vicinity.
The DRB feels that since the retail business will only operate on Sunday

and since the bakery will now have plenty of off-road parking, the highways and roads in the vicinity will not be adversely affected. The DRB grants the request for change of use with the understanding that the on-site retail sales shall be limited to products produced on the premises.



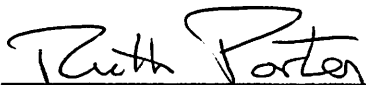
Steve Reynes, Acting Chairman



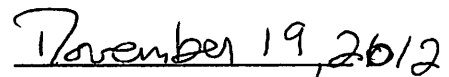
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Steven Duke, Member

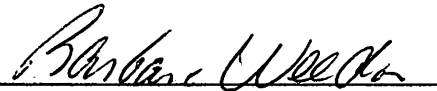
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Ruth Porter, Member



Date



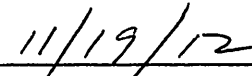
Barbara Weedon, Member



Date



Walter Amses, Member



Date