

August 24, 2020

#20-08 – Wheaton - Subdivision

Location: (Assessor's map 5, Block 14, Lot 16-1)

Zone/Lot Size: GR 80 zone/ acres +/-29.0

Intent: 3 lot subdivision

Application Received: July 22, 2020

Application Acknowledged: July 27, 2020

Public Hearing Opened: August 24, 2020

Review: The applicant is proposing to subdivide the subject property into three lots for residential development. Lot 1 is a frontage lot with 4.46 acres; lot 2 is a frontage lot with 4.32 acres; lot 3 is a rear lot with 16.28 acres. The proposal is a traditional subdivision design as opposed to a conservation subdivision design due to the size, configuration and wetlands constraints on site. This is included as one of the waivers requested by the applicant.

The Commission may recall that the applicant appeared at the July 27 meeting to review the proposal preliminarily as well as the waivers that are being requested. Please refer to the enclosed letter from the applicant. The Commission and Staff did not have any concerns with the proposal and the waivers requested.

Conservation easements are proposed over several wetland areas on all three lots. A total of 8.41 acres are proposed to be conveyed to the town, which is 29% of the overall property.

The Town Engineer/Wetlands Agent has submitted his comments as per an August 18 email to Planning Staff. He indicates that the Inland Wetlands Agency approved the project at its July 24 meeting, as well as 3 other comments that are pertinent to the proposed plans. These items should be addressed by the applicant. Please refer to the enclosed copy.

The Sanitarian has submitted his comments as per an August 14 memorandum. He indicates that the proposal complies with the Public Health Code. Please refer to the enclosed copy.

Upon review of the subject plans, Staff has the following comments:

: The State Archaeologist has not yet responded to a request for input on the proposal. The applicant needs to submit a copy of the letter that was sent to that office. There is a 30 window for the State Archaeologist to respond, or it is presumed that the office has no comment. The

applicant should attempt to contact the office again. Staff is aware that there was an interim State Archaeologist due to the position being open.

: The applicant needs to submit evidence that the public hearing sign was posted in a timely manner.

: Staff suggests that the clearing limits/limits of disturbance be marked in the field by the surveyor prior to site disturbance for lots 1 and 2 as well as the driveway access for lot 3 to ensure that the approved clearing limits are adhered to in the field.

: The conservation easement markers should be placed on the properties to clearly delineate the easement areas prior to any site disturbance to ensure that encroachment does not occur.

: The proposed conservation easement area should appear on sheet 2 for lot 1 to clarify the presence of the conveyance.

: The limits of the driveway for lot 3 where it will be in close proximity to the property line should be staked in the field by the surveyor to ensure that the 5' setback is complied with.

: The proposed driveway turnout that is located in the regulated area could be considered to be relocated where the lot widens out, after the wetlands pocket. This will provide for less disturbance in the regulated area and make the turnouts more strategically located.

: The temporary soil stockpile location should be identified on lot 3.

: Staff suggests connecting the two wetlands pockets on the southerly side of lot 3 to create a uniform conservation easement area. The northerly easement line on the .46 acre wetland area could be simply extended in a westerly direction to connect with the other easement area. This area would be contiguous with the Liberty Croft Subdivision open space.