

Conclusion 5: It appears that the proposed water supply will be adequate for the proposed use, and that it will not adversely impact existing water supplies in the vicinity.

Section 7.7—Sewage Disposal

23. The application proposes a new wastewater disposal system to serve Lot 2, and identifies an area for a replacement wastewater disposal system for Lot 1. The proposed replacement area for Lot 1 and the proposed primary system for Lot 2 are both located on Lot 1.
24. The application includes draft language for a wastewater disposal easement benefitting Lot 2.
25. The applicant has obtained a Wastewater System and Potable Supply Permit (WW-138-1202) for the proposed subdivision.
26. The survey plat also depicts a wastewater disposal easement that benefits Clark W. Hinsdale III, which is also located on Lot 1 south of and adjacent to the easement for the primary system proposed to serve Lot 2. Mr. Hinsdale stated at the public hearing this system is not currently being proposed for permitting, but may be used in the future in association with a development proposal on one or more other parcels.
27. The boundary of the easement benefitting Mr. Hinsdale is very close to a proposed boundary line between Lot 1 and Lot 2 but at a slightly different bearing.

Conclusion 6: The parcel has sufficient wastewater disposal capacity. Some revisions to the plat are needed to avoid potential future confusion regarding the two wastewater disposal easements on Lot 1, and also between the location of the easement benefitting Hinsdale relative to the nearby proposed boundary between Lot 1 and Lot 2.

Section 7.8—Stormwater Management & Erosion Control

28. The project involves the development of one building lot and associated infrastructure on an 8.42 acre parcel, resulting in two dwellings on 11.41 acres. This is a low intensity development.
29. The project will not affect steep or very steep slopes.
30. Development is not proposed near surface water or other sensitive areas.

Conclusion 7: Considering the above findings, erosion and stormwater run-off are not likely to create impacts beyond the immediate development site.

Section 7.9—Landscaping and Screening

31. The application does not propose extensive removal of existing vegetation, except for the proposed location of the driveway as depicted on the plan by Heindel & Noyes.
32. The development site is not adjacent to surface waters.
33. The proposed driveway is likely to produce headlight glare at the existing dwelling on the adjoining parcel to the south.
34. Landscape mitigation, such as a row of cedar trees, could help reduce the prospective headlight glare.

Conclusion 8: Shifting the driveway serving Lot 2 to preserve existing vegetation within the proposed right-of-way would reduce impacts to the adjoining property and to Spear Street. Additionally, some landscape mitigation is appropriate to reduce the

prospective headlight glare at the dwelling on the adjoining parcel to the south.

Section 7.10—Roads, Driveways & Pedestrian Access

35. The proposed subdivision will not create a significant increase in traffic on public roads in the vicinity of the project over what currently exists.
36. The applicant has obtained a Highway Access Permit (HAP-12-01), which allows the centerline of the existing access on Spear Street to be moved 48 feet to the south, and also allows this access to serve as a shared driveway for Lot 1 and Lot 2.
37. As depicted on the proposed plat, the northerly boundary of the proposed 50 foot wide right-of-way & utility easement is 48 feet from the centerline of the existing driveway. In this depiction, the easement does not include the egress lane of the driveway.
38. Condition 1 of HAP-12-01 states “the first 30 feet of the new driveway will be level with Spear Street.”
39. The Recommended Standards for Developments and Homes (adopted by the Planning Commission in September, 1997), which are referenced in Section 3.2(D)(2) of the Regulations, requires driveways to have a maximum grade of 8%.

Conclusion 9: The project is unlikely to create unreasonable traffic congestion or unsafe traffic conditions. The right-of-way easement depicted on the plat should be revised to include the egress lane of the driveway.

Section 7.11—Common Facilities, Common Land, & Land to be Conserved; and

Section 7.12—Legal Requirements

40. No common land is proposed.
41. The applicant proposed that all of the area on Lot 2 outside of the building envelope is to be put under an Open Space Agreement with the Town.
42. The applicant has submitted a draft Open Space Agreement.
43. The project includes an access and utility easement and a wastewater easement over Lot 1 in favor of Lot 2.
44. Clark W. Hinsdale, III also holds an easement for wastewater disposal.
45. Draft easement language for all easements was submitted with the application, except that a utility line easement appears to be needed to bring power, telephone and other utilities from the existing utility pole at Spear Street to the proposed utility easement.
46. The landscape mitigation required by this decision (see Conclusion 7 above and Condition 4 below) is not extensive enough to warrant surety such as bonding or a letter of credit, however, a certification from a landscape designer or landscape architect confirming that such landscape mitigation has been installed in a manner that will be effective would be appropriate.

Conclusion 10: The application has provided sufficient easement language with the exception of a utility line easement. The application has provided an appropriate document for the proposed open space, subject to the review and approval of the Selectboard and Town Attorney. A certification from an appropriate professional regarding the landscape mitigation will adequately address such a condition.

The applicable standards in Chapter VIII are reviewed below in Findings 47-50.

General Standards and Rural District Standards