



MEMO

TO: Planning Board
FROM: Scott Hastings, Assistant Town Planner
DATE: February 3, 2017
RE: Application Review — 1376 Route 1
Map & Lot: 0097-0018

OVERVIEW

This is an application for a revision to a Planning Board approved plan. The applicant is proposing a garage addition to the existing mixed use building on site. The garage would be a part of the residential use and served by an existing, unapproved drive.

JURISDICTION

This is an application for a Route One Use Permit as required by §4.1.4 and §18.1 of the Zoning Ordinance.

RECOMMENDATIONS

1. Application Acceptance. This is an application for a Route One Use Permit, which requires the Board's approval. As no changes are proposed to the site and site conditions are adequate for the use the Board can accept this application without further submitted materials.
2. Public Hearing. Following the application acceptance vote, conduct the public hearing to identify any issues or concerns relevant to the decision-making process.
3. Substantive Review and Deliberation. I believe the relevant issues for the Planning Board as part of this application include:
 - A. **History:** The property as it is now was originally approved by the planning board in 2002. The rear drive was added in XXXX
 - B. **Use:** All uses on site have been approved by the planning board and are allowed in this zone (§4.1.4).

- C. **Site conditions:** As an existing site with approval of the town any non-conforming conditions on the site are legal non-conforming and Planning Board jurisdiction is limited. Minimal changes to site conditions are proposed.
- **Differences between approved plan and existing conditions:**
The rear entrance drive off of Mountain Road and the portion of drive looping to the rear of the building were not part of the 2002 approval. There is no evidence that these additions were approved or permitted through the town.
- D. **Impervious Surface:** The proposed impervious surface coverage of 49.3% is below the 50% max allowable.
- E. **Setbacks:** The proposed garage addition is in conformance with the setback requirements.
- F. **Bufferyards:** The driveway that accesses the proposed garage is existing and non-conforming to §6.3.9 which requires a 30 foot undeveloped bufferyard along the rear property line.
- G. **Traffic and Parking:** The addition of a residential garage does not change the traffic or parking requirements of the site.
- H. **Stormwater:** The proposed garage is minor and does not change the previously approved stormwater plan. The existing non-conforming drive may change this plan and has not been reviewed.

4. Decision: The board must consider the driveway's intrusion into the rear bufferyard. It can chose to waive the rear bufferyard requirement, in which case this application can be approved. This would bring the existing conditions into legal, non-conforming status. If the board is unwilling to waive this requirement the driveway cannot be in the shown location and the application cannot be approved.