



Memorandum

To: Paul A. Croce, Chairman
Planning Board members

From: Ron Wolanski, Town Planner

Date: April 1, 2022

Re: Request of Benjamin J. Contessa for approval of an administrative subdivision to transfer 1,960 sq.ft. of land from one existing lot to another. Property located at 183 Wolcott Ave., Plat 115SE, Lots 282 & 283.

This item is a resubmission of a prior plan for the subject property. The applicant has decided to not proceed with the plan approved by the Planning Board on February 9, 2022 and is requesting that the design originally submitted in December 2021 be approved.

Due to the nature of the proposed administrative subdivision, pursuant to Section 405 of the *Rules and Regulations Regarding the Subdivision and Development of Land*, I have decided to refer the above referenced application to the Planning Board for consideration.

The applicant is proposing to relocate the existing property line between the subject lots. The line currently bisects the existing dwelling. The relocated line would avoid the dwelling. Lot 282 would become a vacant, developable lot. The property is located in the R-10 zoning district. Both resulting lots would meet the minimum lot area requirement for a single-family dwelling of 10,000 sq.ft., however the existing structure on the property is a two-family dwelling, which requires 15,000 square feet of land. Zoning relief would be required for the following:

- Proposed side setback on Lot 283, where the existing building would be within 2.3 feet of the relocated property line.
- Both lots would have less than the required street frontage of 100 feet along Wolcott Ave.
- Zoning relief would be required to allow for the existing two-family dwelling to be located on a 10,960 sq.ft. lot where 15,000 square feet is required. Note that the prior submission did not indicate that the existing structure is a two-family dwelling.

Should the Board wish to proceed with an approval of the plan, it must be a conditional approval subject to the applicant seeking, and being granted the required zoning relief by the Zoning Board of Review.

Required findings (Subdivision rules and regulations section 403)

The following is a list of the required findings the Board **must** make in approving a subdivision. The Board should make its own conclusions as to the consistency of the plan with these findings.

1. The proposed development is consistent with the comprehensive community plan.
2. The proposed development is in compliance with the standards and provisions of the Town zoning ordinance.
3. There will be no significant negative environmental impacts from the proposed development.
4. The subdivision will not create lots where physical constraints would make building on the lots impracticable.
5. All subdivision lots shall have adequate and permanent physical access to a public street.

The application was certified complete on March 23, 2022. The Planning Board must approve, approve with conditions, or deny the application with 65 days of certificate of completeness: May 27, 2022.

cc. Town Solicitor
Applicant's representative