

Responses to the general criteria required for consideration of a conditional use permit

C. Criteria Required for Consideration of a Conditional Use Permit. A conditional use permit shall be granted only if the Planning Board determines that the proposal conforms to all of the following conditional use permit criteria:

1. Site suitability: the site is suitable for the proposed use. This includes:

a. Adequate vehicular and pedestrian access for the intended use.

N/A

b. The availability of adequate public services to serve the intended use including emergency services, pedestrian facilities, schools, and other municipal services.

N/A

c. The absence of environmental constraints (floodplain, steep slope, etc.).

Much of the area we propose to landscape falls within the SPOD, and we have addressed the criteria for receiving a conditional use permit within the SPOD in a separate document. Our project is designed to restore and improve the area around our house that was disturbed during renovation.

d. The availability of appropriate utilities to serve the intended use including water, sewage disposal, stormwater disposal, electricity, and similar utilities.

In place to service our house.

2. External impacts: The external impacts of the proposed use on abutting properties and the neighborhood shall be no greater than the impacts of adjacent existing uses or other uses permitted in the zone. This shall include, but not be limited to, traffic, noise, odors, vibrations, dust, fumes, hours of operation, and exterior lighting and glare.

Our project will not change the use of our house as a single-family dwelling, so it will not introduce new traffic, noise, odors, vibrations, dust, or fumes, and will not create a facility with hours of operation. We will not introduce any new exterior lighting that might bother our immediate neighbors or disturb wildlife at night.

In addition, the location, nature, design, and height of the structure and its appurtenances, its scale with reference to its surroundings, and the nature and intensity of the use, shall not have an adverse effect on the surrounding environment nor discourage the appropriate and orderly development and use of land and buildings in the neighborhood.

Our project is designed to restore the land around our house, integrating the structure into the site, improving drainage, stabilizing the soil, and encouraging the growth of native species. All features are designed to harmonize with existing site contours and the scale of the house.

3. Character of the site development: The proposed layout and design of the site shall not be incompatible with the established character of the neighborhood and shall mitigate any external impacts of the use on the neighborhood. This shall include, but not be limited to, the relationship of the building to the street, the amount, location, and screening of off-street parking, the treatment of yards and setbacks, the buffering of adjacent properties, and provisions for vehicular and pedestrian access to and within the site.

Our project will not change the relationship of our house to the street. It will not change the amount, location or screening of off-street parking in the driveway, the treatment of setbacks, buffering of adjacent properties or provisions for pedestrian or vehicular access within the site. We intend it to improve the appearance of the yard on all sides and improve drainage.

4. Character of the buildings and structures: The design of any new buildings or structures and the modification of existing buildings or structures on the site shall not be incompatible with the established character of the neighborhood. This shall include, but not be limited to, the scale, height, and massing of the building or structure, the roofline, the architectural treatment of the front or street elevation, the location of the principal entrance, and the material and colors proposed to be used.

N/A

5. Preservation of natural, cultural, historic, and scenic resources: The proposed use of the site, including all related development activities, shall preserve identified natural, cultural, historic, and scenic resources on the site and shall not degrade such identified resources on abutting properties. This shall include, but not be limited to, identified wetlands, floodplains, significant wildlife habitat, stonewalls, mature tree lines, cemeteries, graveyards, designated historic buildings or sites, scenic views, and viewsheds.

Our project is designed to respect the shoreland area of the Oyster River, and will not involve work on any of the land at the bottom of the lot by the river, or the removal of any trees. It will not introduce barriers to the movement of wildlife across the lot, or obstruct the view from any side. It will not disturb the hill that fronts the lot on Oyster River Road. By improving drainage from the area around our house and creating sustainable plantings of native species it will stabilize that area and integrate it with the rest of the lot.

6. Impact on property values: The proposed use will not cause or contribute to a significant decline in property values of adjacent properties.

Our landscaping will improve our lot both structurally and aesthetically, and so enhance its relationship with adjacent properties.

7. Availability of Public Services & Facilities: Adequate and lawful facilities or arrangements for sewage disposal, solid waste disposal, water supply, utilities, drainage, and other necessary public or private services, are approved or assured, to the end that the use will be capable of proper operation. In addition, it must be determined that these services will not cause excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police protection, fire protection, and schools.

N/A

8. Fiscal impacts: The proposed use will not have a negative fiscal impact on the Town unless the Planning Board determines that there are other positive community impacts that off-set the negative fiscal aspects of the proposed use. The Planning Board's decision shall be based upon an analysis of the fiscal impact of the project on the town. The Planning Board may commission, at the applicant's expense, an independent analysis of the fiscal impact of the project on the town.

N/A