

Northern Cross, LLC.
Project Narrative and Waiver Request
Samson Road, Cornwall, Vermont
October 1, 2021

Project Description

Northern Cross, LLC. Attn: Gregor Kent owns a 3.81± acre undeveloped parcel of land located at Samson Road in Cornwall which they are proposing to improve with a One Family Dwelling in a manner consistent with the goals set forth in the Town Plan for the Cider Mill – Ridge Road land use area, and with the objectives of the Medium Density Residential (MDR) zoning district.

The parcel being developed is defined by section 501 as an Interior Lot because it does not have frontage on either a public road or public waters. As a result, the 100-foot minimum front yard setback for the MDR district is applied to all yard setbacks. Combined with the narrow lot shape, these setbacks prevent the property from being developed in a manner best-aligned with the town’s planning and zoning goals. Therefore, in accordance with section 380 of the Zoning Regulations, a waiver to the minimum Setback dimensional standards is being requested as follows:

<u>Description</u>	<u>Standard</u>	<u>Proposed</u>
Setback – East:	100 Feet	25 Feet (Waiver Requested)
Setback – North:	100 Feet	50 Feet (Waiver Requested)
Setback – South:	100 Feet	50 Feet (Waiver Requested)
Setback – West:	100 Feet	100 Feet

Town of Cornwall, Zoning Regulations

In accordance with **Section 380: Waivers** of the Town of Cornwall Zoning Regulations, applicants may apply for site waivers of dimensional requirements pursuant to the criteria set forth in Sections 381-385. Specifically, in accordance with **Section 383: Review Criteria**, the Zoning Board of Adjustment may grant waivers to reduce dimensional requirements, if the applicant can satisfy the following standards:

1. The waiver requested is for a use permitted within the district in question as a by right use (as opposed to a conditional use).

In accordance with section 250, a One Family Dwelling is a Permitted Use within the MDR zoning district.

2. The waiver requested is in conformance with the Town Plan and the goals set forth in Section 4302 of the Act.

The requested waiver is consistent with both the Town Plan and 24 V.S.A. 4302. Specifically, Nature and The Environment Goal #3 of the Town Plan is to “Protect and enhance the rural, scenic character of Cornwall’s landscape”. In order to achieve this goal, a waiver of the interior lot setbacks is requested to locate the building as proposed for the following reasons:

- a) **The proposed building and its associated infrastructure are clustered in the easterly end of the parcel to allow for the remainder of the parcel to remain unfragmented and naturally wooded.**
 - b) **The proposed building location allows for easier use of an existing right-of-way that allows for a shorter driveway across the parcel, thereby resulting in less disturbance of the surrounding area.**
3. The waiver requested is designed to conform to the character of the land use area in which it lies as defined in the Plan and further designed to reasonably limit impact or the potential for impact upon one's neighbors.

Although the parcel is by definition an Interior Lot, the requested 50 feet minimum setback along the northerly and southerly boundaries is consistent with neighboring lots. The requested 25 feet minimum setback for the easterly boundary will ensure that the proposed building is not in close proximity to the naturally steep slope adjacent to the proposed building site. As stated in Standard #2 above, the 25 feet minimum setback will allow for a shorter driveway across the parcel to reduce the amount of clearing and disturbance to the area.

4. The design used incorporates design techniques (restricted height, lack of windows), screening (fencing or plantings) or other remedies to reasonably limit impact or the potential for impact upon one's neighbors.

The proposed location of the house is currently situated out of sight of neighboring dwellings and is concealed by existing tree cover on all sides. Additional measures such as further screening, lack of windows, etc. can be incorporated into the design at the Board's direction.

5. The waiver requested accommodates structures providing for disability accessibility, fire safety and other requirements of land or energy conservation or renewable energy structures, or renewable energy structures.

The requested waiver for building setbacks will consume less land and energy as a result of the shorter drive and clustered improvements.