



Town of Bolton Development Review Board

Bolton Town Office
3045 Theodore Roosevelt Highway
Waterbury, VT 05676
802-434-5075

Patrick Mallow & Barbara Mallow
Final Subdivision Approval – PRD
Application #2014-29-SD.PRD
June 3, 2015

Applicants

Barbara Mallow
1376 Leary Road
Jericho, VT 05465

Patrick Mallow
PO Box 243
Jonesville, VT 05466

Application

(Application materials on file at the Bolton Town Office)

The applicants, Barbara Mallow and Patrick Mallow, have requested final subdivision and planned residential development (PRD) review and approval for a 2-lot subdivision of the parcel located at 1376 Leary Road (ID# 11-0081376). This parcel is bisected by and accessed from the Leary Road. The subdivision will create two single family residential parcels: a 0.91 acre parcel (Lot 1) west of Leary Road and a 3.94 -acre parcel (Lot 2) located east of Leary Road. The parcel to be subdivided is entirely within the Rural I District and contains mapped Class 2 wetlands. Lot 1 contains an existing garage and single family dwelling. Lot 2 contains an existing garage and a proposed single family dwelling. The applicants have requested modifications to minimum district lot size and frontage requirements, subject to PRD review and approval, to better accommodate pre-existing nonconforming structures, and to allow for a more efficient subdivision of lots separated by the existing road right-of-way.

This application has been reviewed by the Bolton Development Review Board (DRB) under the Bolton Land Use and Development Regulations (BLUDRs) as amended, effective August 9, 2010, including applicable zoning district criteria (Table 2.4), general standards (Article 3), subdivision standards (Article 7), and Planned Development standards (Article 8). Given that the application is for a 2-lot subdivision that will not require the installation of a road or other major improvements, the DRB agreed to waive preliminary subdivision review as allowed under Section 6.2(B) of the regulations. There are no previous conditions of subdivision approval attached to the parcel. The Development Review Board's procedural history and relevant findings are attached.

Decision –Final Subdivision and PRD Approval

- Denied
- Approved
- Approved with Conditions:**

The Bolton Development Review Board hereby approves the requested 2-lot subdivision and planned residential development (PRD) as shown on the draft survey plat entitled "Plat of Planned Residential Development Showing Lands of Barbara Mallow," dated January 8, 2015, as prepared by Chris Haggerty (License No. 741) of Button Professional Land Surveyors LLC, subject to the following plat revisions and conditions of approval:

1. The subdivision plat, as herein approved by the DRB, shall be submitted for recording in the land records of the Town of Bolton within 180 days of the date of this approval, or the approval shall

expire and reapplication for final subdivision approval shall be required. The applicant shall file the Mylar plat, signed by the Chair or other authorized representative of the Development Review Board, with the Bolton Town Clerk in accordance with the requirements of 27 V.S.A. Chapter 17, and provide two paper copies and one digital copy of the recorded plat, and one copy of all supporting documentation to the Zoning Administrator (see Section 6.6 of the regulations). The survey plat as recorded shall carry the following endorsement (Section 6.6):

Approved by the Development Review Board of the Town of Bolton, Vermont, on the __ day of ____ 2015, subject to all requirements and conditions of subdivision approval. Signed this __ day of ____, 2015, by _____, DRB Chair.

2. The subdivision plat to be recorded in the land records of the Town of Bolton shall show and include the following information, in addition to that shown on the draft subdivision plat:
 - a. Relocated of the access and driveway serving Lot 2, as agreed to by the applicant.
 - b. A notation indicating that all principal structures, accessory structures and parking areas must be sited within designated building envelopes as shown on the plat and marked on the ground.
 - c. A notation that wetlands and associated buffer areas identified on Lot 2, as verified in consultation with the state, shall be maintained as undeveloped "protected open space" except for allowed leach field encroachments, as indicated on the final plat.
 - d. Any revisions to mapped wetland boundaries and setbacks as verified in the field by a qualified wetlands specialist.
3. The applicant shall file the following with the Zoning Administrator prior to the issuance of a zoning permit for any site work or development on Lot 2:
 - a. Letter of approval from the Vermont Electric Cooperative for the wastewater disposal system to be located within their recorded 50' right-of-way.
 - b. Highway access permit issued by the Bolton Select Board.
 - c. Letter from a qualified wetlands specialist, or a conditional use permit issued by the Vermont Wetlands Division as applicable, verifying the status of mapped wetlands located on Lot 2, including classification, functions, boundaries and associated buffer areas.
4. The Development Review Board, in association with PRD approval, has agreed to reduce the minimum lot size required for Lot 1, and minimum frontage requirement for Lots 1 and 2, pursuant to Article VIII, Section 8.1(B), to allow for the efficient subdivision, development and use of land separated by an existing town highway right-of-way.
5. Building envelopes shall be marked on the ground with iron pins in locations indicated on the subdivision plat, as recorded in the land records.
6. All new principal buildings, accessory structures, and parking areas shall be sited within designated building envelopes as shown on the recorded plat.
7. Driveways shall be located, designed, and upgraded as necessary to meet B-71 standards.
8. The potable water supply and wastewater system serving Lot 2 shall be located and installed as shown on the site plan prepared by McCain Consulting, dated 2-17-2015, and draft survey plat dated

1-8-2015, subject to approval by the Vermont Electric Cooperative for associated work within the utility right-of-way.

9. Utility lines serving Lot 2 shall be buried, unless otherwise approved by the Development Review Board.
10. Stormwater and soil erosion during site development shall be managed in accordance with the "Low Risk Site Handbook Erosion Prevention and Sediment Control" as most recently issued by the Vermont Department of Environmental Conservation.
11. Minimum required 50-foot setback distances from wetlands on Lot 2 shall be maintained as undisturbed, vegetated buffers e, except as modified herein or under a wetlands permit issued by the state.
12. All activities on the property must comply with the Performance Standards listed in Section 3.12 of the BLUDR, including the outdoor lighting standards listed in Section 3.9.
13. Subsequent development on either lot is subject to all applicable requirements of the Bolton Land Use and Development Regulations in effect at the time of application and the conditions of subdivision and PRD approval. All applicable municipal and state permits and approvals, including highway access, and wetland permits must be obtained prior to the issuance of zoning permits and the start of site work and construction.
14. No changes, modifications or other revisions that alter the subdivision and PRD as approved, including the location of subdivision boundaries, lot lines, building envelopes, easements, or conditions of approval, shall be made without prior approval from the DRB. Any changes, modifications or revisions recorded without DRB approval shall be considered null and void.
15. The Zoning Administrator may review and administratively approve modifications that do not substantially or materially alter these conditions of approval. No other changes or modifications to approved uses and facilities shall be undertaken without prior written approval of the DRB.
16. The conditions of this subdivision approval are binding upon and enforceable against the applicants as permittee and their successors. By acceptance of this approval, the permittees agree to allow authorized representatives of the Town of Bolton to access the property subject to this approval, at reasonable times, for purposes of ascertaining compliance with the conditions of approval.

Approved with conditions (0-0) by the Bolton Development Review Board:

Michael Rainville – Yea
Charmaine Godin – Yea

Sharon Murray – Yea
Stephen Diglio – Yea

Dated at Bolton, Vermont this 3rd day of June, 2015.

For the Development Review Board:



Michael Rainville, Chair

NOTICES:

1. In accordance with 24 V.S.A. § 4449(e), applicants are hereby notified that state permits also may be required prior to land subdivision or construction. The applicant should contact the DEC Permit Specialist for District #4 (802-879-5676) to determine whether state permits are required.
2. The applicant or another interested person may request reconsideration of this decision by the Development Review Board, including associated findings and conditions, within 30 days of the date of this decision by filing a notice of appeal that specifies the basis for the request with the Secretary of the Development Board. Pursuant to 24 V.S.A. § 4470, the board may reject the request within 10 days of the date of filing if it determines that the issues raised on appeal have already been decided or involve substantially or materially the same facts by or on behalf of the appellant.
3. This decision may also be appealed to the Environmental Division of the Vermont Superior Court by the applicant or another interested person who participated in the proceeding before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Division Court Proceedings.
4. In accordance with 24 V.S.A. § 4455, on petition by the municipality and after notice and opportunity for hearing, the Environmental Division may revoke this permit based on a determination that the permittee violated the terms of the permit or obtained the permit based on misrepresentation of material fact.

Review Process

(Application materials, hearing notices, meeting minutes on file at the Bolton Town Office)

Sketch Plan Review

An initial request from the applicant for pre-application sketch plan review was received by the Zoning Administrator and forwarded to the Bolton Development Review Board (DRB) for consideration at a regularly scheduled meeting held on October 28, 2014. At this meeting the DRB reviewed the proposal for conformance with the Town of Bolton subdivision regulations.

During the meeting, the Zoning Administrator noted that, although the town road bisected the property, DRB subdivision approval was required since the portion of the lot to the west of Leary Road was less than the 2-acre minimum lot size required for the R1 District.

During the meeting Mr. Mallow presented a preliminary subdivision plat that would create a new 2+ acre "dog-leg" parcel on the east side of the road for a new single family dwelling, leaving the remaining portion of the land on the east side, including a wetland area, with the land on the west side of the road. This would be required to meet the minimum lot size requirements and to bring the subdivision into conformance with the regulations.

The DRB recommended that instead, Mr. Mallow apply for the subdivision as a Planned Residential Development (PRD) which would allow the DRB to modify minimum lot size and setback requirements, so long as each lot could meet state water and wastewater system requirements. The DRB also recommended configuring the PRD to protect the wetland area as conserved open space – either through the delineation of the wetland area and buffer on the plat, or through the designation of a building envelope that clearly excludes the wetland and buffer.

Planned residential developments are classified as major subdivisions under the regulations, but given the nature of the proposed 2-lot subdivision, the DRB also indicated that they would waive preliminary subdivision review, as allowed under Section 6.2 of the regulations.

Final Subdivision, PRD Review. A complete application for final subdivision and PRD review, dated April 8, 2015, was referred to the DRB by the Zoning Administrator. A public hearing was scheduled for April 28, 2015, and warned in accordance with Section 9.8 of the Bolton Land Use & Development Regulations (BLUDRs), and 24 V.S.A. § 4464.

The public hearing to consider the application was convened on April 28, 2015, 6:30 pm at the Bolton Town Office with a quorum of the DRB present. No conflicts of interest or ex parte communications were noted. The following persons attended and participated in the hearing process and may be afforded status as interested persons with rights to appeal this decision:

- Patrick Mallow, Applicant
PO Box 243, Jonesville, VT 05466
- Christopher Haggerty, Button Professional Land Surveyors, PC, representing the applicants
20 Kimball Avenue, South Burlington, VT 05403

In addition to the application form, the following materials were submitted in support of the application:

- “Plat of Planned Residential Development showing lands of Barbara Mallow,” prepared by Button Professional Land Surveyors, PC, Chris Haggerty No. 741, date of plat 1/8/2015;
- “Site Plan: Barbara Mallow, Single Lot Wastewater Design” prepared by Gunner McCain (LD-B #237), McCain Consulting Inc., dated February 17, 2015;
- Correspondence from William Zabiloski, State of VT DEC, dated 3/13/2015, Subject: Wastewater System and Potable Water Supply Permit #WW-4-4416 for a project located in Bolton, Vermont;
- Wastewater System and Potable Water Supply Permit #WW-4-4416, issued by the Vermont Department of Environmental Conservation, Drinking Water and Groundwater Protection Division on March 13, 2015;
- Email correspondence from Gunner McCain to Chris Haggerty dated March 4, 2015 10:56 AM, Subject: Mallow;
- Preliminary Design Elevations prepared by Hillview Design Collaborative, Richmond, VT Sheets SK1, SK2, last revised 4-10-2015;
- PRD Worksheet.

The public hearing was adjourned that evening, initiating the 45-day period for the issuance of a written DRB decision.

Findings & Conclusions

The applicants' request for subdivision and planned residential development (PRD) approval has been reviewed by the Bolton Development Review Board (DRB) for conformance with applicable zoning district, general, subdivision and planned development review standards under the Bolton Land Use and Development Regulations (BLUDR) in effect at the time of application. DRB findings and conclusions under each of these standards are presented as follows.

Zoning District Standards (Table 2.4)

Conclusion: Based on the following findings, the proposed subdivision will result in two residential parcels that include existing, nonconforming structures and, as separated by an existing town highway right-of-way, will not conform to minimum district lot size or road frontage requirements. The applicant has requested modification of district lot size and frontage requirements in order to allow for a more sensible and efficient lot layout, subject to DRB review and approval as a planned residential development.

1. The subdivision of the existing 4.85± acre parcel owned by the applicant will result in the creation of a 0.91± acre parcel (Lot 1) and a 3.94±acre parcel (Lot 2) separated by the Leary Road right-of-way. Lot 1 contains an existing dwelling and garage. Lot 2 contains an existing garage and designated building envelope for a proposed dwelling. Both lots are located in the Rural I zoning district, as shown on the draft survey plat dated 1-8-2015.
2. The existing and proposed use of each lot for a single family dwelling is allowed as a permitted use within the Rural I District.
3. The minimum dimensional requirements for this district are as follows:

	Rural I (Table 2.4)
Lot Area	2.0 acres
Road Frontage	200 feet
Setback/Front (ROW)	35 feet
Setback/Rear	35 feet
Setback/Side	35 feet

4. Lot 1, located west of Leary Road, does not meet the 2-acre minimum lot size requirement for the Rural I District. Lot 2, located east of Leary Road meets the minimum 2-acre lot size requirement for the Rural I District. The applicant has requested a modification of lot size requirements for Lot 1, subject to DRB review and approval as part of a PRD, to allow for a more efficient layout of lots to be separated by the existing town highway right-of-way.
5. As shown on the survey plat dated 1-8-2015, Lot 1 will retain 115.6± feet of frontage along the west side of the Leary Road. Lot 2 will include 185.6± feet of frontage along the east side of the road. As such, neither lot will meet the 200-foot minimum road frontage requirement in the Rural I District, unless modified by the DRB, subject to PRD review and approval.
6. Lot 2 also has 649.7± feet of frontage along the Stage Road, but will be accessed only from the Leary Road.
7. Required 35-foot setbacks from the road right-of-way and from adjoining property boundaries are shown on the survey plat dated 1-8-2015.
8. Lot 1 contains two nonconforming structures, an existing dwelling and garage, both of which do not meet the required front setback of 35' as measured from the right-of-way.
9. Lot 2 contains an existing nonconforming garage which is partially located within the front 35' setback.
10. No modifications to existing, nonconforming structures are proposed that would require review by the DRB under Section 3.8 of the regulations.
11. Designated building envelopes for each lot, as shown on the draft survey plat dated 1-8-2015, to be applied to new principal and accessory structures and parking areas, are clearly outside of required front and side setbacks.

General Standards (under Article III)

Conclusion: Based on the following findings, the proposed subdivision will conform to applicable general standards under Article III of the regulations.

Access (Section 3.2).

12. Lot 1 will be served by an existing highway access on the western side of the Leary Road, and Lot 2 will be served by a separate access on the eastern side of the Leary Road, as indicated on the subdivision plat dated 1-8-2015. Only one access point is proposed for each lot.
13. The applicant has agreed to relocate the existing access and proposed driveway serving Lot 2, in relation to the existing garage and proposed dwelling, to improve sight distances.
14. Per applicant testimony, the proposed driveway on Lot 2 will be designed and constructed to meet B-71 Standards, with an average finished grade of no more than 15% over any 50-foot section, as required under the regulations.
15. A highway access permit issued by the Bolton Select Board will also be required for Lot 2 prior to any development.

Wetlands (Section 3.17).

16. The property to be developed contains mapped Class 2 wetlands as initially identified by McCain Consulting. The approximate limits of mapped wetland areas and associated buffers on Lot 2 are indicated on the subdivision plat dated 1-8-2015; however the status of these wetlands, including classification, functions, boundaries and associated buffers have not been verified in the field by a wetlands specialist.
17. The designated building envelope on Lot 2 has been delineated to avoid mapped wetlands and buffers.
18. The proposed septic system on Lot 2, including the tank and disposal fields as depicted on the draft subdivision plat dated 1-8-2015, are located outside of the approximate limit of one mapped Class II wetland on Lot 2, but within the required 50-foot setback and buffer. According to the applicant, soils tests conducted in this area, identified on the draft plat as an "open mowed field," indicate that this is not a Class II wetland, however, this has not been confirmed by a wetlands specialist.

Water Supply and Wastewater Systems (Section 3.18)

19. The single family dwelling on Lot 1 is served by an existing private onsite water supply and wastewater system which, according to the applicant, has sufficient capacity and is functioning properly.
20. Proposed potable water supply and wastewater disposal systems serving Lot 2, including required well shield, disposal isolation and replacement areas, are shown on the "Site Plan: Barbara Mallow Single Lot Wastewater System Design" prepared by Gunner McCain (LD-B #237), dated 2-17-2015, and on the draft survey plat dated 1-8-2015.
21. The well shield for the drilled well on Lot 2 extends onto the adjoining McLaughlin parcel; no concerns were raised by the property owner during the hearing process.
22. Leachfield areas on Lot 2 are located within the Vermont Electric Cooperative right-of-way. Approval from the utility will be required for any work within the right-of-way.
23. Proposed systems on Lot 2 are located outside of approximate wetland limits, as shown on the draft subdivision plat, but within required wetland setback areas (see finding #19 above).
24. The Vermont DEC has issued a Wastewater System and Potable Water Supply Permit (WW-4-4416), dated 3-13-2015, for a four-bedroom single family residence to be located on Lot 2.

General Subdivision Standards (Section 7.1)

Conclusion: Based on the following findings, the proposed 2-lot subdivision will not affect the existing development suitability of either parcel. The subdivision, intended to separate an existing parcel divided by the Leary Road right-of-way, will generally conform to applicable policies of the Bolton Town Plan currently in effect, and the desired settlement patterns for the Rural I District in which the lots are located.

25. **Development Suitability.** The land to be subdivided includes existing structures, woodlands, open fields and Class 2 wetlands as indicated on the subdivision plat dated 1-8-2015. The designated building envelope on Lot 2 excludes the 50-foot buffer from mapped Class 2 wetlands, based on approximate wetland limits. No development is proposed in areas characterized by periodic flooding, poor drainage, steep slopes (15-25%) very steep slopes (>25%) or other hazardous conditions.
26. **Bolton Town Plan.** Both lots are located in the Rural I District, described in the 2011 Bolton Town Plan to include “areas with ready access to public roads, which are generally suitable for residential development, including the town’s traditional rural residential areas.” Existing and proposed residential use conforms to the stated purpose of this district, to “allow for traditional uses such as forestry and agriculture” as well as “moderate densities of residential development in appropriate locations.” The proposed subdivision should have no undue adverse effect on rural resources, including mapped wetlands, identified in the plan for protection.
27. **District Settlement Patterns.** Both lots have been previously developed for residential use. The proposed subdivision, as shown on the draft subdivision plat dated 1-8-2015, will not substantively affect existing lot configurations or dimensions. The subdivision remains consistent with the intent to maintain low to moderate densities of residential development within the Rural I District.
28. **Lot Layout.** Zoning district boundaries are shown and referenced on the subdivision plat dated 1-8-2015; both lots are located entirely within the Rural I District (see related findings 1-11 above).
29. **Building Envelopes.** Building envelopes that limit the location of new structures, parking areas and associated site improvements have been designated by the applicant on Lots 1 and 2, along with a suggested footprint for a new single family dwelling on Lot 2, as shown on the survey plat dated 1-8-2015. The locations of iron pins used to mark and identify building envelopes on the ground are not shown on the survey plat.
30. **Survey Monuments.** Survey monuments will be installed as shown on the draft subdivision plat dated 1-8-2015.
31. **Landscaping and Screening.** No specific landscaping or screening has been proposed beyond required wetland buffers, as generally indicated on the survey plat, which are to be maintained as undisturbed, naturally vegetated areas.
32. **Energy Conservation and Renewable Energy.** The building envelope on Lot 2 is situated in relation to surrounding topography to allow for a reasonable southern exposure. Given mapped wetlands on Lot 2, there is limited capacity for siting ground-mounted systems outside of the designated building envelope.

Protection of Natural & Cultural Resources (Section 7.3)

Conclusion: Based on the following findings, the DRB has determined that the proposed 2-lot subdivision has been designed and configured to avoid undue adverse impacts to natural resources, including mapped wetlands, identified on the property.

33. **Resource Identification.** Natural resources identified on or in the vicinity of the property to be subdivided include wooded areas, a small open field, and mapped Class 2 wetlands, as indicated on the survey plat dated 1-8-2015 and as referenced in related application materials.
34. **Surface Waters, Wetlands and Floodplains.** As shown on the draft survey plat, the proposed building envelope on Lot 2 has been configured to exclude mapped Class 2 wetland areas and associated 50-foot buffers, to avoid adverse impacts to these areas from subsequent residential development.
35. **Rock Outcrops, Steep Slopes, Hillsides and Ridgelines.** The parcels to be developed do not contain areas of steep slopes (15% or more), very steep slope (>25%), ridgelines or rock outcrops. The existing structures on Lot 1 and Lot 2 and the proposed dwelling on Lot 2 will be located on slopes of less than 15%.
36. **Historic and Cultural Resources.** There are no identified historic structures or landscape features on the draft survey plat dated 1-8-2015.
37. **Natural Areas and Wildlife Habitat.** The subdivision has been configured to avoid the fragmentation of existing natural areas and wildlife habitat on the property by defining the boundaries of the new parcels by the existing Leary Road. No additional development is proposed on Lot 1; a building envelope that excludes these areas has been designated on Lot 2.
38. **Forestland.** There is no commercially viable forestland on the parcel to be subdivided. The subdivision, including lot lines and building envelopes, has been configured to minimize the fragmentation of existing wooded wetland areas. Lot 1 contains an existing garage and dwelling. No additional clearing will be required. Lot 2 contains an existing garage and a proposed dwelling. A building envelope has been designated on Lot 2 which avoids wooded wetland area and minimizes the need for clearing. No additional residential development may occur outside of the designated building envelope.

Stormwater Management and Erosion Control (Section 7.5)

Conclusion: Based on the following findings, the DRB has determined that stormwater management and erosion control will meet the applicable standards under Section 7.5.

39. A building envelope has been designated on Lot 2 which defines the extent of construction, clearing and yard area, including existing and proposed impervious surfaces.
40. Wetlands on Lot 2 that provide onsite stormwater retention and treatment have been integrate3d into site design and will be protected through the designation of a building envelope that excludes these areas.

Transportation (Section 7.6)

Conclusion: Based on the findings under Section 3.2, the DRB has determined that access to the proposed subdivided lots from Leary Road will meet applicable access and driveway standards under Sections 3.2 and 7.6.

41. Lot 1 will be served by an existing curb cut and driveway. The proposed dwelling on Lot 2 will be served by a relocated curb cut and gravel driveway that will better meet B-71 standards.
42. No development roads are proposed.
43. Access to the Leary Road is also subject to approval by the Town of Bolton.

Facilities and Utilities (Section 7.7)

Conclusion: Based on the findings pertaining to proposed water supply and wastewater systems and other facilities and utilities as follows, the DRB has determined that existing and planned infrastructure and services serving the proposed subdivision will be adequate and conform to applicable standards under this section of the regulations.

44. The proposed subdivision will result in the creation of one additional residential lot on the Leary Road. As such, it will not create an undue burden on existing municipal or community facilities and services, including town highways or the school.
45. Lot 1 is served by an existing, fully functional private onsite water supply and wastewater system. Lot 2 will be served by a private onsite water supply and wastewater system as generally indicated on the draft survey plat dated 1-8-2015, and approved by the state.
46. All utility lines serving new residential development will be buried, unless otherwise subsequently approved by the DRB in association with the development of an individual lot.
47. No outdoor lighting is proposed; new outdoor lighting must meet the requirements of Section 3.9 of the regulations.

Legal Requirements (Section 7.8)

Conclusion: A letter from the Vermont Elect Cooperative approving proposed work within its right-of-way is needed. No other legal documents are required.

48. The property is encumbered by a 50' right-of-way held by the VT Electric Cooperative, which must approve work within its right-of-way, including the proposed septic system serving Lot 2.

Planned Development (Article VIII)

Conclusion: Based on the following findings, the DRB has determined that the proposed subdivision will meet the applicable general and planned residential development (PRD) standards under Section 8.5, consistent with the goals and policies of the Bolton Town Plan. The PRD, as proposed to include two lots separated by an existing town highway right-of-way, will require reductions in minimum lot size and road frontage as specified for the Rural I District, but will result in a more efficient and functional lot layout without increasing the overall density of residential development allowed within the district.

49. Planned residential developments (PRDs), to include single family dwellings as proposed, are allowed in the Rural I zoning district.

50. The proposed planned residential development, consisting of two single family residential lots separated by an existing town highway, is consistent with the rural residential character of Rural I District and associated goals and policies of the Bolton Town Plan (see finding #27 above).
51. The proposed subdivision includes functional open space on Lot 2 associated with mapped wetlands identified for protection, the boundaries of which need to be verified in the field by a wetlands specialist prior to site disturbance and construction. These areas, as mapped, have been excluded from the designated building envelope on Lot 2 (see related findings above).
52. The maximum number of residential building lots that can be subdivided from a 4.85-acre parcel (yield density) within the Rural 1 District is two lots, based on the minimum required lot size of two acres per lot. The overall density of the proposed planned residential development equals one unit per 2.45 acres, consistent with the maximum overall density allowed within the Rural I District.
53. The proposed lot layout, intended to allow for the creation of lots that are separated by an existing town highway right-of-way, requires a reduction in district minimum lot size requirements for Lot 1, from 2.0 acres to 0.91 acres, to include all land and buildings located west of the Leary Road; and a reduction in district road frontage requirements along Leary Road from 200 feet to 115.6 feet (Lot 1) and 185.6 feet (Lot 2), as shown on the draft subdivision plat dated 1-8-2015.