

Waiver Justification

To justify approval of any waiver, the Planning Commission considers the four criteria. Please answer all the following items. Use additional sheets if needed. Responses of **yes**, **no**, or **N/A** will not be accepted.

1. Will the waiver adversely affect adjacent property owners?

No because the adjacent property owner is a conservation property with many acres of buffer.

2. Will the waiver violate the Comprehensive Plan?

No the waiver will not violate the Comprehensive Plan because the buffer will still be provided even though it overlap the existing utility easement.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

Yes, the extend of the waiver is the minimum necessary to afford relief becuase the lot would be too narrow if the waiver is not approved.

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

Yes, the proposed subdivision will maintain over 2 acres of scenic, forested open space with Goose Creek running through it, exceeding the minimum requirements for the property.

