

FILE NUMBER: SD/MIS 20-26000343 (MPLAN 21- 00652)
APPLICANT RESPONSE TO STAFF REPORT

Introduction

This document responds to the recommendations contained in the June 3, 2022, staff report for this application. In addition to this document, a revised Subdivision Plat and ESRA mitigation plan have been prepared to illustrate how deficiencies identified in the staff report can be addressed.

Needed Housing

The proposed subdivision is part of the planned progression of land use planning for this area of Gresham and involves the creation of “Needed Housing” under ORS 197.303(1) and 197.307(4) on land zoned for residential uses within the city limits of Gresham.

ORS 197.307(4) states, a local government may apply only clear and objective standards, conditions, and procedures regulating the creation of Need Housing, and such standards, conditions, and procedures cannot have the effect, either in themselves or cumulatively, of discouraging Needed Housing through unreasonable cost or delay.

Oregon Courts and the Land Use Board of Appeals (LUBA) have held that an approval standard is not clear and objective if it imposes on an applicant “subjective, value-laden analyses that are designed to balance or mitigate impacts of the development.” *Rogue Valley Association of Realtors v. City of Ashland*, 35 Or LUBA 139, 158 (1998) aff’d, 158 Or App 1 (1999). ORS 197.831 places the burden on local governments to demonstrate that the standards and conditions placed on Needed Housing applications can be imposed only in a clear and objective manner. While this application addresses all standards and conditions, the Applicant reserves the right to object to the application of standards and conditions that are not clear and objective and does not waive its right to assert that the Needed Housing statues apply to this application. The exceptions in ORS 197.307(4)(a) and 197.307(5) do not apply to this application. ORS 197.307(7)(a) is controlled by ORS 197.307(4). The City has not taken an exception for Needed Housing under ORS 197.303(3).

Revised Plan

The revised plan includes the following key features:

- The lot count has been reduced from 187 lots to 169 lots. This number still complies with the density range for the property of 125 to 192 lots.
- ESRA mapping has been revised to feature the city’s ESRA layer along Kelley Creek and the southeast corner of the property.

- A small area of four lots (Lots 102 - 105) are located within the ESRA boundary however, the building envelope on these lots are all located outside this boundary.
- All lots accessed by Street H along the ESRA boundary now face this street and the ESRA resource to the north.
- ESRA impacts associated with Street H, 190th Drive, and the footprint of existing structures has been calculated and a mitigation plan prepared.
- Mid-block pedestrian pathways are proposed between Streets E and F and Streets G and H.
- A soft surface pedestrian path will be constructed in Tract A from Street H to Kelley Creek and a bridge is proposed to cross Kelley Creek.
- With this plan, the applicant requests a Condition of Approval be imposed requiring resolution of permitting for all wetlands prior to Final Plat approval and that he be allowed to pay a fee in lieu of mitigation for any wetland impacts as permitted by Section 5.0711(C) and (E) of the current Development Code.
- A plan to mitigate all ESRA impacts has been included as a separate document.

RESPONSE TO STAFF REPORT

The following section includes the applicant responses to each of the code sections contained in the staff report identified by staff as “Findings, Not Satisfied”. The applicable code sections and staff narrative from the staff report are included in regular text followed by the applicant’s responses in *blue italics text*.

4.1473 Level of Detail

(A) Master plans are intended to display conceptual designs for land use, transportation, natural resource areas, and other physical attributes of the subject property. Similarly, public facility information is intended to be submitted at a conceptual level of detail sufficient to demonstrate compliance with the approval criteria.

Findings, Not Satisfied:

The proposed Veranda Master Plan does not provide a conceptual design for the development of a new neighborhood that will feature a residential land use, transportation improvements, preservation of natural resource areas, and stormwater facilities and neighborhood parks. These conceptual plans are provided in the map Sheets 1 through 9 in the project proposal. The maps and text conceptually describe land use sub-district boundaries, street and block layout, housing and lotting study layouts, water public facilities, stormwater public facilities, wastewater public facilities, transportation and circulation public facilities and parks, trails and open space public facilities.

It, however, does not provide for the preservation of natural resource areas (wetlands) as identified as jurisdictional wetland by the Oregon Department of State Lands (DSL). Improvements, including lots and streets, are proposed within the jurisdictional wetland areas. The maps combined with the text do not provide, at a conceptual level, sufficient detail to demonstrate compliance with this approval criteria.

The master plan application is being proposed concurrently with the subdivision application; thus, the conceptual plan represents the subdivision application.

Applicant's Response: As noted in the staff report, the subdivision submittal represents the required Master Plan conceptual plan. Regardless, this code section is not an applicable code criteria and cannot be the basis for denying this application and is not clear and objective as required by ORS 197.304(4). The words "intended to display conceptual designs", "intended to be submitted at a conceptual level of detail" and "sufficient to demonstrate compliance" used in this section are subjective and this section cannot be applied.

Regardless, the applicant has prepared a revised subdivision plan removing all residential development from within the ESRA boundary. In addition, the applicant proposes dedicating 9.01 acres in Tract A adjacent to Kelley Creek and 0.83 acres in Tract D at the southeast corner of the property. The applicant has also proposed a Condition of Approval to allow issues related to wetland to be approved prior to final plat approval. The applicant intends to mitigate any wetland impacts by paying a fee in lieu of completing this mitigation per Sections 5.0711(C) and (E) of the current code and mitigating all ESRA impacts within Tract A.

4.1475 Neighborhood Design Guidelines

(D) Neighborhoods shall be designed to incorporate the existing natural features in a way that enhances the aesthetic environment while minimizing impacts. A compact, mixed-use neighborhood with transit options is one strategy for preserving open space and natural resource areas.

Findings, Not Satisfied:

Kelley Creek runs just north of the proposed Veranda neighborhood. The City has delineated an ESRA-PV area surrounding this creek encompassing approximately eight acres of the subject property. This neighborhood has not been designed to limit impacts to this resource area by placing all development outside of the ESRA boundary. As currently proposed, lots and streets are located within the ESRA boundary because they applicant presented a proposal that uses the current Natural Resource Overlay (NRO) buffer mapping instead the SRA-PV code that requires use of ESRA-PV buffers under which the application was submitted. The current ESRA-PV buffer is as highlighted in yellow in the attached **Exhibit G**. Based on this Street H and upwards to 30 lots fall within the ESRA buffers, many with all or significant portions of their buildable areas within the ESRA-PV as was mapped in 2020. The applicant has not provided any graphic as part of their application package that shows the correct buffers for the code in effect at the time of their submittal. No ESRA-PV buffers are included, nor have they proposed remapping the ESRA-PV boundaries.

The northerly Street H will be required to run along the ESRA boundary, allowing for views into the resource area for the neighborhood to enjoy. Meanwhile, the

over 5 acres of wetland present on the property as recognized by DSL (**See Exhibit D**) has not been proposed for preservation as required. Developments, including lots and streets, are proposed within these resource areas.

Per Exhibit H, the yellow lines represent ESRA boundaries. The red dashed line along the riparian area is what the applicant provided; it's a 200' uniform setback from Kelley Creek (which is the new NRO standard). They have not provided any graphic as part of their applicant package that shows the correct buffers for the code in effect at the time of their submittal. No ESRA-PV buffers are included, nor have they proposed remapping the ESRA-PV boundaries.

Applicant's Response: This code section is not clear and objective as required by ORS 197.307(4). The words used in this section, "designed to incorporate", in a way that enhances", "while minimizing impacts" and "is one strategy for preserving" are subjective and this section cannot be applied.

Regardless, the revised subdivision plan now features the city mapped ESRA-PV boundary rather than the surveyed 200 foot buffer as shown on the original submittal. Street H is now located along the ESRA-PV boundary so that all homes constructed on lots across this street will face Kelley Creek. A small portion of four lots (Lots 102-105) are proposed to be located within the ESRA-PV boundary but the entire building envelope on these lots is located outside this boundary.

(F) Neighborhoods shall have strong connections to the Kelley Creek and Mitchell Creek open space systems. The design and function of neighborhoods shall facilitate preserving, enhancing, and restoring Pleasant Valley's open space system.

Findings, Not Satisfied:

The Veranda neighborhood is not located near Mitchell Creek; rather it is located immediately south of Kelley Creek and its ESRA. Along most of these segments is a northern most street (Street H) planned for the development that is located within the ESRA boundary as opposed to running along the ESRA boundary to allow views directly into the resource area. Furthermore, H Street will be required to run the entire northern edge of the ESRA as discussed in detail under **Section 4.1478** to further preserve and enhance the resource area by preventing lots from backing into the ERSA. All development associated with the Veranda neighborhood will be required to take place outside of the Kelley Creek ESRA, facilitating the preservation and restoration of this resource.

Note that in current City stream layer mapping a stream is mapped at the eastern boundary of the Veranda parcel. No environmental review has been offered for that area (**See Exhibit I**). There is inadequate information to assess whether there would be impacts that conflict with environmental protections for the area, or how/where the applicant would propose mitigating for approvable impacts.

The application does not include review of proposed environmental impacts for streets F and G, for the pedestrian crossing over Kelly Creek and the 8” water crossing from the existing service on the north side of Kelly Creek.

The application does not provide review of avoided or minimized and mitigated environmental impacts within the ESRA-PV abutting the 190th Ave right-of-way at the Kelley Creek crossing.

There are proposed water, wastewater, and stormwater scenarios that suggest there would be impacts within the ESRA-PV here. We have inadequate information to assess whether those impacts would be in conflict with environmental protections for the area, or how they would mitigate for approvable impacts.

A complete mapping of all streams, wetlands, and other water bodies throughout the parcel and on adjacent parcels is required by the 2020 ESRA-PV code.

The environmental reporting submitted to DSL for the re-delineation states there will be no impacts with the Veranda development within the “HVRA/RA” area, yet there are portions of proposed tax lots and a roadway within the RA (riparian) buffer (again, RA buffers should not be used as this was submitted under ESRA-PV era), as well as stormwater treatment and/or conveyance elements presumably in this area. Thus, the information provided to DSL does not appear to be consistent with the applicant’s proposed road and tax lot layout.

There is existing development (an old farmstead) within the protected riparian area that either needs to be connected to city utilities or be demolished. Again, these are impacts within the regulated buffer, yet the applicant has stated to the City and DSL that no environmental review was done for that area as no impacts are proposed. A Title 3 wetland was previously mapped in the existing farmstead area.

While the application states that no work is being done within the riparian areas, which is why no environmental review is offered, it is clear from the above that there are proposed impacts to this sensitive resource area.

The graphic below was taken from the materials that the applicant has submitted to DSL in December 2021 (from the re-delineation report for this parcel, which has been rejected by DSL. Please note use of NRO terminology and mapping despite this being submitted under ESRA-PV code and note the statement that no impacts will occur within the protected area which is a statement in conflict with the proposed layout.

A wetland identified during the course of a development permit review that meets the State of Oregon’s definition of a “Locally Significant Wetland” shall be subject to the standards of the ESRA-PV sub-district (4.1432.B)

A Locally Significant Wetlands Analysis Report dated April 22, 2022 (**Exhibit J - OFWAM**) submitted by the applicant to demonstrate that the wetland is not locally

significant has been reviewed by the city's environmental consultant and found to be locally significant (**Exhibit K**). This is in line with DEQ listing of the stream as 303(d) listed stream (**Exhibit L**). Wetlands within one quarter mile of a 303(d) listed stream is considered locally significant and is to be protected.

Applicant's Response: This code section is not clear and objective as required by ORS 197.307(4). The words used in this section "strong connections to" and "shall facilitate" are subjective and this section cannot be applied.

Regardless, the revised plan now features Street H located along the ESRA-PV so that all homes constructed on lots along this street will face Kelley Creek. As shown on this plan, a small portion of four lots (Lots 102-105) are located within the ESRA-PV boundary but all of the building envelopes on these lots are located outside this boundary. A mitigation plan is included with revised materials to mitigate all impacts along Street H and SE 190th and the two existing farmstead structures. In addition, the applicant has provided additional information to show that Kelley Creek is not included on the 303(d) list as is represented in the staff narrative.

4.1476 Housing Variety

(C) Where the Master Plan is proposed that includes LDR-PV and MDR-PV residential sub-districts in the same project, the Plan may combine the densities of the two sub-districts when the following criteria are met:

- (1) The LDR Housing Variety per section 4.1476 is met; and
- (2) The MDR Housing Variety per section 4.1476 is met; or
- (3) Other techniques found to be consistent with the purpose of this standard and
- (4) The density does not exceed the maximum density allowed by the underlying residential sub-districts,

Findings, Not Satisfied:

The proposed master plan includes the LDR-PV and MDR-PV residential sub-districts. The Master Plan has not proposed compliance with the density range permitted for each of the underlying sub-districts because the plan included the wet land (ESRA) areas in the density calculation. New lots that would have their buildable areas for new development within the ESRA-PV sub-district is prohibited. Other than those land divisions exempted by Section 4.1436(G), the only type of lot allowed within the ESRA-PV sub-district is a lot that will be created for a residence which existed before the ESRA-PV was applied to a subject property (4.1443).

Applicant's Response: This code section is not clear and objective as required by ORS 197.307(4). The words used in this section "may combine" and "other techniques found to be consistent" are subjective and this section cannot be applied.

Regardless, as shown on the revised plan, the buildable area of all lots are now located outside the ESRA boundary. As such, the revised density range is calculated to be 125 to 192 dwelling units and the proposed 169 unit development complies with this range.

(D) Except as provided in Subsection (C) each sub-district within a Master Plan shall meet the average minimum and maximum density standards required for the sub-district. However, within any particular area of a Master Plan the actual density may be less than the minimum or more than the maximum sub-district requirements.

Findings: Not Satisfied.

The Veranda Master Plan is designed with 187 dwelling units, which is an amount that fits within the density range stated by Code including the wet land (ESRA) area. This number of units will be less when the ESRA standards are applied.

Applicant's Response: As shown on the revised plan, the buildable area of all lots are located outside the ESRA boundary. As noted above, the proposed 169 lot development is within the overall density range (125 - 192 lots) for the subject property.

4.1465 Neighborhood Transition Design Area Overlay Sub-district

(C) Standards

To the extent practicable development within the NTDA shall be consistent with the characteristics described above and the following standards. These standards are intended to promote careful design and site planning so that uses and development within the NTDA reduce their impact on, and benefit from, the adjacent ESRA areas.

Master plans must consider the following in designs for NTDA's:

- (1) Location of compatible uses, such as open space, trails, infrastructure (e.g., stormwater treatment), parkways and boulevards, residences, community centers, and ESRA-oriented facilities such as a nature center or interpretative kiosk.
- (2) Residential areas that are oriented towards and present a friendly face to the ESRA. Such areas may be accessed via an alleyway.
- (3) Where appropriate, local green streets follow the edges of the residential community as part of the transition area bordering the ESRA.
- (4) When a lot or parcel borders the ESRA a maximum four-foot-high fence is permitted within 10 feet of the ESRA. This includes vegetative fencing.

Ways to create good transitions between neighborhoods and the ESRA's include:

- (A) Community Uses - With appropriate access, the neighborhood edge can be an ideal location for community uses such as day care centers, schools, environmental learning centers, and community centers.

- (B) Street Edge - The street edge model places a public green street in the transition area. Homes along the street face the green street and the ESRA, making the ESRA a visible and valued part of the neighborhood. On the homes side of the street, there is a typical sidewalk. On the ESRA side of the street, pedestrian access can be provided on a soft surface trail.
- (C) Pedways - It will not always be feasible to place a community use, street, or open space along all ESRAs. In cases where the backs of lots are in the transition area, pedestrian ways should be provided. The pedestrian ways should be spaced similar to the street network, i.e., one pedway about every 400 to 500 feet.

Findings, Not Satisfied:

Review of compliance with the NTDA standards cannot be fully made because the proposal did not take into consideration the over 5 acres of wetland (ESRA) area on the site.

The Veranda Master Plan site contains other NTDA areas; one area is adjacent to Kelley Creek to the north, adjacent to the southeast corner of the Metro Property to the south and the DSL recognized wetland at the western portion of the site. The two mapped NTDA areas include open space areas and detached residences. Not all the residential areas that lie within the NTDA area of Kelley Creek to the north are designed to present a “friendly face” to the ESRA areas. Specifically, Lots 159 to 167 and 177 are designed to orient the front or side facades to the ESRA areas. In all other cases rear yards are oriented directly onto the ESRA area. This includes Lots 1 to 7, 178, 179, 158, and 150 to 153. Local Green Street is anticipated along the edges of these residential areas that border the ESRA area. Instead of paved sidewalks along the edges of the ESRA, natural edges with swales and unpaved pedestrian pathways will be required. With these, the homes will put eyes on the open space and present a welcoming and friendly connection with the open space and the trail system.

No community walls are proposed within the ESRA areas. Subsequent development permits on individual lots will ensure that fencing placed within 10 feet of the ESRA areas are no taller than four feet.

None of the community uses mentioned in the section are proposed within the Veranda community.

As previously discussed, several lots are either totally or partly within the ESRA to the north and southeast. Back of lots will be located within the transition area along the southeast area of the site. This includes Lots 71 to 76. The applicant needs to demonstrate that it will not be feasible to place a street along the ESRA to the south. Upon demonstrating that it’s not feasible to place a street along this ESRA boundary, then pedestrian ways will be required to be provided along the backs of lots and will be spaced in accordance with the section above.

Applicant’s Response: This code section is not clear and objective as required by ORS 197.307(4). The words used in this section “to the extent practicable”,

“consistent with the characteristics described above”, “are intended to promote careful design and site plan”, and “and reduce their impact on, and benefit from are subjective and this section cannot be applied.

Regardless, as shown on the revised plan, Street H now follows the ESRA-PV boundary along Kelley Creek and all lots accessed from this street are located across the street from this resource. With this design the front of all homes on this street will now present a “friendly face” towards the resource area.

REGULATORY FINDINGS

4.1408 (A).

Not Satisfied. The proposed density of 187 units did not take into consideration that over 5 acres of the site is designated by DSL as wetland (See Exhibit D). These wetland areas are to be largely excluded from development. A wetland identified during the course of a development permit review that meets the State of Oregon’s definition of a “Locally Significant Wetland” shall be subject to the standards of the ESRA-PV (4.1432.A). Such wetlands shall be added to the HCA map by the Manager, under the Type 1 procedure, after the development permit becomes final.

Applicant’s Response: As noted above, the proposal complies with the applicable density range for the subject property.

6.0010.

Until the wetland delineation issue and the other issues raised in this staff report are resolved, all lots proposed within the wetland areas may not be approved as proposed. This will cause foreseeable difficulties with acquiring building permits. *This standard is not met.*

Applicant’s Response: As reviewed above, the revised plan generally complies with all applicable code criteria and the applicant respectfully requests the application be approved. To resolve staff concern with wetlands on the site, the applicant requests a Condition of Approval be imposed to allow this issue to be resolved prior to Final Plat approval. The applicant intends to pursue gaining DSL concurrence regarding the presence and extent of wetlands on the site and will pay a fee in lieu of mitigating any wetland impacts as permitted by Sections 5.0711(C) and (E) of the current Development Code.

6.0214.

This standard establishes an effective period of one year from the date the tentative subdivision approval becomes final. A final map application shall be submitted prior to the expiration of this effective period.

As the land division is not being approved at this time, the standards of this section are not applicable.

Applicant’s Response: The applicant requests the application be approved with conditions.

TRANSPORTATION COMMENTS

For 4.1475(D) Neighborhoods shall be designed to incorporate the existing natural features in a way that enhances the aesthetic environment while minimizing impacts. The applicant has provided a wetland delineation which shows approximately 5 acres of wetlands over different portions of the site. The applicant's master plan/street plan does not integrate these wetlands, but ignores their existence, putting roads and proposed housing on top of the wetlands. Since these wetlands meet the State's definition of a Locally Significant Wetland they are subject to the standards of the HCA Overlay per Section 5.0402(I). As there is no information about the impacts to the wetlands under the ESRA code or acknowledgement that the wetlands exist in the Master Plan process, 4.1475(D) is not met.

Applicant's Response: As noted above, the language in Section 4.1475(D) is not clear and objective as required by ORS 197.307(4). The words used in this section, "designed to incorporate", in a way that enhances", "while minimizing impacts", and "is one strategy for preserving" are subjective and this section cannot be applied.

Regardless, the revised subdivision plan now features the city mapped ESRA-PV boundary rather than the surveyed 200 foot buffer as shown on the original submittal. Street H is now located along the ESRA-PV boundary so that all homes constructed on lots along this street will face Kelley Creek. A small portion of four lots (Lots 102-105) are proposed to be located within the ESRA-PV boundary but the entire building envelope on these lots is located outside this boundary.

For 4.1475(F) neighborhoods shall have strong connections to the Kelley Creek open space systems. The applicant has stated the Kelley Creek system will be a separate track dedicated to the City. The applicant is not showing much connection to Kelley Creek or the open space system, with only the looped Street H providing public access. A public pedestrian connection across the creek to the Kelley Creek Trail multi-use path would better connect pedestrians and bicyclists to the open space and the Kelley Creek Trail. Since a connection for water utilities is needed across the creek, a bridge can serve dual purposes.

Applicant's Response: As noted above, Section 4.1475(F) is not clear and objective as required by ORS 197.307(4). The words used in this section "strong connections to" and "shall facilitate" are subjective and this section cannot be applied.

Regardless, the revised plan now features Street H located along the ESRA-PV so that all homes constructed on lots along this street will face Kelley Creek. As shown on this plan, a small portion of four lots (Lots 102-105) are located within the ESRA-PV boundary but all of the building envelopes on these lots are located outside this boundary. A mitigation plan is included with revised materials to mitigate all impacts along Street H and SE 190th and the two existing farmstead structures. In addition, the applicant has provided additional information to show that Kelley Creek is not included on the 303(d) list as is represented in the staff narrative. This recommendation is satisfied.

For 4.1478, which references 4.1465, the standards in 4.1465(C).1 require consideration of open spaces, trails, parkways, boulevards and other development types to be within 100 feet of the ESRA boundary. 4.1465(C).3 requires streets to follow the edges of the ESRA. The applicant has proposed Street H to be within this boundary for 450 feet with homes backing on the ESRA for the remainder of the ESRA boundary. There does not appear to be a reason Street H or some type of pathway could not continue east and west and separate more of the ESRA from the subdivision.

Applicant's Response: This code section is not clear and objective as required by ORS 197.307(4). The words used in this section "to the extent practicable", "consistent with the characteristics described above", "are intended to promote careful design and site plan", "reduce their impact on", and "benefit from" are subjective and this section cannot be applied.

Regardless, as shown on the revised plan, Street H now follows the ESRA-PV boundary along Kelley Creek and all lots accessed from this street are located across the street from this resource. With this design the front of all homes on this street will now present a "friendly face" towards the resource area. This recommendation is satisfied.

There was originally a multi-use path on the south side of Kelley Creek. This has been removed by the Gresham Parks and Trails Master Plan, which assumed strong connections to the north side Kelley Creek Trail. The applicant is assuming that all travel flows of people will be to SE 190th Drive and is not showing a connection across the creek to the Kelley Creek Trail. As discussed above, a connection is needed to serve pedestrian and bicycle connectivity needs without traveling to SE 190th Drive.

Applicant's Response: The revised subdivision plan now features a soft-surface trail within Tract A and a bridge to provide a Kelley Creek crossing. With submittal of the revised plan, this comment is satisfied.

Street Plan

The base street for a subdivision in Pleasant Valley is the Local Green Queuing Street, which has a 50-foot cross section. Where block lengths are permitted to exceed 400 feet the applicant shall use a Green Transitional Street with a 56-foot cross section. The applicant is showing Streets B, C, D and E as Green Queuing Streets. Street E is over 400 feet, which is due to topographical constraints in street layout of other blocks. As the length of Street E is over 400 feet it is classified as a Green Transitional Street and needs to dedicate 56-feet of right of way. The segment of Street C and Street E north of Street G are also part of a block face that exceeds 400 feet with Street H. These segments are classified as Green Transitional Streets and will need to dedicate 56-feet of right of way.

Applicant's Response: All streets are designed to comply with these standards.

The large block bounded by Streets F, E and G is proposed by the applicant as an exception to block length due to topography where the steepness of the slope makes an additional street connection infeasible. As the block currently creates two block lengths over 550 feet, the block will need to be made smaller if possible. There

appears to be an area west of lots 90 and 143 where a connection would be approximately 10% slope. This location would meet the City requirements for local street slopes and reduce the block length.

Applicant's Response: As shown on the revised plan, mid-block pedestrian path is now proposed to provide a connection between Street E to Street F. Because a wall is necessary at the back of the row of lots between Streets E and F and existing grades, construction of a short street between these street would be very challenging.

Recommendation:

This application is recommended for denial, as it does not meet the requirements for 4.1475(D) for Pleasant Valley Master Plans or address any ESRA sections of the code for impacts to identified wetlands.

Applicant's Response: With submittal of the revised subdivision plan and additional attachments, the subject application is found to comply with all applicable criteria and should be approved.