

Zoning Board of Appeals Decisions Decisions for: 10-16-2014

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FALMOUTH ZONING BOARD OF APPEALS

FINDINGS AND DECISION

Comprehensive Permit No: 56-14

Applicants: MEGANSETT CROSSING LLC of Falmouth, MA

Property Address: 676, 688 and 702 North Falmouth Highway, No. Falmouth, MA

Assessor's Map: Map 02, Section 06, Parcel 003, Lots 002, 003 and 004

Date of Hearing: July 24, 2014 – continued to October 16, 2014

Summary: Grant to Withdraw Without Prejudice

Zoning: Residential B

Groundwater Overlay: Megansett Harbor Coastal Pond Overlay District

PROCEDURAL HISTORY

1. On June 25, 2014, Megansett Crossing LLC of 200 Palmer Avenue, 2nd Floor, Falmouth, MA, (hereinafter Applicant), applied to the Board of Appeals to modify Comprehensive Permit #18-09 and #55-13 pursuant to 760 CMR 56.05 (11)(c) to add two units to the approved 10 units, change site design, architectural design and specifications of the 40B Development known as Holly Park Condominiums located at 676, 688 and 702 North Falmouth Highway, North Falmouth, Massachusetts.

2. A duly advertised public hearing was opened on July 24, 2014 and continued at the request of the applicant to September 4, 2014 without testimony.

3. At the September 4, 2014 hearing applicant requested to continue the hearing to October 16, 2014. Board voted to continue the hearing without testimony to October 16, 2014.

4. The public hearing was terminated on October 16, 2014 wherein the applicant requested to withdraw the application for modification without prejudice.

5. Board members sitting October 16, 2014: Chairman David Haddad, Member Matthew McNamara, Member Patricia Johnson and Associate Mark Cool.

October 16, 2014: Chairman Haddad read a request from Michael Galasso, representative on behalf of Megansett Crossing, LLC, requesting to withdraw the application for modification of Comprehensive Permit #18-09 and #55-13 without prejudice and reapply when modification of the LIP application has been completed.

Member McNamara made a motion to grant the withdrawal without prejudice of modification of Comprehensive Permit #18-09 and #55-13. Member Cool seconded the motion. Motion carried 4 – 0.

NOW THEREFORE

BE IT RESOLVED, that the Board of Appeals (herein referred to as Board) being of the opinion aforesaid and acting under the provisions of the Code of Falmouth voted 4 – 0 to Grant Withdrawal Without Prejudice the application for modification of Comprehensive Permit #18-09 and #55-13 as submitted by Megansett Crossing, LLC (herein referred to as Applicant).

Modification of Comprehensive Permit Decision by Falmouth Zoning Board of Appeals continued:

Comprehensive Permit#: 18-09 and 55-13

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Applicant: MEGANSETT CROSSING, LLC of Falmouth, MA

Subject Address: 676, 688 and 702 North Falmouth Highway, North Falmouth, MA

Action: The Board of Appeals, by the Chairman's signature below, represents that the Board voted as follows for the above referenced Comprehensive Permit.

Vote: Board voted 4 – 0 to Grant the Modification of Comprehensive Permit 18-09 and 55-13 herein requested as 56-14 to be Withdrawn Without Prejudice.

David Haddad, Board Chairman

Date Filed with Town Clerk

Notice is hereby given that any appeal from this Decision shall be made pursuant to Section 17 of M.G.L. Chapter 40A or Section 22 of M.G.L. 40B, shall be filed within twenty (20) days after the decision of the Board of Appeals.

Notes:

CP 56-14 Megansett Crossing LLC - 676, 688, 702 N. Falmouth Hwy / withdrawn w/o prejudice posted 10/22/14 mm