



Town of Falmouth
Planning Department
59 Town Hall Square, Falmouth, MA 02540

To: Noreen Stockman, Zoning Administrator
Falmouth Zoning Board of Appeals
From: Thomas Bott, Town Planner ^{TBott}
Date: July 29, 2020
RE: **63 North Falmouth Highway, Falmouth, “Wings Pond”**

The 63 North Falmouth Highway project was discussed at the 7/28 Planning Board Meeting following a site visit and the Board had the following comments and concerns regarding the project.

The Planning Board stated that the proposed project is too dense for the proposed located. The Board members did not feel that the proposed density was in line with the character of the neighborhood or the surrounding area. The Board suggested that the number of units and buildings be brought down in density.

The Board also discussed that the site is significantly impacted by a State Certified vernal pool on the property immediately to the north owned by the Commonwealth of Massachusetts. The vernal pool has been confirmed by the Conservation Commission, and the applicant’s surveyor as a Certified Vernal Pool. LEC Environmental, in May 2019 also confirmed that it maintains status as a Certified Vernal Pool. As proposed, four units are wholly within the state wetland buffer and a fifth unit encroaches on the state wetland buffer, as does the septic field. As such it is not local regulation that limits development on this property but rather the State’s regulations as well as the Commonwealth’s investment in preserving natural resources in the immediate area. The Board discussed that due to the current proposed density there would be severe impingement on the State Certified Vernal Pool, and therefore the proposed density would create a conflict with not just local Conservation requirements but also the State Law.

The Board felt that by relocating the septic field and reducing the number of units that are in the state wetland would help to protect this important conservation area as well as decrease the density issue.

In addition, the Board discussed that the proposed driveway should be built to a minimum width of twenty feet (20’) and felt the current proposed driveway does not provide adequate enough access to the site. The Board also discussed that the entrance to the driveway was located in a place on North Falmouth Highway where drivers are often driving very fast. And the proposed project with 12 units would mean a potential for at least 24 cars and could create a lot of opportunities for someone to pull out of the property and a car unexpectedly come behind them. Or conversely would require the driver leaving the property to drive very fast in the entranceway concept to speed onto the road so as not to have a car unexpectedly be behind them.

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The Planning Board also felt the location of the access road at the edge of the property would require a significant retaining wall and produce dangerous conditions for the abutters to the south of the drive and abutters immediately adjacent to the retaining wall for the 40B.

Lastly, the Board also noted that the conditions for the location as stated in the Falmouth Housing Production Plan (HPP) are not met with this location. The Board stated that they would prefer to see 40B applications that do coincide and align with the approved HPP.