Jeffrey Ribeiro

From: Jeffrey Ribeiro
Sent: Monday, May 18, 2015 4:30 PM
To: 'Kevin Eriksen'
Subject: Site Coverage Questions

Kevin,

Just to further clarify, the attached 'disturbed area' plan sheet is what appears inconsistent with the coverage figures set out in the most recent proposed conditions plan (copy also attached). The building/ structural coverage and total lot coverage square footage numbers on the disturbed area plan appear to be accurate as far as designation of structure and parking/paved area. If these plans are accurate, though, then the building/ structural and lot coverage figures recited on the most recent proposed conditions plan cannot be accurate, and the Project would exceed the maximum building/ structural coverage and lot coverage limits set out in the zoning by-law's business redevelopment district. The Cape Cod Commission must find that a project is consistent with town development by-laws, like zoning, to approve the project as a DRI. Perhaps there was some confusion that the structured parking and hotel area over it does not constitute structural/ building coverage for purposes of the zoning. 'Structure' is a defined term in the Falmouth zoning by-law (in a footnote to one of the by-law's dimensional schedules, it appears that pervious paving could be exempted from the total lot coverage figure in certain circumstances).

The residence proposed to remain on 'parcel 3' must also be counted towards both total lot and structural/ building coverage, esp. where the benefit of the land area from parcel 3 is factored into total project lot area. A perimeter plan of all project land area must ultimately be prepared and recorded, eliminating all interior parcel lines, including to parcel 3, evidencing a single project site (much like was done with the subdivision rescission plan). For reference, there is the condition from the scoping decision concerning the matter:

> *GC2a. The .173-acre parcel located at 3 Lantern Lane shall be treated as part of the Project and Project site for purposes of this decision and any subsequent Limited DRI decision, and the entire Project Site, including said parcel, is and shall be subject to said decisions. Should the Commission ultimately grant the Project DRI approval, the Applicant shall provide the Commission an executed copy of its lease for said parcel, and any recorded copy of a perimeter plan for the entire Project Site including said parcel, prior to the commencement of any development work and prior to the issuance of any Preliminary Certificate of Compliance by the Commission authorizing the same.*

Please reach out if you would like to discuss further.

Best,

Jeffrey

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