



TOWN OF FALMOUTH
Community Development Department
Division of Code Administration & Building Regulation
Justin Brown – Code Enforcement Officer

Memorandum

Date: April 18, 2018
To: Nathan Poore, Town Manager
From: Justin Brown, Code Enforcement Officer
Cc: Ethan Croce, Community Development Director
Re: Board of Zoning Appeals - Abutter Notice Amendment

During the March 12th Town Council Meeting discussion regarding a proposed expansion to the abutter notification requirements for certain projects located in the Water View Overlay District (WVOD), the Council requested that the Board of Zoning Appeals review the proposed change and provide the Council with their opinion. On March 27th the Board of Zoning Appeals discussed the item during their regularly scheduled monthly meeting.

It was the consensus of the Board that the proposed 250' abutter notification distance was better than the language currently in place. Some members expressed concern about whether there should be a separate notice provision specific to the Water View Overlay District as opposed to any other district. The statement was made that this increased notification would likely result in the Board receiving more feedback on specific water view issues. The Board felt that while this proposed abutter notification amendment attempts to address the concern regarding notification, it does not address most of the core difficulties that the Board has had when interpreting and applying the conditional use criteria in Water View Overlay District applications. The Board expressed that they wished to see the Water View Overlay District requirements reviewed and hoped that the consideration of language did not stop with notifications.

The minutes of that March meeting have not been finalized but they will likely be available for review soon. The video of the meeting is available on our website. Finally, if staff or the Council require additional information or clarification on the comments above this discussion item could be added to a future meeting agenda.