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Sent via email to noreen.stockman@falmouthma.gov

September 14, 2020

Terrence J. Hurrie, Chairman
Town of Falmouth Zoning Board of Appeals
59 Town Hall Square
Falmouth, MA 02540

Re: Comprehensive Permit 090-17
Helmis Circle, LLC – Applicant
Little Pond Village at Falmouth Heights

NOTICE OF PROJECT CHANGE – INSUBSTANTIAL CHANGE REQUEST

Dear Mr. Hurrie:

Reference is made to the above-described Comprehensive Permit issued to my client, Helmis Circle, LLC (“Applicant”), by Decision of the Board filed with the Falmouth Town Clerk on August 24, 2018, as modified by the Modification to Comprehensive Permit filed with the Falmouth Town Clerk on February 26, 2020 (the “Comprehensive Permit”).

The Applicant is progressing toward the commencement and marketing of the project. In doing so, they have analyzed the current real estate market in terms of the most desirable house plans and have determined that certain revisions will improve the project. None of the changes will result in the need for any additional waivers; and all of the houses will still comply with the required minimum house setbacks as per the Comprehensive Permit. There will be no changes to the lots. The most notable changes are: 1) that the Applicant is now proposing to incorporate one-car garages in twenty-two (22) of the houses; and of the seven (7) affordable units, six (6) will include a one-car garage; and 2) instead of including sheds on all lots, only six (6) lots will have sheds (i.e. these being the lots that will not have garages). We understand that the ten (10) garages previously proposed were removed during the initial hearing and the setbacks between the houses were increased; however, not only do the new house plans, including the garages, not require any changes to waivers or changes in the minimum yard setbacks; in fact the footprints of many of the houses have *decreased* and likewise, most of the driveway areas have *decreased*, and in total, the impervious area in the project (including the elimination of twenty-two (22) sheds), has *decreased*.

All of the above is best illustrated by the following documents and plans which are submitted herewith:

1. Site Layout Plan revised 09-10-20;
2. Lot Area and Setback Chart Proposed Revisions 09-10-20;
3. Lot Area and Setback Chart Comparison: Proposed Versus Prior Approved 09-10-20
4. Revised house floorplans and renderings, as follows:
 - a. Base Cape style home;
 - b. Modified Cape style home; and
 - c. Ranch style home.

The Applicant believes that the aesthetic attraction of the houses has increased, they will be more easily marketable, that there will be a reduction in outside car parking due to the addition of garages, which will also make the neighborhood more attractive, and that with the reduction in impervious areas, there is a net improvement to the project.

Therefore, on behalf of the Applicant, this letter is requesting that the Board approve the above modifications to the house plans and site plan. We believe that these modifications are insubstantial under the Chapter 40B Regulations cited below.

As noted above, none of these changes requires modification to the minimum lot sizes, yard setbacks, lot dimensions, frontage or lot coverages established in the Comprehensive Permit, nor do they require any other modifications to the Comprehensive Permit.

This Notice of Project is provided pursuant to the provisions of 760 CMR 56.05(11)(a), and the Applicant is requesting that the Board determine that the proposed changes are insubstantial, in accordance with 760 CMR 56.05(11)(a) and (b) and 760 CMR 56.07(4). As you know, pursuant to these regulations, the Board is required to determine within twenty (20) days whether the changes are insubstantial, and if it is determined that they are insubstantial or if notice is not provided by the Board to the contrary within such twenty (20) day period, the Comprehensive Permit shall be deemed modified to incorporate the changes. The above process does *not* require a public hearing. A public hearing is only required if you determine that the changes are substantial changes and the public hearing must be within thirty (30) days of a timely determination that the changes are substantial.

In the Chapter 40B Regulations, as described in 760 CMR 56.07(4), there are guidelines indicating that requested modifications are generally considered insubstantial if they do not change the type of housing tenure (in this case, the project will still be home-ownership), and if they do not increase or decrease the number of units by more than ten (10%) percent. We are not proposing any change to the number of units, bedrooms or mix of bedrooms. Further, we believe that these minor changes have no adverse impact and are in fact beneficial, as stated above.

We respectfully request that a meeting be scheduled for this matter on September 24, 2020, if possible. If not possible, the Applicant will certainly work with Ms. Stockman on a

mutually agreeable date.

Thank you and we look forward to meeting with you.

Very truly yours,



Peter L. Freeman

Enc.

cc: Brian Kelleher, Helmis Circle, LLC
Randy Lilly, Helmis Circle, LLC



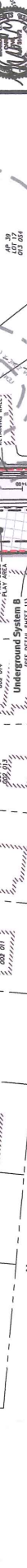
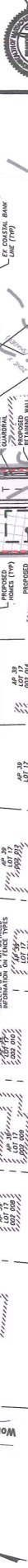
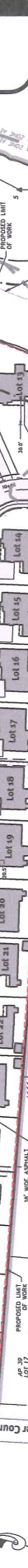
Diprete Engineering
 999 Washington Street, Suite 104A, Dorchester, MA 02122
 Tel: 781-326-0231 Fax: 781-326-0232 www.diprete-eng.com
 Boston • Providence • Newport



Site Layout Plan
 Little Pond Village at Falmouth Heights
 Falmouth, Massachusetts
 Helms Circolo, LLC / Randal Lily Aspen Group
 100 Riverside Drive, 12th Floor, New York, NY 10020
 Prepared by: Diprete Engineering, Inc. on March 24, 2017
 Project No: 17-002
 Scale: 1" = 50'

Lot Area Table (NOT TO SCALE)

Parent Table	Lot #	Area (SF)	Width	Frontage
	1	1237	93.5	103.2
	2	4134	62.0	62.0
	3	4148	62.0	62.0
	4	4159	62.0	62.0
	5	4172	62.0	62.0
	6	4593	63.0	63.0
	7	4468	61.0	61.0
	8	4203	62.0	62.0
	9	4235	62.0	62.0
	10	4655	62.0	59.8
	11	15597	22.6	22.0
	12	20391	26.1	26.1
	13	18432	28.2	28.2
	14	9234	60.2	158.2
	15	3829	62.0	62.0
	16	4027	62.0	62.0
	17	4082	62.0	62.0
	18	4007	62.0	62.0
	19	3986	62.0	62.0
	20	3884	62.0	62.0
	21	3704	61.0	62.0
	22	3557	58.5	62.1
	23	4366	57.2	69.6
	24	5102	57.3	48.6
	25	5103	56.5	56.5
	26	4600	31.5	31.4
	27	5482	61.8	61.8
	28	8557	74.7	75.5



Edaling Legend

Property Line	---
Assessor Line	---
Building	[Hatched]
Brickline	[Hatched]
Curb	---
Fence	---
Driveway	---
Water Line	---
Gas Line	---
Overhead Wires	---
Drainage Line	---
50' No Disturbance	---
Verbal Pool Edge	---
FEMA Boundary	---
Costal Bank Line	---
Wetland Line & Flag	---

Proposed Legend

Proposed Fence - See Detail A for Types	---
Proposed Fences - See Detail B for Types	---
30' Coastal Bank Buffer (Zone A)	---
100' Coastal Bank Buffer (Zone B)	---
Proposed ASP Pavement	---
Proposed ASP Driveway	---
Proposed ASP Sidewalk	---
Proposed ASP Road Striping	---
Proposed ASP Sign	---
Proposed ASP Street Light	---
Proposed ASP Skid	---

Dimensional Regulations:

Current Zoning	SR-2
Minimum Lot Area	40,000 SF
Minimum Front and Corner Setback	25'
Minimum Side Yards	10'
Minimum Back Yards	10'
Maximum Structure Height	35'
Maximum Lot Coverage - Total Impervious	48%

Development Data:

Total Site Area	4884 Acres
# of Residences per Unit	2
# of Units	933
Length of Way Area	11,576'
Perimeter	22' (4" with Cape Cod Berm)

Plan Notes:
 1. PRIOR TO CONSTRUCTION, PROPOSED FEATURES ON LOTS TO BE Laid Out WITH LANDSCAPE ARCHITECT AND ENGINEER DETERMINING IF ANY EXISTING TREES CAN BE PRESERVED.
 2. THIS PLAN DOES NOT SHOW SMALL LOT ACCESSORIES SUCH AS FRONT STAIR PAWS, BARBECUES, PATIOS, AND OTHER SMALL LOT ACCESSORIES THAT ARE NOT SHOWN ON THIS PLAN. THE DESIGNER HAS ASSUMED THAT THERE IS SUFFICIENT SPACE FOR SUCH ACCESSORIES ON EACH LOT. DURING CONSTRUCTION, ADDITIONAL IMPERVIOUS AREA FOR THESE ACCESSORIES SHALL BE ALLOCATED. IF THERE IS INSUFFICIENT SPACE FOR THESE ACCESSORIES ON A LOT, THAT IMPERVIOUS AREA MAY BE ALLOCATED ELSEWHERE ON THE LOT.



Little Pond Village at Falmouth Heights
 Lot Area and Setback Chart - Proposed Revisions 09.10.20
 09.10.20

Lot Number	HOUSES					SHEDS					Total Lot Area (sf)	Proposed Bldg Area (sf)	Proposed Bldg Area %	Proposed Driveway Area (sf)	Proposed Total Impervious Area (sf)	Proposed Total Impervious Area %
	Frontage (ft)	Front Setback (ft)	Side Setback (ft)	Rear Setback (ft)	Front Setback (ft)	Side Setback (ft)	Rear Setback (ft)	Front Setback (ft)	Side Setback (ft)	Rear Setback (ft)						
1	103.2	10	15	11	50	3	3				1,194	10%	460	1,654	13%	
2	62	13	3	10							4,134	36%	415	1,909	46%	
3	62	14	4	10							1,394	34%	415	1,809	44%	
4	62	14	5	10							1,459	36%	415	1,909	46%	
5	62	14	5	10							1,472	36%	415	1,909	46%	
6	63	14	5	10							1,494	33%	415	1,909	42%	
7	61	14	9	10							1,494	33%	415	1,909	43%	
8	62	14	3	10							1,494	35%	415	1,909	45%	
9	62	14	5	10							4,225	35%	415	1,909	45%	
10	59.9	14	5	10							4,605	32%	630	2,124	46%	
11	22.6	42	9	10							15,597	10%	600	2,094	13%	
12	26.1	88	6	211							20,391	7%	1,150	2,644	13%	
13	28.2	70	5	207							18,432	8%	1,100	2,594	14%	
14	159.2	10	12	12	37	3	5				9,234	14%	450	1,759	19%	
15	62	12	5	10	45	3	5				3,829	34%	450	1,759	46%	
16	62	11	5	11							4,027	37%	432	1,926	48%	
17	62	11	5	12							4,082	37%	432	1,926	48%	
18	62	11	4	10							4,007	37%	432	1,926	48%	
19	62	11	3	10							3,996	37%	432	1,926	48%	
20	62	11	3	10							3,864	36%	432	1,826	47%	
21	62	12	5	10	38	3	5				3,704	35%	432	1,741	47%	
22	62.1	10	5	10	38	3	5				3,557	37%	432	1,741	49%	
23	69.6	10	5	10	55	3	5				1,309	30%	576	1,885	43%	
24	58.6	10	7	15							1,570	31%	460	2,030	40%	
25	56.5	18	7	15							5,103	31%	558	2,128	42%	
26	51.4	25	5	21							4,600	28%	495	1,789	39%	
27	61.8	14	7	18							5,462	29%	432	2,002	37%	
28	75.5	20	5	25							6,557	21%	540	1,934	29%	
House Lot Totals =											176,960	23%	14,245	54,580	31%	
House Lot Averages =											6,320	23%	509	1,949	31%	
Right of Way	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	40,318	-	-	34,330	85%	
											216,929	19%	-	88,910	41%	
Site Totals =											40,335					

Note 1: "Building Area" represents the overall footprints including dwellings, porches, bulkheads, potential 3-season / bonus rooms, garages, and sheds.

Note 2: "House Setbacks" include potential 3-season rooms.

Note 3: Lots 1, 3, 14, 15, 20, 21, 22, 23, 24, 25, 26, 27 & 28 do not have potential 3-season rooms

Note 4: Lots 2 - 13, 16 - 24 - 28 have single car direct access garages

Note 5: Lots 1, 14, 15, 21, 22 & 23 do not have garages

Note 6: Lots 1, 14, 15, 21, 22 & 23 are the only lots to have potential sheds (not to exceed 80 SF)

Note 7: Lot 12 and Lot 13 include updated dimensional setbacks

Little Pond Village at Falmouth Heights
 Lot Area and Setback Chart - Comparison: Proposed Versus Prior Approved
 09.10.20

Lot Number	Frontage (ft)	Setbacks	Total Lot Area (sf)	Sheds	Bldg Area SF			Driveway Area SF			Total Impervious Area SF		
					Proposed	Prior Approved	Inc / (Dec)	Proposed	Prior Approved	Inc / (Dec)	Proposed	Prior Approved	Inc / (Dec)
1					1,194	1,194	-	460	650	(190)	1,654	1,844	(190)
2					1,494	1,494	-	415	450	(35)	1,909	1,944	(35)
3					1,394	1,414	(20)	415	500	(85)	1,809	1,914	(105)
4					1,494	1,494	-	415	500	(85)	1,909	1,994	(85)
5					1,494	1,494	-	415	500	(85)	1,909	1,994	(85)
6					1,494	1,494	-	415	500	(85)	1,909	1,944	(35)
7					1,494	1,494	-	415	500	(85)	1,909	1,944	(35)
8					1,494	1,494	-	415	500	(85)	1,909	1,944	(35)
9					1,494	1,494	-	415	500	(85)	1,909	1,994	(85)
10					1,494	1,494	-	630	800	(170)	2,124	2,294	(170)
11					1,494	1,494	-	600	600	-	2,094	2,094	-
12					1,494	1,494	-	1,150	1,500	(350)	2,644	2,994	(350)
13					1,494	1,494	-	1,100	1,150	(50)	2,594	2,644	(50)
14					1,309	1,374	(65)	450	450	-	1,759	1,824	(65)
15					1,309	1,314	(5)	450	450	-	1,759	1,764	(5)
16					1,494	1,494	-	432	450	(18)	1,926	1,944	(18)
17					1,494	1,494	-	432	450	(18)	1,926	1,944	(18)
18					1,494	1,494	-	432	450	(18)	1,926	1,944	(18)
19					1,494	1,494	-	432	450	(18)	1,926	1,944	(18)
20					1,394	1,494	(100)	432	450	(18)	1,826	1,944	(118)
21					1,309	1,314	(5)	432	450	(18)	1,741	1,764	(23)
22					1,309	1,314	(5)	432	450	(18)	1,741	1,764	(23)
23					1,309	1,314	(5)	432	450	(18)	1,741	1,764	(23)
24					1,570	1,830	(260)	460	600	(140)	1,885	1,914	(29)
25					1,570	1,830	(260)	558	790	(232)	2,030	2,480	(450)
26					1,294	1,494	(200)	495	650	(155)	1,789	2,144	(355)
27					1,570	1,830	(260)	432	790	(358)	2,002	2,530	(528)
28					1,394	1,494	(100)	540	700	(160)	1,934	2,194	(260)
Site Totals =					40,335	41,620	(1,285)	14,245	16,880	(2,635)	54,580	58,170	(3,590)
% inc / (Dec) =							-3.1%			-15.6%			-6.2%

No change in Lot Areas

No change in Setbacks

No change in Frontages

Only Lots 1, 14, 15, 21, 22 & 23 have potential Sheds







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cepecodhomedesignplans.com

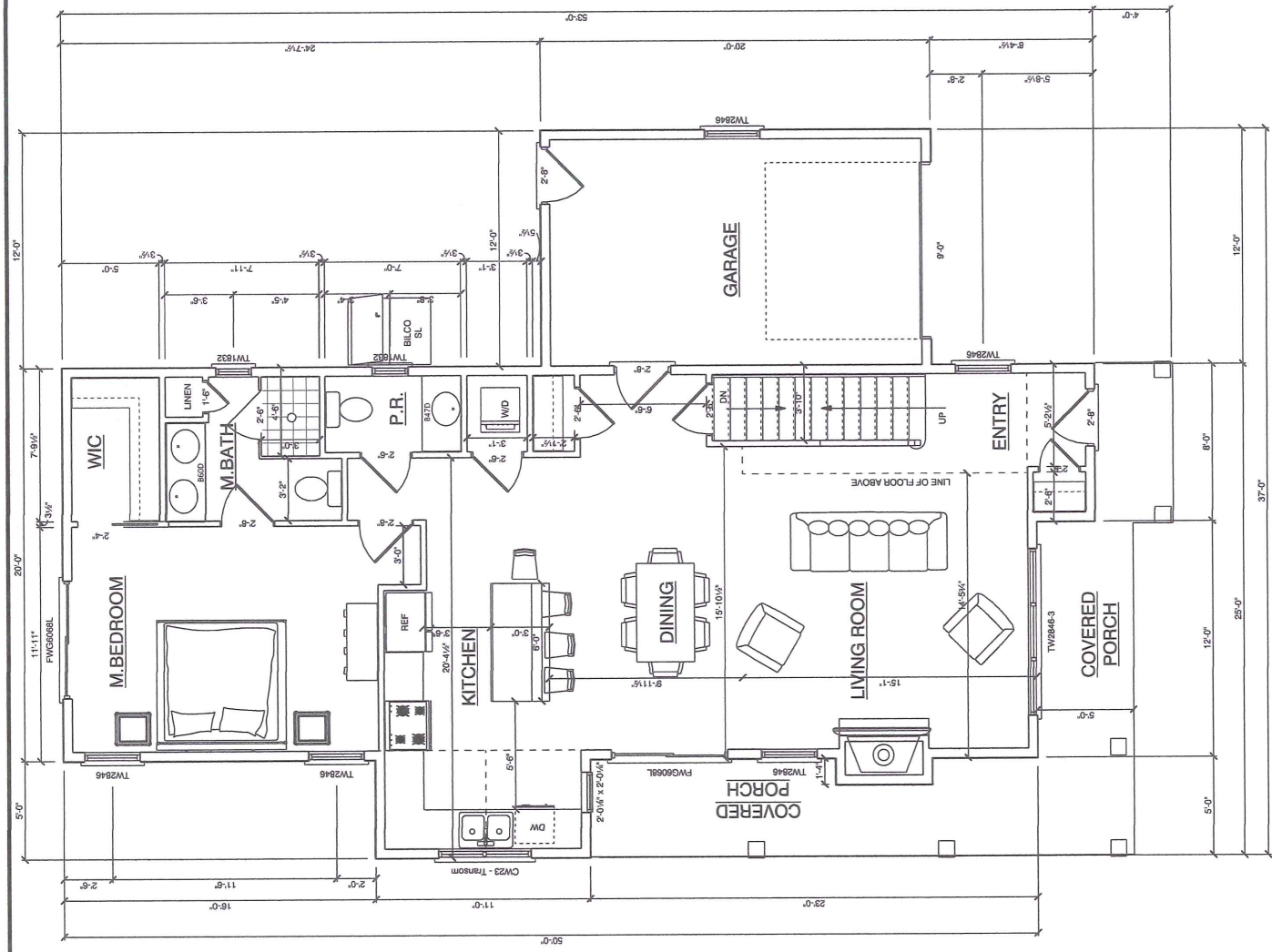
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& CONSULTING

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(508) 495-2881

RANCH DESIGN

HELMIS CIRCLE
FALMOUTH, MA.

SCALE	1/4"=1'-0"
DATE	9-9-20
DRAWN BY	JSM/SPB
REVISIONS:	
DRAWING NUMBER	



HEATED SPACE = 1079 SQ.FT.
COVERED PORCH = 231 SQ.FT.
GARAGE = 240 SQ.FT.

PROPOSED RANCH
FIRST FLOOR PLAN

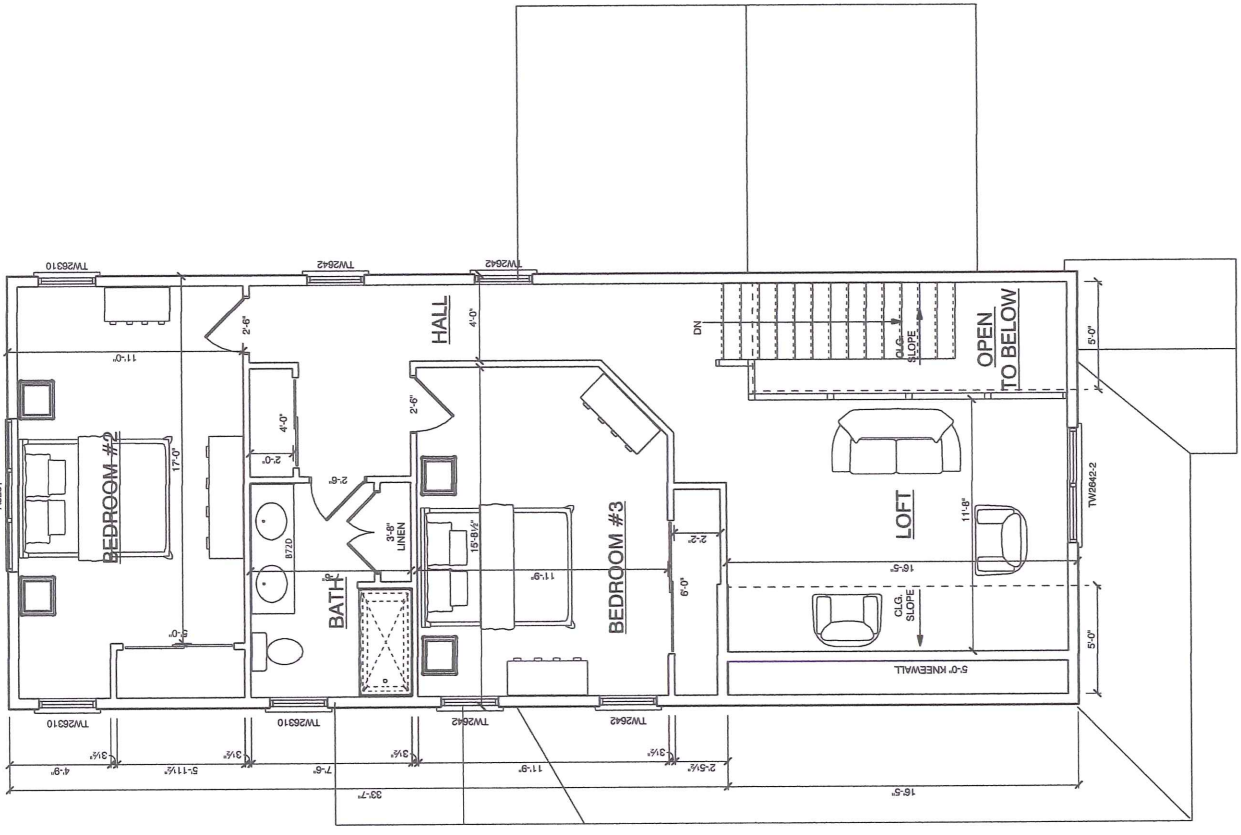
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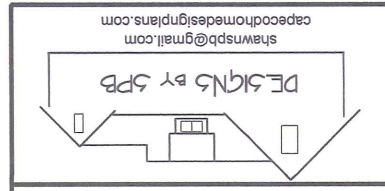
RANCH DESIGN
 HELMIS CIRCLE
 FALMOUTH, MA.

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 shawmspb@gmail.com
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**PROPOSED RANCH
 SECOND FLOOR PLAN**
 9-9-20
 869 SQUARE FEET OF
 HEATED FLOOR SPACE



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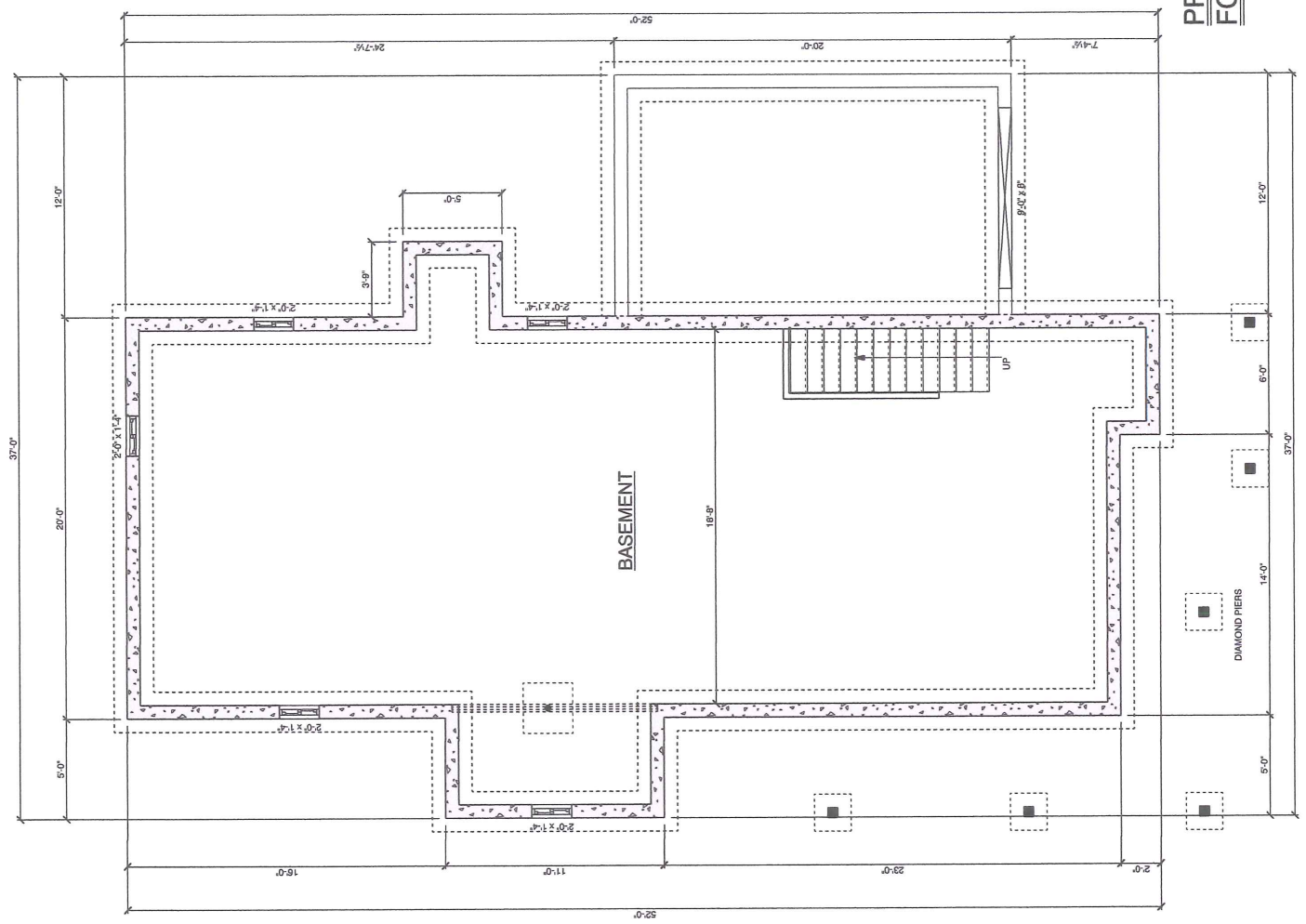
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HELMIS CIRCLE
 FALMOUTH, MA.

SCALE	1/4" = 1'-0"
DATE	9-9-20
DRAWN BY	JSM/SPB
REVISIONS:	
DRAWING NUMBER	

**PROPOSED RANCH
 FOUNDATION PLAN**

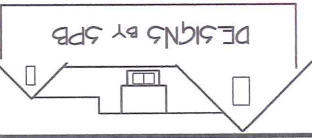
9-9-20
 966 SQ.FT.









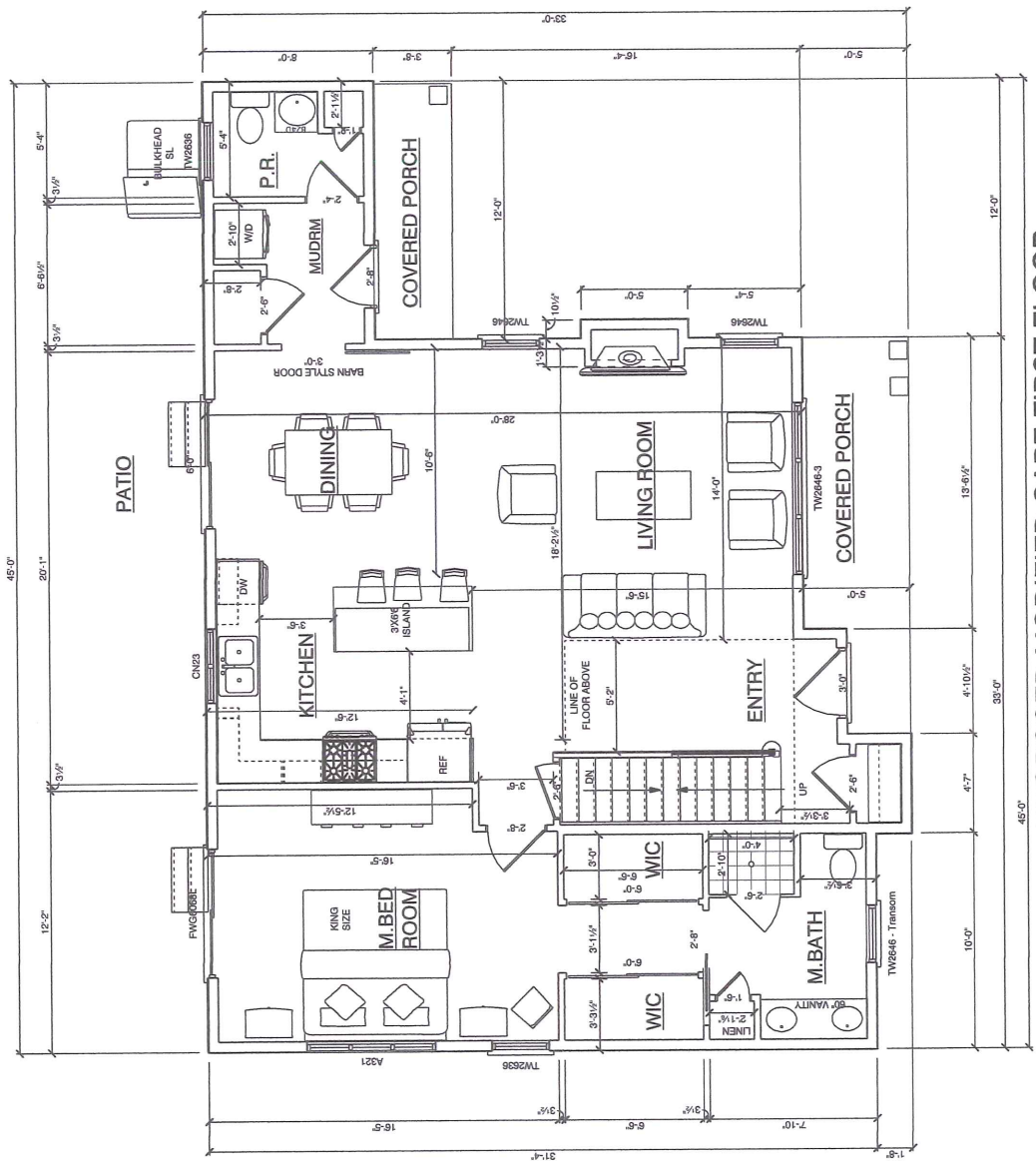


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MODIFIED CAPE DESIGN
HELMIS CIRCLE
FALMOUTH, MA.

SCALE	1/4"=1'-0"
DATE	9-9-20
DRAWN BY	SPB
REVISIONS:	
DRAWING NUMBER	



PROPOSED MODIFIED CAPE FIRST FLOOR

9-9-20

HEATED SPACE = 1082 SQ.F.T
PORCH = 127 SQ.F.T.

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capecodhomedesignplans.com

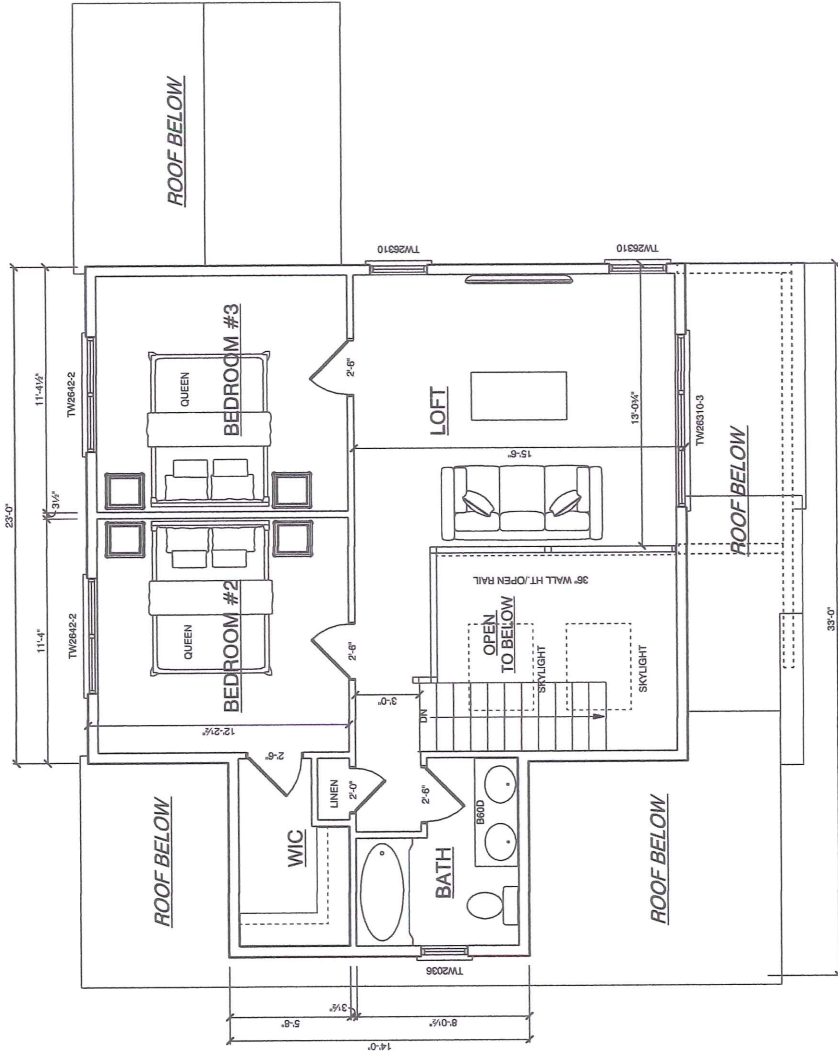
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MODIFIED CAPE DESIGN

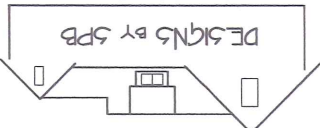
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FALMOUTH, MA.

SCALE	1/4"=1'-0"
DATE	9-9-20
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REVISIONS:	
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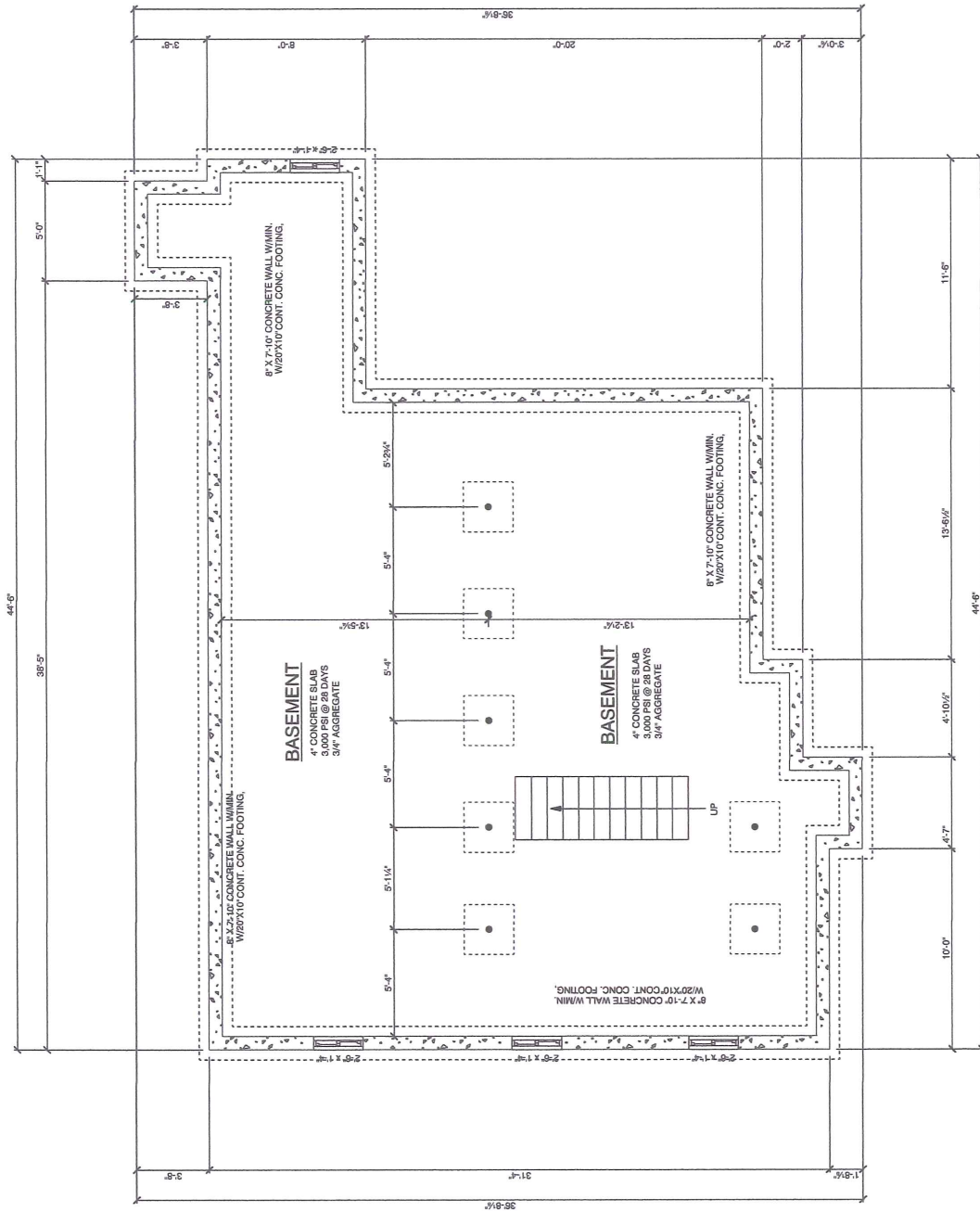


PROPOSED BASE CAPE SECOND FLOOR

9-9-20
661 SQ.FT. HEATED SPACE



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DATE	9-9-20
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DRAWING NUMBER	

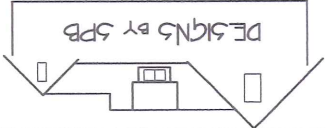


FOUNDATION PLAN
9-9-20
994 SQUARE FEET









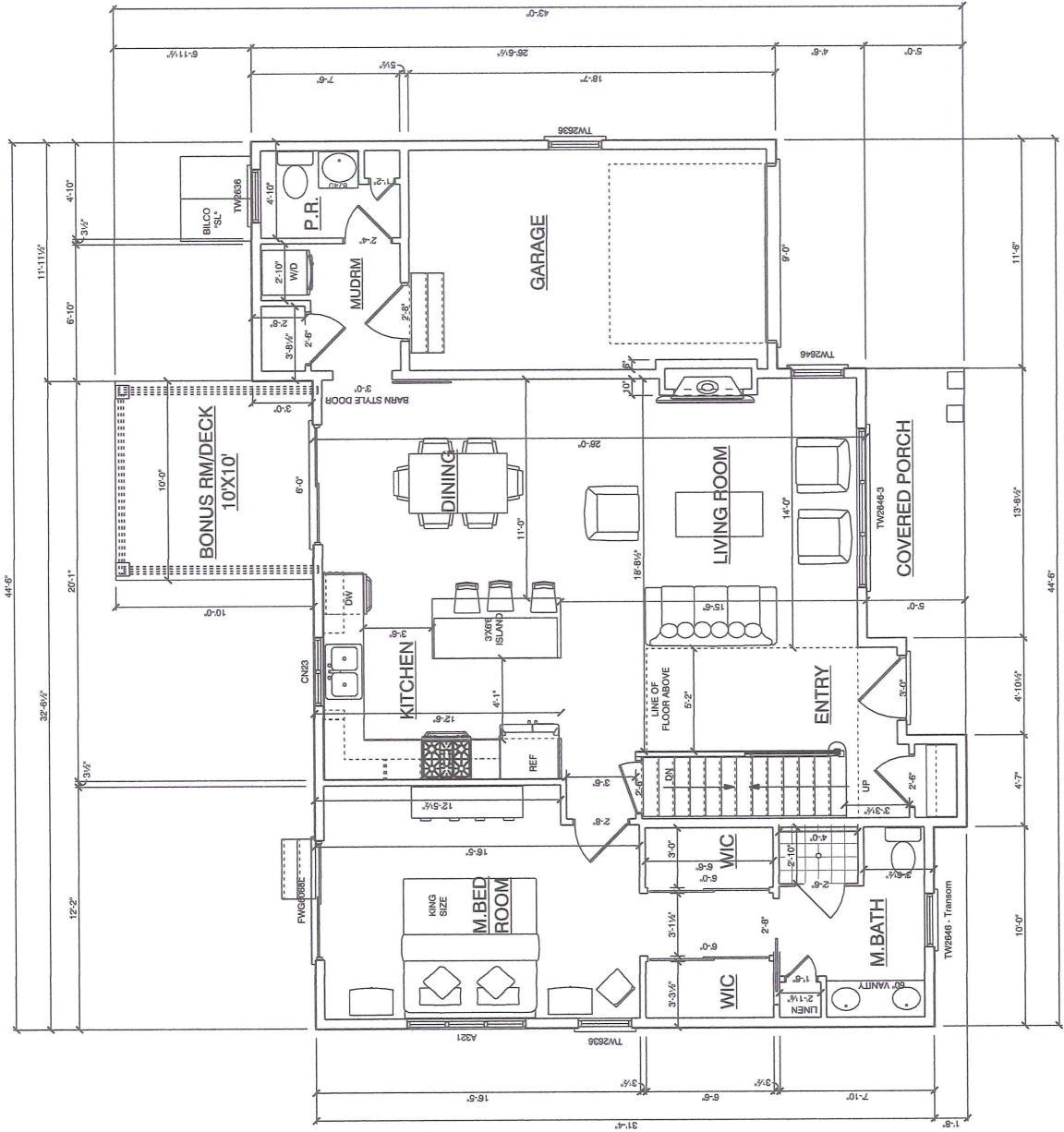
shawnsb@gmail.com
capcohomeplans.com

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& CONSULTING

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(508) 495-2881

BASE CAPE DESIGN
HELMIS CIRCLE
FALMOUTH, MA.

SCALE 1/4" = 1'-0"
DATE 9-9-20
DRAWN BY SPB
REVISIONS:
DRAWING NUMBER

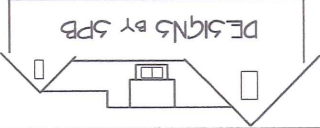


PROPOSED BASE CAPE FIRST FLOOR

9-9-20

HEATED SPACE = 1067 SQ.F.T
BONUS RM/DECK = 100 SQ.FT.
GARAGE = 222 SQ.FT.
PORCH = 85 SQ.FT.

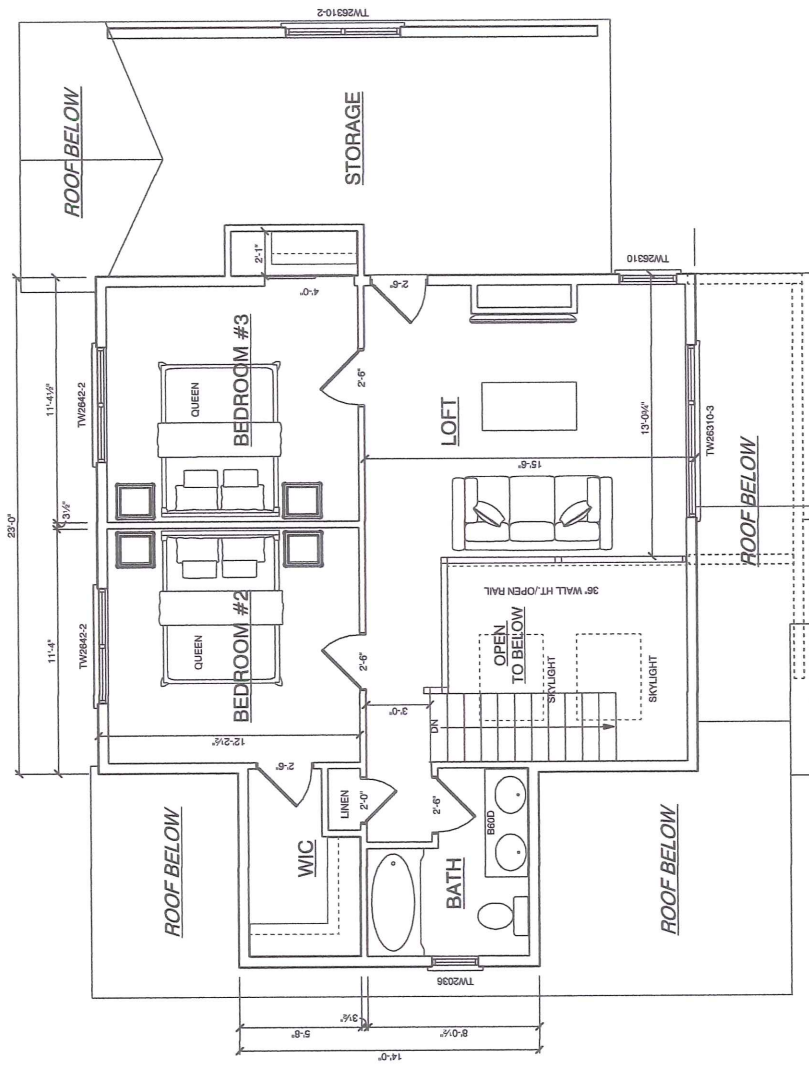
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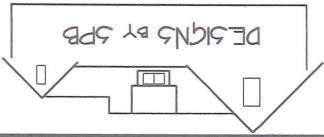
BASE CAPE DESIGN
HELMIS CIRCLE
FALMOUTH, MA.

SCALE 1/4"=1'-0"
DATE 9-2-20
DRAWN BY SPB
REVISIONS:
DRAWING NUMBER



PROPOSED BASE CAPE SECOND FLOOR

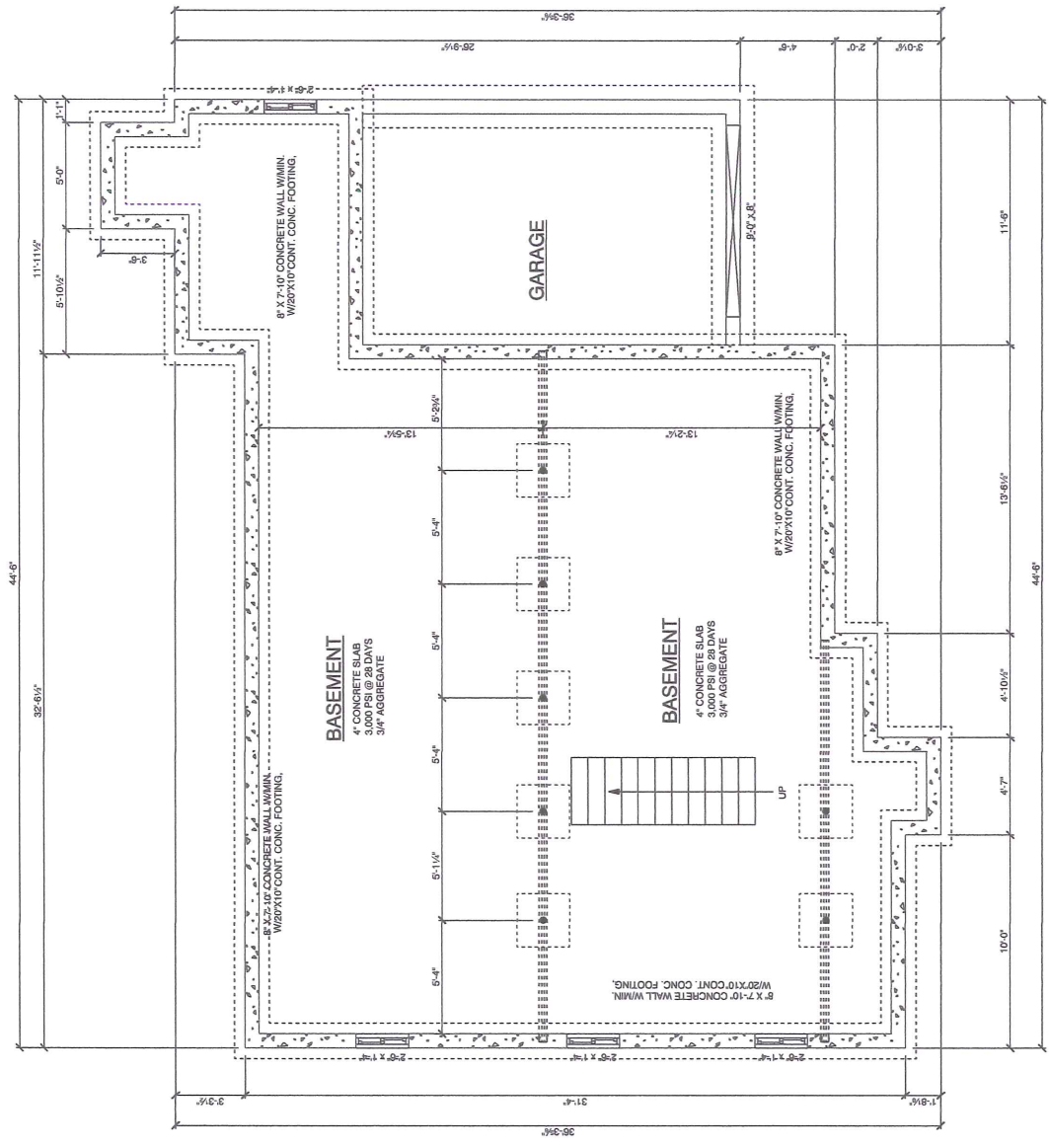
661 SQ.FT. HEATED SPACE



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BASE CAPE DESIGN
 HELMIS CIRCLE
 FALMOUTH, MA.

SCALE: 1/4"=1'-0"
DATE: 9-9-20
DRAWN BY: SPB
REVISIONS:
DRAWING NUMBER:



FOUNDATION PLAN
 988 SQUARE FEET