



REPORTER

Annual Review of Regional Policy Plan

Last year the Barnstable County Assembly of Delegates asked the Cape Cod Commission to initiate an annual review of at least one section of the Regional Policy Plan (RPP), the Cape's 'blueprint' for land use, in addition to the required five-year update of the plan. Consequently, in early May 2010 the Commission forwarded technical amendments to the 2009 RPP to the Assembly for review and consideration for adoption by ordinance.

The Commission reviewed the affordable housing section of the plan this year and proposes technical amendments to it and several other sections, particularly ones related to the process for adopting the Regional Land Use Vision Map that was introduced in the 2009 plan. In addition, the Commission proposes changes to several minimum performance standards related to land use, water resources, and energy, Significant Natural Resource Area (SNRA) designation, the definitions of SNRA and Resource Protection Area, and other technical changes.

The proposed amendments are on the web site www.capecodcommission.org/RPP. At the time this publication went to press, the Assembly's Standing Committee on Government Regulations had scheduled a public hearing for May 19.

Assembly Designates Ocean DCPC

Following an April 21, 2010, unanimous vote of the Barnstable County Assembly of Delegates to designate the first Cape-wide District of Critical Planning Concern (DCPC), the Cape Cod Commission's staff is organizing an approach to involve Cape municipalities, technical experts, stakeholders, and the public in a fact-based discussion of ways to address development of the Cape's ocean waters for renewable energy and other uses allowed by the state's Ocean Management Plan. The process will ultimately identify appropriate areas within the district boundaries that may support renewable energy projects (up to 24 in the Cape Cod regional planning area) and establish criteria for determining the appropriate scale of and review procedures for those projects at the local and regional levels.

(CONTINUED ON NEXT PAGE)





Keeping a Special Place Special

20 Years Ago This Month...

The Cape Cod Commission filled several staff positions specifically required by the Cape Cod Commission Act:

Chief Planner (Margo Fenn), Chief Regulatory Officer (Dorr Fox), and Commission Clerk (Katharine Peters). The agency also initiated a search for two more Act-required positions: Affordable Housing Specialist and Economic Development Officer. The Commission promoted Interim Clerk Patty Daley to Senior Regulatory Planner, and Senior Planner David Hall to Waste Management Coordinator. In addition, the agency began to organize local planning committees and an advisory board for the first Regional Policy Plan, and continued to develop administrative and enabling regulations. The board granted requests for hardship exemptions from Development of Regional Impact (DRI) review for solid waste transfer stations in Truro and Yarmouth and for a subdivision in West Barnstable.

OCEAN DCPC, FROM PAGE 1

The Commission will establish a policy committee of town representatives to oversee the process and distill recommendations from a technical work group, a stakeholder committee, and the general public. It is intended that the policy committee will recommend regulations that guide the placement of 'community-scale' wind turbines and other renewable energy facilities, and other uses allowed in the state's ocean waters.

The plan calls for a 'kick-off' forum in June, during which the technical work group, organized around three focus areas (natural resources, visual issues, and renewable energy) will begin their work. Information will be posted online at www.cape-codcommission.org/oceanplanning.

Five-year Plan for County HOME Funds



The US Department of Housing and Urban Development (HUD) requires every jurisdiction that receives HOME funds to produce a "Consolidated Plan" every five years. Since 1994, Barnstable County has received more than \$11.4 million in HOME funds, which are redistributed to local affordable housing projects by the Barnstable County HOME Consortium (www.capecod-commission.org/housing/HOME-consortium.htm).

After an extensive review of the region's housing market and needs, and in consultation with a wide range of individuals and housing and social service organizations, the HOME Consortium adopted a draft 2010–2014 Consolidated Plan at its meeting on April 22 and will take comments on it until May 26, 2010. (Send comments to

Cape Cod Commission Affordable Housing Specialist Paul Ruchinkas via e-mail: pruchinkas@capecod-commission.org.)

The draft identifies key findings: (a) a major increase in the number of low-income households with cost burdens; (b) the continued need for affordable rental units, especially for very and extremely low-income households; (c) the gap between wages and real estate prices, despite the recent 'soft' housing market and low interest rates; (d) the need for more housing and resources for special-needs populations; and (e) an increase in homelessness that could result from a predicted continuation of high foreclosure rates in the next two to three years.

Within the Consolidated Plan, the Consortium establishes five

priorities for the 2010–2014 period to address what it considers the most pressing housing needs facing the region:

1. an adequate supply of safe, decent rental housing that is affordable and accessible to residents with a range of income levels and needs;
2. maintenance of the existing stock of affordable housing, particularly the units occupied by extremely and very low-income households;
3. a reduction in homelessness through a continuum of care;
4. expanded ownership opportunities for low-income households; and
5. accessible, community housing options for Barnstable County residents with long-term support needs.



CCC Regulatory Status Report

■ DRI Project Reviews:

BARNSTABLE

- ✓ ● **Barnstable Municipal Airport**—proposed major modification to access and egress. The scope of CCC review is limited to transportation issues.
- **Hyannisport Club/2 Irving Avenue**—proposed demolition of the 18th century “Marchant House” on the grounds of the Hyannisport Golf Course. On 12/3/09, CCC accepted the project as a discretionary DRI referral from the Barnstable Historical Commission limited to historic preservation/community character issues. The Commission accepted the applicant’s withdrawal of the proposal on 4/29/10.

FALMOUTH

- **The Golf Club at Cape Cod/Ballymeade**—proposed construction of an 18-hole golf course on approximately 183.41 acres within Ballymeade Estates. Extension agreement to 9/29/13.

MASHPEE

- **Mashpee Watershed Plan**—proposed watershed nitrogen management plan.

ORLEANS

- ✓ ● **Orleans Stop & Shop Gasoline Station**—proposed 10-pump gas station on the site of an existing commercial plaza (“Cranberry Plaza”) near the Orleans traffic rotary. On 1/7/10, CCC accepted the project as a discretionary DRI referral. The review will address water and coastal resources, wetlands, transportation, solid waste/hazardous materials, economic development, and heritage preservation/community character.

PROVINCETOWN

- ✓ ● **Waste Treatment Telecommunications Monopole**—proposed construction of a wireless telecommunications facility in a 40x40-ft. compound.

SANDWICH

- **Forestdale Village**—proposed 80,000-sq.ft. commercial development on Route 130. The Commission denied the proposal on procedural grounds without prejudice on 4/29/10.

YARMOUTH

- **Cape Wind Energy Project**—proposed wind energy facility in Nantucket Sound, with 130 wind towers transmitting power via an underground cable with a proposed Yarmouth landfill. Joint MEPA/CCC review. MEPA issued FEIR certificate on 3/29/07. CCC denied the project without prejudice on procedural grounds on 10/18/07. Cape Wind Associates petitioned the state Energy Facilities Siting Board (EFSB) for a “Certificate of Environmental Impact and Public Interest” on 11/21/07. EFSB held a hearing in mid November 2008 and granted the certificate on 5/27/09. CCC filed a petition to appeal that decision on 6/12/09. The matter is before the Massachusetts Supreme Judicial Court.
- ✓ ● **Siddharth Siddharth Lot Clearing**— more than two acres of land in Yarmouthport cleared without a clearing permit.

■ DRI Reviews Pending Massachusetts Environmental Policy Act (MEPA) Certificates:

- **South Coast Watersheds Comprehensive Wastewater Management Plan/Falmouth**—proposed Comprehensive Wastewater Management Plan to address water quality problems of Little, Great, Green, Bournes, and Eel ponds, and Waquoit Bay.
- **Holland Mills Well and Pumping Station/Mashpee**—proposed installation of new public water supply well/pump station.
- **Orleans Comprehensive Wastewater Management Plan**—proposed draft Comprehensive Wastewater Management Plan that identifies and evaluates three alternative plans for wastewater treatment and disposal.
- **Provincetown Airport Capital Improvements Plan**—proposed safety and facility improvements to the Provincetown Municipal Airport.
- **Sandwich Beach Nourishment and Dredging**—proposed beach nourishment and maintenance dredging.
- **Herring River Tidal Restoration Project**—proposed reestablishment of tidal flow to the 1,100-acre Herring River estuary and floodplain.
- **Parker’s River Marine Park/Yarmouth**—proposed marine park on the 22-acre site of the former Yarmouth drive-in theater.

Developments of Regional Impact (DRIs) and other regulatory matters currently under review by the Cape Cod Commission are listed here. A check mark (✓) in front of a project’s name indicates that Commission regulatory activity is scheduled for that project in the next month. Details about activities listed here and in the calendar on the back cover may be found online in the Regulatory section of the web site: www.capecodcommission.org

■ Proposals with Approved “Notices of Intent to File a Development Agreement”:

Dates shown are deadlines for anticipated filings.

- **Red Jacket Resorts Development/Yarmouth** – 8/20/10
- **The Villages of Barnstable/Barnstable** – 12/17/10
- **Mashpee Commons Master Plan/Mashpee** – 2/18/11

■ Active Districts of Critical Planning Concern (DCPCs):

- ✓ ● **Craigville Beach DCPC/Barnstable**—The town has prepared draft “implementing regulations” for the district. On 4/1/10, the Barnstable Town Council voted to send the regulations to CCC for review, which is tentatively scheduled for 6/10/10.
- **Ocean Management Planning DCPC/Capewide**—The Barnstable County Assembly of Delegates voted unanimously to designate the district by regional ordinance on 4/21/10. Implementing regulations must be adopted by 5/5/11. (SEE RELATED STORY ON PAGE 1.)

Commission Meetings and Events

Cape Cod Commission meetings and hearings are open to the public. Call (508) 362-3828 to confirm times and check for last-minute changes.

Standing Committees

Regulatory, Planning, and Executive committee meetings held at the Commission offices. Call for times.

Monday, June 7
Monday, June 21

Regulatory Calendar

■ **May 27:** CCC MEETING: 3 p.m., Assembly of Delegates Chamber, Barnstable. Agenda tentative; please call to confirm.

■ **May 28:** HEARING OFFICER: Provincetown Waste Treatment Telecommunications Monopole (Provincetown project), 10 a.m., CCC. Procedural only; no testimony to be taken.

■ **June 2:** HEARING OFFICER: Orleans Stop & Shop Gasoline Station (Orleans project), 10 a.m., CCC. Procedural only; no testimony to be taken.

■ **June 10:** CCC MEETING: 3 p.m., Assembly of Delegates Chamber, Barnstable. Agenda tentative; please call to confirm.

Full Commission Meetings

Held at the Barnstable County Assembly of Delegates Chamber at 3 p.m., unless otherwise noted.

Thursday, June 10
Thursday, June 24

Other Events

■ **Cape Cod Pathways CAPEWALK 2010:** Begins Saturday, June 5, at West Falmouth Harbor in Falmouth and ends Sunday, June 13, at Herring Cove in Provincetown. Brochure available online at www.capecodcommission.org/pathways. Register by sending e-mail to pathways@capecodcommission.org.

■ **Cape Cod Joint Transportation Committee (CCJTC) Meeting:** Friday, June 11, at 8:30 a.m., at CCC.

Cape Cod Commission

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Royden Richardson

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