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Minutes
Cape Cod Commission DRI Subcommittee Hearing
Tractor Supply, Hyannis (Commission File No. 19020)
October 23, 2019 at 5:30 p.m.
East Wing Conference Room
3195 Main Street, Barnstable, MA 02630

Subcommittee Members Present: Harold Mitchell, Leonard Short, Tom Wilson, and Richard Roy

Documents used or submitted at the hearing:

- Staff Report dated October 17, 2019
- Applicant's Slide Presentation dated October 23, 2019
- Project Hearing Notice

Written comments submitted by the public:

- 48 Form Letters from residential neighborhoods opposing project

A quorum of subcommittee members present, Mr. Mitchell opened the hearing at 5:30 p.m. by reading the hearing notice.

The subcommittee members introduced themselves.

Mr. Mitchell called for Windmill Square, LLC ("Applicant") to present the proposed construction of Tractor Supply retail operation ("Project") at 1174 Pitcher's Way in Hyannis ("Project Site").

Attorney Michael Princi, appearing on behalf of the Applicant, introduced the other members of the Applicant's Project team: Windmill Square, LLC/Stuart Bornstein and Aaron Bornstein, Project Owner/Applicant; Dan Ojala, Land Surveyor and Civil Engineer, Down Cape Engineering; and Randy Hart, Traffic Engineer, VHB.

Attorney Princi began the presentation by providing context and procedural background for the Project. He stated that the Project is consistent with the Town of Barnstable ("Town") Local Comprehensive Plan and zoning ordinance. Attorney Princi explained the nature of the proposed retail operation, indicating that the Project would offer products and services to support agricultural activity in the region. Attorney Princi also discussed the Applicant's efforts to coordinate with Town infrastructure planning, highlighting an easement that the Applicant would provide for future multi-modal path expansion.

Dan Ojala, Land Surveyor and Civil Engineer of Down Cape Engineering, provided an overview of the Project Site, referencing maps in the Applicant's PowerPoint Presentation dated October 23, 2019. Mr. Ojala described the area surrounding the Project Site as including both commercial and residential uses. He discussed the Applicant's rationale for the siting and design of the Project, indicating that the design reflects input from Town and Commission staff. He also suggested that this would be a relatively unobtrusive retail operation. Mr. Ojala spoke in detail about specific features of the Project, including the driveway included for deliveries and stormwater and wastewater management. He also highlighted the Applicant's efforts to mitigate potentially adverse impacts by preserving natural area, using vegetative screening, and contributing to transportation infrastructure improvements.

Attorney Princi ended the Applicant's presentation by emphasizing the Applicant's efforts to align with the Regional Policy Plan ("RPP") including transportation mitigation, preservation of natural area, and minimizing impervious area.

Mr. Mitchell thanked Attorney Princi and asked Commission staff for comments.

Kristen Clothier of Commission staff provided comments based on the Staff Report dated October 17, 2019.

Ms. Clothier began by discussing the scope of DRI review and providing procedural background for the Project. She also discussed the applicable, material, and regionally significant Goals and Objectives of the RPP.

Ms. Clothier also provided context for the Project Site by describing the surrounding area and the zoning and regulatory designations applicable to the parcel. She stated that the area is zoned for commercial development, is classified as a Suburban Development Area Placetype by the Commission, and does not contain significant ecological resources. Ms. Clothier discussed the Applicant's proposal to meet the open space mitigation requirement by conserving two acres of higher conservation value open space off-site or by making an in lieu open space mitigation payment.

For Water Resources, Ms. Clothier noted that, while the Project is located within a Wellhead Protection Area, it would be connected to municipal water and sewer. Ms. Clothier also discussed the Applicant's plans to minimize impervious surface and to install a containment system to prevent unintended discharges of hazardous materials to groundwater.

For Energy, Ms. Clothier discussed the energy efficiency features of the building, including an efficient building envelope and mechanical equipment, energy efficient lighting, and roof-mounted solar panels.

For Community Design, Ms. Clothier discussed the Applicant's efforts to design the Project to be compatible with the surrounding area through the preservation of natural area on-site, use of vegetative screening, and revision of the building design. She also noted that the proposed lighting is 'Dark Sky' compliant.

For Transportation, Ms. Clothier described the Applicant's plans to make signal improvements and a fair share traffic mitigation payment. She also discussed the Applicant's proposal to donate public easements to the Town for a proposed multi-modal path and a sidewalk, across the property, as well as to construct all or part of the sidewalk or multi-modal path, and associated crosswalks,

noting that the options are still being discussed between Commission staff, the Applicant, and the Town.

Ms. Clothier further stated that the Barnstable Planning and Development Department submitted comments confirming the Project's consistency with the Local Comprehensive Plan and development ordinances, subject to obtaining zoning relief for certain aspects of the proposal. Specifically, she noted that Barnstable expects that some relief will be needed from the Zoning Board of Appeals when the Project goes through local site plan review. She also noted that Barnstable's Department of Public Works submitted comments indicating their interest in coordinating with the Applicant on transportation infrastructure improvements.

Next, Ms. Clothier discussed the suggested Project benefits and detriments included in the Staff Report. She ended the presentation by reviewing certain conditions recommended in the Staff Report, should the Project be approved, including the implementation of energy efficiency measures, execution of the planned open space mitigation, and completion of the transportation mitigation plans.

Mr. Mitchell asked for questions from the subcommittee.

Tom Wilson asked for clarification on the site design relative to the proposed multi-modal path and the expected route of tractor trailers making deliveries.

Mr. Ojala described the location of the multi-modal path, crosswalk, and sidewalk. He also explained the expected route of the tractor trailers making deliveries and stated that the deliveries would happen once a week.

Richard Roy asked the Applicant for further clarification on where the multi-modal path would end and if a crosswalk would be added.

Mr. Ojala answered that he isn't certain at this time, but that the Applicant expects that the Town would continue the sidewalk along Pitcher's Way. He indicated that the Applicant would be willing to add a crosswalk connecting to the residential area across Pitcher's Way if it was requested and determined to be safe.

Jon Idman, Commission staff, confirmed that the Applicant has been working with Commission transportation staff and that the option of extending the sidewalk and adding a crosswalk to connect to an existing sidewalk is under consideration.

Mr. Mitchell asked the Applicant for additional details of the transportation study and questioned the comparison to the existing Tractor Supply stores used to estimate traffic impacts of the Project.

Randy Hart, Traffic Engineer, stated that the Applicant worked with Commission staff on the study methodology, and that the Applicant would provide additional information.

Mr. Mitchell also sought clarification on the route of tractor trailers that would be making deliveries. He questioned the ability of a tractor trailer to turn onto the road safely when exiting the delivery driveway. He also asked about the potential for unauthorized use of the delivery driveway as a cut-through, suggesting that a speed bump may be insufficient to deter use.

Mr. Ojala clarified that the trucks would be turning right and estimated the distance of the driveway to be approximately 250 ft. He offered alternative options for preventing traffic from

using the driveway as a cut-through. He stated that the Applicant would be willing to use a gate instead of, or in addition to, speed bumps.

Mr. Mitchell asked about energy efficiency and asked why the solar panels would generate only 10% of the building's energy. He also questioned Applicant's reasoning for not seeking LEED certification if the Project would otherwise qualify.

Stuart Bornstein, Project Owner, stated that the Project design maximizes the number of solar panels. He indicated that the 10% threshold was a very conservative estimate, and believed that the actual figure was 100%. Responding to the question about LEED certification, Mr. Bornstein stated that LEED certification would not be valuable for this type of retail operation.

Attorney Princi commented that the percentage estimate for energy generation was likely inaccurate and that the Applicant would submit updated information.

Mr. Bornstein also discussed the potential for unauthorized use of the delivery driveway, indicating that the speed bumps would be at a height that would be sufficient to deter use by passenger cars.

Mr. Mitchell asked about the economic impact of the Project, asking for more information about employee wages.

Attorney Princi answered that employees go through an extensive training program and are hired locally. He estimated that the annual salary for managers will be approximately \$50,000 and for salespeople would range from \$24,500-35,000.

Mr. Mitchell asked the Applicant about the area that would remain natural on the Project Site, asking for further clarification on the Applicant's plans for the area. He also asked if bike racks would be included.

Mr. Ojala answered that the referenced area would be left untouched and identified the bike racks on the site plans.

Leonard Short asked about the timing of the deliveries and asked if the Applicant had considered planning the deliveries to avoid noise and traffic disturbances.

Attorney Princi expressed uncertainty of the exact timing of deliveries but stated that deliveries would be happening during normal business hours, which he approximated to be 7:30 a.m. to 6:30 p.m. He also stated that there were many factors to be considered when planning deliveries.

Seeing no more questions from the subcommittee members, Mr. Mitchell opened the hearing for public comment.

Susan Silvestri identified herself as a resident of a neighborhood abutting the Project Site. She discussed her concerns about the use and storage of hazardous materials and the potential for spills.

Natalie Pittenger identified herself as a resident of a neighborhood abutting the Project Site. She objected to the Applicant's choice of location, stating that it would disrupt the character of the area and devalue nearby properties. She disputed the methods and findings of the traffic study. She indicated that any additional traffic generation would be disruptive. Ms. Pittenger ended her comments by submitting documents that she identified as residential letters of objection.

Donald Coughlin identified himself as a resident of a neighborhood abutting the Project Site. He stated his opposition to the Project. Mr. Coughlin discussed concerns about the location of the Project and indicated that it would increase traffic congestion. He also indicated that the proposed multi-modal path or sidewalk would not be safe.

Eric and Katrina Fallon identified themselves as abutters. They stated that the Project would ruin the character of the area and discussed concerns about traffic congestion, declining real estate value, and storage of hazardous materials. They also indicated that the Project would endanger the children in the area.

Tara Ramos identified herself as an abutter. She stated that her children use a bus stop close to the Project Site and indicated that the Project would endanger children in the area. She presented photos of the bus stop to show the proximity of the bus stop to the Project Site. She also discussed her concerns about increased noise, declining real estate value, and additional traffic.

Brian Olander identified himself as a resident of a neighborhood abutting the Project Site. He discussed concerns about how the traffic would endanger people living nearby. He explained that the location of the sidewalks should be on the Pitcher's Way side to accommodate people in the area, noting that the residents of the nearby independent living facility often walk to get groceries and other necessities. He ended his comments by stating that he would prefer a stronger buffer to protect the residential development.

Jessica Thomas identified herself as the owner of Agway, a local business that she stated offers many of the same products and services as the proposed retail operation. She discussed her objection to the Project, stating that the products and services offered by other Tractor Supply locations are already offered in the Hyannis area by local, family-owned businesses. She stated that this Project would not be beneficial to the economy.

Salvatore Bonanno identified himself as a local resident, doctor, and businessman. He stated that this location was not appropriate for an agricultural business because Hyannis is not an agricultural community. He stated that traffic would be coming from outside of the Hyannis area. He also discussed his concerns about hazardous materials on the site.

Lisa Wilson identified herself as the owner of Barnstable Farm and Pet, a local business that sells livestock and pet supplies. She indicated that, in her experience, employees at Tractor Supply locations were not sufficiently trained in the products and services offered. She stated that the proposed retail operation would not adequately support customers.

Eugene Pittenger identified himself as a resident of a neighborhood abutting the Project Site. He stated that the vegetative buffer would be inadequate for screening. He also discussed his concerns about traffic impacts.

Susan Ridenour identified herself as a resident of a neighborhood abutting the Project Site. She objected to the addition of another business in the area. She discussed her concerns about the transportation impacts and the location of the proposed sidewalk and crosswalk.

Seeing no more members of the public wishing to comment, Mr. Mitchell asked for further comments from the subcommittee members.

Mr. Wilson asked to see a more detailed rendering of the building from Pitcher's Way.

The Applicant agreed to prepare and submit the rendering.

Mr. Mitchell asked the Applicant to provide more information about traffic flow, building design, hours of operation, employee salaries, and the expected energy production of the solar panels.

Mr. Short indicated that he might like a site-visit.

Mr. Idman discussed options for visiting the site with the subcommittee members and the subcommittee members determined that they would drive around the site individually.

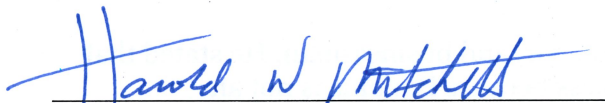
Mr. Mitchell asked for an updated site plan from the Applicant with the proposed sidewalk and noted that he still had concerns and questions about the plans for transportation infrastructure and traffic management.

Mr. Mitchell requested a motion to continue the hearing on the Project to a hearing on Monday, November 4, 2019 at 4:30 p.m. in the East Wing Conference Room, Barnstable County Complex, 3195 Main Street, Barnstable, MA 02630.

Mr. Short moved, which was seconded by Mr. Wilson. The motion carried unanimously.

The hearing adjourned at 7:30 p.m.

Respectfully submitted,



Harold Mitchell, DRI Subcommittee Chair

12-9-19

Date