

# CAPE COD COMMISSION REPORTER



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The newsletter of the regional planning and regulatory agency serving Barnstable County since 1990.

## Local Technical Assistance with a Regional Emphasis

Cape towns with proposed projects that have regional applicability may wish to act quickly to pursue funding through a state program managed by the Cape Cod Commission. The District Local Technical Assistance, or DLTA, funding program encourages municipalities to work together to achieve or enhance cost-effective services or ongoing collaborations.

This is the third year in a row that the state has allocated DLTA funds to each of the state's 13 regional planning agencies to help municipalities with "sustainable development" and to encourage them to form partnerships to achieve planning and development goals consistent with state and regional priorities. A total of \$155,000 is available to redistribute to Cape towns in 2010, the same amount the state provided last year.

### 2010 Requests

The Cape Cod Commission sent solicitation letters to towns in January, and the first round of requests closed last week. Commission Technical Services Director Patty Daley notes,

however, that a second-round solicitation will be sent out next month. Towns may propose new projects at that time. All 2010 funds must be expended by the end of this year.

Information about the 2010 program is available on the web site [www.capecodcommission.org/technicalassistance](http://www.capecodcommission.org/technicalassistance). Some of the eligible uses include preparation of bylaws or ordinances, permitting procedures for clean-energy and economic development, master plans, local comprehensive plans, and corridor analyses. Municipal partnership activities such as shared services, cooperative agreements, collective purchasing, and cost-saving measures that benefit more than one municipality are also eligible.

### 2009 Projects

The Cape projects funded in 2009 are described in more detail in final or near-final draft reports linked on the web site. The projects included:

- an analysis of options for regionalization of public safety functions for the Outer/Lower Cape (\$50,000);

- a phase-one feasibility analysis of the potential creation of and financing options for a utility for stormwater management, initially for Yarmouth but applicable to all towns (\$10,000);

- a refinement of mapping for a "zones of contribution" model of drinking water supplies within Barnstable and shared with neighboring towns (\$15,289);

- preparation of an overlay district for "workforce housing" zoning, initially for Chatham but useful as a model for other towns (\$5,705);

- an analysis of municipal solid waste disposal alternatives Capewide (\$45,274); and,

- an analysis of Route 132 in Barnstable, with recommendations for traffic and access management, redevelopment opportunities, design, landscaping, and signage (\$23,739).

## New Arts Guide for Municipal Economic Development



A new publication for towns seeking assistance with economic development is now available on

the Cape Cod Commission's web site. *Leveraging Cultural Assets for Economic Development: A Practical Guide for Municipal Investment in Arts & Culture on Cape Cod* lays the groundwork for towns to build new or to enhance existing cultural programs as part of a balanced strategy to attract high-wage jobs and increase tourism.

Funded by a grant from the Cape Cod Economic Development Council, the guide targets municipal leaders and provides facts about the economic benefits of arts and culture, outlines step-by-step actions, and provides resources on how to finance and sustain cultural initiatives. The guide also includes a series of maps to help towns understand the relationship between economic centers, land use infrastructure, and cultural assets.

The Commission delivered a limited run of printed copies of the full-color 60-page guide to each town administrator/manager and sent notices to boards of selectmen, the Barnstable Town Council, town planners, planning board chairmen, town cultural councils, town historical commissions, and chambers of commerce. The guide is available at [www.capecodcommission.org](http://www.capecodcommission.org).



## Belfit Elected to National Groundwater Guardian Council

Cape Cod Commission Hydrologist Gabrielle Belfit has been elected to the Groundwater Guardian Council of The Groundwater Foundation ([www.groundwater.org](http://www.groundwater.org)). The council serves as an advisory board to the foundation's staff in the development and administration of the national Groundwater Guardian program. Belfit will join 14 other water science education and outreach experts on the advisory council. Her term will run until 2012.

First designated in 1995 and re-designated every year since, Cape Cod's Groundwater Guardian Team—the only one in Massachusetts—develops activities about groundwater each year. Belfit has been one of the program's chief organizers. Examples of activities include a water conservation program for seasonal businesses, a groundwater education program for school-aged children, and a public information program about stormwater (see [www.capecodgroundwater.org](http://www.capecodgroundwater.org)).

## Cape Cod Commission • DRI Decisions

*This newsletter publishes summaries of decisions on projects reviewed by the Cape Cod Commission as Developments of Regional Impact (DRIs). To download PDF versions of the DRI decisions, visit the Regulatory section of the Commission's Web site ([www.capecodcommission.org/regulatory/](http://www.capecodcommission.org/regulatory/)).*

### MASHPEE

#### Mashpee Commons Master Plan Project #TR98049

On January 21, 2010, the Cape Cod Commission, with 13 voting members present, voted unanimously to procedurally deny without prejudice the Development of Regional Impact (DRI) application of Mashpee Commons Limited Partnership for the proposed Mashpee Commons neighborhoods known as East Steeple Street, Trout Pond, and North Market Street Phase II, identified on the Mashpee Commons Master Plan dated January 2, 2007.

The Cape Cod Commission previously reviewed and approved DRIs for the Mashpee Commons projects known as North Market Street Phase I (March 1993) and Jobs-Whiting Neighborhoods (December 2006). The applicant did not file a DRI application for the remaining undeveloped neighborhoods. Instead, in August 2009 the company submitted a "Notice of Intent to File a Development Agreement." The Commission determined that the remaining neighborhoods are suitable and qualify for a Development Agreement in place of the DRI review. The applicant is now working with the town on the Development Agreement proposal.

# Cape Cod Commission • Regulatory Status Report

*Developments of Regional Impact (DRIs) currently under consideration by the Cape Cod Commission are listed below. A check mark (✓) are listed below.*

*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](http://www.capecodcommission.org).*

## CCC Regulatory Queues

### DRI PROJECT REVIEWS:

#### Barnstable

- **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. The review is limited to historic preservation/community character issues.

#### Brewster

- ✓ • **Windrift Acres**—proposed 22-lot residential subdivision on 55 acres of land in West Brewster.

#### 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 Commons**—proposed master plan. CCC procedurally denied the DRI without prejudice on 1/21/10. CCC anticipates the applicant's submission of a proposed development agreement (see right-hand column).
- **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.

#### Sandwich

- ✓ • **Forestdale Village**—proposed 80,000-sq.ft. commercial development on Route 130.

#### 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 landfall. 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 issued a final decision to grant the certificate on 5/27/09. CCC filed a petition to appeal that decision on 6/12/09. The matter is before the MA Supreme Judicial Court this month.
- **Siddharth, Siddharth Lot Clearing**—more than two acres of land in Yarmouth-port cleared without a clearing permit.

### NO DRI REVIEWS AT THIS TIME:

- Bourne
- Chatham
- Dennis
- Eastham
- Harwich
- Provincetown
- Truro
- Welfleet

### DRI REVIEWS PENDING THE ISSUANCE OF MA 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, Bourne, 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.

### PROPOSALS WITH APPROVED “NOTICE OF INTENT TO FILE A DEVELOPMENT AGREEMENT”:

Dates shown are deadlines for anticipated filings.

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

### ACTIVE DISTRICTS OF CRITICAL PLANNING CONCERN (DCPCs):

- **Ocean Management Planning DCPC/Capewide**—The proposal is under consideration by CCC (see hearings list, next page).
- **Craigville Beach DCPC/Barnstable**—The town is creating “implementing regulations” for the district.

# 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, March 1  
Monday, March 15

## Full Commission Meetings

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

Thursday, March 4 – CANCELLED  
Thursday, March 11 – SPECIAL DATE  
Thursday, March 18

## Regulatory Calendar

• **February 19:** HEARING OFFICER: Windrift Acres (Brewster project), 10 a.m., CCC. Procedural only; no testimony.

• **February 22, 23, 24, and 25:** DCPC HEARINGS (see list to right). Immediately following the February 23 and February 25 hearings, the subcommittee will hold a meeting at the same location.

• **February 26:** HEARING OFFICER: Forestdale Village (Sandwich project), 10 a.m., CCC. Procedural only; no testimony.

• **March 1:** SUBCOMMITTEE MEETING: Ocean Management Planning DCPC, time to be determined, CCC.

• **March 11:** CCC MEETING: 3 p.m., Assembly of Delegates Chamber, Barnstable. Agenda tentative; please call to confirm.

## Other Events

• **Ocean Management Planning DCPC Public Hearings:** See [www.capecodcommission.org/oceanplanning](http://www.capecodcommission.org/oceanplanning) for details.

– Monday, February 22, Eastham Town Hall, 4 p.m.  
– Tuesday, February 23, Assembly of Delegates Chamber, 6 p.m.  
– Wednesday, February 24, Bourne High School Library, 6 p.m.  
– Thursday, February 25, Provincetown High School Library, 6 p.m.

• **Regional Transportation Plan (2011 Update) Public Workshops:** See [www.gocapecod.org/rtp](http://www.gocapecod.org/rtp) for details.

– Monday, March 15, Salt Pond Visitor's Center, Eastham, 7 p.m.  
– Tuesday, March 16, Hyannis Transportation Center, 4 p.m.  
– Thursday, March 18, Buzzards Bay Community Building, 1:30 p.m.



## Cape Cod Commission

### • FISCAL YEAR 2010 OFFICERS •

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**John D. (J.D.) Harris**

Vice Chair:

**Royden Richardson**

Secretary:

**Elizabeth Taylor**

### • REPRESENTATIVES •

Barnstable:

**Royden Richardson**

Bourne:

**Michael Blanton**

Brewster:

**Elizabeth Taylor**

Chatham:

**Lynne Pleffner**

Dennis:

**(vacant)**

Eastham:

**Joyce Brookshire**

Falmouth:

**Mario DiGregorio**

Harwich:

**Robert Bradley**

Mashpee:

**Ernest Virgilio**

Orleans:

**Peter Monger**

Provincetown:

**Austin Knight**

Sandwich:

**Sue Pommrehn**

Truro:

**Peter Graham**

Wellfleet:

**Roger Putnam**

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**Jack McCormack**

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**Sheila Lyons**

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Native American:

**Mark Harding**

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**Herbert Olsen**

EXECUTIVE DIRECTOR:

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