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CAPE COD
COMMISSION

THE REPORTER

Update of Area-wide Water Quality Management Plan Officially Begins

The Cape Cod Commission received the green light May 7 to start an update to Barnstable County's Section 208 Water Quality Management Plan under the federal Clean Water Act, starting a planning and outreach process that will lead to a draft in a year's time.

In January 2013, Massachusetts Department of Environmental Protection (MassDEP) Commissioner Kenneth Kimmell designated the Commission as the regional agency responsible for updating the Section 208 Plan and committed \$3 million from the Massachusetts Water Pollution Abatement Trust to do it.

The plan will be developed within the framework of the Cape Cod Regional Wastewater Management Plan (RWMP) to provide more specific information around appropriate technologies and strategies for water resources and nutrient management. The overall 208 Plan Update is expected to take 36 months to finalize.

It's been 35 years since the Cape's 208 Plan was written by the Commission's predecessor, the Cape Cod Planning and Economic Development Commission.

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2012 ANNUAL REPORT TO COUNTY COMMISSIONERS:

Affordable Housing/HOME Consortium Update

Ten percent of something doesn't sound like much—unless perhaps you are talking about a personal goal like weight loss, or a policy goal like the stock of affordable housing on Cape Cod. Even with the recession-induced reduction in average housing prices during the past several years, the 10-percent goal for affordability is still elusive.

A review of the annual data gathered, analyzed, and reported to the Barnstable County Commissioners last month by Cape Cod Commission Affordable Housing Specialist Paul Ruchinkas shows that Cape Cod is still about 5,100 housing units short of the 10-percent affordability goal established by the state. Currently

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Since then, the understanding of how groundwater moves and affects ponds and coastal embayments has grown exponentially. The 208 Plan Update will benefit from this work. This is a planning process, not a study, that will heavily rely on existing work through the towns, state, and other organizations.

The 208 Plan Update is not about developing one optimal solution for all of Cape Cod, but providing the right information and basis for communities to make the optimal decision for themselves within the context of a regional approach. While town-based water quality planning efforts are recommended to continue, the Commission is advising against regulatory filings for those plans during the 208 Plan Update process except in limited circumstances. The Comprehensive Wastewater Management Plans (CWMPs) being developed will need to be consistent with the 208 Plan Update, especially for future access to funding.

The Commission’s goal is to evaluate needs, consider alternatives, and

formulate decisions in an open setting and commonly share the rationale for preferred approaches in a watershed-by-watershed process. Among the commitments for this process is that all parties have access to the same information.

Four watershed planning areas—Upper, Mid, Lower, and Outer Cape—encompass 53 watersheds to the ponds and coastal embayments, including those not studied through the Massachusetts Estuaries Project (MEP). These represent close to 80 percent of the Cape’s entire land area, and more than half are shared by two or more towns. The scale of the area covered by the plan and the number of shared resources are the basis for the regional approach to nutrient reduction and removal.

In the coming weeks, Commission staff will begin meeting with key stakeholders in each of the 53 different watersheds across the Cape. This is the start of an engaged watershed-based outreach and decision-making process envisioned for the 208 Plan Update.

To give a context for the breadth of the nutrient issue, approximately 85 percent of the over-156,000 homes on Cape Cod use individual Title 5 septic systems. Among the goals of the plan is to utilize as many existing systems as possible. Current studies suggest that between 40 and 45 percent of existing homes could continue to utilize on-site systems. What remains will need to be connected to different collection and treatment options, much of which does not presently exist. The estimated regional cost for this infrastructure is \$3.2 to \$6.2 billion over the next 20 to 30 years. It’s recognized that these costs create an unsustainable financial burden for many individuals and families and creates overwhelming fiscal impacts for the towns to construct, operate, and maintain this infrastructure.

Over the past 18 months, the Commission has developed a set of innovative modeling tools to interpret complicated natural and manmade systems and show in real time what different treatment options represent for water quality and expense. These tools are not predictive models, but are intended to expedite the human decision making necessary to draft an implementable plan.

As the community outreach program gets into full swing, tools such as the Commission-developed Watershed MVP (Multi-Variant Planner) and Cape Cod 3VS (linking social, environmental, and economic factors), online games through Emerson College’s Engagement Lab (communityplanit.org), will be incorporated in a broad-based citizen engagement process to help residents and town leaders make the best decisions for their communities.

—Written by Cape Cod Commission Special Projects Coordinator David Still II

New in the Resource Center

Check out these recent additions to the web site www.capecodcommission.org/resourcecenter:

- » Area-wide 208 Water Quality Management Plan Update: Program Work Plan [Resource Center](#) → [Topic](#) → [Wastewater Management](#)
- » Chatham Route 28 Visioning Project: Study Area and Baseline Buildout Report [Resource Center](#) → [Town](#) → [Chatham](#)
- » Consensus Building Institute: Cape Cod Regional Wastewater Management Planning Assessment and Process Design - Findings and Recommendations [Resource Center](#) → [Type](#) → [Studies](#)
- » 2013 Historic Preservation Workshop Presentations (five presentations) [Resource Center](#) → [Department](#) → [Historic Preservation](#)





Excellence in Commuter Options

On behalf of Barnstable County, the Cape Cod Commission once again received an “Excellence in Commuter Options” (ECO) Award from the Massachusetts Department of Transportation (MassDOT). The

third annual awards program “supports Massachusetts employers in their efforts to reduce greenhouse-gas emissions through decreased drive-alone trips while encouraging employees to travel to work by transit, car pools, and van pools, or by bicycling or walking.”

In late March at Fenway Park in Boston, representatives from MassDOT, MassRides (the statewide travel-options program), and Mass-Commute (a coalition of 11 Transportation Management Associations in Massachusetts) distributed Pacesetter, Leadership, and Pinnacle Awards to more than 130 recipients, including businesses, universities, healthcare organizations, nonprofits, and government agencies.

“Today we recognized the efforts of these Massachusetts organizations who champion the value of creating opportunities to travel by healthier modes and helping to take cars off the roads and lessen our environmental footprint,” said MassDOT Secretary and CEO Richard A. Davey. “These goals are key to MassDOT’s vision for a healthier and more sustainable Commonwealth. They also support our broad-based GreenDOT environmental responsibility initiative, the inter-agency Healthy Transportation Compact that promotes greater physical activity through every-day travel, and our Mode Shift Initiative, which aims to triple the share of walking, bicycling, and riding public transit in Massachusetts by 2030.”

Cape Cod Commission Senior Transportation Engineer Lev Malakhoff accepted the award on behalf of Barnstable County.

CCC Member Changes

The Cape Cod Commission staff and members thank the following representatives for their valuable service to the agency and the region. We are grateful to these individuals for their dedication to the mission and work of the Commission, and we wish them well in the future:



■ Herbert Olsen

Mr. Olsen holds the record for serving on the Cape Cod Commission: two full decades! He first became associated with the Commission in 1993 when he was appointed as representative from the Town of Orleans. He held that post until 2002. Soon thereafter he was selected to serve as the

Governor’s Appointee, a post he held until this spring. During his 20 years, Mr. Olsen served on innumerable regulatory subcommittees and standing committees. He also chaired the full Cape Cod Commission during Fiscal Year 1999. His resignation took effect in mid March 2013.

■ Peter Graham

Mr. Graham has been the representative from the Town of Truro since 2008. He served on many subcommittees and standing committees, and also chaired the full Commission last year (Fiscal Year 2012). Mr. Graham’s term ended in April 2013, and he decided not to seek reappointment.



■ Joanne O’Keefe

Ms. O’Keefe has been the representative from the Town of Sandwich since 2010. She served on many subcommittees and also engaged in many transportation planning (especially bicycle-related) initiatives of the Commission. Ms. O’Keefe’s term ended in April 2013, and she decided not to seek reappointment.



At the time of this writing, no replacements had been appointed by the Governor’s Office or selectmen in the towns of Truro and Sandwich for these positions.

a regional total of 5,285 units are officially designated affordable, or 5.1 percent rather than the desired 10 percent of all housing units.

Supplemental public funds to support pursuit of the goal are critical, as the private market by itself would not provide an adequate supply of affordable units on its own. The Barnstable County HOME Consortium, a collaboration of the 15 Cape Cod towns and Barnstable County to identify housing needs, attract state and federal funds for housing, and allocate equitably across the region any funds received from those sources, deserves credit for work that has resulted in the creation of more than 1,100 units of affordable housing on Cape Cod since its creation in 1993. HOME funds have been involved in 21 percent of all affordable housing in the region.

Ruchinkas and housing specialists and advocates across the region know that the HOME Consortium has been the Cape Cod Commission's "most effective and productive affordable housing initiative." The struggle continues, however. When the amount of state and federal funds received and redistributed by the HOME Consortium on Cape Cod has been between \$619,000 and \$861,000 annually between 1994 and 2011, then drops to \$379,000 for 2012, the change is "disheartening," says Ruchinkas. "To date we have been able to provide HOME resources to every applicant with a good project," he notes, "but we may not be able to do that over the next year or two unless there is a reversal of these federal budget trends."

Even with so few funds, however, some progress was made this past year:

- Three HOME-funded rental housing projects were completed (one in Bourne and two in Provincetown;

as reported in the October 2012 edition of this newsletter). Combined, these projects added 110 total units to the overall stock.

- In addition, four projects, which will bring an additional 193 rental units, began construction. They are the Rock Harbor Village rehabilitation project in Orleans (100 age-restricted rental units), the Simpkins School redevelopment project in Yarmouth (65 age-restricted rental units), the Sally's Way new-construction project

in Truro (16 family rental units), and the Stage Coach Road new-construction project in Barnstable (12 family rental units).

- Another new-construction project in Mashpee (10 family rental units in the Great Cove Community) is in the closing process.

The latest report on Cape Cod Commission affordable housing efforts, as presented to the Barnstable County Commissioners in April 2013, is online: www.capecodcommission.org/departments/planning/housing

"Out of Reach 2013" Data for Barnstable County

The National Low Income Housing Coalition (NLIHC) has published its annual "Out of Reach" statistics. According to the coalition's web site (nlihc.org), "The Housing Wage in 'Out of Reach' captures the gap between wages and rents across the country and is **the estimate of the full-time hourly wage that a household must earn to afford a decent apartment at the HUD-estimated Fair Market Rent (FMR), while spending no more than 30% of income on housing costs**....Each year, 'Out of Reach' demonstrates that large numbers of low-income renters cannot afford the cost of living in the cities and towns where they work."

Nationally, the 2013 "Housing Wage" is **\$18.79**. By comparison, the 2013 "Housing Wage" in Barnstable County is **\$24.37**. Other Barnstable County highlights:

- The FMR for a two-bedroom apartment is \$1,267. To afford this level of rent and utilities without paying more than 30% of income on housing, a household must earn \$4,223 monthly or \$50,680 annually.
- A minimum-wage worker earns a wage of \$8 per hour. To afford the FMR for a two-bedroom apartment, a minimum-wage earner must work 122 hours per week, 52 weeks per year. Or, a household must include 3.0 minimum-wage earners working 40 hours per week year-round in order to make the two-bedroom FMR affordable.
- The estimated mean (average) wage for a renter is \$10.67 an hour. To afford the FMR for a two-bedroom apartment at this wage, a renter must work 91 hours per week, 52 weeks per year. Or, working 40 hours per week year-round, a household must include 2.3 workers earning the mean renter wage to make the two-bedroom FMR affordable.
- Monthly Supplemental Security Income (SSI) payments for an individual are \$827 in Barnstable County. If SSI represents an individual's sole source of income, \$248 in monthly rent is affordable. In contrast, the FMR for a one-bedroom apartment is \$945.

NOTES:

1. The "Housing Wage" assumes a 40-hour work week for 52 weeks per year.
2. A unit is considered affordable if it costs no more than 30% of the renter's income.
3. The Barnstable County portion of 'Out of Reach 2013' is available on the Cape Cod Commission's Affordable Housing Department web site.



CCC Regulatory Status Report

■ DRI Reviews of Proposed Projects:

BOURNE

- **New Generation Wind Joint Venture**—proposed construction of commercial wind energy-generation project with four turbines expected to generate 9.5MW of power, on multiple parcels west of the Cape Cod Canal. CCC voted to deny the project without prejudice on 2/16/12. The decision was appealed in court.

DENNIS

- **Lowe's of Dennis**—proposed construction of an approximately 100,000-sq.ft. retail facility with an adjacent 28,000-sq.ft. garden center near the intersection of Theophilus F. Smith Road and Route 134 in South Dennis. On 5/6/13, CCC accepted the applicant's request to withdraw the original DRI application. CCC received the DRI referral from the Town of Dennis for a resubmitted proposal on 5/9/13. CCC received the resubmittal application from representatives of Lowe's on 5/13/13.

FALMOUTH

- **Martha's Vineyard Hybrid Cable Project**—proposed submarine installation of a 4.5-mile hybrid fiber-optic/electric cable between Falmouth on Cape Cod and Tisbury on Martha's Vineyard. The proposed project will involve horizontal directional drilling and cable-trenching. The applicant is seeking a Limited DRI Review; CCC will review coastal and marine resource issues.
- **Industrial Tower & Wireless, LLC, Communications Monopole**—proposed construction of a wireless communication monopole within a 10,000-sq.ft. designated area at 284 Old Meetinghouse Road in East Falmouth. On 3/28/13, CCC accepted the applicant's request to withdraw the DRI application.

YARMOUTH

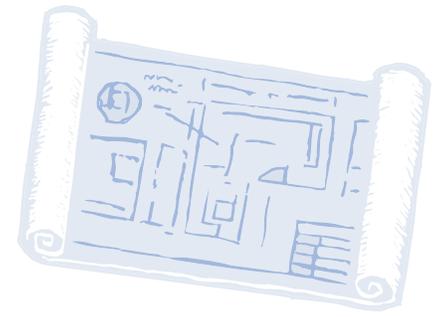
- **Mayflower Place Expansion and Memory Care Facility**—proposed construction of independent living and memory care facilities on a redeveloped site (former Mill Hill Club on Route 28 and several adjacent house lots) and the Mayflower Place Continuing Care Retirement Community (CCRC) campus near Buck Island Road, Route 28, and Mill Pond Road in West Yarmouth. The CCRC currently contains independent living units and a skilled nursing home. The expansion proposal is to (1) construct a new, connected building wing in the northwest portion of the campus to house 50 independent living units plus one caretaker's apartment, and (2) construct a memory-care building in the expanded southeast portion of the campus (former Mill Hill Club site) to house 75 memory-care units, both with associated landscaping, parking, wastewater management, drainage, and site upgrades. CCC voted to approve the DRI with conditions on 3/28/13.

■ Potential Development Agreements:

- **Barnstable Municipal Airport Master Plan**—proposed master plan for the regional airport. CCC approved a Notice of Intent to File a Development Agreement on 11/29/12. The deadline to file a Development Agreement application is 11/29/13. See also "DRI Reviews Pending Massachusetts Environmental Policy Act (MEPA) Certificates."
- **South Sandwich Village**—proposed mixed-use development/village center on about 50 acres off Route 130 and Cotuit Road, involving redevelopment of three existing shopping plazas and new development (about 886,600 sq.ft. of mixed-use space) on 23 acres of the project site. The project proposes an off-site wastewater treatment facility about one mile north, off Jan Sebastian Drive. CCC approved the Notice of Intent to File a Development Agreement on 7/19/12. The deadline to file a Development Agreement application is 7/19/13. The Massachusetts Secretary of Energy and Environmental Affairs issued a MEPA certificate on the project's Final Environmental Impact Report (FEIR) on 11/14/12.

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

- **Barnstable Comprehensive Wastewater Management Plan**—proposed Town of Barnstable Comprehensive Wastewater Management Plan (CWMP)/Environmental Notification Form (ENF). The CWMP will assess the wastewater needs, evaluate mitigation measures, and develop a recommended plan. The Massachusetts Secretary of Energy and Environmental Affairs issued a MEPA certificate on the ENF on 7/20/12 requiring the preparation of an Environmental Impact Report (EIR).
- **Barnstable Municipal Airport Master Plan**—proposed Master Plan improvements. See also "Potential Development Agreements."
- **Falmouth South Coast Watersheds Comprehensive Wastewater Management Plan: Draft Environmental Impact Report**—proposed draft Comprehensive Wastewater Management Plan (CWMP) for Falmouth's south coast watersheds and recommendations for the West Falmouth watershed. The draft identifies a preferred scenario for wastewater management,



including sewerage select areas, treatment at the existing wastewater treatment facility, and recharge of additional treated water at two sites north of the existing wastewater treatment facility using sand infiltration beds. The draft also identifies several demonstration projects for non-traditional wastewater and nitrogen management methods, deferral of planned sewer construction in select areas, formation of a committee to monitor and oversee the CWMP and its implementation, and a modular approach to the construction of treatment and recharge facilities. The plan is for a 20-year planning period (2015–2035).

- **Harwich Comprehensive Wastewater Management Plan**—proposed Town of Harwich CWMP/ENF for a town-wide wastewater collection and treatment system involving a traditional wastewater program with about 92 miles of sewer pipes, 30 pumping stations, and two centralized treatment facilities. Components will be phased over 40 years. Collected wastewater will be treated at the existing facility in Chatham and at a new facility in Harwich.
- **Herring River Tidal Restoration Project (Wellfleet and Truro)**—proposed re-establishment of tidal flow to the 1,100-acre Herring River estuary and floodplain in and adjacent to the Cape Cod National Seashore. The Herring River Restoration Committee and the National Park Service (NPS) are preparing a Draft Environmental Impact Statement/Environmental Impact Report (DEIS/DEIR) for the proposed project in accordance with the National Environmental Policy Act (NEPA), the Massachusetts Environmental Policy Act (MEPA), and the Cape Cod Regional Policy Plan. Proposed restoration actions include reconfiguration of the Chequessett Neck Road dike and tide gates, replacement of additional upstream culverts, additional upstream tidal-control structures, and mitigation to low-lying roadways, structures, and private properties. A hearing on the DEIS/DEIR was held on 11/8/12 and closed on 12/12/12. The project now must undergo MEPA review of a Final Environmental Impact Report (FEIR).

Listed above are Developments of Regional Impact (DRIs) and other major proposals whose applications either have been recently decided or are currently under review by the Cape Cod Commission. Details about these activities may be found online in the Regulatory Department of the web site: www.capecodcommission.org/departments/regulatory

Cape Cod Commission Meetings and Events

Cape Cod Commission (CCC) meetings and hearings are open to the public. Call 508-362-3828 or check the web site for last-minute changes:

www.capecodcommission.org/calendar

In addition, the regularly scheduled full Cape Cod Commission meetings (generally every other Thursday) are recorded on video. These recordings are available in three ways:

1. broadcast as live streaming video while the meetings are taking place:
new.livestream.com/barnstablecounty/capecodcommission
2. made available for viewing from an online YouTube archive; choose the Cape Cod Commission Meetings from the right-hand side of this site:
www.youtube.com/user/BarnstableCounty
3. distributed to and rebroadcast on a regular basis by all the public access television stations on Cape Cod



NOTE: The Commission generally does not video-record meetings other than the regularly scheduled, full CCC Meetings.

Regulatory Calendar

■ **May 23:** CCC MEETING: **6 p.m.,** Assembly of Delegates Chamber, First District Courthouse, Barnstable. **NOTE NEW TIME** – Martha's Vineyard Hybrid Cable Project DRI – Nomination and Election of New CCC Officers

■ **May 23:** CONTINUED HEARING: Martha's Vineyard Hybrid Cable Project (Falmouth DRI), 6 p.m., Assembly of Delegates Chamber, First District Courthouse, Barnstable.

■ **June 6:** CCC MEETING: Time to be announced, Assembly of Delegates Chamber, First District Courthouse, Barnstable. Tentative; call to confirm.

■ **June 20:** CCC MEETING: Time to be announced, Assembly of Delegates Chamber, First District Courthouse, Barnstable. Tentative; call to confirm.

■ **July 11:** CCC MEETING: Time to be announced, Assembly of Delegates Chamber, First District Courthouse, Barnstable. Tentative; call to confirm.

Standing Committees

Planning, Regulatory, and Executive committee meetings are generally held at the CCC office (3225 Main Street/Route 6A, Barnstable) on the Mondays of the weeks in which full CCC Meetings occur. Times vary. Please check the online calendar for cancellations and last-minute changes.

Other Events

■ **Bay State Bike Week:** May 11–19, 2013. Statewide events:

www.baystatebikeweek.org/events

Local event: "Hyannis Biker Breakfast" on Friday, May 17, from 8 a.m. to 8:45 a.m. at the Hyannis Transportation Center, Hyannis. For more information, contact Cape Cod Commission Senior Transportation Engineer Lev Malakhoff, lmalakhoff@capecodcommission.org or 508-362-3828.

■ **Cape Cod Metropolitan Planning Organization (MPO) Meeting:** Monday, May 20, 2013, beginning at 1 p.m. at CCC Office in Barnstable.



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