

# CAPE COD COMMISSION REPORTER



May 21, 2009

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

POTENTIAL WAYS TO IMPROVE TRAFFIC, TRAVEL TO/FROM HYANNIS

## May 27<sup>th</sup> Public Meeting on Yarmouth Road Corridor

Each year thousands of travelers share the two-lane corridor of Yarmouth Road in the towns of Yarmouth and Barnstable to go to jobs and to have access to services, leisure activities, and travel amenities. The corridor also serves as a primary access route to Cape Cod Hospital; seasonal and peak-hour traffic congestion can delay emergency vehicles.

In addition, the intersection of Yarmouth Road and Route 28 in Barnstable is a high-crash location and was identified last year in the state's Hyannis Access Study as an intersection in need of improvements.

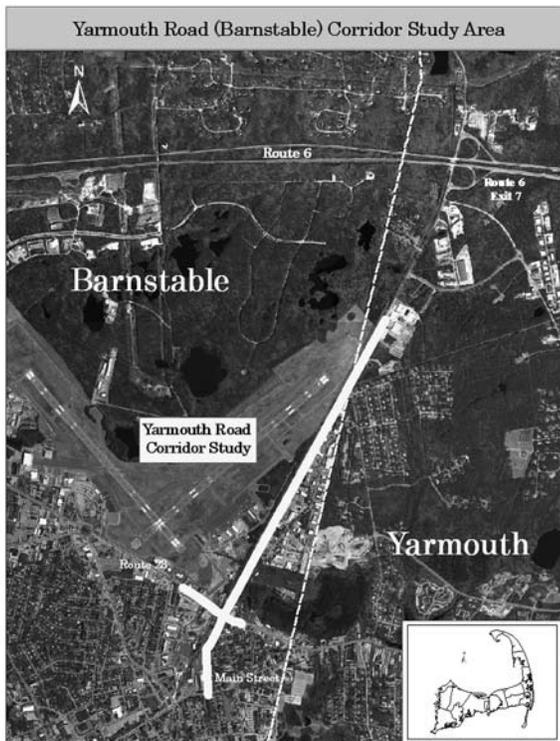
To begin to explore possible transportation improvements for the corridor, the Cape Cod Commission will kick-off a series of public meetings. **The first will take place on Wednesday, May 27, 2009, from 6 p.m. to 8 p.m. at Barnstable Town Hall in Hyannis.**

The event officially launches the Yarmouth Road Corridor Study (see map). The study will examine options for improving traffic congestion for travel through the corridor, including options for walking, biking, driving automobiles, and using transit bus and rail services.

The Cape Cod Commission will also launch an informational web page and online questionnaire ([www.gocapecod.org/yarmouthroad/](http://www.gocapecod.org/yarmouthroad/)). The web page will be updated regularly about the study and the schedule of future public meetings. Anyone concerned about traffic congestion and travel on Yarmouth Road is encouraged to submit comments through the online questionnaire.

The study period will continue through the summer and conclude with a final report in September.

Anyone interested in receiving direct notification of future meetings can complete the questionnaire online or contact Elizabeth Hude, special projects coordinator for the Cape Cod Commission, at [ehude@capecod-commission.org](mailto:ehude@capecod-commission.org).



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## CCC Personnel Notes

### ■ Staff Members:

#### Good-bye, Arden Cadrin Hello, Michelle Springer



In late February 2009, Arden Cadrin accepted the position of special projects coordinator of affordable and workforce housing

activities for the Town of Barnstable's Growth Management Department. Cadrin had been the administrative assistant for the Cape Cod Commission's Affordable Housing Program since 1995. Cadrin's new e-mail address is *arden.cadrin@town.barnstable.ma.us*.

In mid April 2009, Michelle Springer was selected to fill the Commission position vacated by Cadrin. Before joining the Commission staff, Springer was employed as a bookkeeper, as sales coordinator for Nauset Marine Inc. in Hyannis, as property manager with Capizzi Home Improvement in Cotuit, and as lab technician for Dias Analytic in South Boston. In her part-time position with the Commission, Springer's duties will focus on the HOME Program. Her e-mail address is *mspringer@capecodcommission.org*.



### ■ Commission Members:

#### Good-bye, Falmouth Representative Jay Zavala



Cape Cod Commission members and staff extend thanks to Jay Zavala for his service as representative from the Town of Falmouth since October 2003. He resigned after being named president of the Falmouth Chamber of Commerce. His last Commission meeting was April 16, 2009. At this writing, the Falmouth Board of Selectmen had not appointed a replacement.

Zavala served on many subcommittees reviewing Developments of Regional Impact (DRIs) and was a member of the standing Planning, Regulatory, and Executive committees during his years with the agency. He also served as vice chair of the full Commission for Fiscal Year 2009.

#### Nomination of Officers for Fiscal Year 2010

On May 14, 2009, a committee of Cape Cod Commission members chaired by Ernest Virgilio from Mashpee nominated the following slate of officers for Fiscal Year 2010 (July 1, 2009 through June 30, 2010):

- Chair – John D. Harris (Minority Representative)
- Vice Chair – Royden Richardson (Town of Barnstable)
- Secretary – Alan Trebat (Town of Sandwich)

The full board will vote on the nominated roster on May 28.

Some of the newest Cape Cod Commission members get better acquainted before the Commission's April 30th meeting. From left to right: Chatham Representative Lynne Pleffner, Yarmouth Representative Mark Lohan, and Barnstable County Commissioner Representative Sheila Lyons.



WRITTEN COMMENTS SOUGHT BY JUNE 3, 2009:

## 16 Economic Development Priority Projects Make the Five-year List

Sixteen regional projects have been identified this spring as region-wide economic development priorities by a cross-section of nearly 100 public and private economic, business, and government leaders on Cape Cod. Through the planning process for Barnstable County's five-year Comprehensive Economic Development Strategy (CEDS), the group developed the proposed list and supporting documents, which are now ready for public review before they are finalized and submitted to the US Economic Development Administration (EDA).

The Cape Cod Commission released the documents May 20 and will accept **written public comments through June 3, 2009**. The project documents and instructions for submitting written comments are on the Commission's web site: [www.capecodcommission.org/CEDS/CEDS2009/](http://www.capecodcommission.org/CEDS/CEDS2009/)

The CEDS is a regional planning process that creates consensus around long-term economic development needs on

Cape Cod. The Cape Cod Commission, as the regional planning agency, leads the CEDS process. Economic Development Officer Leslie Richardson manages the work on behalf of the Commission. Barnstable County's Cape Cod Economic Development Council (CCEDC) serves as the CEDS Strategy Committee.

Barnstable County officials want to maintain the collaboration that has formed around this year's CEDS process to keep the plan moving forward. Cape Cod Commission Executive Director Paul Niedzwiecki believes this version of the CEDS document can be considered "the first Cape-wide capital infrastructure plan" that aligns region-wide resources and creates an environment in which the private sector can prosper. All involved with the process wish to continue to build consensus and accountability for completing economic development projects on Cape Cod.

On June 30, the plan will be submitted to the EDA for review and certification. Once the

CEDS is certified, the region may apply for funding assistance for public works, technical assistance, and planning projects related to economic development.

### Criteria for CEDS 2009 Region-wide Priority Projects

- Investment potential at various public and private levels
- Ability to create higher-wage and higher-skilled jobs
- Opportunity for partnership and collaboration
- Integration in the global market
- Level of entrepreneurship and innovation
- Quality of land development

The projects are proposed to be implemented beginning in fall 2009 and continuing in the next five years.



WALKING WEEKEND • JUNE 5-7, 2009:

### Put a Spring in Your Step!

Cape Cod Pathways is hosting a Spring Walking Weekend on June 5-7, 2009. The event features about 30 short walks and longer hikes. All are led by volunteer naturalists, outdoor enthusiasts, and historians, organized by the Cape Cod Commission with extensive help from Barnstable County's AmeriCorps Cape Cod members. Check the latest schedule on the web site: [www.capecodcommission.org/pathways/](http://www.capecodcommission.org/pathways/)

NOTE: Walks are subject to change. In the case of severely inclement weather, assume the walks are cancelled; otherwise they take place rain or shine. Dogs are not permitted on any of the walks.



## CCC Releases Results of Survey of Second-home Owners

The Cape Cod Commission recently released the findings of a 2008 survey of second-home owners on Cape Cod. The report is available on the web site:

[www.capecodcommission.org/econdevel/reports.htm](http://www.capecodcommission.org/econdevel/reports.htm)

Researchers from the University of Massachusetts Donahue Institute, working with Commission Economic Development Officer Leslie Richardson, conducted the study on behalf of the Commission to estimate the future conversion of second homes to primary homes and to estimate the impacts of those potential conversions.

Funded primarily by the Commission, with additional support from the Cape Cod Economic Development Council and the Cape Cod Chamber of Commerce, the study was designed to aid land use and economic development planning, especially related to capital infrastructure and public services.



### ■ High Response Rate

The researchers mailed nearly 16,000 questionnaires, and more than 30 percent of recipients responded. According to Richardson, this is considered an excellent return rate for mailed surveys (in fact, the researchers for this study originally estimated only a 10-percent return).

### ■ Survey Results

This statistically valid sample of the target population indicates that almost 22 percent of second-home owners plan to move to Cape Cod full time within the next 15 years.

Currently, second homes are used more for personal use than for rental use. In every season, survey results indicate that personal use is much higher than rental use, with 73 percent of respondents reporting using their second homes solely for personal use, 5 percent reporting using it exclusively as a rental, and 21 percent reporting a combination of personal and rental uses.

The results also show the significant current contribution of second-home owners to the local economy of Cape Cod, especially in the arts-and-culture sector, where the potential for an even greater positive impact is likely to be made when these owners convert their homes to primary residences.

The results about future conversions note potential impacts to water supply and wastewater management on Cape Cod. They also indicate the need for improved access to high-speed Internet services.

## Separate State, National Studies Indicate Continuing Need for Rental Housing

Two recent state and national studies point to the need for more affordably priced rental housing in the Cape Cod region: "The State of the Massachusetts Housing Market: A Statewide and Regional Analysis," by the Donahue Institute of the University of Massachusetts, and the National Low Income Housing Coalition's 2009 edition of "Out of Reach," an annual report on rental housing affordability across the country. Both studies are now linked from the "Resources" section of the Cape Cod Commission's Affordable Housing Program web site: [www.capecodcommission.org/housing/resources.htm](http://www.capecodcommission.org/housing/resources.htm)



### UMASS: TOO MANY SINGLE-FAMILY, TOO FEW MULTI-FAMILY HOMES

The Massachusetts Department of Community Development (DHCD) commissioned the Donahue Institute in March 2007 to perform a housing market assessment that would include an evaluation of the housing market in each of seven regions in Massachusetts, along with a projection of likely supply and demand for housing from 2008 to 2012 in those regions.

DHCD's purpose in undertaking the study was two-fold: to enable DHCD in its resource-allocation policies and decisions to target the areas of greatest

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## CCC Revises Development Agreement, DRI Enabling Regs



Proposed ordinances to update two regulations that guide the regulatory work of the Cape Cod Commission have been submitted to the Barnstable County Assembly of Delegates for consideration and votes. Both sets of proposed regulations are on the Commission's web site: [www.capecodcommission.org/regulatory/regulations.htm](http://www.capecodcommission.org/regulatory/regulations.htm)

At this writing, the Assembly's public hearings on the proposed ordinances were set for:

- June 3, 2009 – Development Agreement Regulations
- June 17, 2009 – Enabling Regulations

### ■ Development Agreement Regulations

On April 30, 2009, with 12 voting members present the Commission unanimously approved proposed revisions to the "Development Agreement Regulations Governing the Provisions for Development Agreements" (so-called Chapter D of the Code of Cape Cod Commission Regulations of General Applications.)

A development agreement is a voluntary, binding contract that may be used by the Cape Cod Commission, municipalities, state agencies, and developers to define the scope and substance of proposed developments. A development agreement can assure a developer that regulations will not change over the necessary construction period for the project. This in turn encourages

developers to plan comprehensive projects and to provide major infrastructure and public benefits earlier in the project.

Municipalities must have a Commission-certified Local Comprehensive Plan and an approved bylaw in place to allow development agreements.

The proposed revisions to the existing Development Agreement regulations focus on the process for when the Cape Cod Commission is a party to development agreements. The regulations and newly proposed amendments allow applicants to incorporate elements of DRI review within the development agreement process.

### ■ Enabling Regulations

Also on April 30, 2009, the Commission approved, by a vote of 8 in favor and 4 opposed, proposed revisions to the "Enabling Regulations Governing Review of Developments of Regional Impact" (so-called Chapter A of the Code of Cape Cod Commission Regulations of General Application).

A major component of the revisions to the Enabling Regulations relates to the concept of "Limited DRI Review," which was recommended by the 21st Century Task Force on the Cape Cod Commission in early 2007. If adopted as a Barnstable County ordinance by the Assembly of Delegates, these regulations would make it possible for any applicant to propose a reduced

DRI review for their project, limited to certain issues as opposed to all 12 issues from the current Cape Cod Regional Policy Plan.

The proposed Limited DRI Review process uses two standardized checklists—one for proposed new development, one for proposed redevelopment—to help applicants scope out issues before filing DRI applications. A pre-application meeting between applicants and the Commission staff is encouraged.

Within 45 days of receiving a completed application, a subcommittee of Commission members would hold a public hearing. Within 21 days, the subcommittee would decide whether the project may proceed with no DRI review, with DRI review limited to certain issues, or with full DRI review. The full Commission would make a final vote on the subcommittee's recommendation in the case of a decision not to review the project.

The proposed revisions to the Enabling Regulations also reflect technical changes, including definitions for some terms (for example, "gross floor area" and "credits"), and they codify the existing process by which DRI referrals for projects that propose alterations to historic structures are handled. The proposed revisions also clarify DRI thresholds for projects involving changes of use and municipal offices.

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The revised enabling regulations also incorporate previously approved thresholds for Growth Incentive Zones (GIZs) and procedures related to adjudicatory hearings for proposed utility projects. A new section is proposed to establish procedures related to prior DRI approvals and amendments.

## DCPC Extensions

Last month two Cape towns requested a time extension to prepare “implementing regulations” for their respective Districts of Critical Planning Concern (DCPCs). Implementing regulations become part of town bylaws and growth management techniques that guide development within a designated DCPC.

The Cape Cod Commission approved a 90-day time extension for the Town of Barnstable for the Craigville Beach/Centerville Village Center DCPC. The implementing regulations must be completed and approved by the Commission by September 10, 2009.

The Commission also approved a 90-day time extension for the Town of Brewster for the Brewster Water Protection DCPC. The town’s implementing regulations must be completed and approved by the Commission by October 14, 2009.



unmet need; and, to estimate both the availability of the existing housing stock to meet future demand as well as to estimate how much and what types of new housing will be needed over the next five years to meet the demand in the various regions of the state.

One of the study’s findings for Cape Cod and the Islands is a current and projected “over supply” of single-family homes that is counterbalanced by an almost as large “under supply” of multi-family units. The study concluded that the current over supply of more than 16,000 single-family homes would increase to almost 19,000 by 2012. The study also found that the current shortage of multi-family units is more than 14,000, and that shortage would be nearly 15,000 by 2012.

Cape Cod Commission Affordable Housing Specialist Paul Ruchinkas reflects on those numbers: “Since multi-family units are predominantly rental units, the data from the Donahue Institute reinforces the conclusions of the region’s Five-year Consolidated Housing Plan. Our primary affordable housing need is for rental housing for households of all ages.” Ruchinkas further believes the region’s multi-family gap can be closed only if communities build wastewater infrastructure that will allow for greater housing density in areas in which it makes sense, combined with zoning changes that will permit those increased densities.



### “OUT OF REACH”: NEARLY \$48K ANNUALLY, \$23 HOURLY NEEDED TO RENT

The National Low Income Housing Coalition’s annual “Out of Reach” report provides data for every state, metropolitan area, and county in the US, showing how much a household must earn to afford a modest market-rate rental home or apartment.

According to the latest report, the Fair Market Rent (FMR) in Barnstable County for a two-bedroom apartment is \$1,192. To afford this level of rent and utilities, without paying more than 30 percent of income on housing, a household must earn \$3,973 monthly, or \$47,680 annually. Assuming a 40-hour work week, 52 weeks per year, this level of income translates into a \$22.92 “housing wage,” the hourly wage a worker must earn to afford the FMR.

To afford the FMR for a two-bedroom apartment, a minimum-wage earner (\$8/hour) must work 115 hours per week, 52 weeks per year; or, a household must include 2.9 minimum-wage earners working 40 hours per week year-round.

The estimated mean (average) wage for a renter in Barnstable County is \$11.63 an hour. To afford the FMR for a two-bedroom apartment at this wage, a renter must work 79 hours per week, 52 weeks per year; or, a household must include two workers earning the mean renter wage 40 hours per week year-round.

Ruchinkas notes, “This study provides further confirmation of the wage gap that exists. It also confirms that the region’s primary workforce housing need is affordable rental housing.”

–Contributed by Affordable Housing Specialist Paul Ruchinkas

# Cape Cod Commission • DRI Status Report

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

*activities are listed in the calendar on the back cover and as hearing notices in the Regulatory section of the Web site: [www.capecodcommission.org](http://www.capecodcommission.org)*

## DRI Projects in the CCC Regulatory Queue

### BARNSTABLE

- ✓ • **Dalby ANR**—proposed division of land in excess of 30 acres to split an existing lot into two lots.
- **F.W. Webb**—proposed 22,550-sq. ft. footprint, two-story addition, to include warehouse and office space, to an existing 22,500-sq. ft. footprint, two-story building that formerly housed a mill store. CCC voted to approve the DRI with conditions on 5/14/09.
- ✓ • **Haseotes Addition**—proposed construction of a 2,900-sq. ft. three-bedroom addition to a dwelling within the Craigville Beach/Centerville Village Center DCPC.
- ✓ • **Mystic River Realty Trust**—proposed Approval Not Required plan dividing a 60-acre tract of land into two lots (one 49 acres and one 11 acres).

### BOURNE

No DRI projects at this time.

### BREWSTER

No DRI projects at this time.

### CHATHAM

- ✓ • **Chatham Wastewater Plan**—wastewater study and implementation plan. Joint MEPA/CCC review. Extension agreement to 6/18/10.

### DENNIS

No DRI projects at this time.

### EASTHAM

No DRI projects at this time.

### FALMOUTH

- **South Coast Watersheds Comprehensive Wastewater Management Plan**—proposed Comprehensive Wastewater Management Plan to address water quality problems of Little, Great, Green, Bourne, and Eel ponds, and Waquoit Bay. Joint MEPA/CCC review.

- **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.

### HARWICH

No DRI projects at this time.

### MASHPEE

- **Holland Mills Well and Pumping Station**—proposed installation of new public water supply well/pump station. Joint MEPA/CCC review.



- **Mashpee Commons**—proposed master plan. Extension agreement to 2/1/10.
- **Mashpee Watershed Plan**—proposed watershed nitrogen management plan.
- **Mashpee Woods ANR Plan**—proposed Approval Not Required subdivision plan with two commercial lots and seven industrial lots. Extension agreement to 9/18/09.

### ORLEANS

- **Daniels C&D Facility Expansion**—proposed expansion of a construction and demolition debris-processing facility. Formal withdrawal anticipated.
- ✓ • **Orleans Comprehensive Wastewater Management Plan**—proposed draft Comprehensive Wastewater Management Plan that identifies and evaluates three alternative plans for wastewater treatment and disposal. Joint MEPA/CCC review.

### PROVINCETOWN

- **Provincetown Airport Capital Improvements Plan**—proposed safety and facility improvements to the Provincetown Municipal Airport. Joint MEPA/CCC review.

### SANDWICH

- **Sandwich Beach Nourishment and Dredging**—proposed beach nourishment and maintenance dredging. Joint MEPA/CCC review.

### TRURO

No DRI projects at this time.

### WELLFLEET

- **Herring River Tidal Restoration Project**—proposed reestablishment of tidal flow to the 1,100-acre Herring River estuary and flood plain. Joint MEPA/CCC review.

### 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.
- **Parker's River Marine Park**—proposed marine park on the 22-acre site of the former Yarmouth drive-in theater. Joint MEPA/CCC review.

# 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.

Tuesday, May 26  
Monday, June 8  
Monday, June 22

## Regulatory Calendar

- **May 28:** CCC MEETING: 3 p.m., Assembly of Delegates Chamber, Barnstable. Agenda tentative; please call to confirm:
  - Dalby ANR (Barnstable project)
- **June 10:** HEARING: Haseotes Addition (Barnstable project), 6 p.m., CCC
- **June 11:** CCC MEETING: 3 p.m., Assembly of Delegates Chamber, Barnstable. Agenda tentative; please call to confirm:
  - Sandwich LCP Certification
- **June 16:** HEARING: Orleans Comprehensive Wastewater Management Plan, 7 p.m., Orleans Town Hall

## Full Commission Meetings

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

Thursday, May 28  
Thursday, June 11  
Thursday, June 25

## Other Events

- **Public Meeting about Potential Improvements to Yarmouth Road, Yarmouth/Barnstable:** Wednesday, May 27, 2009, beginning at 6 p.m. in Barnstable Town Hall. First in a series of public meetings to discuss possible improvements to Yarmouth Road running from Main Street, Hyannis, through the Route 28 intersection, north to the four-lane section of Willow Street. See story on page 1. Learn more about the meeting and complete an online questionnaire at [www.gocapecod.org/yarmouthroad/](http://www.gocapecod.org/yarmouthroad/).
- **Spring 2009 Walking Weekend: June 5 through June 7:** More than 30 short walks led by historians, naturalists, geologists, and walking enthusiasts. See [www.capecodcommission.org/pathways/](http://www.capecodcommission.org/pathways/) for more information.



## Cape Cod Commission

### • FISCAL YEAR 2009 OFFICERS •

Chair:

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

Vice Chair:  
**(vacant)**

Secretary:  
**(vacant)**

### • REPRESENTATIVES •

Barnstable:

**Royden Richardson**

Bourne:

**Michael Blanton**

Brewster:

**Elizabeth Taylor**

Chatham:

**Lynne Pleffner**

Dennis:

**Brad Crowell**

Eastham:

**Joyce Brookshire**

Falmouth:

**(vacant)**

Harwich:

**(vacant)**

Mashpee:

**Ernest Virgilio**

Orleans:

**Frank H. Hogan**

Provincetown:

**Roslyn Garfield**

Sandwich:

**Alan Trebat**

Truro:

**Peter Graham**

Wellfleet:

**Roger Putnam**

Yarmouth:

**Mark Lohan**

County Commissioner:

**Sheila Lyons**

Minority:

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

Native American:

**Mark Harding**

Governor's Appointee:

**Herbert Olsen**

EXECUTIVE DIRECTOR: **Paul Niedzwiecki**  
EDITOR: **Nancy L. Hossfeld**

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