



# FY2013 Annual Report of the Cape Cod Commission to the Town of Barnstable

The Cape Cod Commission is the regional land use planning, economic development, and regulatory agency created in 1990 to serve the citizens and 15 towns of Barnstable County, Massachusetts. The Commission's mission is "to keep this special place special," and the agency strives to achieve technical excellence, environmental protection balanced with economic progress, and regional consensus. The Commission pursued the following **regional priorities** for Fiscal Year 2013 (July 1, 2012 to June 30, 2013):

**1. Wastewater Management** – Related to this priority, this year the Commission prepared an initial Regional Wastewater Management Plan to serve as a framework and a set of tools to help begin identifying several water quality solutions for each watershed across the Cape. The Commission also prepared a guidance document for the agency's regulatory review of local Comprehensive Wastewater Management Plans (CWMPs), conducted a Cape-wide buildout analysis to support local and regional planning, developed the Watershed MVP application for technical experts and municipalities to explore various potential management scenarios, developed a "green infrastructure" siting tool as a companion to the Watershed MVP, and pursued pilot projects to better understand green approaches to treating wastewater and stormwater. In January 2013, the Commonwealth of Massachusetts directed the Cape Cod Commission to prepare an update to the 1978 Area-wide Water Quality Management Plan for Cape Cod, a requirement under Section 208 of the federal Clean Water Act. The Commission subsequently developed a Program Work Plan for the 208 Update and has embarked on that work plan. The work plan has an ambitious set of tasks to complete within three years, the bulk of which is to be completed in FY2014. The Commission and its consultants are tackling the technical analyses, planning, financial, and public participation requirements for the 208 Update simultaneously. Stakeholders are engaged in the program's policy, affordability, financing, planning, and implementation issues, and in watershed- or basin-specific issues, needs



assessments, evaluation of alternatives, and evaluation of costs. The overall goal is to identify the most cost-effective, appropriately scaled and phased solutions on a watershed-by-watershed basis, focusing on the most severely impaired waters and the most easily and affordably implemented solutions while maximizing the use of existing infrastructure.

**2. Strategic Information Office** – Related to this priority, this year the Commission helped establish a governance committee. The Smarter Government Steering Committee then executed a data-sharing agreement with Cape towns to collaborate on opportunities for digital regionalization and recommend potential regional solutions for services and products that increase governmental efficiency and decrease costs to taxpayers. One example activity is the development of an “ePermitting, Licensing, and Inspection System” that is under development now. When fully implemented, the online system will allow Cape Cod municipalities to issue and monitor permits, licenses, and inspections, with a web-based portal for citizens and contractors. The system uses a common technology infrastructure and software that can be adopted regionally but tailored to each town.

**3. Community Design Services** – Related to this priority, this year the Commission managed a number of complex planning projects for which the staff provided community design services to Cape municipalities. Design services can focus on land use, streetscape, roadway, development patterns, transportation alternatives such as bicycle and pedestrian amenities, stormwater management, sustainable landscape design, and more. Design services are frequently integrated through Regional Economic Strategy Executive Team (RESET) assistance projects, which offer a multi-faceted, multi-disciplined approach to community and economic development planning.

**4. Economic Development** – Related to this priority, the Commission continued to pursue the implementation of priority projects that were identified in the Five-year (2009-2014) Comprehensive Economic Development Strategy (CEDS). This year the focus was on wastewater management planning in economic centers; continuation of the SmarterCape Initiative to promote the use of technology infrastructure that helps the region’s economy evolve from service-based to knowledge-based; and initial work on a comprehensive Cape Cod Canal area transportation study, which includes considering major congestion, safety, and community/economic issues associated with the bridges and the rotaries.



**5. Regional Consensus** – Related to this priority, the Commission coordinated a number of ongoing planning and policy-making endeavors striving to achieve consensus across the region. In addition to the activities mentioned above, the Commission embarked on a consensus-building update to the Joint Land Use Study (JLUS) for the Massachusetts Military Reservation and surrounding communities. The US Department of Defense-funded planning process between the military installation and the communities of Bourne, Falmouth, Mashpee, and Sandwich aims to ensure that future community growth and development is consistent with the military training and operational missions and to help reduce the impacts of military operations on the adjacent land. The Commission also continued to help Cape communities prepare Multi-Hazard Mitigation Plans for FEMA certification and potential future funding.

In addition to the Cape-wide regional services and programs that the Cape Cod Commission pursues each year (the highlights mentioned above), each of the 15 municipalities in Barnstable County receives direct assistance from the Commission that is tailored to that community's specific needs. **Some highlights of Cape Cod Commission activities specific to the Town of Barnstable during Fiscal Year 2013 follow.**

## PLANNING, COMMUNITY DEVELOPMENT, AND TECHNICAL SERVICES

### AFFORDABLE HOUSING

- The Barnstable County HOME Consortium, coordinated by the Commission's affordable housing staff specialist, made two down payment/closing cost loans totaling \$17,642 to low-income first-time homebuyers.
- The HOME Consortium closed a \$200,000 loan of HOME funds and the construction is under way by the Barnstable Housing



Authority for its 12-unit affordable rental development on Stage Coach Road.

- The Commission filled three accessory apartment units through the Regional Ready Renters program. (Online: [www.capecodcommission.org/departments/planning/housing/renters](http://www.capecodcommission.org/departments/planning/housing/renters))

#### ECONOMIC DEVELOPMENT

- The Commission's staff is coordinating a Regional Economic Strategic Executive Team (RESET) project for the Iyannough Road (Route 132) Regional Retail Center Redevelopment Incentive Project. The project includes analysis of four commercial/retail areas on the regional corridor: the Cape Cod Mall, the Capetown Plaza, the Festival Plaza, and the Southwind Plaza). The project will lead to a short-term redevelopment strategy and a long-term concept plan, as well as proposed new zoning to expedite permitting in the area. The goal is to stimulate the redevelopment of the four major retail centers and to increase economic opportunity and the town's non-residential tax base. (Online: [www.capecodcommission.org/initiatives/RESET](http://www.capecodcommission.org/initiatives/RESET))

#### TRANSPORTATION

- The Commission's transportation staff completed the final report for the Yarmouth Road Corridor Study in December 2012 and the final report for the Hyannis Access Study Implementation in June 2013. Both projects involved working with a task force of community members, business representatives, and leaders to identify "preferred alternative" concepts for segments of those heavily travelled roadways and intersections leading into and out of Hyannis. The Yarmouth Road project addressed the design of Yarmouth Road/Willow Street area and developed alternatives to improve access for all modes of transportation along this corridor; online: [www.capecodcommission.org/resources/transportation/Yarmouth\\_Road\\_2012\\_report\\_12272012.pdf](http://www.capecodcommission.org/resources/transportation/Yarmouth_Road_2012_report_12272012.pdf)



The Hyannis Access Study Implementation project addressed the design of Route 28 from the Airport Rotary to the Barnstable/Yarmouth town line, taking into consideration large-scale development along sections of Route 132; online:

[www.capecodcommission.org/resources/transportation/hyannisaccess/HASI\\_2013\\_final\\_report06282013.pdf](http://www.capecodcommission.org/resources/transportation/hyannisaccess/HASI_2013_final_report06282013.pdf)

- Commission staff transportation planners continued to support local work to extend the Cape Cod Rail Trail from Dennis through Yarmouth and Barnstable. The staff hosted an informational meeting in February 2013 for the public to discuss the proposed project. As envisioned, the proposed project may extend the Cape Cod Rail Trail from Old Town House Road Park in Yarmouth to Iyannough Road (Route 132) in Barnstable, with improvements such as the construction of a continuous, paved shared-use path with grassed shoulders. The project may also include construction of parking areas, rest stops, and pedestrian road crossings at public and private roadways. The design, if approved and funded, would conform to all Massachusetts Department of Transportation (MassDOT) design guidelines and engineering directives.
- The Commission's transportation staff provided technical assistance to the town to improve traffic flow within the Barnstable Transfer Station and near Pearl Street in Hyannis.
- The Commission's transportation staff conducted annual summer traffic counts in Barnstable, including automatic traffic recorders (ATRs) and turning movement counts (TMCs). Traffic data are available online:  
[www.capecodcommission.org/departments/technicalservices/transportation/counts](http://www.capecodcommission.org/departments/technicalservices/transportation/counts)

Roadway segments and intersections in Barnstable included Route 28 east of the Airport Rotary, Route 28 east of Bearses Way, Route 28 at the Mashpee/ Barnstable town line, Route 28 east of Old Stage Road, Route 6 at the Barnstable/Yarmouth town line, Route 6 at the Sandwich/Barnstable town line, Route 6A at the Barnstable/Yarmouth town line, Route 6A east of Hyannis Road, Route 6A at the Sandwich/Barnstable town line, Airport Road north of Route 132, Bearses Way north and south of Route 28, Bridge Street east of the drawbridge, Bumps River Road east of Lumbert



Mill Road, Center Street north of Main Street, Fuller Road east of Wedgewood Drive, Huckins Neck Road west of Route 132, Hyannis Road south of Route 6A, Independence Park Drive north of Route 132, Kidds Hill Road east of Phinneys Lane, Lewis Bay Road north of South Street, Lumbert Mill Road south of Westminster Road, Main Street (Hyannis) west of Cedar Street, Main Street (Hyannis) west of Winter Street, Nye Road north of Lumbert Mill Road, Old Colony Road north of South Street and south of South Street and Ocean Street, Old Mill Road at the Mashpee/Barnstable town line, Parker Road south of Third (3rd) Avenue, Phinneys Lane south of Kidds Hill Road, Race Lane at the Sandwich/Barnstable town line, Service Road at the Sandwich/Barnstable town line, and West Main Street south of Route 28.

In January 2013, the transportation staff also established a permanent counting station at the intersection of Route 28 and Lumbert Mills Road in Barnstable. Traffic counts from this location are updated monthly and made available online:

[www.capecodcommission.org/resources/transportation/counts/pdf\\_count/bar\\_28\\_Lumbert.pdf](http://www.capecodcommission.org/resources/transportation/counts/pdf_count/bar_28_Lumbert.pdf)

## WATER RESOURCES

- The Commission's water staff continued to support the town in its pursuit of wastewater management, including review of Barnstable's nutrient-management plan and Comprehensive Wastewater Management Plan. The town submitted an Alternatives Screening Analysis Draft Environmental Impact Report (EIR)/Environmental Notification Form (ENF) for joint Massachusetts Environmental Policy Act (MEPA)/DRI review in May 2012. The Needs Assessment and Alternatives Screening Analysis reports concluded with five alternative plans. MEPA has required the preparation of a Final EIR, for which the town must engage in a targeted-watershed approach.
- The Commission water and planning staff continued to support the town's work to address wastewater management in a comprehensive way and to pursue measures to restore the water quality in the Lewis Bay and Parkers River watersheds. With an award from the US Environmental Protection Agency, the Commission worked this year with the towns of Barnstable and Yarmouth on a "green



infrastructure” pilot project in the two nitrogen-impacted watersheds. An EPA contractor, the Commission, and the towns worked to (1) identify suitable green infrastructure techniques in the target locations; (2) develop conceptual designs from site inventories, aerial photography, GIS data and mapping analyses, and watershed modeling to quantify water-quality benefits; and (3) identify preliminary cost estimates. The initiative in these watersheds may result in a cost-effective model for other towns as they attempt to implement sustainable wastewater options.

- The Commission partnered with the Town of Barnstable and a consulting and engineering company (Ecolotree) and worked with a graduate student to conduct a research project on the use of trees to mitigate excess nitrogen in groundwater. The process involved “phytoremediation,” a potential green-infrastructure solution that uses plants to clean up soils. In 2012, the staff installed test cells at the Barnstable Water Pollution Control Facility. In the cells they planted three species of trees. As the saplings grew and their roots filled the cells, the staff took periodic water samples to determine how well the trees removed nitrogen, phosphorus, and heavy metals from the effluent at the facility. Samples were tested at the University of Massachusetts-Dartmouth School for Marine Science and Technology. In January, the staff moved the project from Barnstable’s facility to Barnstable County’s Alternative Septic System Test Center. More information is available online: [www.capecodcommission.org/initiatives/wastewater/phytoremediation](http://www.capecodcommission.org/initiatives/wastewater/phytoremediation)
- The Commission water staff supported the town’s use of the Watershed MVP application to evaluate targeted-watershed approaches for Three Bays.
- The Commission’s water staff conducted the annual Pond and Lake Stewardship (PALS) freshwater ponds water-quality sampling snapshot for Aunt Betty’s, Bog, Eagle, Garrett’s, Hamblin, Hathaway, Hinckley, Joshua, Lewis, Little Parker, Long, Lovell, Lumbert Mills, Mary Dunn, Micah, Middle, Mill, Muddy, Neck, Parker, Red Lily, Round, Rushy Marsh, Schoolhouse, Shallow, Shubael, and Stoney ponds; Crystal and Mystic lakes; and Lake Elizabeth.



## GEOGRAPHIC INFORMATION SYSTEM (GIS)

- The Commission's GIS staff supported all of the above as necessary. For the Iyannough Road (Route 132) Regional Retail Center Redevelopment Incentive (RESET) Project, the GIS staff is using Barnstable County LiDAR data from the Northeast LiDAR Project, which was funded by the NRCS and is being hosted by MassGIS. The Commission is using the county LiDAR data set to develop surfaces for the possible development of 3D imagery. The GIS staff also provided mapping support to the Hyannis Access Study Implementation project, and draft maps of wildfire hazard areas and regional vulnerability assessment to municipal staff for review and update of the local Multi-Hazard Mitigation Plan.

## REGULATORY ACTIVITIES

### DEVELOPMENT OF REGIONAL IMPACT (DRI) MITIGATION FUNDS IN FISCAL YEAR 2013

- The Commission provided \$40,000 to support planning, design, and construction of the Bearses Way Multi-Modal Path project.

### DRI DECISIONS IN FISCAL YEAR 2013

- Cape Cod Healthcare/Cape Cod Hospital Emergency Department Expansion – On 10/11/12, the Cape Cod Commission approved a Hardship Exemption/Project of Community Benefit (POCB) application for the proposed 26,500-sq.ft. single-story expansion to the Cape Cod Hospital for an enlarged emergency center with new and reconfigured parking lots within the main hospital campus and at several parcels on Park Street.

### MINOR MODIFICATIONS – TYPE #1

- The Commission's executive director approved requested minor modifications to these previously approved decisions:



- Rose Motel Redevelopment/Lakeside Commons (CU-HDEX07018) – approved 7/2/12
- Cotuit Landing Redevelopment and Expansion (JR99013) – one approved 8/9/12, another 1/3/13, and another 3/28/13
- Cape Cod Mall Renovation and Expansion (TR96025) – one approved 8/30/12 and another 1/15/13
- Barnstable Municipal Airport Improvements Project (DRI/EIRO6011) – one approved 9/5/12 and another 3/25/13
- Industrial Communications & Electronics Tower/Barnstable (TR20069) – one approved 10/2/12, another 10/3/12, another 1/30/13, and another 2/14/13
- Cape Cod Hospital Emergency Center Expansion (HDEX12031) – one approved 1/25/13 and another 5/29/13

#### MINOR MODIFICATIONS – TYPE #2

- The Commission’s Regulatory Committee approved a requested minor modification to the previously approved decision for the Rose Motel Redevelopment/Lakeside Commons (CU-HDEX 07018) on 9/13/12.

#### DRI CERTIFICATES OF COMPLIANCE

- Final Certificates of Compliance:
  - Atlantis Stop & Shop (JR20035) – Issued on 7/19/12
  - Airport Way Nominee Trust Photovoltaic Project (TR11016) – Issued on 11/7/12
  - Cape Cod Mall Renovation and Expansion (TR96025) – Issued for T. Murphy’s Sports Bar on 1/29/13
  - Cape Cod Commercial Linen Service (TR11017) – Issued on 4/5/13
- Preliminary Certificates of Compliance:
  - NSTAR Lower SEMA 345kV Transmission Project (TR11014) – Issued on 8/23/12
  - Cape Cod Hospital Emergency Center Expansion (HDEX12031) – Issued on 1/29/13



#### DRI REVIEWS PENDING AT YEAR END

- Barnstable Comprehensive Wastewater Management Plan –The Town of Barnstable’s proposal to assess wastewater needs, evaluate mitigation measures, and develop a recommended plan. The DRI review is pending the issuance of a Massachusetts Environmental Policy Act (MEPA) certificate for an Environmental Impact Report.

#### DEVELOPMENT AGREEMENTS

- On 11/29/12, the Cape Cod Commission approved the Barnstable Municipal Airport Commission's filing of a Notice of Intent to File a Development Agreement Application for the Barnstable Municipal Airport Master Plan.

#### OTHER REGULATORY ASSISTANCE

- The Commission provided technical comments to the Massachusetts Environmental Policy Act (MEPA) office on an Environmental Notification Form for the proposed Mill Pond Improvements (Marstons Mills). Comment letter submitted on 8/14/12.

For more information about the Cape Cod Commission, visit the web site: [www.capecodcommission.org](http://www.capecodcommission.org)