

Minutes
Regional Policy Plan Subregional Public Hearing
Wednesday, October 24, 2018 6:00 p.m.
Cape Cod and Islands Association of Realtors
22 Mid-Tech Drive, West Yarmouth, MA

Summary of Action Taken:

A public hearing was conducted by hearing officer, Jonathan Idman, to receive public comments on the 2018 Draft Regional Policy Plan (RPP).

Regional Policy Plan Subcommittee members in attendance: Jacqueline Esten, Jack McCormack

Cape Cod Commission members in attendance: Harold Mitchell, Richard Roy

Cape Cod Commission staff in attendance: Kristy Senatori, Erin Perry, Heather McElroy, Jonathan Idman, Jessica Wielgus, Chloe Schaefer, Sharon Rooney

The hearing began at 6:05 pm. Jonathon Idman, Chief Regulatory officer at the Cape Cod Commission, thanked everyone for attending the public hearing. He said the main reason for the public hearings are to solicit public comments on the Draft Regional Policy Plan (RPP). Minutes are being taken and all comments will be collected by staff. He advised attendees that they had detailed questions or comments which need in-depth responses, staff will respond in writing. All clarifying questions will be answered during the meeting.

He said Erin Perry, Special Projects Manager, and Heather McElroy, will review the chapters of the Draft RPP, followed by public comment. He said after the public hearings the draft will move forward to the Cape Cod Commission and then to the Assembly of Delegates for approval.

Erin Perry, Special Projects Manager at the Cape Cod Commission, with the use of a Powerpoint presentation, gave an overview of the Regional Policy Plan. She said the Regional Policy Plan is a plan with a broad regional vision and goals for the region to protect natural resources balanced with economic development and growth.

She said this draft takes a different approach than was taken in previous documents. This plan is systems based, recognizing the importance of three major systems- natural, built and community- and the need to balance each of these when thinking about planning and regulations. Goals and objectives are connected to each system. The plan is context sensitive, it recognizes the different types of places in the regions and identifies performance measures to track progress. The 2018 RPP places an emphasis on local comprehensive planning and local capital facilities planning and regional capital planning.

She said this update to the plan includes identification of performance measures allowing for progress to be tracked across the region. The plan also places a greater emphasis on local comprehensive planning, local capital planning and regional capital planning.

She reviewed the 11 sections in the plan. The first overviews the Commission's responsibilities based on the Cape Cod Commission Act. The Act outlines the 8 purposes:

- * The conservation and preservation of natural undeveloped areas, wildlife, flora and habitats for endangered species;
- * The preservation of coastal resources including aquaculture;
- * The protection of groundwater, surface water and ocean water quality, as well as the other natural resources of Cape Cod;
- * Balanced economic growth;
- * Provision of adequate capital facilities, including transportation, water supply, and solid, sanitary and hazardous waste disposal facilities;
- * The coordination of the provision of adequate capital facilities with the achievement of other goals;
- * The development of an adequate supply of fair affordable housing;
- * And the preservation of historical, cultural, archaeological, architectural, and recreational values.

Erin Perry continued to discuss chapter two of the RPP. She said that Chapter 2 identifies and discusses the evolution of the RPP. She said that the Commission was established in 1990 and the first RPP was issued in 1991. The vision of this plan was to protect the best of the region and repair the mistakes of the past. This was the first plan to identify goals, policies and implementation strategies in 13 issue areas and included Commission and town actions. The plan also identified and mapped important natural resource areas and proposed to map economic centers and village centers.

She said the 1996 and 2002 updates to the RPP took a similar approach. The 2009 update was the first major shift in the document. It separated planning from regulatory aspects. The plan focused on planning aspects and the technical assistance the Commission could provide to communities. She said several years ago when this recent update was initiated, the Commission set about to gather input from stakeholders on how the RPP could continue to evolve to meet the needs of the region. She outlined this stakeholder process as including-

- * Issuing a homeowner survey and holding subregional hearings in 2014
- * Subregional stakeholder meetings, six meetings in each subregion, held in 2015.
- * A second homeowner survey was issued in 2017

* A Cape Cod Commission RPP subcommittee was established and met throughout 2018. They have reviewed draft of the RPP and are currently reviewing technical bulletins.

* The current round of public hearings in 2018 is a continuation of the outreach process and public process

Erin stated that the outreach process has helped the Commission identify key priorities for the region. She said that these issues are woven throughout the document and include the need to address housing needs, promote regional and capital infrastructure planning, ease local comprehensive planning, protect natural resources and preserve character.

Erin Perry then discussed chapter three of the RPP. She said that chapter three identifies a regional vision for Cape Cod, to protect and preserve the region's resources and focus growth in existing center of activity. She said the vision for the future of Cape Cod is a region of vibrant, sustainable and healthy communities, and protected natural and cultural resources. The growth policy supports that vision and focuses growth in centers of activity and areas supported by adequate infrastructure and guides growth away from area that must be protected for ecological, historical or other reasons. She said development should be responsive to context allowing for the restoration, preservation and protection of the Cape's unique resources while promoting economic and community resilience.

Erin Perry then described chapter 4 of the RPP. She said section four discusses Cape Cod systems and the need to balance these systems to achieve a sustainable region overall. She said the systems and the areas they cover include:

Section four discusses Cape Cod systems and the need to balance these systems to achieve a sustainable region overall. The systems and the areas they cover include:

- **Natural systems**
 - Groundwater
 - Marine water
 - Freshwater ponds and lakes
 - Wetlands
 - Habitat
 - Open space

- **Built systems**
 - Development
 - Drinking water supplies
 - Wastewater management
 - Stormwater management
 - Transportation network
 - Utilities

- **Community systems**
 - Cultural heritage
 - People
 - Economy
 - Housing

Erin Perry then described section five of the RPP. She said section five discusses key challenges facing the region and that these challenges include-

* Loss of forest cover 2,300 acres have been lost regionally, more than 83% was for residential development. An issue related to forest cover loss is additional impervious surfaces leading to increased stormwater runoff which can affect water resources.

* Significant development which has impacted water quality. The manner in which land is used impacts the region's supply of drinking water.

* Excess nitrogen in coastal waters has led to 34 of the Cape's 53 Cape embayments, to require nitrogen reduction to meet water quality goals. This is due to the heavy reliance the region has placed on septic systems across the region.

* The need to focus on improving resiliency of the region's coastline. There is about \$9,000,000,000 of assessed value at risk in special flood hazard areas (SFHA) which includes over 13,000 single-family homes. This will likely become worse over time.

* The regions historic resources are vulnerable to threats. More than 40% of inventories historic buildings 100 years and older have no protections. Historic resources are key to our community character.

* Housing across the region is very expensive, very few Cape communities come close to having an individual earning the median income able to afford the median home price.

Heather McElroy of the Cape Cod Commission staff then gave the remainder of the powerpoint presentation on the RPP. She said the goals and objectives of the Draft RPP are organized under the three systems- natural, built and community.

Heather said that the goals and objectives of the natural systems aim to protect and restore the quality and function of the region's natural resources that provide the clean water and healthy ecosystems upon which the region depends. The goals and objectives address areas such as water resources, wetlands, open space etc.

Heather also said the goals and objectives for the built system are to protect and enhance the built environment and infrastructure necessary to support the region and healthy activity centers. This include improving community design, coastal resiliency, supporting and coordinating capital infrastructure, and transportation planning.

She said the goals and objectives of community systems are to protect and enhance the linkages between the built and the natural environment that support the way of life on Cape Cod by protecting the region's cultural heritage, supporting and promoting the economic development, promoting a diversity of housing resources and availability.

Heather further said that the Cape Cod Commission has been working towards coordinated regional and local planning. The Regional Policy Plan provides an umbrella for these goals and objectives. Targeted areas of planning include the Comprehensive Economic Development Strategy, the 208 Water Quality Plan, Ocean Management Plan, Regional Transportation Plan, a housing needs assessment, coastal resiliency planning and the RESET program.

Heather then said that the Commission through this RPP update would like to promote coordinate regional capital planning, which is included in the Cape Cod Commission Act. This is an area that has not received a lot of attention in the past. The RPP wants to support the local comprehensive planning process and is looking at streamlining the planning process.

Heather McElroy then described the Cape Cod Commission's program, the Regional Economic Strategy Executive Team, or "RESET". She said the RESET Program is an opportunity to plan within a community at their request. Three recent RESET projects include-

- * Improving pedestrian connections between business and the waterfront in Orleans
- * Looking at including mixed use development and the walkability on Route 132 in Barnstable
- * Davis Straits, Falmouth- Revitalize the Davis Straits area in Falmouth, looking at possible mixed use and improved function of the area.

Heather McElroy then described section eight of the RPP. She said section eight addresses Cape Cod Place types, a new concept introduced in this plan, recognizing the different types of land uses across the Cape. She said Placetypes include:

Natural areas- to minimize adverse development impacts to sensitive resource areas, to preserve lands that define Cape Cod's natural landscape and to contribute to its scenic character, and to improve the Cape's resilience to severe storms and effects of climate change.

Rural development areas- To ensure that development is located, sited, and scaled appropriately to avoid impacts on scenic and/or cultural resources, and to help maintain the economic diversity that agriculture can provide for the region including opportunities for the continuation of traditional agricultural occupations, and for the availability of locally-grown food.

Suburban development areas- To improve their design and function so that they are better integrated into surrounding neighborhoods, compliment uses in existing activity centers, and are more pedestrian-friendly.

Historic character areas- To protect historic resources and to support infill development that respects the form, scale, and character of existing historic areas.

Maritime areas- To protect historic resources and to support infill development that respects the form, scale, and character of existing historic areas.

Community activity centers- To accommodate mixed-use and multifamily residential development in a walkable, vibrant area, preserve historic buildings, and to provide diverse services, shopping, recreation, civic spaces, housing, and job opportunities, with adequate infrastructure and pedestrian amenities to support development.

Industrial activity centers- To support their development as significant employment centers with adequate infrastructure and support services for employees.

Military and transportation areas- To support comprehensive master planning with community

input, encourage growth of industries appropriate to the diversification of the regional economy, and encourage partnerships for use of shared infrastructure.

Heather then said section nine addresses regional regulatory review. A significant role of the Commission is review of Developments of Regional Impact (DRI). This draft takes a streamlined regulatory approach while continuing to have goals and objectives which are derived from the Commission Act. The approach will include technical guidance for the goal and objectives and provides methods by which a DRI could meet those goals and objectives. The placetype and the resources present where a project is located will also inform how methods are applied to meet goals and objectives.

She said an example of this is the transportation goal to provide and promote safe multi-modal transportation and the objective is to provide a reliable efficient transportation system. The technical guidance will provide methods, a requirement or a menu of options, to reach this goal and objective. The place type will inform how those methods are applied.

Heather then reviewed section 10 of the RPP. She said section 10 incorporates regional performance measures to track progress toward meeting established goals. Nine performance measures are identified in this section. These measures were chosen because there is data available to base progress off of and they correspond to the goals established in the draft plan.

Heather then reviewed section 11 of the RPP. The last section addresses recommended actions recognizing that the Regional Policy Plan is a framework and there remains additional work that needs to be done. These recommendations are based on the three systems and include-

Natural systems: update and identify priority lands for future water supply development, update data layer to support future water supply development and support water quality planning in protected watersheds.

Built systems: Develop a regional capital infrastructure plan to support sustainable economic development which is crucial for coordinating regional infrastructure with local plans.

Community system: Develop a regional housing plan, identify the affordability and the diversity of housing and set target regionally and subregionally for affordable and diverse housing.

Heather then reviewed the timeline for the review of the RPP. She said the review process and timeline for the draft RPP began in September when the draft was issued for public comment, followed by the three regional hearings. The public comment period ends on November 19, 2018. Once public comment ends, Commission staff will have 30 days to respond to comments and make revisions to the plan. The Cape Cod Commission will review the document and hold a public meeting. The Commission will then vote to forward the plan to the Assembly of Delegates for their approval by ordinance.

Heather said comments can be made today at the meeting, can be sent by email to rpp2018@capecodcommission.org, or attendees could also add comments to posters in the back of the room, or write on the comment cards, also available in the back of the room.

Mr. Idman introduce the public comment portion of the hearing.

Public Comment:

Sheila Place, resident of Yarmouth, thanked the Commission for the opportunity to comment on the plan and supports the work the Commission does. She said one thing was not adequately addressed in the Draft RPP which is the urgency to address climate change. Recently climate scientists stated we have 10 years to reduce fossil fuel emissions. In the recommended actions the plan states we should work together and design plans to address our greatest challenges, climate change is not mentioned. The Draft RPP's goals and objectives do not touch on emission reductions in energy, transportation, solid waste management and housing. Could energy efficient goals be included in new development and redevelopment projects. The RPP energy goal and underlying objectives are not sufficient to ensure development is consistent with the states legally mandated goal to reduce green house gas emissions. The RPP at a minimum should include energy related goals and objectives meeting emission reduction targets. An inventory should be taken of energy consumption across the region. The commission had a staff person working half-time on energy, this position was not filled.

Joyce Flynn thanked the Commission for all the attention it has spent on the Draft RPP. She noted the importance of energy. The RPP needs to have distributed generation as an explicit goal. The nine areas of data mentioned don't include energy. The Cape Light Compact has this information. The Cape is facing the production of fossil fuels. The Commission balances ideas versus financial impacts. She suggested that this is an emergency situation and good energy standards need to be enforced in new commercial and residential instruction. The knowledge level should be raised. She suggested coordination with local energy committees.

Susan Starky, a resident of Yarmouth, attended the meeting to represent the faith community's environmental network, 20 congregations meet on a monthly basis to discuss the climate emergency, which is connected with the Cape Cod Climate Change Collaborative. She said 70% of Americans understand climate change but places like the Commission are not willing to say it out loud. Every plan needs to do something about it. Bold, radical action needs to be taken or

else the living situation on the Cape will change. Gasoline cars cannot be the primary mode of transportation. The public transportation system needs to be radically different. Members of faith communities are a resource for the Commission.

Justin Ingold, owner of the Surfcomber, mentioned the mission states a need to balance economic progress with environmental protection. He said the environment is in much more need of attention. If the environment is not protected the economic realities of the Cape will suffer. Climate change is mentioned 22 times in the draft compared to the old RPP where it was mentioned 4 times. This draft shows the Commission is taking into consideration one of society's biggest challenges. However, the two words in the plan associated with climate change are resiliency and adaptation. Redirecting new development does not help those who reside by the ocean. The only hope is to slow down climate change by preventing carbon emissions. He would like to see the goal of the reduction of greenhouse gasses, requiring energy audits for development, and carbon neutral redevelopment and development. Plan mentions green communities but does not provide a road map. It only encourages towns to become green communities. There needs to be regulation of carbon emission. The new RPP should halt new fossil fuel infrastructure. The Commission needs to put forth much stronger environmentally forward plans.

Chris Powicki, resident of Brewster, said it is important to look at the plan in terms of climate change issues to make sure it is responsive. This plan has taken a big step forwards saying any growth that occurs should occur in activity centers. The plan does not go far enough. In the executive summary there is a general failure to recognize or acknowledge that collective action around the Cape and around the globe pose a threat to the cape. The region needs to look beyond its borders to protect ourselves. It is important to promote growth in activity centers and areas with adequate infrastructure but this won't protect Cape Cod. The Commission's mission cannot be met with the Draft RPP. He provided a section by section comment on the plan:

Page 3 of the executive summary there is no mention that climate change is an existential threat. He noted the draft was produced before the latest scientific finding saying we have 10 years for dramatic action. Climate change is not just flooding and erosion, which is emphasized in the plan, there are changes to temperature, precipitations patterns, water quality, public health and species and habitats. The remainder of the executive summary does not have the right context. It fails to set goals and objectives, regulatory performance measure and recommended actions. There needs to be a climate lens over the entire plan.

Section 1, pages 14-15- The purpose of the CCC cannot be met without reducing greenhouse gas emissions and increasing natural sequestrations. This needs to be part of the plan.

Section 4, pages 28-29 Built systems discuss development and housing. Most of this development has been fueled by fossil fuels. It may be obvious but it needs to be stated over and over, that it needs to change. The Commission needs to change the energy basis of this region

Pages 31-32, Describes the region's transportation network but fails to mention it is based almost exclusively on fossil fuels. There is no mention the air quality impact.

On Page 33 there is a description of utilities but there is no mention of the new plant that was approved by the Commission with no regional mitigation. The entire region will suffer from CO2 emissions from this plant. There is no mention about grid reliability, an issue that affects the Outer Cape especially. There is no discussion that natural gas infrastructure stops at a certain point. The Outer Cape does not have delivered gas and rely on propane, oil or electric heat. This affects development and redevelopment. Electrification is the answer- on land and off shore.

There is no mention of regional solid waste infrastructure or associated issues. This is a big issue for towns as recycling is becoming more expensive and the state in promoting zero waste.

Section 5, page 38 mentions the loss of forest cover and is highlighted as an adverse impact of development. Forests serve a critical natural function of storing carbon, which is not mentioned. We need to increase our natural carbon update. The Commission could require projects and development to plant trees and the agency should promote tree planting in communities.

Page 39- Addresses water quality contaminants of emerging concern as a future threat. Contaminants are a threat today and it will get worse.

Page 40- Adaption is presented as the primary response to climate change. Mitigation and emission reduction is essential at all levels. The Commission can lead on this issue.

Page 41- Discussion of adequate infrastructure could be discussion of appropriate infrastructure. Are new power plants appropriate if they are fueled by fossil fuels? Appropriate infrastructure would include renewable, storage and a modernized grid. Adequate infrastructure means what do we need to do to get to zero waste.

Section 6: Goals and objective- The failure to apply climate lens is very apparent in this section. These comments also apply to pages 71-74 where goals and objectives are presented again. Under natural systems, there is nothing mentioning natural emissions and increasing natural sequestration. Built systems emphasizes coastal resiliency. With climate change we can adapt, cut emissions or we can suffer. If this plan does not call for aggressive mitigation there will be more suffering. Built systems, capital facility and infrastructure, transportation, energy and solid waste do not say anything about cutting carbon emissions. Goals should look at what the state is doing on solid waste planning. Where is the Commission on waste? There is nothing in the plan on minimizing waste generation.

Section 7 addresses coordinated regional and local planning. The RTP should include a section on electrification, public transit options that are electricity based. There needs to be charging infrastructure, the Commission could require charging stations for new development and redevelopment as well as plan regionally.

On pages 53-56 renewable energy and green communities are folded into resiliency planning. The material is ok but climate mitigation needs its own heading. There should be a climate mitigation sections consistent with the global solutions act targets. The renewable energy does talk about solar and wind siting. Actively oppose large scale forest clearing or conversion of agricultural land for solar projects. Energy efficiency is the foundation of energy planning and needs to be at the top of this section. The Commission should advocate for zero net construction.

Page 56 mentions Massachusetts Ocean Management Plan is discussed, but there is not a discussion about the interconnection of off shore wind. This is an important issue that should be covered in the plan.

Under place types on page 65 industrial activity centers are mentioned. It should be noted that some land in industrial zones should not be an industrial place type. There should be a discussion about a municipal exemption for DRI review. If it is a bad idea for a private developer it would be a bad idea for the town.

Regional performance measures needs to include an inventory of carbon emissions. It is also important to address emission related to land use and vegetative cover. This would help towns set and achieve goals.

Natural systems recommended actions could include a new recommended action about natural sequestration and natural mechanisms.

On page 79 climate mitigation needs its own heading. The Commission should develop a regional energy plan to address heating, transportation and electricity. Carbon emission goals could be included in the plan.

There are no waste actions. This is a missed opportunity to look at recycling problems and proposed projects.

Under community systems there is an action of a regional housing plan, maybe this could be a net zero housing plan.

The region needs to think about energy and emissions reduction at the same time.

Rennie Hammond asked how the RPP would work with the DRI process and when will technical guidance be drafted.

Mr. Idman said the RPP subcommittee are reviewing these Technical bulletins in parallel to the RPP and they will be adopted by the CCC.

Ms. Hammond said she didn't see how the RPP could be adopted without the technical guidance.

Ms. Senatori said the goals and objectives are the overarching policy and the technical bulletins provide the methods and guidance to achieve the goals and objectives. The policy piece must come first. If there are changes to the policy this will impact the technical bulletins. The Bulletins will have a public review process and should be released soon.

Ms. Hammond asked who approves the bulletins. Ms. Senatori said the bulletins will be reviewed by the RPP subcommittee, a public review process and then adopted by the full Commission.

An attendee asked when the placetype map would be available. Ms. Senatori said there is a storymap on the Commission website that identifies place types and walks through how certain placetypes were identified.

Fred Shult, a resident of Barnstable, asked what are the barriers the Cape Cod Commission has to be able to take the lead in measures that deal with climate change and asked why these issues have not been included in the draft plan.

Ms. Senatori said a lot of testimony has addressed climate change and there have been internal discussions on including some of these issues in the plan.

Mr. Idman thanked everyone for coming and said written comments are still being accepted.

Hearing concluded at 8:25pm.

List of Documents Used/Presented at the Hearing

-Power point presentation by Cape Cod Commission staff on the 2018 Draft Regional Policy Plan