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THE CAPE COD COMMISSION

CAPE COD PLANNING AND ECONOMIC DEVELOPMENT COMMISSION
1ST DISTRICT COURT HOUSE, BARNSTABLE, MASSACHUSETTS 02630
TELEPHONE: 508-362-2511

DATE: October 17, 1990 #CCC EX 90084

TO: Dr. Stanley W. Watson, President
Assoc. of Cape Cod
Falmouth, MA.

FROM: Cape Cod Commission

RE: Development of Regional Impact Exemption Request
Cape Cod Commission Act, Section 12k

Applicant: Dr. Stanley W. Watson, President
Assoc. of Cape Cod

Project: Expansion of Assoc. of Cape Cod
704 East Main Street, Falmouth, MA.

DECISION OF THE CAPE COD COMMISSION

SUMMARY

The Cape Cod Commission (the Commission) hereby grants the application of Dr. Stanley W. Watson for a Development of Regional Impact (DRI) Exemption under Section 12k of the Cape Cod Commission Act (the Act), c. 716 of the Acts of 1989, as amended, for a proposed expansion of the existing biotechnical facilities on East Main Street in Falmouth. The decision is rendered pursuant to the vote of the Commission on October 11, 1990.

PROJECT DESCRIPTION

The application is for an expansion (14,703 sq.ft.) to house a "clean room" in order to meet Federal Drug Agency standards. Associates of Cape Cod is a marine biotechnical research firm that produces limulus amoebocyte lysate (LAL). LAL is used to verify that drugs and other

products are free of bacteria and bacterial components. The site will be altered by expansion of the parking area, the addition of a new access drive and landscaping. The site design calls for the minimization of impervious surface, the use of leaching drainage structures and the maintenance of a vegetative buffer. The lot is on town sewer so no wastewater impact on the groundwater is expected. No existing trees will be cut down and the applicant is providing additional tree plantings. The project site is located adjacent to the Falmouth Police Station.

PROCEDURAL HISTORY

An application for a DRI Exemption under Section 12k of the Act was filed with the Commission on August 28, 1990. The project was referred to the Commission on August 16, 1990 by the Falmouth Planning Board. The staff with the applicant conducted an on-site inspection of the property on September 11, 1990. A duly noticed public hearing on the application was conducted by the Commission pursuant to Section 5 of the Act on October 11, 1990 at 4:05 p.m. in rooms 11 and 12 in the Barnstable County Superior Court House, Route 6A, Barnstable, MA. The hearing notice was read by Commission member Don Near.

The Falmouth Annual Town Meeting of 1989 voted to increase the area zoned Business 2 for the remaining land owned by Dr. Watson to allow expansion of the existing research facility.

The Falmouth Board of Selectmen endorsed the exemption request.

MATERIALS SUBMITTED BY THE APPLICANT

1. Materials submitted by the applicant:
2. DRI Exemption Application, prepared by Holmes and McGrath, Inc. dated August 28, 1990;
3. Drainage Calculations, prepared by Holmes and McGrath, Inc. dated July 23, 1990;
4. Title V Calculations, prepared by Holmes and McGrath, Inc. dated October 3, 1990;
5. Revised Drainage Calculations, prepared by Holmes and McGrath, Inc. dated October 10, 1990;
6. Site Plan, prepared by Holmes and McGrath, Inc. dated July 3, 1990;
7. Site Plan, prepared by Holmes and McGrath, Inc. dated August 22, 1990;
8. Site Plan, prepared by Holmes and McGrath, Inc. dated September 3,

- 1990;
9. Architectural Drawing, by L.F. Giampietro, AIA. dated August 22, 1990;
 10. Architectural Floor Plans, by L.F. Giampietro, AIA. dated August 22, 1990;
 11. Architectural Elevation and Cross Section, by L.F. Giampietro, AIA. dated August 22, 1990.

TESTIMONY

The Commission heard oral testimony from the applicant's attorney Mr. Wynn, Esq. No comments from the public were offered. The presentation explained the history of the project and the process of producing LAL. The applicant explained the proposed expansion, site plan and revisions as recommended by the staff. Parking lot coverage as presented to the Zoning Board of Appeals was reduced as recommended by the local Conservation Commission. The staff recommended granting the exemption based upon changes to the driveways, telephone pole, stop sight distances and drainage calculations as shown on the revised site plan dated September 3, 1990.

JURISDICTION

The proposed expansion of the Associates of Cape Cod qualifies as a Development of Regional Impact under Section 12(c), (6) of the Act, which requires review of " any proposed retail or wholesale business, office or industrial development, as well as any private health, recreational or educational development which is ... an addition greater than five thousand square feet".

The application and notice of public hearing relative thereto, the Commission staff's notes and exhibits and all written submissions received in the course of the proceedings are incorporated into the record by reference.

FINDINGS

The Commission has considered the Development of Regional Impact Exemption application for an expansion of the Associates of Cape Cod building. Based on consideration of such application, the information presented and Commission staff recommendations at the public hearing,

the Commission makes the following findings subject to Section 12(k) of the Act:

TRAFFIC:

The applicant has address the traffic safety issues raised by the staff during the on-site visit with the revised site plan dated September 3, 1990. This site plan shows the eastern driveway as a one way entrance and the western driveway improved by moving the telephone pole eastward thereby improving the turning radius and sight distance.

WATER RESOURCES:

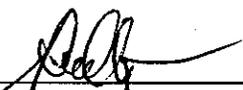
The site is connected to the town sewer and drainage concerns have been address by the revised site plan (9/3/90) and the revised drainage calculations (10/10/90).

CONCLUSION

Based on the findings above, the Cape Cod Commission hereby concludes:

The location, character and environmental effects of the development will prevent its having any significant impacts on the values and purposes protected by this act outside the municipality in which the development is to be located. This conclusion is supported by the finding that the applicant has improved access to the site by making the eastern driveway a one way entrance, by moving a telephone pole at the western driveway to improve turning radius & sight distance, and by adequately addressing site, water resources and environmental concerns.

The Commission hereby grants Dr. Stanley W. Watson a DRI Exemption from the terms and provisions of the Act, pursuant to Section 12k of the Act for the proposed Associates of Cape Cod expansion.



Richard S. Armstrong, Chairman

10/25/90

Date



Notary My Commission Expires May 3, 1995

10/25/90

Date