



CAPE COD COMMISSION

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DATE: January 15, 1998 **TR# 97026**

TO: Sencorp Systems, Inc.
c/o Patrick M. Butler, Esq.
Edward Lambert, Development Consultant

FROM: Cape Cod Commission

RE: Development of Regional Impact
Chapter A, Section 3 (e), Barnstable County Ordinance 94-10

PROJECT: The project entitled "Site Plan of Land in Hyannis (Barnstable), MA,
showing proposed addition at 400 Kidd's Hill Road", dated December 12,
1997
Project address: 400 Kidds Hill Road, Hyannis

BOOK/PAGE: Book 4395, Page 306 (Map 296, Parcel 25)

DECISION OF THE CAPE COD COMMISSION

SUMMARY:

The Cape Cod Commission (the Commission) hereby approves with conditions the application of Sencorp Systems, Inc., c/o Patrick M. Butler, Esq., for a Development of Regional Impact qualifying under Chapter A, Section 3(e) of the Regulations of General Application, Barnstable County Ordinance 94-10, for the project entitled "Site Plan of Land in Hyannis (Barnstable), MA, showing proposed addition at 400 Kidds Hill Road", as shown on plans dated December 12, 1997. The decision is rendered pursuant to the vote of the Commission on January 15, 1998.

JURISDICTION:

This project qualifies as a Development of Regional Impact under Sections 3(e) of the Enabling Regulations Governing Review of Developments of Regional Impact, Barnstable County Ordinance 94-10, as it proposes an expansion to an existing business greater than 10,000 square feet of gross floor area. The project was referred to the Commission by the Barnstable Building Department and received by the Commission on October 30, 1997, pursuant to Section 12(h) of the Cape Cod Commission Act.

Sencorp Systems, Inc., Barnstable, MA
January 15, 1998 Decision - TR#97026

PROJECT BACKGROUND AND DESCRIPTION:

Sencorp Systems, located on Kidd's Hill Road in Hyannis, creates automated production systems that manufacture and package industrial and consumer products. The project entails expanding the existing manufacturing/assembly plant by 45,000 square feet, primarily for the purposes of assembly, engineering and administration. The parcel is located on a 9 acre site (Map 296, Parcel 25), within both the IND Industrial Zoning District and the Groundwater Protection District. Upon approval of the project by the Commission, the applicant intends to purchase Parcel 25, its current location, as well as the adjacent .72 acre parcel (Map 296, Parcel 29).

PROCEDURAL HISTORY:

The project plan listed above was submitted to the Cape Cod Commission by the applicant for a Development of Regional Impact approval on October 30, 1997. The following chronology describes the history of the project to date:

- October 30, 1997 - Applicant submitted an application for a Development of Regional Impact.
- November 13, 1997 - Applicant met with Commission Staff for a post-application meeting to review Development of Regional Impact Filing Requirements.
- December 4, 1997 - Commission staff participated in a joint review meeting with the Town of Barnstable Site Plan Review Committee.
- December 4, 1997 - Commission staff and Site Plan Review Committee members attended a site visit of the project location.
- December 15, 1997 - Commission subcommittee members and staff attended a site visit of the project location.
- December 15, 1997 - Commission subcommittee opened and held a public hearing in the town of Barnstable. The hearing was left open to the January 8, 1998 subcommittee meeting/hearing.
- January 8, 1998 - Commission subcommittee held a public hearing at the Cape Cod Commission offices to review the Draft Decision Report prepared by Commission staff.
- January 15, 1998 - The written Decision was approved by the full Commission, following the public hearing.

MATERIALS SUBMITTED FOR THE RECORD:

From the Applicant:

- October 28, 1997 Cover letter to DRI Application submittal, including the following:
 1. DRI Application dated October 10, 1997
 2. Copy of MHC Project Notification Form, dated October 10, 1997
 3. Certified List of Abutters, dated October 9, 1997
 4. Project Filing Fee
 5. Locus maps showing the project's location
 6. Deed Reference, Book 4345, page 306
 7. Notice of Lease
 8. Town of Barnstable Site Plan Review Application, dated 10/10/97
 9. Development Review Proposed Addition, created by Keenan & Kenny Architects, Ltd., dated April 29, 1997
 10. Preliminary Site Plan, Landscape Plan and Elevations, dated 9/97

Sencorp Systems, Inc., Barnstable, MA
January 15, 1998 Decision - TR#97026

November 1997 Draft MA Economic Development Incentive Program Form
 November 13, 1997 Letter from Patrick Butler in response to staff November 7, 1997 letter
 November 21, 1997 Submittal from Edward Lambert regarding TDM strategies
 November 25, 1997 Site Plan of Land in Hyannis, Proposed addition at 400 Kidds Hill Rd., dated 11/25/97
 November 26, 1997 Letter from Edward Lambert regarding application materials requested
 December 11, 1997 Submittal of hazardous waste information by Patrick Butler, Esq.
 December 15, 1997 Stormwater Management Form submitted by Arne H. Ojala
 December 15, 1997 Site Plan of Land in Hyannis, Proposed addition at 400 Kidds Hill Rd., dated 12/12/97
 December 17, 1997 Letter from Edward Lambert regarding TDM measures and requested hazardous materials information

Cape Cod Commission:

November 4, 1997 Letter to Patrick Butler notifying Commission jurisdiction
 November 7, 1997 Letter to Patrick Butler requesting application requirements
 November 7, 1997 Letter to Commission Staff notifying project timeline
 November 19, 1997 Letter to Patrick Butler regarding project issues and materials requested
 December 4, 1997 Letter to Ralph Crossen regarding the site visit
 December 9, 1997 Letter to Patrick Butler with enclosed staff report
 December 15, 1997 Staff Report for December 15, 1997 public hearing
 December 16, 1997 Letter to Patrick Butler listing hazardous materials requested

From the Town of Barnstable:

October 27, 1997 Development of Regional Impact Referral Form (received 10/30/97), including the following:
 1. DRI Referral Form
 2. Minutes from 10/23/97 Site Plan Review Meeting
 3. Letter from Patrick Butler to Anna Brigham with enclosed Site Plan Review Application.
 December 15, 1997 Hazardous Materials Registration Form submitted by Barnstable Health Department
 December 15, 1997 Letter from Robert P. Schernig, Barnstable Planning Dir. supporting the proposed project

The application and notices of public hearings relative thereto, Commission's staff notes, exhibits and correspondence, minutes of hearings and all submissions received in the course of our proceedings on file TR#97026 (Sencorp Systems) are incorporated into the record by reference.

TESTIMONY:

At the December 15, 1997 public hearing, Mr. Patrick Butler, attorney for Sencorp Systems, introduced Louis Giovannone, Director of Operations; Margarete Maillho, Marketing Manager; and Edward Lambert, Project Consultant. Mr. Butler described the project's size and location. He stated that Sencorp would, if necessary, file their plans with the FAA to show that no part of the building exceeds height limitations. He stated that the expansion would include an additional 45,000 square feet of building area and that the building footprint would increase an overall 38,000 square feet. He stated that the overall floor area, upon completion, would be approximately 151,000 square feet and would contain office, engineering, assembly and design space to meet the company's current market demands. Mr. Butler noted that Sencorp intends to purchase the adjacent .72 acre parcel, as well as the parcel it currently leases. Mr. Butler stated that the parcel is located in Barnstable's Industrial Zone, a water protection district, a certified Economic Opportunity Area and a Growth Activity Center designated within the town's Local

Comprehensive Plan which is pending certification by the Commission. He noted that the applicant has applied for Tax Incentive Financing. Mr. Butler stated that the business has been in Hyannis since 1986 and manufactures the machines that fabricate plastic packaging for both international and domestic clients.

Mr. Butler described the joint review process and noted the joint scoping session at the Commission offices and the formal Site Plan Review hearing in the Town of Barnstable. Mr. Butler noted for the record that there is strong support at the town level for the project as it relates to the Tax Incentive Financing. Mr. Butler described the five issue areas and how the applicant proposes to address staffs comments and questions. In terms of natural resources, Mr. Butler stated that the project is located within a Ground Water Protection District and is therefore required, by town regulation, to maintain 50 percent of the parcel's area as pervious. He stated that because it is a redevelopment project, the new RPP requires the greater of either 30 percent open space or retaining the current amount of open space. He stated that the parcel meets the RPP's standard of 45 percent, but not the town's requirement of 50 percent. Mr. Butler noted that the applicant will purchase off-site open space or consider a combination of off-site open space and a cash contribution.

Mr. Butler stated that 100 percent of storm water drainage must be retained on site, according to local regulations. He stated that drainage calculations had been provided to the Barnstable Site Plan Review Committee and Commission staff. He noted that Standard #6 from the Storm Water Management Procedures still needed to be addressed, but didn't foresee any problems. Mr. Butler stated that the applicant felt the contribution to the flushing study of Lewis Bay should be based on the employees that are to be added as a result of the expansion, and not both existing and new employees. Mr. Butler noted although Sencorp is connected to town sewer, it still needs to formally abandon the old septic system according to the local health regulations and the DEP.

Mr. Butler stated that there will be no net increase in the amount of hazardous material and noted that an updated package of information had been submitted to Commission staff. He stated that the handling of hazardous materials comports with the RPP standards and DEP regulations. In terms of transportation, Mr. Butler stated that no off-site mitigation would be required. He reviewed the Transportation Demand Management strategies agreed upon by the applicant and Commission staff to meet trip reduction requirements. Mr. Butler noted that the closing of one curb cut and the reconfiguration of the employee entrance met Commission requests and complied with the RPP.

Mr. Butler stated that the project complies with and meets the RPP provisions for economic development. He noted that Sencorp currently employs 188 individuals, 98 percent of which reside on Cape Cod. He stated that with the increase of 58 employees, Sencorp would become one of the largest employers within the Industrial Park. He stated that the average wage of the new employee would be \$53,000 per year and that the positions would be fully benefited, year round positions. Mr. Butler estimated the cost of the new construction to be between 6 and 9 million dollars and noted that the company has an annual payroll of 7.2 million dollars per year, which is expected to increase 15 to 25 percent over the next 3 to 5 years. Mr. Butler stated that the applicant will attempt to hire local contractors in the construction of the expansion. He also noted that the company estimates that one million dollars is spent on Cape per year due to business related activities at Sencorp (i.e. customer visits and attendant accommodations).

Mr. Travelo asked Mr. Butler about the assembly in the new area. Mr. Butler replied that there would be both assembly and office area. Ms. Bebout inquired when the applicant would provide the open space, to which Mr. Butler replied that they wished to create a condition that would state that prior to the Certificate of Occupancy issued by the Commission the applicant would either provide a conservation restriction on an off-site parcel, a conservation restriction on a TDR property or a cash contribution. Ms. Bebout asked where the old septic system is located. Mr.

Ojola pointed out that it was located in front of the small addition that protrudes from the face of the main building. Mr. Kaufman asked how long the new facility would meet the company needs, to which Mr. Giovannone replied 10 years. Mr. Kaufman asked if the company were locally owned. Mr. Lambert replied that it was a division of DT Industries, but that the Principals of Sencorp were locals. Mr. Kaufman asked if the applicant knew what percentage of the new employees would be from Cape Cod. Mr. Lambert replied that the engineering positions probably would not be filled by Cape Codders, but the skilled labor positions may.

Ms. Lemay, Commission staff, reviewed five issue areas, including: natural resources, water resources, hazardous materials, transportation and economic development. Ms. Lemay stated that the project was located in a Well Head Protection Area and a Marine Water Recharge Area. She noted that the Regional Policy Plan (RPP) requires that any development in a Well Head Protection Area must use Best Management Practices (BMPs). Ms. Lemay discussed storm water drainage and informed the applicant that a maintenance schedule for all drainage structures must be submitted and must be based on a 25 year, 24 hour storm. In addition, Ms. Lemay stated that the drainage design must comply with DEP Storm Water Management policy #6. Ms. Lemay noted staff concern that the drainage in the vicinity of the loading area be designed to retain potential chemical spills. Ms. Lemay noted that a monetary contribution to the flushing study of Lewis Bay would be required under the RPP of the amount \$517.50 and noted the applicant's disagreement that the figure should be based on both existing and new employees. Ms. Lemay stated that the old septic system shown on the plan would have to be formally abandoned according to the State's Underground Injection Control Program. Ms. Belfit noted a large dip in the loading area and asked both how the drainage area was constructed and how an accidental spill would be handled. Ms. Belfit asked why there was a degreaser as part of the septic system. Mr. Giovannone stated that the degreaser was located inside of the building and was not connected to the old septic system.

Ms. Andrea Adams, Commission staff, read from a letter dated May 3, 1990 from Tighe and Bond, consultants and environmental specialists, which discussed the direction of groundwater flow at the site and which stated that it was unknown whether the monitoring well was truly downgradient of the existing degreaser system. The applicant stated that the wells were put in because of 21(e). The applicant stated that the concern with the direction of groundwater flow was that should the degreaser crack, contaminants could leach into the groundwater. Ms. Belfit asked if there were floor drains in the building that were connected to the septic system. The applicant replied that there were no floor drains.

Mr. Ojola, an engineer for DownCape Engineering, submitted three copies of the completed DEP approved form for storm water management, which addresses all nine standards concerning water quality. Mr. Ojola noted that the BMPs were listed on the site plan. Ms. Belfit addressed the flushing study contribution and stated that the applicant would only have to make a contribution based on the number of new employees. Mr. Kaufman pointed out the depression of the loading dock and suggested that it be covered. Mr. Kaufman expressed concern over the delivery of hazardous materials, to which the applicant replied that materials, such as raw metals, cutting fluids, degreasers, were delivered to docks #1 and #2 located at the front of the building. Ms. Belfit asked whether the interior delivery area was entirely sealed, to which the applicant replied that would be determined.

Andrea Adams, Commission staff, stated that the following materials had been submitted upon staff request: materials substitution programs, employee education programs, hazardous mitigation plan, and Sencorp's status as a generator of hazardous waste. Materials outstanding included: confirmation and description of the hazardous materials they use, a running total of all hazardous materials shipped off site between 1993 and 1997, confirmation of their status as a generator of hazardous waste, updated materials safety data sheets, documentation of the emission of Volatile

Organic Compounds (VOC's) from the spray booth and a copy of their permit for the spray booth. She noted that the company's location in a zone of contribution would allow for a maximum of 25 additional gallons of hazardous materials to be stored on site.

Mr. Butler stated that at the time of the joint review process, Mr. Coffin, Barnstable's Fire Chief, stated that Sencorp was one of the best sites in terms of their inspections. Mr. Butler stated that because of the transition from Packing Industries to Sencorp, there has been a substantial reduction in the amount and type of hazardous materials and that it is better managed. Mr. Butler clarified that the monitoring wells were put in place in 1990 as part of a 21(e) assessment, prior to Sencorp's possession of the facility as they did not wish to lease a contaminated site. Mr. Broidrick asked if the machines were coated with Cosmoline. Mr. Giovannone replied that certain areas of the machines were coated and that this would occur in the new section of the building. Ms. Adams noted that Mr. Coffin, Barnstable's Fire Chief, typically looks for fire code violations, in terms of fire walls, sprinklers and fire extinguishers.

Ms. Lemay discussed transportation issues, including trip generation, off site traffic impacts, trip reduction and site access. She stated that the project was expected to generate 138 trips daily and stated that the applicant would not be required to provide off-site mitigation measures. Ms. Lemay stated that the RPP requires 20% trip reduction, which for Sencorp equated to 28 trips. She stated that the current TDM measures offered by the applicant would only meet 15% of the required 20% and recommended additional TDM measures. Ms. Lemay stated that the new Site Plan reflected transportation staffs' recommendation that the employee site drive be located further from the intersection of Kidd's Hill Road and Independence Drive and noted that the closure of an existing curb cuts complied with M.P.S. 4.1.1.16 of the RPP. Ms. Lemay discussed the information requirements regarding economic development and noted that a letter had been submitted from Robert Schernig, Barnstable Planning Director, just prior to the hearing. She noted that the applicant would make an effort to hire Cape Cod contractors. Ms. Lemay related staff's opinion that the project would enable a major Cape industrial employer to remain on Cape Cod. Ms. Lemay stated that the applicant had not yet determined how the open space requirement would be met, but recommended that it be determined when the decision is rendered.

Ms. Bebout stated that the average salary of the new positions generated by this development would be approximately \$53,000 and noted that this is much higher than the average household income in Barnstable. Ms. Bebout stated that she felt this was a benefit to the project. Mr. Butler addressed Ms. Lemay's presentation by stating that the applicant felt the open space issue could be worked out. In terms of the TDM measures, Mr. Butler stated that the applicant would have trouble achieving additional measures. Mr. Lambert stated that the applicant could not go further with TDM measures because of the difficulty of having an on-site traffic coordinator. He stated that the costs and benefits of having to mitigate an additional 1.4 vehicle trips per day must be looked at and felt that the value of the cafeteria was underestimated as it would possibly save 30 to 40 employee trips per day. Ms. Lemay clarified a 20 percent trip reduction translates into 28 trips reduced per day and that by meeting only 15 percent, the applicant was responsible to reduce an additional 7 trips per day. Mr. Riley noted that although there are no sidewalks on Kidd's Hill Road, this should not be a reason for not providing one. Mr. Butler stated that the reason for not providing a sidewalk is because Independence Park is a high travel roadway. Ms. Bebout suggested that a sidewalk constructed in front of Murphy's Restaurant would provide a pedestrian link to an eating establishment, thereby reducing vehicle trips. Mr. Lambert stated that the parking for the restaurant was located directly off the street and that a sidewalk there would create conflicts. Mr. Travelo asked if the barbecue pit were located near the propane storage. Mr. Butler stated that the two were 100 feet from one another.

David Palmer, Community Development Planner for the Town of Barnstable, discussed the submittal from Robert Schernig. He stated that the exercise with Sencorp has helped in looking at

the state's economic incentive program and has been useful in creating a consistent evaluation program of projects in the Town of Barnstable. He stated that a new policy has been developed, which addresses retention of jobs and creation of new jobs. Mr. Palmer stated that 90 percent of the new 58 employees are likely to be Barnstable residents and that the economic analysis conducted by the department has shown that the project is likely to incur a net benefit per year of \$20,000. Mr. Palmer stated that Sencorp is a very positive project for Barnstable. Anna Brigham, Site Plan Review Coordinator, stated that Site Plan Review supported the project.

Mr. Broidrick asked if the applicant had made any ties with Cape Cod Tech in developing worker skills that Sencorp needed. Mr. Giovannone stated that there were not formal ties but that Sencorp seeks interns from the school each year. Mr. Brock noted the lack of infrastructure on Cape to provide the ties and to provide the skills for job opportunities of this type. Mr. Lambert stated that the Hyannis Area Economic Development Corporation has begun a working partnership with the state to work the CS-Squared Program into the local schools so that businesses and schools have greater outreach and interplay with a company's skill needs. Mr. Kaufman asked if a lawn area and landscaping would be proposed. Mr. Lambert replied that there would be no lawn area as mulch would be utilized. Ms. Bebout asked how long it would take to construct the addition and where current activities would take place. The applicant responded that it would take approximately one year from the time permits are received and that it was unknown how existing employees would be housed during construction.

Mr. Butler stated that the project is well underway in meeting the RPP and thanked staff for their assistance. He asked that the subcommittee recommend the project as the benefits outweigh the detriments, the project meets or exceeds the Minimum Performance Standards of the RPP and conforms strongly with the provisions of the pending Local Comprehensive Plan. Mr. Brock stated that there were no irresolvable issues. The subcommittee motioned to continue the hearing, leaving the record open, until January 8, 1998 at 5:00 at the Commission Offices.

At the January 8, 1998 Subcommittee hearing, the subcommittee reviewed the draft written Decision, noting minor edits. The subcommittee added a new condition, NR3, to the section entitled Partial Certificate of Compliance. The new condition, in effect, would allow the applicant to meet the permanent open space requirement of the Regional Policy Plan through a contribution of on-site land, off-site land and cash. The subcommittee moved that the written Decision, as drafted and amended, be approved by the Subcommittee for referral to the full Commission on January 15, 1998. The motion was seconded and passed unanimously.

At the full Commission meeting on January 15, 1998, the Commission voted to approve the Sencorp Systems DRI project (TR#97026) with conditions as outlined in the written Decision dated January 15, 1998.

FINDINGS

General:

G1. The proposed project qualifies as a DRI under Section 3(e) of the Enabling Regulations Governing Review of Developments of Regional Impact, Barnstable County Ordinance 94-10, as it proposes an expansion greater than 10,000 square feet of gross floor area to an existing business.

Natural Resources and Open Space:

NR1. Sencorp Systems, Inc. is located in a heavily developed area within Independence Park. Due to the altered nature of the site, a Natural Resources Inventory is not required under the Regional Policy Plan (RPP).

- NR2. The total land area of the project is 9.72 acres. The acreage includes both parcel 25 and 29, as shown on the Town of Barnstable's Assessors Map 296 . The Applicant has a purchase and sales agreement for parcel 29. 45% of the combined area of Parcel 25 and Parcel 29 is existing open space.
- NR3. The site lies within a Significant Natural Resources Area because of its presence in a Well Head Protection Area. Minimum Performance Standard (M.P.S.) 2.5.1.4 of the RPP requires that any redevelopment project within a Significant Natural Resources Area permanently restrict, as open space, the larger of: 1) the existing percentage of open space on the site, or 2) 30% of the upland area of the site.
- NR4. The existing percentage of open space on the 9.72 acre site is 45%. As such, the applicant will be required to provide 4.38 acres (45%) of permanent open space in order to comply with the RPP.

Water Resources:

- WR1. The project is located in a major water supply recharge area that supplies drinking water to the residents of Hyannis and Barnstable. The project is served by the Hyannis Water Pollution Control Facility which limits the water resource concerns to storage and handling of toxic and hazardous materials (addressed in the Waste Management section), stormwater drainage design, and wastewater contributions to Lewis Bay.
- WR2. According to M.P.S. 2.1.1.6 of the RPP redevelopment must use best management practices to minimize stormwater runoff and maximize water quality treatment. A maintenance schedule shall be developed for all drainage structures, and drainage should be based on projected 25 year -24 hour storm unless more conservative figures are required by town zoning bylaws. Storm drainage design also must comply with DEP Stormwater Management Policy. Standard #6 of the policy requires stormwater design to remove 80% of the average annual total suspended solids loads and utilize pre-treatment before infiltration. Plans submitted by the applicant demonstrate compliance with these policies and performance standards.
- WR3. The project wastewater is disposed of at the Hyannis Water Pollution Control Facility (HWPC). The HWPC facility is located in the marine recharge area to Lewis Bay, a watershed where the critical nitrogen load has not been determined. According to Section 2.1.1.2 - C1 of the RPP, a DRI shall make a monetary contribution towards the studies to determine the flushing rate and critical nitrogen lading rate. A rate of 15 cents per gallon is the required contribution. Water Resource staff estimates a wastewater flow of 15 gallons per day per person for the 58 new employees which would result in a monetary contribution of \$130 dollars . The applicant has agreed to provide this monetary contribution toward the flushing study.
- WR4. There is an abandoned underground septic tank on the site. State Underground Injection Control regulations are mandated by DEP Underground Injection Control (UIC) Program and are consistent with the state Plumbing Code. The applicant has indicated that the closure of the abandoned septic system will be done in accordance with these regulations.

Transportation:

- T1. The Sencorp expansion is expected to add 58 employees by the year 2002. Based on 58 employees and 45,000 square feet, the transportation staff calculated traffic generation based on the Institute of Transportation Engineers Trip Generation Manual. The project is expected to add 138 daily vehicle trips, 31 a.m. peak hour trips and 27 p.m. peak hour trips.

- T2. Transportation staff performed a trip distribution study to determine off-site impacts related to this project. Based on this study, the project is not expected to have a significant regional impact on the regional roadway system.
- T3. Transportation staff performed a level of service analysis (LOS) at the site drive to determine traffic operations at this location. With the proposed expansion, the site drive will operate at LOS B with minimal delay.
- T4. The applicant has proposed to close the right-turn lane on Independence Drive as well as one of their existing curb cuts. The applicant has proposed to reconfigure the right-turn lane on Independence Drive to use as their site drive on Kidd's Hill Road.
- T5. Minimum Performance Standard 4.1.2.1 of the Regional Policy Plan requires DRI's to reduce at least 20% of their projected daily traffic volumes. The applicant is required to reduce 28 vehicle trips (138 x 20%).
- T6. To meet Minimum Performance Standard 4.1.2.1, the applicant has proposed several Transportation Demand Management measures. These measures include the following:
- a. Ridesharing program
 - b. Preferential parking for carpoolers
 - c. Staggered work hours
 - d. Bicycle racks
 - e. Locker room with showers
 - f. Cafeteria
 - g. Shared delivery service among other Industrial Park businesses
 - h. Guaranteed ride home for alternate mode users in case of emergency
 - i. Marketing and promotion (e.g., prize drawing, gift certificates as rewards for ridesharing)
 - j. Trip reduction monitoring program (yearly survey of employees and progress update of TDM program)

Hazardous Materials:

- HM1. According to maps produced by the Cape Cod Commission's Water Resources office, the project site is located in a Well Head Protection District/Zone II area.
- HM2. According to the DRI information and discussions at the 12/15/97 site visit, Sencorp manufactures machines which make packages for batteries, razors and other items; a process which necessitates the use, handling and storage of hazardous materials.
- HM3. According to company representatives at the 12/15/97 site visit and at the hearing, the Sencorp facility is heated using natural gas.
- HM4. According to records on file with the Southeastern Regional office of the DEP, Sencorp is presently registered as a "natural minor source" of air emissions. This means the company emits less than 25 tons of air emissions. Sencorp supplied a Certificate of Payment receipt from the DEP for the period of 7/1/96 to 6/30/97 which confirms the company is a minor air emission source.
- HM5. According to information provided by the Barnstable Department of Health, Safety and Environmental Services on 12/16/97, Sencorp was inspected on 12/29/95 and 6/10/97. The report rates Sencorp as "satisfactory."

HM6. Sencorp's Environmental Facilities Technician indicated on 12/23/97 that the company has the following maximum quantities of hazardous materials on site at any given time:

hydraulic fluids	375 gallons
grease and lubricants	110 gallons
cleaning solvents	300 gallons
paints and enamels	300 gallons
thinners and reducers	150 gallons
varnishes, stains and dyes	100 gallons
compressed acetylene and oxygen gas	15 cylinders
compressed gas cylinders for forklifts	15 cylinders

HM7. The Massachusetts Hazardous Waste regulations allow companies generating hazardous waste to have dual generator status. This is because Massachusetts regulates used oil as a hazardous waste while the federal EPA does not. According to information supplied by Sencorp on 12/16/97, the company is presently registered as a Small Quantity Generator of hazardous waste and a Large Quantity Generator of used oil.

HM8. According to information submitted by Sencorp on 12/16/97, the company generates waste paints, lacquer thinner, acetone, paint filters and used oils (hydraulic oil, tramp oil, "way" oil).

HM9. According to information submitted by Sencorp on 12/16/97, the following hazardous wastes types and quantities were generated from January 1, 1997 to November 24, 1997:

used oil and water	1,650 gallons
used oil and speedi dry	150 gallons
waste paint and paint-related products	150 gallons
waste flammable solids (paint filters)	150 gallons

HM10. As observed at the 12/15/97 site visit, Sencorp maintains a hazardous waste storage area which has an impervious floor and is constructed such that there is at least one foot of separation between the floor and door sill.

HM11. According to information submitted by Sencorp on 12/16/97, the company has undertaken several waste minimization efforts. Sencorp has stopped using an on-site glue booth, a 1,1,1-trichloroethane vapor degreaser and ammonia for making blue prints. Taking these reductions into account, between 1990 and 1996, Sencorp reduced its use of 1,1,1-trichloroethane, ammonia and glues by approximately 1,935 gallons, combined.

HM12. According to information submitted on 12/11/97 by Nutter, McClennen & Fish, Sencorp has an employee workplace safety and hazard right-to-know training program, an emergency evacuation plan and a hazardous materials contingency plan. A copy of the Contingency Plan Declaration of Submission Certificate, submitted on 12/11/97, indicates that copies of the contingency plan have been supplied to the Barnstable Fire Department, Police Department, Health Department and Cape Cod Hospital.

HM13. According to information submitted on 12/11/97 by Nutter, McClennen & Fish, a groundwater sample taken on 4/19/90 by Tighe and Bond Engineers and analyzed by them on 4/23/90 showed very low levels of 1,1,1-trichloroethane and chloroform. Company representatives indicated at the 12/15/97 hearing that there were three test wells on the property and that the 1990 test was done as part of a site assessment when the property was first leased by Sencorp.

Economic Development:

- ED1. For over twenty years, Sencorp has been an Independence Park, Hyannis manufacturer and integrator of automated production equipment used to make plastic packaging. Sencorp has decided to purchase its building, assembly, administration and engineering space.
- ED2. The Plant currently employs 188 people. Sencorp projects the creation of 58 new permanent jobs, with 18 jobs to be created between 1997 and 1998 and ten a year from 1999 through 2002. Of the new positions, approximately 24 would be professional positions, 16 would be technical positions, and 18 would be skilled positions. The average salary for new personnel is anticipated to be \$53,000.
- ED3. The applicant states that all employees will receive full benefit packages. The applicant states that 90% of its employees live in the Town of Barnstable and 98% of its employees live on Cape Cod.
- ED4. The construction work will cost \$3.3 million. The applicant has said it would try to hire on-Cape firms and workers for construction, but could make no commitments.
- ED5. The company estimates that it has over 4,000 visitor-days from vendors and clients annually. Assuming that they spend an average of \$100 per day, Sencorp's visitors bring approximately \$400,000 into the local economy in lodging, meals, transportation and entertainment. Locally, Sencorp purchases for physical security, building maintenance and other services are approximately \$70,000.

CONDITIONS:

Based on the need to address the impacts noted in the findings above, the Commission hereby attaches the following conditions.

General:

- G1. The applicant shall obtain a Partial Certificate of Compliance from the Commission prior to application for a building permit and a Final Certificate of Compliance prior to issuance of a Certificate of Occupancy from the Building Department of the Town of Barnstable. The applicant shall meet the applicable conditions of this Decision prior to obtaining the Partial Certificate of Compliance and the Final Certificate of Compliance. In addition, the applicant shall meet the conditions that are not tied to either the Partial or Final Certificate of Compliance, which are listed under the subheading "Other Conditions", found within this Decision.

Partial Certificate of Compliance

The conditions listed below must be met prior to the issuance of a Partial Certificate of Compliance.

Natural Resources and Open Space:

- NR1. Prior to issuance of a Partial Certificate of Compliance, the applicant shall submit, for review and approval by the Commission, a plan showing the total upland area of the lot to be permanently restricted as open space, in addition to any off-site permanently restricted open space, the combination of which must equal or exceed 4.38 acres as required by this Decision. The open space shall be deeded to the Barnstable Conservation Trust, Barnstable Conservation Commission and/or placed under a permanent conservation restriction pursuant to M.G.L. c. 184 §§31-33, inclusive. The conveyance or restriction, and accompanying plan, shall be reviewed and approved by Commission Counsel prior to issuance of the Partial Certificate of Compliance and the conveyance or restriction shall be

recorded prior to the Final Certificate of Compliance, as noted in the section entitled "Final Certificate of Compliance", Condition NR1.

NR2. As an alternative, the applicant may make a cash contribution of \$184,912.20, to be held in escrow by the Commission, in lieu of providing 2.83 acres of off-site open space. Said contribution shall be made, and placed in an escrow fund, prior to the Partial Certificate of Compliance. If the applicant decides, after the issuance of a Partial Certificate of Compliance but prior to the Final Certificate of Compliance, to provide the remaining required permanent open space off-site, the escrow sum, with any interest thereon, shall be released to the applicant pursuant to Condition NR2 under the section entitled "Final Certificate of Compliance". The escrow agreement must be of a form and content acceptable to Commission Counsel.

NR3. As an alternative, the applicant may meet the open space requirement of the RPP by providing a combination of off-site permanent open space and a cash contribution in the manner described in Conditions NR1 and NR2.

Water Resources:

WR1. The applicant shall contribute \$130.00 towards the flushing study of Lewis Bay, payable to the Barnstable County Treasurer, in order to determine its flushing rate and critical nitrogen lading rate.

Final Certificate of Compliance

The conditions listed below must be met prior to the issuance of a Final Certificate of Compliance.

Natural Resources and Open Space:

NR1. Prior to issuance of a Final Certificate of Compliance, the applicant shall have obtained final approval of the Commission approved open space plan and deed of conveyance or restriction from both the Town of Barnstable and the EOEA Division of Conservation Services, as applicable. The applicant shall provide the Commission with proof of recording of the final approved open space plan and deed of conveyance or restriction.

NR2. If the applicant decides, after the issuance of a Partial Certificate of Compliance but prior to the Final Certificate of Compliance, to provide the required permanent open space off-site, the escrow sum, with any interest thereon, shall be released to the applicant after the conveyance or restriction, and accompanying plan, is reviewed and approved by Commission Counsel, the Town of Barnstable and the EOEA Division of Conservation Services, as applicable, and proof of recording is provided to the Commission.

Water Resources:

WR1. The applicant shall close the abandoned commercial septic system consistent with State Underground Injection Control (UIC) regulations, the DEP Underground Injection Control Program and the state Plumbing Code. A copy of the UIC closure permit shall be provided to the Commission prior to the issuance of the Final Certificate of Compliance.

WR2. The applicant shall show that the best management practices, the drainage maintenance schedule and the storm drainage design that complies with DEP Stormwater Management Policies, as shown on the plan entitled "Site Plan of Land in Hyannis (Barnstable), MA showing proposed addition at 400 Kidds Hill Road", dated December 12, 1997, have been implemented.

Transportation:

- T1. The applicant shall reconstruct existing roadways and driveways as shown in the revised Site Plan dated December 12, 1997 designed by Down Cape Engineering, Inc. As the plan shows, the applicant shall close the right-turn lane on Independence Drive, close their existing east site drive and reconfigure the right-turn lane on Kidd's Hill Road as their new site drive.
- T2. The applicant shall implement the following Transportation Demand Management measures to meet Minimum Performance Standard 4.1.2.1:
- a. Ridesharing program
 - b. Preferential parking for carpoolers
 - c. Staggered work hours
 - d. Bicycle racks
 - e. Locker room with showers
 - f. Cafeteria
 - g. Shared delivery service among other Industrial Park businesses
 - h. Guaranteed ride home for alternate mode users in case of emergency
 - i. Marketing and promotion (e.g., prize drawing, gift certificates as rewards for ridesharing)
- T3. The applicant shall meet with CARAVAN for Commuters, inc., (Massachusetts statewide non-profit commuter services organization) to obtain assistance in developing their Transportation Demand Management program. This meeting should include representatives from both Excel and Sencorp, as well as Commission staff, and should incorporate a discussion, and ultimately a plan, for sharing carpooling information between the two companies, should Sencorp and Excel mutually agree.

Economic Development:

- ED1. The applicant shall provide a report to the Commission which describes the construction budget in terms of the percentage of contractors hired that were Cape-based and the percentage of the budget that was allocated to them in order to determine the project's impacts on the Cape economy.

Other Conditions

Water Resources:

- WR1. The applicant should consider renovations to the stormwater drain that serves the existing loading areas, such that the drains be designed so that a potential spill from hazardous material handling may be separated and contained.

Transportation:

- T1. The applicant shall provide an annual update to the Commission describing the progress of the Transportation Demand Management program. This update shall be provided once a year and shall end one year following full build-out (58 new employees) of the facility or the year 2002, whichever occurs first.

Hazardous Materials:

- HM1. The total amount of additional hazardous materials and/or wastes used, stored, generated, treated and disposed of by the company as a result of this project (exclusive of what Sencorp currently has on site as described in findings HM6 and HM9 of this Decision) shall not exceed 25 liquid gallons or its dry weight equivalent at any given time. This limit shall not include compressed gases used for on-site welding.

HM2. The applicant shall handle, store and manage hazardous waste generated by the company in a manner consistent with the Massachusetts Hazardous Waste Regulations, 310 CMR 30.00.

HM3. The applicant shall retain a qualified, licensed hazardous waste hauler to remove accumulated hazardous waste according to deadlines established by 310 CMR 30.00.

Economic Development:

ED1. The applicant shall report to the Commission the number of workers that are Cape-based on a yearly basis up to the build-out of 58 total employees or by the year 2002, whichever occurs first.

CONCLUSION:

Based on the finding and conditions above, the Cape Cod Commission hereby concludes:

The benefits of the proposed development as conditioned outweigh the detriments. This conclusion is supported by the findings and conditions above. The proposed development, as conditioned, is consistent with the Minimum Performance Standards of the Regional Policy Plan and the local development bylaws of the Town of Barnstable.

The Commission hereby approves, with conditions, the Development of Regional Impact Application of Sencorp Systems, for the "Site Plan of Land in Hyannis, MA, Showing Proposed Addition at 400 Kidd's Hill Road", dated December 12, 1997, pursuant to Chapter A, Sections 3(e) of the Enabling Regulations Governing Review of Developments of Regional Impact, Barnstable County Ordinance 94-10 and Sections 12 and 13 of the Cape Cod Commission Act, as amended, provided the conditions noted above are met.

Madeleine Bebout
Madeleine Bebout, Chair

1-15-98
Date

COMMONWEALTH OF MASSACHUSETTS
Barnstable, ss.

Subscribed and sworn to before me this 15th day of January 1998

Katharine L. Peters
Name, Notary Public



