



CAPE COD COMMISSION

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Date: October 10, 2000

Re: Development of Regional Impact Change of Use Determination
Cape Cod Commission Act, Section 23

Applicant: Town of Barnstable, MA
Hinckley Lumber Building Renovation Project

Project: Hinckley Lumber Building Renovation Project
29 Yarmouth Road
Hyannis, MA 02601

Project #: CU20027

Lot/Plan: Lot 327, Parcel 165-001

Book/Page: Book 21/Page 34

DECISION OF THE CAPE COD COMMISSION

SUMMARY

The Cape Cod Commission (Commission) hereby determines that the Development of Regional Impact (DRI) Change of Use Determination for the project known as Hinckley Lumber Building Renovation Project, 29 Yarmouth Road, Hyannis, qualifies for Section 3 (f)(1) and (2) thresholds of the Development of Regional Impact (DRI) Enabling Regulations, Barnstable County Ordinance 90-12, as amended, under the criteria established under Section 4(b) (1) and may proceed without Development of Regional Impact review. The decision is rendered pursuant to the vote of the Regulatory Committee of the Commission on October 2, 2000.

Hinckley Building Renovation
Development of Regional Impact Change of Use Determination
October 2, 2000



PROJECT DESCRIPTION

The site is located at the corner of Yarmouth Road and Main Street in Hyannis, MA. The applicant proposes to renovate an existing 15,150 square foot, single-story building for office space, which is currently being used by the Town of Barnstable for the storage of office equipment. The site was also used previously as overflow parking for two local businesses. Currently, an 8,091 square foot mezzanine exists within the building. Creating the second floor to ensure that the building complies with the local building code will require the construction of an additional 7,059 square feet of floor space. To renovate the existing structure and provide an additional nine customer parking spaces, it is necessary to demolish an existing canopy that is adjacent to the 15,150 square foot building.

The proposed first floor office space will be 11,352 square feet. The remaining 3,798 square feet of vacant office space on the first floor will be separated from the occupied office area by a fire wall. Access to the office area will be obtained by means of a corridor which will connect the offices with the employee parking lot to the rear of the building. The second floor will remain unfinished and will not be used as office space under this proposal. Exterior alterations to the site include the elimination of one curb cut along Main Street, landscaping, the installation of a handicapped ramp, and the installation of exterior windows.

JURISDICTION

The proposed project involves a change of use of more than 10,000 square feet of commercial to office space and therefore requires Cape Cod Commission review. The project qualifies for the Change of Use review under Section 3(f) by the Regulatory Committee since it is less than 40,000 total square feet in size.

Section 4 (b)(2) authorizes the Cape Cod Commission Regulatory Committee to review proposed change of use projects under this threshold to determine if the overall impacts of the proposed use are more or less detrimental than those of the immediately prior use and determine whether DRI review should be required.

PROJECT CHRONOLOGY

On August 22, 2000, the Commission received the application materials from the Town of Barnstable Town Manager for a Change of Use Determination by the Regulatory Committee.

On October 2, 2000, a duly noticed public hearing was held by the Regulatory Committee of the Commission at the Cape Cod Commission's office in Barnstable, MA. At that time, the applicant presented the proposed renovation project and related change of use application. Cape Cod Commission (CCC) staff presented the Staff Report. On October 2, 2000, the Regulatory Committee voted unanimously that the project complied with the requirements set forth in Section 4(b)(1), and that the project qualified for the Section 3(f) thresholds under criteria established in Section 4 and that the project may proceed without DRI review.

MATERIALS SUBMITTED FOR THE RECORD

1. Received from the applicant on August 22nd, 2000: application materials from Town Manager John Klimm. Application materials included: Change of Use Application Form, traffic assessment sheet, abutters list, assessors information, and a 24" x 36" existing conditions plan map.
2. Received from the applicant on September 25, 2000: Documentation from Assistant Project Manager Joseph Slomenski regarding the Hinckley Building parking lot's usage over the last several years by several local businesses (including Cape Cod Hospital and Colonial Candle of Cape Cod).
3. Received from transportation staff on September 26, 2000 a final draft of the proposed project's traffic assessment based upon information provided by Joe Slominski on August 25, 2000.
4. Received from the Department of Public Works on September 28, 2000 copies of the final site plan (dated September 8, 2000) for the proposed renovation project to the interior and exterior of the building.

TESTIMONY

The Regulatory Committee heard oral testimony at the October 2, 2000 public hearing. The Project Manager, Paul Coleman presented the proposed renovation to the Hinckley Building and related change of use application. Cape Cod Commission staff presented the Staff Report, commenting on traffic impacts that fall below the RPP's threshold of 50 vehicle trips per hour in a certified growth center. The Regulatory Committee expressed concern regarding the second story addition to the building and whether the second story would be used as office space. Mr.

Coleman stated that the intent was not to use the second story for office space; instead, it might be used to store files and plans.

Mr. Virgilio made a motion that the project as proposed qualifies for Section 3(f) thresholds and may proceed without DRI review. Ms. Taylor seconded the motion that was carried unanimously.

FINDINGS

The Regulatory Committee has considered the application for the renovation of the Hinckley Lumber Building for a Change of Use Determination under Section 3(f) and Section 4 of the DRI enabling regulations for the purpose of making a determination about whether the project requires DRI review. The Committee makes the following findings:

1. The project consists of a series of interior and exterior renovations, as shown on building plans (pre- and post-construction plans) prepared by The Town of Barnstable's Public Works Department, Engineering Division, dated September 21, 2000. Currently, the site (which is not vacant) is being used by the Town of Barnstable for the storage of office equipment, and was used as overflow parking for two local businesses;
2. The total gross floor area of any addition will not exceed 10,000 square feet; as proposed the addition is 7,059 square feet. This addition will not increase the footprint of the existing building (15,150 square feet).
3. The building is not located within a Historic District, nor is the renovation being conducted within a Historic Structure.
4. Water resources, natural resources, and community character will not be adversely impacted by the proposed renovation project. There are also no hazardous materials, or air and noise issues associated with the proposed project.
5. Transportation impacts resulting from the proposed renovation project fall below RPP thresholds; as such, the anticipated traffic impacts do not warrant DRI review.

The proposed renovations to the Hinckley Lumber Building are not more detrimental than those of the immediately prior uses and the project therefore does not require Development of Regional Impact Review under the Change of Use Threshold.

The proposed renovation and first floor occupancy of 11,352 square feet of office space has been found to not require DRI review. However, should the town seek to occupy any additional spaces within the building, the applicant will be required to return to the Regulatory Committee for review.

CONCLUSION

Based on the above findings, the Regulatory Committee concludes that the proposed use of the property will not have increased impacts on the resources protected by the Regional Policy Plan in relation to existing uses on the site. Therefore, the proposed development will not require Cape Cod Commission Development of Regional Impact Review.

David Ansel
David Ansel, Chair

10/16/00
Date

Commonwealth of Massachusetts

Barnstable, ss

Subscribed and sworn to before me this 16th day of October, 2000.

Katharine L. Peters
Katharine L. Peters, Notary Public



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