

# CAPE COD COMMISSION

3225 MAIN STREET  
P.O. BOX 226  
BARNSTABLE, MA 02630  
(508) 362-3828  
FAX (508) 362-3136  
E-mail: [frontdesk@capecodcommission.org](mailto:frontdesk@capecodcommission.org)

DATE: February 15, 2001

TO: Brian Currie, Falmouth Town Planner

RE: Development of Regional Impact  
Cape Cod Commission Act, Sections 12 and 13

APPLICANT: Town of Falmouth Fire Department  
399 Main Street  
Falmouth, MA 02540

PROJECT #: TR20042

PROJECT: Falmouth Fire Rescue Headquarters Building Expansion and Renovation

BOOK/PAGE:

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## DECISION OF THE CAPE COD COMMISSION

### SUMMARY

The Cape Cod Commission (Commission) hereby approves with conditions the application of the Town of Falmouth as a Development of Regional Impact (DRI) pursuant to Sections 12 and 13 of the Cape Cod Commission Act (Act), c.716 of the Acts of 1989, as amended, for the proposed Fire Department Headquarters Building Expansion and Renovation project. The decision is rendered pursuant to a vote of the Commission on February 15, 2001.

### PROJECT DESCRIPTION

Falmouth Fire Rescue Headquarters Building Expansion and Renovation Project  
TR20042  
February 15, 2001 Decision



The Falmouth Fire Department Headquarters Building, located at 399 Main Street, is an historic structure listed on both the National Register of Historic Places and the Massachusetts Register of Historic Places. The Falmouth Fire Department proposes to modernize and enlarge the Fire Rescue Department Headquarters building and bring the existing structure into compliance with Massachusetts building and fire codes. The proposed expansion to the existing facility will provide an additional 20,000 square feet of equipment storage, training, office, and conference space. Due to on-site space limitations, and a desire expressed by the town to maintain the fire rescue facility at its current location, the town has authorized the purchase of the property located at 17 King Street to complete the modernization. The residential dwelling at 17 King Street will be re-located to another site in Falmouth. The existing three-bay ambulance garage will be removed to provide for parking and space for the new municipal communications tower, and fencing and landscaping will be provided to both secure and screen the tower and equipment building. Lighting will be provided throughout the site, and a public walkway will be installed on the western property boundary to provide public access between Main Street and condominiums to the rear of the proposed communications tower.

#### PROCEDURAL HISTORY

The project was received by the Commission on December 4, 2000. A duly noticed public hearing was conducted by the Commission pursuant to Section 5 of the Act by an authorized subcommittee of the Commission on January 25, 2001 at the Falmouth Town Hall. The public hearing and record was continued to the Cape Cod Commission meeting on February 15, 2001, and the record was left open for the submission of written materials until February 15, 2001. The public hearing and record were closed on February 15, 2001.

The subcommittee held a public meeting after the public hearing on January 25, 2001 to deliberate on this project. At the January 25, 2001 subcommittee meeting, the subcommittee voted to grant the chair of the subcommittee the ability to approve a draft decision for review by the full Commission. Pending a detailed lighting and landscape plan, the members voted unanimously to recommend to the full Commission that the project be approved as a DRI, subject to conditions. A final public hearing was held before the full Commission on February 15, 2001. At this hearing, the Commission voted unanimously to approve the project as a DRI, subject to conditions.

#### MATERIALS SUBMITTED FOR THE RECORD

Falmouth Fire Rescue Headquarters Building Expansion and Renovation Project

TR20042

February 15, 2001 Decision

From the applicant:

- DRI application form and attachments, and plans (dated October 3, 2000), received December 4, 2000.
- Preliminary site plan, elevation and landscape drawings (undated), received January 25, 2001.
- Stormwater Recharge System Calculations received December 12, 2000

From Cape Cod Commission staff:

- Staff report dated January 18, 2001.
- Letter from Gregory Smith to subcommittee members, dated December 7, 2000.

From state/local officials:

- Letter from Mary Lou Smith, Falmouth Historic Commission, dated January 23, 2001.
- Letter from Brona Simon, Massachusetts Historic Commission, dated January 25, 2001.

TESTIMONY

The Commission heard oral testimony at the January 25, 2001 public hearing from Barry Norris of the Public Facilities Planning Committee, asking if Commission staff required a lighting plan for only the public walkway or the entire site. Jean McCluskey, Falmouth Historic Commission stated that the Historic Commission favored white lighting (metal halide or incandescent) throughout the proposed Headquarters Building project, instead of sodium or mercury vapor lighting.

JURISDICTION

The proposed Falmouth Fire Rescue Headquarters Building Expansion and Renovation project qualifies as a Development of Regional Impact (DRI) under Section 3(a) of the DRI Enabling Regulations governing review of Developments of Regional Impact, which requires review of “any proposed demolition or substantial alteration of an historic structure or destruction or substantial alteration to an historic or archaeological site listed with the National Register of Historic Places or Massachusetts Register of Historic Places, outside a municipal historic district or outside the Old King’s Highway Regional Historic District.”

FINDINGS

The Commission has considered the application of the Town of Falmouth for the proposed Falmouth Fire Department Headquarters Building Expansion and Renovation project, and based on consideration of such application and upon the information presented at the public hearing and submitted for the record, makes the following findings pursuant to Sections 12 and 13 of the Act:

1. The proposed project involves the expansion and renovation of the fire department building located at 399 Main Street, Falmouth, listed as an historic structure on the National Register of Historic Places and the Massachusetts Register of Historic Places. The project also involves the purchase and relocation of an existing residential structure to another site in town.
2. The Falmouth Fire Rescue Headquarters Building was constructed in 1929, and is listed on the State and National Registers of Historic Places as the Central Fire Station.
3. A limited review of the proposed project was conducted under Section 9 (g) (ii) (b), which states that the Commission shall waive application of Minimum Performance Standards outside the Heritage Preservation/Community Character section of the RPP so long as the development does not meet or exceed a threshold contained in Section 3 (b-k) of the Regulations.
4. Minimum Performance Standard 6.1.1 states that additions or alterations to historic structures shall be consistent with the building's architectural style and shall not diminish its historic and architectural significance. According to staff review, and comments submitted by both the Massachusetts Historic Commission and the Falmouth Historical Commission, the addition is compatible with the mass, materials and relationships of solids to voids in the historic building.

Also, Minimum Performance Standard 6.1.2 states that the distinguishing, original qualities of an historic building, structure, landscape or site and its setting shall be preserved. The needless destruction, removal or alteration of historic material or architectural features shall be avoided unless the historical commission determines that such removal will not substantially alter or damage the integrity of the building or the site. The Massachusetts Historical Commission (MHC) and the Falmouth Historic Commission reviewed the plans for the proposed project and on January 25, 2001 unanimously supported the design.

5. As required by Minimum Performance Standard 6.2.2, the proposed design for the proposed new structure is consistent with the character of the existing historic building in its materials, scale, varied massing, proportions, and level of architectural detail.
6. The benefits of the project outweigh the detriments resulting from the proposed development.
7. The proposed project is consistent with local development by-laws.
8. The proposed development is consistent with the local comprehensive plan.

### CONCLUSION

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

The benefits of the project outweigh the detriments resulting from the proposed development, based on the findings listed above.

There is a benefit to the town for maintaining the fire department headquarters building in the center of town, instead of relocating a larger facility in another part of town.

Because the project only trips the DRI threshold relating to the demolition or substantial alteration of historic properties, it is only subject to the Minimum Performance Standards in Section 6 (Heritage Preservation/Community Character) of the Cape Cod Regional Policy Plan. The proposed project is consistent with the Minimum Performance Standards in Section 6 of the Regional Policy Plan. This conclusion is supported by the findings that the design for the proposed expansion and renovation project is compatible with the existing historic structure.

The Commission hereby approves with conditions the application of the Town of Falmouth for the proposed Falmouth Fire Rescue Headquarters Building Expansion and Renovation project as a Development of Regional Impact, provided the following conditions are met:

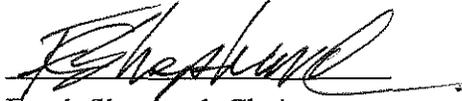
### CONDITIONS

1. This DRI decision is valid for 7 (seven) years and local development permits may be issued pursuant hereto for a period of 7 (seven) years from the date of the written decision.

2. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this decision.
3. The applicant shall obtain all state and local permits for the proposed projects.
4. No development work, as the term "development" is defined in the Act, shall be undertaken until all appeal periods have elapsed or, if such an appeal has been filed, until all judicial proceedings have been completed.
5. Prior to the issuance of a building permit for construction of a new building on site, and prior to issuance of a Partial Certificate of Compliance by the Cape Cod Commission, the final site plan shall be reviewed and approved by Commission staff. The final site plan shall provide adequate lighting that conforms to the standards of the Falmouth Historical Commission and the Cape Cod Commission's Technical Bulletin 95-001, as well as provide for adequate fencing and landscaping surrounding the communications tower, generator building and storage building.
6. The final site plan (to be submitted in accordance with condition five) for the proposed expansion and renovation project shall also be constructed in accordance with plans approved by Commission staff and by the MHC and Falmouth Historic Commission. Any changes in exterior elevations or site plan made during construction shall be reviewed by Commission staff to determine their consistency with Section 7 of the Cape Cod Commission Administrative Regulations, Modifications to Approved DRI's, dated 6/3/99 and as amended from time to time.
7. The final site plan shall be based on plans submitted with the DRI application dated December 4, 2000 and submitted to the Cape Cod Commission on February 7, 2001.
8. The project's exterior lighting design shall be in conformance with MPS 6.2.7, MPS 6.2.8 and Technical Bulletin 95-001, in particular Section 2.0.
9. Prior to issuance of a Final Certificate of Compliance by the Commission, Commission staff shall verify in the field the types, mounting heights and light levels of exterior fixtures based on the exterior lighting plan(s) submitted in connection with condition 5, above. This plan(s) shall be utilized to determine compliance with MPS 6.2.7, MPS 6.2.8 and Technical Bulletin 95-001.

10. Billboards, off-site signage (except approved directional signage) and internally-illuminated or flashing signs are prohibited.

The Cape Cod Commission hereby approved with conditions the application of the Town of Falmouth as a Development of Regional Impact pursuant to Sections 12 and 13 of the Act, c.716 of the Acts of 1989, as amended for the proposed Falmouth Fire Rescue Headquarters Building Expansion and Renovation project located at 399 Main Street in Falmouth.

  
Frank Shephard, Chair

3-1-01  
Date

Commonwealth of Massachusetts

Barnstable, ss.

Subscribed and sworn to before me this 1st day of March 2001

  
Name, Notary Public

My commission expires

