



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

DATE: April 18, 2002

TO: Timothy J. Brady
East Cape Engineering, Inc.
P.O. Box 1525, Orleans, MA 02653

FROM: Cape Cod Commission

PROJECT #: TR/EX 02006

PROJECT: Storage Cape Cod
55 Holmes Road
Eastham, MA

APPLICANT: Holmes Road Realty Trust
P.O. Box 1568
N. Eastham, MA 02651

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

BOOK/PAGE # 10527 / 041

DECISION OF THE CAPE COD COMMISSION

SUMMARY

The Cape Cod Commission (Commission) hereby approves the application of the Holmes Road Realty Trust for a Development of Regional Impact (DRI) Exemption for the proposed Storage Cape Cod project. The project qualifies as a Development of Regional Impact under Section 3(e) of the DRI Enabling Regulations as a proposed building of greater than 10,000 square feet. The applicant has filed for a Development of Regional Impact Exemption pursuant to Section 12(k) of the Cape Cod Commission Act, as amended. This decision is rendered pursuant to a vote of the Commission on April 18, 2002.



PROJECT DESCRIPTION

The proposed project consists of five self-storage buildings having a total area of 30,000 square feet, on a 1.85-acre parcel, on Holmes Road in Eastham. The project is located in a commercial zoning district of Eastham, and is surrounded by other commercial and industrial uses. The applicant will place a fence around the perimeter of the lot, and plant shrubs along the roadway. There are no parking spaces provided.

PROCEDURAL HISTORY

A DRI exemption application and relevant information was received on February 7, 2002. The project was referred by the Eastham Building Inspector on February 15, 2002. A DRI application was received March 4, 2002. The application was determined to be complete on March 5, 2002. A duly noticed public hearing was held by an authorized subcommittee of the Commission on April 2, 2002, at Eastham Town Hall. After the hearing, the subcommittee voted unanimously to recommend that the Commission grant the DRI-exemption. The Commission voted unanimously to grant a DRI-exemption on April 18, 2002.

Materials submitted for the record

From the Applicant:

- DRI exemption application and supporting information, received February 7, 2002
- DRI application, received March 4, 2002
- Letter responding to issues raised in staff report, received April 2, 2002
- Copy of Standby Emergency Response Agreement with Clean Harbors Environmental Services, Inc., received April 9, 2002
- Illustration of Golden Cypress shrubs proposed as screening plant, faxed April 17, 2002

From Commission staff:

- Letter to Holmes Road Realty Trust, notifying of project referral from Eastham building inspector, February 27, 2002
- Letter to Tim Brady of East Cape Engineering, notifying that application was deemed complete, March 5, 2002
- Staff report, March 27, 2002

From the town:

- Letter from Henry Lind, Eastham Conservation Agent, received January 7, 2002
- DRI referral from Frank DeFelice, Eastham Building Inspector, received February 15, 2002

From State or other government agencies:

- Determination from Massachusetts Historical Commission on proposed project, received March 15, 2002

From the public

- (nothing)

The application and notice of the public hearing relative thereto, the Commission staff's reports, correspondence, notes and exhibits, minutes of hearing and all written submissions received in the course of the proceedings, including materials submitted on file, are incorporated into the record by reference.

TESTIMONY

The Subcommittee heard testimony at the public hearing on April 2, 2002, at Eastham Town Hall. Tim Brady of East Cape Engineering explained the proposed storage buildings and changes to the site as it exists presently. Staff planner Van Morrill presented the Commission staff report's comments. No public testimony was given.

JURISDICTION

The proposed project qualifies as a Development of Regional Impact (DRI) under the Code of Cape Cod Commission Regulations of General Application, Chapter A, Section 3(e), Barnstable County Ordinance 94-10, as a proposed commercial building with a gross floor area greater than 10,000 square feet. This DRI Exemption is granted pursuant to Section 12(k) of the Cape Cod Commission Act, as amended.

FINDINGS

General

G1. The project proposes to construct five self-storage buildings that would have a total area of 30,000 square feet on a parcel of 1.85 acres at #55 Holmes Road in Eastham (assessors map # 8, parcels # 185 & 186), as shown on the site plan prepared by East Cape Engineering, Inc., dated November 9, 2001. The site is presently an excavation contractor's office and storage yard.

Transportation

T1. The applicant proposes to build a self service mini-storage facility on Holmes Road in Eastham. Holmes Road is a private road which connects to Brackett Road to the north. Brackett Road is a Regional Roadway as defined by the RPP. Other regional roadways in the area include Route 6, Old Orchard Road, and Nauset Road.

T2. The Institute of Transportation Engineers (ITE) *Trip Generation* manual estimates the following trips for 30,000 square feet of Land Use Code 151 Mini-Warehouse:

- 10 midday Saturday peak hour trips
- 70 weekday daily vehicle trips

T3. Since the expected peak hour trip generation is below thresholds which would require offsite mitigation of impacts, the project meets MPS 4.1.1.1.

T4. The project is expected to improve sight distances at the proposed driveway, consistent with MPS 4.1.1.5. The project is also expected to improve sight drive definition, consistent with MPS 4.1.1.6.

T5. The intersection of Brackett Road and Route 6 is considered a high accident location. However, due to the existence of a signalized intersection at Brackett Road and forecasted low site traffic through the intersection (7 peak hour trips), the project is not expected to impact safety in the area, consistent with MPS 4.1.1.7.

T6. Given the above information, no regional traffic impacts are expected from the project.

Water Resources

WR1. The project is not located in any significant water resource area identified by the Regional Policy Plan. It is in a water quality impaired area, defined by a previously existing commercial use in an industrially zoned district. The area is served by private wells.

WR2. The proposed re-development project will be improving conditions by removal of the existing contractors material including equipment and stock piles. Minimal water impacts are anticipated from this project. No septage facilities or water supply will be provided. Stormwater runoff will be contained on site. All storm-water on site will be discharged to catch-basin equipped with deep sumps, with ultimate discharge to underground leaching chambers.

WR3. Storage of hazardous material will be strictly prohibited. Enforcement of this prohibition will be accomplished by providing employee training, tenant education and a space and occupancy agreement.

Natural Resources

NR1. The project site is not located in a Significant Natural Resource Area (SNRA), nor is it mapped for endangered species. A natural resources inventory was not required due to the entirely disturbed/developed nature of the site. According to a letter from the Eastham Conservation Commission, the site does not contain areas subject to review under the Wetlands Protection Act. Proposed vegetated buffers along the street frontage will be an improvement over the existing site conditions. The project does not pose impacts to natural resources in or outside of the town of Eastham.

Hazardous Materials

HM1. The project site is not located within either a Wellhead Protection District/Zone II or a Potential Public Water Supply Area (PPWSA) as shown on maps in the Cape Cod Commission's Water Resources office. As such, Minimum Performance Standard 4.2.2.3 of the 1996 Regional Policy Plan would not apply to this project.

HM2. Minimum Performance Standard 4.2.2.1 of the 1996 Regional Policy Plan requires that "development and redevelopment shall make reasonable efforts to minimize their hazardous waste generation through source reduction, reuse, material substitution, employee education and recycling." To address this, the applicant's engineer submitted a copy of an occupancy agreement that prohibits on-site storage of flammable, corrosive, or hazardous materials. The occupancy agreement also allows inspections by the owner without prior notification to the occupant. An amendment to the occupancy agreement includes a list of common hazardous materials that cannot be stored in the proposed facility.

HM3. Minimum Performance Standard 4.2.2.2 of the 1996 Regional Policy Plan requires that "development and redevelopment shall be in compliance with Massachusetts Hazardous Waste Regulations, 310 CMR 30.00." To address this, the applicant's engineer submitted a memorandum describing steps that will be used to make construction contractors aware of proper hazardous waste management and disposal procedures. The facility is not expected to generate used fluorescent bulbs from interior lighting (a regulated waste in Massachusetts) as a result of normal operations because the site will not be supplied with electricity.

HM4. A February 2, 2002 letter from Timothy J. Brady of East Cape Engineering, Inc. states that a 10,000-gallon underground storage tank shown on the site plan will be owned and used by the Town of Eastham to provide for fire suppression.

Community Character

CC1. The project proposes to construct five buildings, each of one-story, corrugated metal self-storage structures. They would be located on Holmes Road, a commercial and industrial road in Eastham. The site is screened from public roads by existing trees and buildings along Brackett Road.

CC2. The Massachusetts Historical Commission has determined that the project is unlikely to affect significant historic or archeological resources.

CC3. MPS 6.2.7 of the 1996 Regional Policy Plan requires that new development or re-development comply with the standards in the Technical Bulletin for Exterior Lighting (95-001). In a letter dated April 2, 2002, the applicant's site engineer, Timothy J. Brady of East Cape Engineering, Inc., stated that "no exterior lighting is proposed at the site." The letter also stated

that there will be "no electricity available" at the site. As such, no exterior lighting impacts are expected from the proposed re-development.

CONCLUSION

The Cape Cod Commission hereby concludes that the Storage Cape Cod project, as proposed and consistent with the above findings, will not have any significant impacts on the values and purposes protected by the Cape Cod Commission Act, as amended, outside of the Town of Eastham, due to its location, character, and environmental effects.

Therefore, the Cape Cod Commission hereby grants a Development of Regional Impact Exemption for the proposed Storage Cape Cod project, pursuant to Section 12(k) of the Cape Cod Commission Act, as amended. This Exemption Decision is valid for three years from the date of issuance.

Elizabeth H. Taylor
Elizabeth Taylor, Chair

April 18, 2002
Date

Commonwealth of Massachusetts

Barnstable, ss.

On this 18th day of April, 2002, before me personally appeared Elizabeth Taylor to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

Katharine L. Peters

Notary Public
Commonwealth of Massachusetts

My Commission expires

