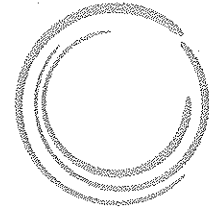


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CAPE COD
COMMISSION

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Date: March 15, 2012

To: Christopher von Alt, President
Hydroid, Inc.
6 Benjamin Nye Circle
Pocasset, MA 02559

From: Cape Cod Commission

Re: Modification of a Development of Regional Impact
Project of Community Benefit Hardship Exemption

Applicant: Hydroid, Inc.

Project: Hydroid, Inc.

Location: Henry Drive, Pocasset, MA

Project #: HDEX/EX11018

Book/Page: 9430/214

INTRODUCTION

The above referenced project, Hydroid, Inc., was approved, with conditions, as a Development of Regional Impact (DRI) Project of Community Benefit (POCB) Hardship Exemption, by a vote of the Cape Cod Commission (Commission) on December 15, 2011.

The Commission's 2011 DRI POCB Hardship Exemption decision allows for up to a 40,000 square foot building to be constructed on the project site. On March 1, 2012, the Applicant submitted a request for a minor modification to the development noting that the building and site designs were revised after an intensive design effort to provide the most efficient operations for the functions of the installation.

Proposed revisions to the building design include an increase in building square footage from 30,000 square feet to 39,600 square feet and an increase in building height from 2-stories to 3-stories. Compared to the original proposed building design, the revised building design will result in an overall decrease in lot coverage by building from 11% to 9.4%. Site design revisions include separating parking areas from service vehicle access, concentrating service and truck access to one portion of the building, and an additional landscaped area on the northwest side of

the proposed building. Compared to the original proposed site design, the revised site design will result in an overall decrease in lot coverage by impervious areas from 47% to 39%.

DETERMINATION

The Executive Director of the Commission has determined that the request constitutes a *de minimus* change according to Section 13(c)(i) of the Commission's *Enabling Regulations* (Revised March 2011) and is approved as a Type 1 Minor Modification. The following changes shall be made to the Findings and Conditions of the Commission's 2011 original DRI POCB Hardship Exemption decision.

MODIFICATIONS TO THE 2011 DECISION

The following changes shall be made to the Findings and Conditions of the 2011 DRI Hardship Exemption decision to reflect the requested changes to the project. New or added text is shown in **bold**. Deleted text is shown in ~~strikeout~~.

Finding GF2

As of the date of this decision, the Town of Bourne has a Commission-certified Local Comprehensive Plan (LCP). Written testimony provided by Coreen Moore, Bourne Town Planner, dated November 21, 2011 states "*Hydroid Inc. is the type of business that is described within the Local Comprehensive Plan as one that is desirable for the Town of Bourne.*" The Commission adopts the written testimony of Ms. Moore and finds that the project is consistent with Bourne's LCP. **Further written correspondence provided by Ms. Moore, dated March 13, 2012, regarding the revised site plans (dated 10/31/11, revised through 03/02/12), states "As stated previously, Hydroid Inc. is the type of business that is described in the Local Comprehensive Plan as one that is desirable for the Town of Bourne. Previous comments stated in the November 21, 2011 letter are still applicable" and "In conclusion, I have determined that the revised plans are consistent with ... the Local Comprehensive Plan."**

Finding GF3

Written testimony dated November 21, 2011 from Coreen Moore, Bourne's Town Planner, states "*The project (manufacturing) will be located in a B4 Business zoning district, which is an allowed use subject to site plan review and special permit approval from the Planning Board.*" The Commission adopts the written testimony of Ms. Moore and finds that upon issuance of a special permit by the Bourne Planning Board the project can be found consistent with municipal development bylaws. **Further written correspondence provided by Ms. Moore, dated March 13, 2012, regarding the revised site plans (dated 10/31/11, revised through 03/02/12), states "The manufacturing use is an allowed use subject to site plan review and special permit approval from the Planning Board" and "In conclusion, I have determined that the revised plans are consistent with Towns Zoning Bylaw..."**

Finding GF7

The project will be constructed in accordance with the following plan set (dated 10/31/11) from Holmes and McGrath, Inc., received by the Commission on October 31, 2011 as follows:

- Sheet 1, Proposed Industrial Building (dated 10/31/11; attached to this decision as Exhibit A and incorporated by reference; **revised through 03/02/12**)
- Sheet 2, Existing Conditions Plan (dated 10/31/11; **revised through 01/10/12**)
- Sheet 3, Grading, Drainage, Septic System & Utilities Plan (dated 10/31/11; **revised through 03/02/12**)

- Sheet 4, Stormwater System Site-Details (dated 10/31/11; **revised through 01/10/12**)
- Sheet 5, Stormwater System Site-Details (dated 10/31/11; **revised through 02/28/12**)
- Sheet 6, General Details (dated 10/31/11; **revised through 01/10/12**)
- Sheet 7, Proposed Washpad **Pad** (dated 10/31/11; **revised through 01/10/12**)
- Sheet 8, Proposed Sewage Disposal System (dated 10/31/11; **revised through 02/29/12**)
- Sheet 9, Proposed Sewage Disposal System (dated 10/31/11; **revised through 12/02/11**)
- **Sheet 10, Erosion and Sedimentation Control Plan (dated 10/31/11; revised through 03/02/12)**
- **In addition, the project will be landscaped in accordance with Drawing L1, Landscape Plan, prepared by Rescom Architectural, Inc. (dated 12/1/11; revised 02/29/12)**

Finding WRF11

The project is required to meet MPS WM2.1 which states “[t]he maximum nitrogen loading standard for impact on groundwater shall be 5 ppm for development and redevelopment unless a cumulative impact analysis indicates a more stringent loading standard is necessary.” The Commission finds that the project is able to meet the 5 ppm-N nitrogen loading limit through use of a denitrifying septic system (recirculating sand filter), with Title-5 wastewater design flows limited to 2,250 gallons per day (based on 150 employees) and the amount of managed turf limited to 20,000 square feet as depicted on the Landscape Plan L1 submitted on December 1, 2011 **and revised February, 29, 2012.**

Finding WRF12

The project is required to meet MPS WR1.5 which states “*Development and redevelopment shall adopt Best Management Practices such as a turf and landscape management plan that incorporates water conservation measures including the use of native and drought resistant plantings and the use of drip irrigation, and minimizes the amount of pesticides and chemical fertilizers.*” The Commission finds that the project complies with MPS WR1.5 by minimizing the amount of managed turf and use of seed mix of wild grass, wild flower and clover (Landscape Plan, submitted on December 1, 2011 **and revised February, 29, 2012**). Section 8 of the DRI Hardship Exemption application describes an initial application of fertilizer at a rate of 40 lbs per 1,000 sf and follow-up applications of fertilizer. The referenced landscape plan indicates that 3 lbs of fertilizer per 1,000 sf will be applied annually to managed lawn. The Commission finds that staff review and approval of an Integrated Pest Management (IPM) plan for the site demonstrating compliance with MPS WR1.5 shall be required as a condition of project approval prior to construction, and further finds that the initial fertilizer application rate of 40 lbs per 1,000 sf shall be adjusted to the annual fertilizer application rate of 3 lbs of fertilizer per 1,000 sf specified on the referenced landscape plan.

Finding HPCCF5

The Commission finds that the Landscape Plan submitted (dated 12/1/11 **and revised February, 29, 2012**) complies with parking and landscaping standards MPS HPCC2.8 and MPS HPCC2.10 by placing parking to the side and rear with **in a clustered location that maximizes the environmental benefit and screening of the western buffered edge.** **The proposed parking has** the added benefits of planted medians to break up masses of parking, and through its provisions for pedestrian circulation, choice of landscaping which highlights the use of indigenous and drought tolerant plantings, provisions for shade through

increased tree canopy and several stormwater treatment areas planted with appropriate plantings.

Finding HPCCF6

The Commission finds that the ~~two~~**three**-story mass of the structure is consistent with BDP HPCC2.19 that recommends multi-story building to reduce the development footprint.

Condition GC6

All development shall be constructed in a manner consistent with the following plan set (dated 10/31/11) prepared by Holmes and McGrath, Inc.:

- Sheet 1, Proposed Industrial Building (dated 10/31/11; attached to this decision as Exhibit A and incorporated by reference; **revised through 03/02/12**)
- Sheet 2, Existing Conditions Plan (dated 10/31/11; **revised through 01/10/12**)
- Sheet 3, Grading, Drainage, Septic System & Utilities Plan (dated 10/31/11; **revised through 03/02/12**)
- Sheet 4, Stormwater System Site-Details (dated 10/31/11; **revised through 01/10/12**)
- Sheet 5, Stormwater System Site-Details (dated 10/31/11; **revised through 02/28/12**)
- Sheet 6, General Details (dated 10/31/11; **revised through 01/10/12**)
- Sheet 7, Proposed Washpad Pad (dated 10/31/11; **revised through 01/10/12**)
- Sheet 8, Proposed Sewage Disposal System (dated 10/31/11; **revised through 02/29/12**)
- Sheet 9, Proposed Sewage Disposal System (dated 10/31/11; **revised through 12/02/11**)
- **Sheet 10, Erosion and Sedimentation Control Plan (dated 10/31/11; revised through 03/02/12)**
- **In addition, the project shall be landscaped in accordance with Drawing L1, Landscape Plan, prepared by Rescom Architectural, Inc. (dated 12/1/11; revised plan dated 02/29/12)**


Paul Niedzwiecki, Executive Director


3/15/12
Date

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

3/15, 2012

Before me, the undersigned notary public personally appeared Paul Niedzwiecki, in his/her capacity as Executive Director of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he signed such document voluntarily for its stated purpose. The identity of such person was proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, or personal knowledge of the undersigned.


Notary Public
My Commission Expires:

