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BARNSTABLE, MASSACHUSETTS 02630



CAPE COD
COMMISSION

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MINOR MODIFICATION TYPE #1

Date: January 25, 2013
To: Eliza Cox, Esq.
Nutter McClennen & Fish LLP
PO Box 1630
Hyannis, MA 02601
Applicant: Cape Cod Hospital
Project & Location: Cape Cod Hospital
8, 16, 20, 27, and 47 Park Street
Hyannis, MA 02630
Project #: HDEX# 12031

Town Map/Parcel: 342/1; 342/8; 342/39; 342/7; 342/6; 327/217
Registry Plan Book/Page: 604/62
Registry Deed Book/Page: 12588/295; 21898/133; 20017/335; 11906/163
Cert. of Title: 4951 Land Court Plan: 16459-A

MODIFICATION OF DEVELOPMENT OF REGIONAL IMPACT DECISION

Pursuant to Section 13 of the Cape Cod Commission *Enabling Regulations* (Revised March 2011/New Fee Schedule Effective 7/1/12), the Development of Regional Impact (DRI) Hardship Exemption Project of Community Benefit (HDEX/POCB) decision for Cape Cod Hospital's (the Applicant) 25,000 square foot addition to the west side of the current emergency center in Barnstable, MA dated October 11, 2012 is hereby amended to allow changes to the site plans, parking, exterior lighting, and exterior facades.

REVISED PROJECT DESCRIPTION

The approved project consists of a 25,000 square foot addition to the west side of the current emergency center, alterations to existing parking circulation and access/egress in the main campus parking lot, as well as additional parking along Park Street and Lewis Bay Road, and the demolition of existing buildings located at 8 Park Street and at 66 Lewis Bay Road to accommodate this additional parking. The reconfiguration will increase working spaces, including new and enlarged nursing stations and increased and enlarged support spaces, though the number of treatment spaces (74) will remain the same.

PROPOSED MODIFICATIONS

On January 10, 2013, the Commission received a letter from Attorney Eliza Cox, of Nutter, McClennen & Fish, on behalf of the Applicant, requesting several modifications to the proposed 25,000 square foot addition to the west side of the current emergency center and the other site changes noted above. According to Attorney Cox's letter, the proposed project changes consist of the following:

1. Ambulance Parking Area One: Four (4) additional new ambulance parking spaces along Park Street, just north of the existing emergency center ambulance tunnel and on the south side of the street for municipal ambulance use. This change also involves relocation of the existing sidewalk along this area so that it remains between the proposed parking spaces and the hospital building.
2. Ambulance Parking Area Two: Change existing hospital "staff only" parking area located on the hospital campus near the corner of Park Street and Bayview Street. Create four (4) new ambulance-only parking spaces near the east entrance to the emergency center tunnel.
3. Façade Change to Give Access to EMS Staff: Create EMS staff access to from the interior of the ambulance tunnel to the proposed 4 new ambulance-only parallel parking spaces along Park Street (Ambulance Parking Area One). Create a set of stairs that lead from the parallel parking spaces to the ambulance tunnel and a door at the bottom of the stairs with restricted access for EMS personnel and designated hospital staff.
4. Façade Change to Cover the New EMS Staff Entrance: Create a canopy extending over the new stairwell access to the ambulance tunnel to give EMS staff some protection in inclement weather.
5. Façade/Elevation Changes to Accommodate Other Modifications: These include the following adjustments:
 - a) Granite stone feature elements at front and back of the primary addition are 18 inches taller
 - b) Granite wraps at the corner to integrate the proposed trellis
 - c) Portion of the brick façade on the north side to be changed to EIFS
 - d) Height of penthouse increased by 5 feet to coordinate with mechanical equipment located inside the penthouse
 - e) Windows in clearstory increased in height and cornice details refined
6. Addition of 66 Lewis Bay Road into Hospital Campus and Main Parking Area: Cape Cod Hospital acquired 66 Lewis Bay Road property in September, 2012. The property is located directly west of the hospital campus' main parking lot. The proposed change is to demolish the existing building on the property and convert it to parking area, incorporating it into the main campus parking lot. This proposed site plan change will result in the closure of previously proposed and existing curb cuts from 66 and 88 Lewis Bay Road, and a net increase of 20 new parking spaces. It will also include revised stormwater management systems for this new parking area.
7. Addition of Exterior Light Fixtures: The proposed new parking lot at 66 Lewis Bay Road (to be incorporated into the hospital campus' main lot) will be illuminated by exterior parking lot pole mounted lights of a type already approved as part of the original decision, as well as new exterior fixtures mounted in the stairwell to illuminate the new ambulance tunnel.

8. Alterations to Proposed Landscaping: Changes and additions to the proposed site landscaping to accommodate the proposed site plan changes. This includes details for planting at a proposed trellis, and an alternate Yew cultivar.

CHANGES TO FINDINGS

All Findings attached to the original DRI/HDEX/POCB Decision continue to apply except as modified herein. New text is shown in **bold**. Deleted text is shown in strikethrough.

General Findings

GF2. As of the date of this decision, the Town of Barnstable has a Commission certified Local Comprehensive Plan (LCP). The project, as proposed, **and amended** is consistent with Barnstable's LCP as confirmed by written testimony provided by Jo Anne Miller Buntich, Director of the Growth Management Department for the Town of Barnstable, dated August 28, 2012. The Commission adopts the written testimony of Ms. Buntich and finds that the proposed project, **as amended**, is consistent with Barnstable's LCP.

GF3. As provided in written testimony dated August 28, 2012 from Jo Anne Miller Buntich, the project is an allowed use in the Medical Services Zoning District in which it is located. Ms. Buntich notes that local determinations regarding proposed structure demolition **and parking provisions** will be needed for the proposed project to be deemed consistent with applicable municipal development bylaws. The Commission adopts the written testimony of Ms. Buntich and finds that project approval shall be conditioned upon the Applicant seeking and obtaining relief from local zoning requirements, if needed. The Commission further finds that provided relief is sought and obtained, if needed, the proposed project is consistent with local zoning.

GF8. The Commission finds that the proposed project consists of a 25,000 square foot addition to the west side of the current emergency center. The overall number of treatment spaces (74) will remain the same, but each treatment space will be located within its own exam room. The Commission finds that the hospital engaged a national consultant, Freeman White, to assess the appropriate square footage for the emergency center based upon the area demographics and demand and the consultant confirmed that the existing number of treatment spaces was the correct number of spaces for the hospital but that the size and the configuration of each treatment space should be increased. The new treatment spaces will be sized in accordance with current standards. The expansion will increase working spaces, including new and enlarged nursing stations and increased and enlarged support spaces. In connection with the proposed expansion, alterations to existing parking circulation and access/egress in the main campus lot, as well as additional parking along Park Street and Lewis Bay Road, are also proposed. ~~One~~ Existing buildings located at 8 Park Street **and at 66 Lewis Bay Road** are is proposed to be demolished to accommodate the additional parking.

GF10. The Commission finds the project will be constructed in accordance with the following plan set titled *Emergency Center Expansion: Cape Cod Hospital* prepared by Isgenuity, dated July 27, 2012 and as amended by the plan set received by the Commission dated **January 4, 2013, by the 1/22/13 Sheet entitled Civil Addendum #1 from down cape engineering inc. received by Email from Attorney Cox, and by the revised landscape plans received from Attorney Cox on 1/23/13:**

Architectural

- **Sheet A2.04: Existing Site Plan**
- Sheet A2.05: Site Plan
- **Sheet A2.06: Planting Plan – North, isgenuity, dated 1/22/13**
- **Sheet A2.07: Planting Plan – South, isgenuity, dated 1/22/13**
- **Sheet A2.08: Planting Plan – East, isgenuity, dated 1/22/13**
- Sheet A2.08: Level 1 Demolition Plan
- Sheet A2.09: Overall Floor Plan, ~~revised August 29, 2012~~ **dated 1/4/13**
- Sheet A2.23: Second Floor/Roof Plan, ~~revised August 29, 2012~~ **dated 1/4/13**
- ~~Sheet A2.24~~ **A2.14: Third Floor/Roof Plan, revised August 29, 2012 dated 1/4/14**
- Sheet A3.10: Exterior Elevations, ~~revised August 29, 2012~~ **dated 1/4/13**
- Sheet A3.11: Exterior Elevations, ~~revised August 29, 2012~~ **dated 1/4/13**

Civil

- Sheet C100: Site Overview Existing
- Sheet C101: Site Overview Proposed
- Sheet C102: Existing Conditions Plan South
- Sheet C103: Existing Conditions North
- Sheet C201: Layout Site Plan South
- Sheet C202: Layout Site Plan North
- Sheet C301: Utilities Grading South
- Sheet C302: Utilities Grading North
- **Sheet C303: Turning Radius Sketch Plan**
- Sheet C400: Civil Detail Sheet
- Sheet C401: Civil Detail Sheet
- Sheet C402: Civil Detail Sheet
- Sheet C403: Civil Detail Sheet
- **Civil Addendum #1, dated 1/22/13 from down cape engineering inc.**

GF14. The modifications requested to the original decision are occasioned by conditions and requirements imposed by the Town of Barnstable through Site Plan Review Committee as evidenced by a letter from Ellen M. Swinarski, Site Plan/Regulatory Review Coordinator dated January 23, 2013

Land Use

LUF2. The Commission finds that the proposed project, **as amended**, is consistent with MPS LU1.2 as it is located on the existing hospital site on land that has been used for surface parking, and the remaining parking is proposed to be redesigned for more efficient use.

Water Resources

WRF1. The Commission finds that according to the application materials, the proposed expansion will displace existing access drive and parking areas. Additional parking spaces will be added at a new parking lot proposed on three adjacent lots opposite the emergency center on

Park Street and Lewis Bay Road. **A new parking area will also be created out of the redevelopment of the property at 66 Lewis Bay Road. The existing structure on the site is to be demolished, creating a total of 20 net new parking spaces to be added to the main hospital campus lot. This proposed site plan change will result in the closure of previously proposed and existing curb cuts from 66 and 88 Lewis Bay Road.** Plans indicate that the new parking lot **proposed on three adjacent lots opposite the emergency center on Park Street and Lewis Bay Road** will displace an existing office building operated by the hospital. The Commission further finds that according to the application materials, this parking lot **and the proposed new parking lot to be created through the redevelopment of 66 Lewis Bay Road** will utilize low-impact stormwater designs and other stormwater improvements. **The parking expansion** on the west side of the hospital will utilize structured subsurface collection, infiltration and leaching designs consistent with MPS WR7.7. **The proposed parking area north of the hospital across Park Street will utilize deep sump catch basins in a series with bioretention systems.** Wastewater generated by the hospital is conveyed to the Barnstable Water Pollution Control Facility for treatment and disposal.

WRF5. The Commission finds that nitrogen loading calculations submitted by the Applicant indicate a site-wide nitrogen loading concentration of below 1.8 ppm-N, and results in **reductions** in pavement and landscaped area, and **a net reduction in nitrogen load at the site.** As such, the Commission finds that the proposed project complies with MPS WR1.1, MPS WR3.1, and MPS WR5.1.

WRF8. The Commission finds the proposed improvements and added capacity to stormwater infrastructure are consistent with RPP requirements under Water Resources Goal WR7 (Stormwater Quality), including the use of vegetation to treat runoff from the new parking area **on three adjacent lots opposite the emergency center on Park Street, and that the use of structured infiltration devices is allowed in Economic Centers for the parking area adjacent to the hospital, and on Lewis Bay Road.** ~~and use of structured infiltration devices allowed in Economic Centers.~~

Transportation

TF4. The Commission finds that according to the application materials, a number of modifications to access/egress points are proposed as part of the expansion. There are currently two (2) one-way site drives onto Gleason Street/Park Street from the main campus parking lot. The westerly site drive will become a two-way drive that will serve as the primary point of access/egress to the main campus parking lot. The easterly site drive will operate as an exit-only drive for emergency vehicles exiting the emergency vehicle tunnel. No geometric changes are proposed to these site drives. The access/egress to both ~~the parking lot on Lewis Bay Road and~~ the parking lot at 16 and 20 Park Street will be improved by defining narrower curb-cuts and designating one (1) enter-only and one (1) exit-only site drive from each parking lot. **Additionally, incorporating the existing Lewis Bay Road lot and the 66 Lewis Bay Road property into the main campus parking lot, two (2) curb cuts will be eliminated on Lewis Bay Road.** As such, the Commission finds that the project complies with MPS TR1.1 and MPS TR1.4. The Commission further finds that sufficient sight distance exists at all access/egress location in compliance with MPS TR1.8. As no mitigation is being proposed to address or offset safety concerns, the Commission finds that the proposed project complies with MPS TR1.9.

TF7. The Commission finds that the project proposes to reduce curb-cuts at the on Lewis Bay Road parking lot and the 16 and 20 Park Street parking lot, and as such, the proposed project meets BDP TR1.11. The Commission further finds that this is a probable benefit of the proposed project.

TF9. The Commission finds that vehicular and pedestrian interconnections are currently provided to the greatest extent feasible on the project site. According to the application materials, parking supply and demand has been studied as recently as February 2012 by the Applicant's transportation engineer and the Commission finds that the number of parking spaces included in the site layout, **twenty (20) more** ~~seven (7) fewer~~ than currently exists, is justified. As such, the Commission finds that the proposed project complies with MPS TR2.3 and MPS TR2.9.

Heritage Preservation and Community Character

HPCCF7. The Commission finds the proposed main campus parking lot re-configuration reduces the number of parking spaces in order to accommodate the proposed expansion ~~and all proposed parking in the main lot lies within the boundaries of the existing parking lot.~~ The Commission finds the proposed parking areas **are adequately screened by landscaping and by grade changes, and that interior lots are broken up by design** ~~improves upon the current configuration by adding a landscaped islands/medians to buffer parking from Lewis Bay Road to the west and additional parking will be screened with vegetation.~~ As such, the Commission finds the proposed project is consistent with MPS HPCC2.8.

HPCCF8. The Commission finds that a vegetated buffer is proposed to the northwest building edge along with several planted median improvements in the parking areas. As such, the Commission finds the proposed project complies with MPS HPCC2.9.

HPCCF9. The Commission finds the Applicant submitted landscape plans (Sheets A2.06 and A2.07, dated July 27, 2012, revised August 28, 2012, prepared by Isgenuity, LLC **and by additional revised plans submitted January 22, 2013**) that properly integrate buildings with the landscaped environment, divide expansive parking areas, incorporate tree plantings, include pedestrian amenities to improve the visual and functional character of the site, and foster sustainability by including a mix of native and drought tolerant plantings alongside traditional ornamentals. The Commission finds these plans are in ~~partial~~ compliance with MPS HPCC2.10 and that the project ~~shall be conditioned to require the Applicant to submit~~ **has submitted** final landscape plans with planting details that indicate a scale, specify greenscreen installation and planting in more detail, and propose a compact cultivar of parking lot shrubs ~~or an approved substitution and to landscape according to the final approved plans in order to ensure full compliance with this standard.~~ The Commission finds the draft landscape maintenance agreement submitted by the Applicant meets the intent of MPS HPCC2.10. The Commission finds the project shall be conditioned to require the Applicant to submit an executed landscape maintenance agreement prior to issuance of a Final Certificate of Compliance.

HPCCF11. The Commission finds that the proposed exterior lighting is consistent with MPS HPCC2.11 and the Commission's Exterior Lighting Technical Bulletin, 95-001, as amended. The Commission finds the project shall be conditioned to require the Applicant to submit a final exterior lighting plan that includes information on the type, number, lamping, location and foot-candle levels of all exterior lighting fixtures to Commission staff for review and approval prior to issuance of a ~~Preliminary~~ **Final** Certificate of Compliance to ensure compliance with MPS

HPCC2.11. The Commission finds Commission staff shall conduct a site visit to ensure consistency with the final approved plan prior to issuance of a Final Certificate of Compliance.

CHANGES TO CONDITIONS

All Conditions attached to the original DRI/HDEX/POCB Decision continue to apply except as modified herein. New text is shown in **bold**. Deleted text is shown in strikethrough.

General Conditions

GC6. All development shall be constructed in a manner consistent with the following plan set *Emergency Center Expansion: Cape Cod Hospital* prepared by Isgenuity, dated July 27, 2012 **and as amended by the plan set received by the Commission dated January 4, 2013, by the 1/22/13 Sheet entitled *Civil Addendum #1* from down cape engineering inc. received by Email from Attorney Cox, and by the revised landscape plans received from Attorney Cox on 1/23/13:**

Architectural

- **Sheet A2.04: Existing Site Plan**
- Sheet A2.05: Site Plan
- **Sheet A2.06: Planting Plan – North, isgenuity, dated 1/22/13**
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- Sheet A3.11: Exterior Elevations, revised ~~August 29, 2012~~ **dated 1/4/13**
- **Additional revised landscape plans submitted to the Commission on January 22, 2013**

Civil

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Transportation

TC1. Copies of all necessary project approvals and permits shall be submitted to Commission staff prior to issuance of a ~~Preliminary~~ **Final** Certificate of Compliance in order to ensure compliance with MPS TR0.3.

Heritage Preservation and Community Character

HPCCC1. The Applicant shall submit final landscape plans prior to issuance of a Preliminary Certificate of Compliance with planting details that indicate a scale, specify greenscreen installation and planting in more detail, and propose a compact cultivar of parking lot shrubs or an approved substitution. Commission staff shall conduct a site visit prior to issuance of a Final Certificate of Compliance in order to ensure the project was landscaped according to the final approved plans. The Applicant shall submit an executed landscape maintenance agreement for a minimum of three growing seasons prior to issuance of a Final Certificate of Compliance to ensure vegetation is properly established at the site.

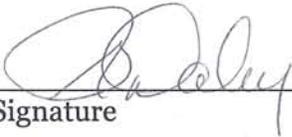
HPCCC2. The Applicant shall submit a final exterior lighting plan that includes information on the type, number, lamping, location and foot-candle levels of all exterior lighting fixtures to Commission staff for review and approval prior to issuance of a Preliminary Final Certificate of Compliance to ensure compliance with MPS HPCC2.11. Commission staff shall conduct a site visit prior to issuance of a Final Certificate of Compliance to ensure that the lighting is installed according to the approved plan.

HPCC3. If changes are made to the exterior lighting design as construction proceeds, prior to selection and installation of exterior lighting fixtures, the Applicant shall submit for Commission staff review and approval additional exterior lighting design information sufficient to allow Commission staff to determine if the proposed alternate fixtures are consistent with finding HPCCF11 and condition HPCCC2. Alternate exterior light fixtures found to be consistent with finding HPCCF11 and condition HPCCC2 may be utilized upon written Commission staff approval.

See Next Page for Signatures

SIGNATURES

Executed this 25th day of January 2013.


Signature

Patty Daley, Deputy Director
Print Name and Title

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

January 25, 2013

Before me, the undersigned notary public, personally appeared Patty Daley,

in his/her capacity as Deputy Director of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he/she 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.

Gail P. Hanley
Notary Public

My Commission Expires: 9-28-18

