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CAPE COD  
COMMISSION

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## DECISION OF THE CAPE COD COMMISSION

Date: August 3, 2017

Project Applicant: Total Athletics of Cape Cod, Inc./ CCTC, LLC  
c/o Eliza Cox, Esq.  
Nutter McClennen & Fish LLP  
1471 Iyannough Rd, P.O. Box 1630  
Hyannis, MA 02601

Property Owner: Cape Cod Aggregates Corp.

Re: Development of Regional Impact (DRI)/ Hardship Exemption

Project: Cape Cod Training Center  
(Commission File No. 17015)

Project Site/  
Property Location: 90, 110 & 130 Merchants Way & 20 Business Lane, Hyannis, MA

Title Reference: BCRD Book 6656 Page 147

Assessors ID: Map 296 Block 2 Parcels 1,2,3,4

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### SUMMARY

The Cape Cod Commission ("Commission") hereby approves the Development of Regional Impact (DRI)/ Hardship Exemption application by Total Athletics of Cape Cod, Inc./ CCTC, LLC for proposed construction of an approximately 91,885 square foot two-story athletic field house containing an indoor ice rink; indoor turf field; indoor swimming pool; locker rooms; batting cages; fitness, training and rehab areas; food and concessions; community meeting space; sports-related museum; accessory retail pro shop; office; and child care areas, together with ancillary site improvements including an outdoor sports field on the approximately 8.29 acre, industrially-zoned currently undeveloped Project Site. This decision is rendered pursuant to a vote of the Cape Cod Commission at its hearing on the Project held August 3, 2017.

Cape Cod Training Center, Hyannis  
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## FINDINGS

The Commission hereby finds and determines as follows:

### GENERAL FINDINGS

GF1. The Applicant proposes to construct an athletic training and recreational sports complex consisting of:

- an approximately 91,885 square foot two-story athletic fieldhouse containing an indoor ice rink; indoor turf field; indoor swimming pool; locker rooms; batting cages; fitness, training and rehab areas; food and concessions; community meeting space; sports-related museum; accessory retail pro shop; office; and child care areas; and
- ancillary site improvements including an approximate 198' x 360' outdoor playing field with artificial turf ("Project").

GF2. The project site is approximately 8.29 acres of industrially-zoned, currently undeveloped land on Merchants Way and Business Lane in the Independence Park area of Hyannis, made up of four adjoining subdivision lots proposed to be combined into and used as a single development lot ("Project Site" or "Site").

GF3. The Applicant has a lease with the Property Owner for the Project Site, with a Notice of Lease dated May 19, 2017, which allows the Applicant to permit, develop, maintain, operate and use the Project.

GF4. The Project requires Development of Regional Impact (DRI) review and approval pursuant to Section 3(e) of the Commission's *Enabling Regulations Governing Review of Developments of Regional Impact* ("Enabling Regulations") because the Project proposes both net new commercial building development with a Gross Floor Area of 10,000 sq. ft. or more, and an Outdoor Use with a Total Project Area of 40,000 sq. ft. or more.

GF5. The Applicant submitted a DRI and Hardship Exemption application to the Commission for the Project on May 19, 2017, and submitted supplemental application information throughout May, June and July 2017. The applicant seeks Hardship Exemption relief from compliance with various Minimum Performance Standards under the areas of Open Space and Recreation, Transportation (Congestion Management), Affordable Housing, and Community Character in the Regional Policy Plan. The Town of Barnstable, through its Building Commissioner, referred the Project to the Commission as a mandatory DRI by written referral dated July 10, 2017. The Project is reviewed subject to the 2009 RPP, revised August 2012. The Commission held a public hearing on the Project August 3, 2017.

GF6. The DRI/ Hardship Exemption application consists of the following materials, according to which the Applicant proposes to develop, operate, use and maintain the Project:

**SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN.**

GF7. Upon request by an applicant, Section 9 of the *Enabling Regulations* authorizes the Commission to grant Hardship Exemption relief to the applicant from a Project's compliance with Minimum Performance Standards in the Regional Policy Plan where: 1) the relief granted relates directly to, and is the minimum relief necessary to address, the identified hardship; and 2) the relief does not nullify or substantially derogate from the intent and purposes of the Cape Cod Commission Act, and will not result in substantial detriment to the public good.

GF8. The Commission grants the Applicant's request for Hardship Exemption relief from those Regional Policy Plan (RPP) Minimum Performance Standards, discussed in more detail in the RPP Consistency Findings section of this decision. The relief granted relates directly to, and is the minimum relief necessary to address, the identified hardship; does not nullify or substantially derogate from the intent and purposes of the Cape Cod Commission Act; and will not result in substantial detriment to the public good.

GF8A. There is a public need and benefit to developing a sports and recreation center for the region, a first of its kind for Cape Cod, and on balance, the Project Site is an appropriate location for the use. The Site has good access to the regional transportation network and other existing infrastructure, but is located far enough from regional roadways so that its functional building and site design will not affect visual character along regional roadways. The Site is centrally-located in the region, and Hyannis serves as the principal commercial hub for the region. There are few mapped resource areas on the Site. The Site is designated for industrial and other uses, such as the large-scale use proposed, that would be inappropriate or less appropriate for location within village centers, down-town areas or mixed-use commercial centers. At the same time, the Project is located in vicinity to other uses and businesses in the Hyannis area that could benefit from and support the Project.

GF8B. The Project is proposed as quasi-public, a private- public partnership and akin to "capital facilities," defined in the Commission Act as public facilities, services or infrastructure necessary to support other development, with examples cited including schools, roads and sewers that are normally constructed and provided by municipalities.

GF8C. In its application, the Applicant has evidenced the benefit and need for the Project by a wide and varied collection of non-profit entities and public schools across Cape Cod, for which private action and investment is required in the absence of municipal construction and operation of such a Project.

GF8D. The Applicant submitted a study commissioned by the Cape Cod Chamber of Commerce regarding the benefits of, and impediments to, developing such a Project in the region. The Cape Cod Chamber of Commerce also submitted correspondence expressing its strong support for the Project, citing the study in the letter. The Chamber's letter and study suggests that the Project would be an economic development driver for the region, having positive effects on lodging, restaurant, retail and other industries. The Project would not only serve Cape Cod youth and their families, but support youth and families in the Cape Cod's vital visitor based economy. The Project serves the demands of a burgeoning youth sports industry that is growing locally and

nationally, adding variety to regional economy with opportunities to brings in new regional wealth and capital for Cape Cod businesses.

GF8E. The above-referenced Cape Cod Chamber of Commerce sports facilities study cites the need and benefits associated with developing such a facility for Cape Cod, and also notes some of the impediments to development of such a facility, including anticipated high project costs and availability of land appropriate for siting such a Project. The study suggests that municipalities typically develop such facilities, similar to the Town of Barnstable's development of the Hyannis Youth and Community Center (HYCC). The argument follows that, in the absence of municipal development of such a Project, accommodation and incentive is necessary to encourage private development to commit to such a singular Project, given the time, effort, cost, and uncertainties associated with permitting, constructing and operating such a facility.

GF8F. The Applicant faces several substantial hardships, financial and otherwise, in permitting, constructing and operating the Project, including those related to literal enforcement and application of certain Minimum Performance Standards (MPSs) in the RPP. Based on review of the financing pro forma the Applicant submitted, the Project is not uneconomic, and there is a reasonable return on investment anticipated. However, requiring significant up-front mitigation costs could frustrate or discourage development of the Project, and reduce the capital and revenues necessary to develop and operate the Project, especially given its business model where sufficient initial operating capital is critical to its potential for long-term success. Additionally, there are several operational- and design-related MPSs, the enforcement and application of which would interfere with the function, utility, nature and purpose of the Project as a sports and recreation facility.

GF9. The Project's proposed constituent uses are currently allowed in the town's Industrial zoning district in which the Project is located. In response to and in anticipation of the Project, the Town is currently pursuing a zoning amendment that would change required setback, height and lot coverage requirements in the subject district and Groundwater Protection Overlay districts. The zoning amendment would allow the Project to be permitted 'by right' dimensionally under zoning, subject to administrative Site Plan Review. The zoning amendment would also create a new, specifically defined use "sports and recreation facility," which would be allowed 'by right' in the district. The Town's Planning Board voted to recommend adoption of the amendment in July 2017. The Town Council is anticipated to take up the proposed amendment at its August 17, 2017 meeting. Subject to adoption of the zoning amendment, or the Applicant otherwise obtaining zoning relief, and obtaining all required local permits, licenses and approvals for the Project, the Project is consistent with Barnstable municipal development ordinances.

GF10. The Project is consistent with the Town of Barnstable's Local Comprehensive Plan. In its Local Comprehensive Plan (LCP), the Town of Barnstable directs new commercial and industrial development to be located appropriately. The Project is located in an Industrial zoning district also designated by the Town and Commission as an Industrial Service and Trade Area, off of congested highway corridors. As previously referenced herein, the Town is considering a zoning amendment to encourage the development of sports and recreational facilities in the project area. Because of its size and nature, it would not be appropriate to locate the Project in a village

center or downtown area. Youth recreation needs is cited as a Health and Human Services priority in the Plan, noting the growth of this segment of the population. An overarching Plan goal is to encourage private development that supports appropriate economic development. The support of recreational activities and facilities and the visitor based economy are cited as goals and actions in the Economic Development section of the LCP.

GF11. The Project is consistent with District of Critical Planning Concern (DCPC) implementing regulations applicable to the Project Site and the Project's constituent activities. Applicable DCPC implementing regulations are those adopted by the Town of Barnstable pursuant to the Cape-wide Fertilizer Management DCPC, which implementing regulations are in the form of a Fertilizer Nitrogen and Phosphorus Control Ordinance. This Ordinance regulates turf fertilizer applications within the Town. Most of the turf associated with the Project is artificial turf that does not require fertilization; for natural turf and other plantings, the Applicant has submitted a landscape maintenance protocol, which contains specific turf maintenance provisions that are consistent with Barnstable's Fertilizer Nitrogen and Phosphorus Control Ordinance. The Project is subject to local regulation through the Town's application of such Ordinance.

GF12. The Project furthers and is consistent with fundamental purposes of the Cape Cod Commission Act, articulated in Section 1 of the Act, related to provision of adequate capital facilities, balanced economic growth and preservation of recreational values.

GF13. The probable benefit of the Project is greater than the probable detriment of the Project.

Probable Project benefits include:

- A. The Project furthers fundamental economic development, capital facilities, and recreational values and purposes of the Commission Act;
- B. The Project is locally owned, and has used or will use a significant number of local contractors and service providers in its permitting and development;
- C. The Project adds economic variety to the region, addresses regional needs and demands, and is intended to serve both the local population and visitors;
- D. One of the Applicant's goals of the Project is the support of local non-profit sports groups and public schools, ranging from opportunities for needed field and facility use, to the housing of the proposed Cape Cod Baseball League and its Hall of Fame Museum.
- E. Through the Cape Cod Foundation, the Applicant has established a scholarship fund for local student athletes.
- F. The Project is likely to have positive economic effects on local and regional accommodations, restaurant and similar and companion industries.
- G. The Project supplements and enhances municipal interests and alliances, such as the Project's relationship with the Hyannis Youth and Community Center.
- H. The Project will reduce travel distances for hundreds of Cape Cod young athletes and families who are forced to travel long distances (including off-Cape) several times a week for access to similar facilities.
- I. The Project furthers the public health values and purposes of the Act by providing recreational and athletic opportunities to the community and, in particular to the youth population.

- J. The Project proposes innovative educational programs, including a “Coaches Symposium” to assist, mentor, and advance the professional training of coaches, including how to navigate collegiate and professional recruiting, as well as STEM classes and programs.

Probable Project detriments include:

- A. The Project requires clearing and disturbance of a naturally vegetated Site, a portion of which is mapped as a Zone II for its contribution to public drinking water supplies.

GF14. Subject to the Hardship Exemption relief granted herein and discussed more specifically in the following RPP Consistency Findings, and subject to satisfaction of the Conditions contained herein, the Project is consistent with the applicable and material Goals and Minimum Performance Standards of the Regional Policy Plan:

## RPP CONSISTENCY FINDINGS

### Land Use

LUF1. The Project meets applicable MPSs in the Land Use issue area because it involves a use and development scheme appropriately located within an Industrial Service and Trade Area (ISTA), and is so located within an ISTA on the Land Use Vision Map approved by the Town and the Commission. The Thornton Drive area surrounding the Site is heavily developed with industrial and commercial development, and utility corridors.

### Economic Development

EDF1. The Project meets applicable MPSs in the Economic Development issue area because it involves a use and development scheme appropriately located within an Industrial Service and Trade Area (ISTA), and is so located within an ISTA on the Land Use Vision Map approved by the Town and the Commission.

### Natural Resources

NRF1. As the Project involves a significant amount of site clearing and disturbance, and the Project Site is currently undeveloped, the Applicant was required to have a Natural Resources Inventory (NRI) of the Site prepared. The Applicant submitted an NRI that complies with RPP requirements. The NRI does not reveal the presence of specimen trees, invasive species, wetlands, vernal pools, mapped Priority Habitat for Rare or Endangered Species or such species themselves, or other unique natural resource conditions on the Project Site. Thus, the Project will not have any significant impact with respect to these resources, and is consistent with the RPPs Wetlands/ Wildlife and Plant Habitat issue area.

NRF2. Approximately 1.1 acres along the southern boundary of the Project Site is a Significant Natural Resource Area (SNRA) under the RPP because it is mapped as a Zone II for public

drinking water supply purposes. The remaining balance of the Project Site (approximately 7.19 acres) is not mapped as a Significant Natural Resources Area under the RPP.

NRF3. The RPP requires that new development permanently restrict land to mitigate such development. Such 'Open Space' land is to be restricted and held for conservation purposes, and provided in a 2:1 proportion of upland Open Space to site development area for sites or portions of sites located in SNRA, and in a proportion of 1:1 for sites or site areas not located in SNRA. So calculated, the Applicant would be required to permanently restrict approximately 9 acres of land as Open Space mitigation for the Project.

NRF4. The Commission grants the Applicant's request for Hardship Exemption relief from the RPPs Open Space mitigation requirement:

NRF4A. Given the size of the Project and land area necessary to undertake it, the Applicant's use of the Project Site is efficient. The proposed field-house is multi-level, and the Project allows many different sports or training activities to be undertaken on the same site, even simultaneously. Because of the Applicant's need to use the entirety of the Site for the Project, there is no area on the Site available for restriction. Every portion of the Project Site is at a premium; there is also little available land in the region where the Project would both be compatible and appropriate with surrounding land uses and development, and satisfy the programmatic needs and design of the Project.

NRF4B. The RPP allows, in the discretion of the Commission, payments in lieu or restriction of off-site land as an alternative to on-site Open Space restriction mitigation requirements. The acquisition or payment of such land in the Town of Barnstable is likely between \$1M and \$2M. According to the Applicant, and based on a review of the Applicant's pro forma, it is unlikely the Project could bear such costs, and such costs would likely prohibit financing for the Project, even with the pro forma evidencing a reasonable return on investment within a five year period.

NRF4C. The area around the Project Site is heavily developed with commercial and industrial uses, and any Site Open Space would not tie into a contiguous corridor of existing restricted open space off-site.

NRF4D. The Site is specially designated by the Town and the Commission as an Industrial Service and Trade Area (ISTA) on the Regional Land Use Vision Map. There is limited availability of industrially zoned land across the region, and especially industrial land with an ISTA designation. These specially and infrequently designated areas are primarily intended to be developed (not restricted for conservation purposes), and developed with uses such as the one proposed.

NRF4E. There is only one resource type on-site mapped by the Commission (Zone II), and the resource only affects a portion of the Site. The Project is designed to protect the underlying resource in several ways: the Project will connect to and be served municipal sewer; Site stormwater management is of a Low Impact Design type that treats and filters run-off; more environmentally friendly materials and practices will be used to

maintain the indoor pool and ice rink, and the Site building is located outside the portion of the Site mapped as a Zone II.

NRF4F. The 'Open Space' issue area of the RPP is more properly titled 'Open Space and Recreation.' Though the issue area does not have any MPSs that deal specifically with recreation, the Goals of the issue area reflect the Commission Act and encourage active recreational opportunities. The Project furthers recreational interests, opportunities, goals and values referenced in the Commission Act and RPP.

### Water Resources

WRF1. The Site lies wholly within the Millway subembayment watershed, which is within the larger Barnstable Harbor embayment watershed. Though it is anticipated that a critical nitrogen loading threshold will be established for the watershed through the Massachusetts Estuaries Project (MEP), where there is a draft technical report currently underway, no nitrogen total maximum daily load or critical nitrogen loading threshold has been established for the watershed, and there are currently no documented nutrient water quality issues in the watershed according to the Barnstable Harbor watershed report, dated September 2016, included in the Area-wide, Section 208 Water Quality Plan Update.

WRF2. The Applicant submitted nitrogen loading calculations for the project, performed in accordance with the Commission's Nitrogen Loading Technical Bulletin. The Project has a site-wide nitrogen load of 2ppm, meeting the sitewide nitrogen loading standard of 5ppm under MPS WR1.1 for General Aquifer Protection and MPS WR2.1 for Drinking Water Quality, applicable to Wellhead Protection Areas.

WRF2A. The Project will be connected to and served by municipal sewer.

WRF3. A mapped Zone II drinking water supply area covers ~1.1 acres of the southeastern corner of the Project Site, which is also a resource area identified on the Cape Cod Commission's Water Classification Map 1, incorporated into the RPP. The Project Site also contains ~.25 acres mapped as a Groundwater Protection (GP) Overlay District and ~3.41 acres mapped as a Wellhead Protection (WP) Overlay District (which overlaps in part with the Zone II), designated under local zoning as areas contributing to Barnstable's public drinking water wells.

WRF4. No Hazardous Materials or Waste are proposed to be stored or generated on site within mapped Wellhead Protection Areas above Household Quantities, as these terms are defined in the RPP, consistent with MPS WR2.2. Additionally, the fieldhouse (containing among other things, the swimming pool and ice rink) is located outside the areas of the Site mapped as a Zone II. Approximately half of the field house and associated pavement lie within the GP zoning overlay district.

WRF4A. The "HazMat Waste Narrative" included in the DRI application identifies the specific waste streams anticipated to be generated on site. In addition to normal business and restaurant wastes to be generated, cleaning materials will be present in minor quantities and cooking oils will be recycled by licensed contractors.

WRF4B. The ice rink facility will utilize commercial grade chillers using Freon gas (rather than ammonia) and an ethylene glycol water solution for ice production. The rink ice is held in an indoor ice pit that contains a melting piping loop. The water is then discharged to the ground through a leaching pit type infiltrator. These practices should lower the risk of potential threat to groundwater relative to other commercially available alternatives.

WRF4C. In regards to swimming pool operation, the Applicant proposes to use a salt generator for the swimming pool treatment system, removing the need to provide chlorine chemicals. Though chlorine is a byproduct of the salt system, the chlorine levels are much lower than with a chlorine system. The pool backwash waste water is proposed to be held in a holding tank for approximately two weeks until the tested PH level is between 6.5 and 8.5, and is then proposed to be discharged to the ground through a leaching pit type infiltrator. Typical pH for ground water on Cape Cod is approximately 6 per USGS Water Resources Investigation 79-65. The proposal to infiltrate wastewater associated with the pool and ice rink maintenance on site will be reviewed for water quality protection in accordance w/ Condition C20 herein. These practices should lower the risk of potential threat to groundwater relative to other commercially available alternatives.

WRF4D. The outdoor sports field is located within Zone II Wellhead Protection Areas, mapped in the RPP, on the Site. However, the sports field is artificial and uses "Astro Turf" which does not require fertilization, eliminating the potential to leach nutrients to the Zone II area.

WRF5. The Site's proposed stormwater management system will manage and infiltrate stormwater on Site, and is generally designed according to the requirements in the RPP. The Site system exceeds TSS removal requirements, consistent with MPS WR7.2. Additionally, there will be no new direct discharges, consistent with MPS WR7.1.

WRF5A. The proposed stormwater management system specific to the parking/pavement areas is designed to accommodate the 25-year, 24-hour storm. This system directs runoff to rain garden forebays for pretreatment and filtration, with additional infiltration capacity provided by underground leaching chambers. All pavement drainage areas on-site, with the exception of Drainage Area #9 located in the rear of the building, provide bioinfiltration for the first inch of stormwater required by MPS WR7.4.

WRF5B. The artificial turf field is considered pervious, as the turf percolates at a rate of approximately 14inches/hr, meeting minimum guidelines established by the Synthetic Turf Council. An inverted sump will be constructed below the lowest field grade to capture runoff that may occur during high intensity storms. Infill material for the turf will be comprised of Zeolite, gravel, and sand, enabling filtration of stormwater. The infill material does not include rubber. "Zeolite" is a porous volcanic material that will retain about 10,000 – 12,000 gallons of water. According to the Applicant, infiltration cylinders could be included in the design, as needed.

WRF5C. Roof runoff is proposed to be managed separately and will be directed to dedicated leaching pits for roof runoff, consistent with MPS WR7.4.

WRF5D. Erosion controls specified on plans relate to stabilizing seeded slopes, but there are no other site-wide erosion control devices or strategies proposed to be implemented sitewide during construction.

### Waste Management

WMF1. The Applicant submitted Construction Waste Management and Hazardous Waste/Materials Management protocols in its application materials that meet the MPSs of the RPP. Of note, the protocols propose use of more environmentally friendly materials and practices for maintenance and operations than available alternatives: ammonia products will not be used in rink maintenance activities, and saline rather than chlorine will be used for swimming pool operations.

### Affordable Housing

AHF1. Affordable Housing Goal AH3 (Community Participation) requires commercial projects reviewed as DRIs to provide a payment based on the expected number of below-average-wage workers per square foot associated with a project, calculated in accordance with MPS AH3.1 (Mitigation Standard). Alternately, an applicant may choose to provide deed-restricted Affordable Housing units for 10% of the expected below-average-wage workers associated with the project as detailed by MPS AH3.4 (On-site Units Option).

AHF2. As calculated under MPS AH3.1, the expected number of below-average-wage workers associated with the Project is 49, requiring the provision of 5 Affordable Housing units under MPS AH3.4. The Applicant has provided a staffing plan showing the expected actual number of below-average-wage workers associated with the Project will be 24, which would require the provision of 2 Affordable Housing units.

AHF3. The Applicant has also detailed in the staffing plan submitted to the Commission that the majority of below-average-wage jobs associated with the Project will be filled by members of the resident Total Athletics Seahawks junior ice hockey team, who are required through their program to be housed and employed by the Applicant. As these players are aged 16-20, will be relatively short-term residents, and must be housed through home-stay programs, they would unlikely be eligible for deed-restricted Affordable Housing as required under MPS AH3.4. Requiring monetary mitigation, a "Commercial Contribution," would reduce operating capital and financing available for the Project, and thus bring into question the ability to develop and operate the Project, and misses the overall purpose and intent of the AH MPSs relative to the unique staffing program for the Project, which Project is unlikely to impact the need for Affordable Housing in the region given the nature of staffing proposed.

AHF4. The Commission grants the Applicant's request for Hardship Exemption relief from the literal application and enforcement of MPS AH3.4, which would involve substantial hardship for the Applicant, as the Seahawks hockey program, with its own requirements, is a central feature of the overall Project program. Further, the Applicant will house significantly more than the

required number of workers under a literal reading of MPS AH3.4, thus the home-stay program as an alternative to the provision of deed-restricted Affordable Housing units under MPS AH3.4 does not constitute a detriment to the public good and does not derogate from the intent of Affordable Housing Goal AH3, which is to require mitigation for anticipated impacts to the regional need for Affordable Housing. Through this housing arrangement, the Applicant is also helping support a mission of a local non-profit sports entity providing live-work opportunities for youth on Cape Cod.

Energy

EF1. The Project meets the MPSs of the Energy issue area, per MPS E1.7, by generating and satisfying a significant amount of the Project’s energy demands through the installation and operation of roof-mounted solar arrays on the field house (though the application references proposed car port solar arrays, the Applicant has withdrawn its request for them).

Transportation

TF1. As described in the Traffic Impact and Access Study (TIAS), prepared by VHB, dated April 2017, the Applicant is proposing to develop the Site, with the “*construction of an approximately 92,363 sf [square foot] building housing an indoor turf field, an ice skating rink, and various other indoor sports activities as well as an outdoor sports field and an approximately 946 sf snack bar.*” The TIAS, along with a follow-up memorandum from VHB, dated July 12, 2017, characterizes the existing condition of the roadways in the vicinity of the proposed project, presents potential impacts of the Project, and details transportation mitigation measures proposed by the Applicant.

TF2. As presented in the TIAS, empirical traffic count data was collected at four sports complex facilities in eastern Massachusetts with similar characteristics to the proposed facility. This data was used to establish a trip generation rates that was then applied to the proposed sports complex. Commission transportation staff agrees with trip generation estimates as summarized in Table 1.

**Table 1: Estimated Project Trip Generation**

<b>Time Period</b>	<b>Site-Generated Trips<sup>1</sup></b>	<b>25% Trip Reduction Requirements<sup>2</sup></b>	<b>Net New Trips</b>
Weekday Daily	1,150	-288	892
Weekday Evening Peak Hour	190	-47	143
Saturday Daily	1,040	-260	780
Saturday Peak Hour	203	-51	152

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Note:

<sup>1</sup> Based on trip generation rates from empirical count data applied to a 92, 363 sf facility

<sup>2</sup> In accordance with the RPP

TF3. Based on discussions with Commission staff, study area locations identified for analysis in the TIAS include the following intersections and roadway links:

Intersections:

- Route 132 at Route 6 Westbound Ramps
- Route 132 at Route 6 Eastbound Ramps
- Route 132 at Shootflying Hill Road
- Route 132 at Attucks Lane
- Route 132 at Independence Drive/Enterprise Road
- Phinneys Lane at Attucks Lane
- Phinneys Lane at Kidd's Hill Road
- Independence Drive at Attucks Lane
- Independence Drive at Kidd's Hill Road
- Willow Street at Route 6 Westbound Ramps
- Kidds Hill Road at Industrial Boulevard
- Kidds Hill Road at Merchants Boulevard
- Merchants Way at Site Driveway

Roadway Links:

- Route 132 between Route 6 Westbound Ramps and Route 6 Eastbound Ramps
- Route 132 between Route 6 Eastbound Ramps and Shootflying Hill Road
- Route 132 between Shootflying Hill Road and Attucks Lane
- Route 132 between Attucks Lane and Independence Drive
- Attucks Lane between Route 132 and Phinneys Lane
- Attucks Lane between Phinneys Lane
- Phinney's Lane between Attucks Lane and Kidd's Hill Road
- Independence Drive between Route 132 and Attucks Lane
- Independence Drive between Attucks Lane and Kidd's Hill Road
- Kidd's Hill Road between Phinney's Lane and Independence Drive

TF4. The TIAS presents a crash analysis of all study area locations\* and identifies the following five locations as high-crash locations (three or more crashes per year):

- Route 132 at Route 6 Westbound Ramps
- Route 132 at Route 6 Eastbound Ramps
- Route 132 at Shootflying Hill Road
- Route 132 at Attucks Lane
- Route 132 at Independence Drive/Enterprise Road

*\*Note: The intersection of Attucks Lane at Independence Drive was included as a high-crash location in the TIAS, but upon further investigation of crash data by VHB it was determined*

*that many of the crashes occurring in a nearby parking lot. With the removal of these crashes from the intersection, this location is no longer considered a high-crash location.*

TF5. The crash analysis presented in the TIAS presented no major safety deficiencies at these locations with crash rates well below the regional average when considering the volume of traffic through the intersections. Potential minor safety improvements at these high-crash locations have or will be made implemented by other projects in the area in the near future. Given the relatively low crash rates at study area intersections and the improvement already planned, Commission staff requested the Applicant focus on potential safety impacts at unsignalized intersection in close proximity to the Project Site.

TF6. At the request of Commission staff, VHB conducted *“field inspections of existing geometry, signage, and pavement markings at three key intersections near the site that patrons of the proposed facility will travel through getting to and from the proposed facility.”* This included the unsignalized intersection of Industrial Boulevard at Kidds Hill Road, Merchants Way at Kidds Hill Road, and Kidds Hill Road at Independence Drive. While none of these locations exhibit substantial crash history, the Applicant has committed to making safety improvements at these locations for benefits of patrons of the facility and the public.

TF7. As presented in the TIAS and the follow-up memo, the Applicant has committed to implementation of the following safety mitigation actions, which satisfy RPP motorist safety requirements:

- Industrial Boulevard at Kidds Hill Road
  - “Add Lane striping, STOP Bar/Stop Sign along the Industrial Boulevard Approach to the intersection.”
  - “Add STOP AHEAD sign (MUTCD W3-1) to Merchants Way approach”
  - “Add Intersection Ahead warnings signs to the Kidd’s Hill northbound and southbound approaches to the intersection MUTCD W2-7.”
- Merchants Way at Kidds Hill Road
  - “Add Lane striping, and a STOP Sign/STOP Bar along the Merchants Way approach to the intersection.”
  - “Add STOP AHEAD sign (MUTCD W3-1) to Merchants Way approach”
  - “Add Intersection Ahead warnings sign to the Kidd’s Hill southbound approach to the intersection MUTCD W2-7.”
- Kidds Hill Road at Independence Drive
  - “Install New STOP sign/Stop Bar along the Kidd’s Hill Road approach to the intersection. The location of both will be optimized, within the MUTCD placement requirements to optimize visibility.”
  - “Add Intersection Ahead warnings sign to the Kidd’s Hill southbound approach to the intersection MUTCD W2-7.”
  - “Add supplemental plaques (MUTCD R1-3P) to each STOP sign at the intersection.”
  - “Trim vegetation along each approach to the intersection to optimize visibility to signage to the extent possible within the existing Right of Way. Since Independence Drive is a private roadway, it is assumed that the owners will allow this improvement to be done since it is in the public interest.”

TF8. To address and satisfy the RPP's non-motorist safety requirements, and provide non-motorist connectivity to the regional pedestrian and bicycle pedestrian network, the Applicant has committed to constructing approximately 900 feet of sidewalk along portions of Merchants Way and Kidds Hill Road, including a crosswalk across Kidds Hill Road. The new sidewalk, with appropriate crosswalks and curb ramps, will provide a safe connection between the project side and the sidewalk that currently existing on Wilkens Lane all the way to Attucks Lane. This concept is presented as "Potential Sidewalk Route A" in the July 12, 2017 VHB memo.

TF9. As noted in the July 12, 2017 VHB memo, "*Wilkens Lane is a private road owned by Cape Cod Healthcare and development along Wilkens Lane is only partially completed and therefore the sidewalk is gated and not currently accessible to the public.*" Allowing public access for pedestrians along Wilkens Lane is key to ensuring that patrons of the proposed sports complex can access the regional sidewalk network along with the numerous nearby destinations and transit service.

TF10. Once complete, the new sidewalk will also link the proposed project with future Cape Cod Rail Trail extension that is envisioned to follow a route that runs along Kidds Hill Road.

TF11. The RPP requires that the Site must be designed to safely accommodate all road users, including pedestrians and bicyclists. The current site plans will need to be revised to provide safe connections between the proposed new sidewalk and buildings and other attractions on Site. The current site plans will also need to be revised to ensure pedestrians can move safely around the Site, including from the parking spaces in the rear of the building.

TF12. The Applicant has proposed a Travel Demand Management (TDM) program to meet the 25-percent trip reduction requirement under Goal TR2. This TDM program is detailed in the TIAS and includes measures aimed at promoting carpooling/ridesharing, encouraging use of public transit, utilizing local shuttles/buses to and from schools and hotel facilities, facilitating bicycle and pedestrian access to and within the Site, and providing a host of on-site amenities. In addition, or more specifically, activities on the Site as part of the TDM program include:

- *Preferred/reserved parking for employees/patrons who rideshare/carpool*
- *On-site restaurant with full food and beverage service*
- *Lunch and break rooms equipped with refrigerators and microwaves, etc. for employees who may wish to prepare their own food*
- *On site fitness center*
- *Locker Rooms – with changing rooms and showers*
- *Bicycle storage – exterior bike racks plus a secure interior storage room*

TF13. Furthermore, the Applicant will "*designate and employ (or employees) that will be responsible for managing the TDM program. The designates coordinator will encourage participation in the program and will distribute information to employees and patrons regarding all available trip reduction strategies.*" This TDM coordinator shall consult with MassRIDES staff as part of their TDM plan implementation. All TDM program materials, including current bus schedules, shall be posted on a bulletin board in the facility viewable by employees and patrons.

TF14. With the construction of the new sidewalk proposed by the Applicant and a revised site plan that more safely accommodates pedestrians, implementation of the TDM program satisfies the RPP's trip reduction requirements.

TF15. The Applicant proposes 210 paved parking spaces on Site, based on a calculation of one space for every three occupants with 630 occupants assumed. This calculation is consistent with the requirements of local zoning; however, given the unique nature of this Site and use, the Applicant might consider undertaking a parking demand analysis to determine the appropriate number of spaces. An area of approximately 3,500 sq ft of parking area to the northwest of the filedhouse is pervious pavement. The Applicant is also encouraged to consider the further use of unpaved or pervious parking areas and the use of existing off-site parking areas for overflow parking where appropriate to minimize the total number of paved/impervious areas on the Site.

TF16. The TIAS presents a detailed analysis of potential congestion impacts on study area intersections and roadway segments. The overall congestion impact on the roadway network within the study area is relatively minor and future congestion benefits from the provision of the non-motorist facilities (sidewalk and related infrastructure) within the study area offset these impacts within the study area.

TF17. Where there are anticipated trips and effects beyond the study area, such as with the Project and its proposed constituent uses, the Commission analyzes congestion impacts beyond the study area established in the TIAS. Based on a vehicle miles traveled transit equivalency approach, as presented in the TIAS, a monetary contribution of \$532,100 would be required to offset these congestion impacts. Commission staff suggests that this calculation was performed in accordance with the procedure detailed in Technical Bulletin 96-003 and suggests that a monetary contribution of \$532,100 would offset the congestion impacts of the Project beyond the study area.

TF18. Commission staff suggests that beyond the study area, the Project will have quantifiable congestion impacts, but these impacts are not likely to have a significant impact on the operations of the roadway network except during special events. As such, granting the Applicant's request for Hardship Exemption relief, in the amount of \$532,100 for congestion impacts outside of the study area, would not nullify or substantially derogate from the intent and purposes of the Act, and would not result in a substantial detriment to the public good. The requirement for such mitigation payment would reduce operating capital and financing available for the Project, and thus bring into question the ability to develop and operate the Project.

TF19. As special events at the Project Site may have congestion impacts within and beyond the study area, a Traffic Management Plan should be developed in consultation with Town of Barnstable staff and emergency personal to effectively manage the traffic from these events.

#### Heritage Preservation/ Community Character

HPCCF1. The Applicant filed a Project Notification Form with the Massachusetts Historical Commission (MHC) regarding the potential for archaeological resources in the Project area. Verbal confirmation was received from MHC that MHC had no comments on the Project.

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Though the Site is undeveloped, the area surrounding the Site is heavily developed with commercial and industrial uses and development. There are no known archaeological resources, or historic structures, resources or districts on or within close proximity to the Project Site.

HPCCF2. All proposed building and parking area exterior lighting fixtures meet the requirements of MPS HPCC2.11 (Exterior Lighting) in that they provide full-cutoff at 90-degrees from vertical, do not light areas beyond the property bounds, and result in fewer than 8 foot-candles of light at grade. Lighting for the playing field does not meet these requirements, but a literal enforcement and application of this MPS would involve substantial hardship for the Applicant in that 8 foot-candles is significantly below recommended lighting levels for playing fields of the type proposed, and would interfere with the utility, nature and purpose of the Project. The Applicant submitted industry best management practices for sports field lighting. The Project utilizes modern LED field lighting fixtures with significantly greater optical control than traditional flood lighting and proposed lighting levels are consistent with recommended lighting levels for facilities of this type. Based on the Project utilizing industry best practices for lighting of this type, the Project does not constitute a detriment to the public good and does not derogate from the intent of MPS HPCC2.11, which is to reduce unnecessary site lighting.

HPCCF3. Given the proposed location within the Hyannis industrial area, the Project will not be visible from any regional roadways or distinctive neighborhoods, giving it more flexibility in building design, site design, and building materials. MPS HPCC 2.7 allows non-traditional materials, forms and site designs in industrial parks or areas not visible from regional roadways. The proposed building is large (approx. 72,000 sf footprint) and ranges in height from 28 to 44 feet, but due to existing topography it will be sited approximately 25-40 feet below the grade at the north and east portions of the site, reducing its visibility. Specifications for the proposed exterior building materials (insulated metal sandwich panels and standing seam metal roof) have been provided. The site and building design of the Project and building materials to be used are functional in nature and appropriate to location in the subject mapped ISTA, where the Project is not visible from regional roadways. Parking is not located to the front of the fieldhouse, but to the sides and rear of the fieldhouse. To the extent necessary, the Commission grants Hardship Exemption relief from MPS HPCC 2.7, where the Project will require clearing a majority of the currently wooded Site, and new plantings are not proposed to screen the Project from public view. Such screening would interfere with the function, nature and purpose of the proposed use, especially where the outdoor field occupies a good deal of the frontage of the Project Site and the Project is not visible from a regional roadway or distinctive area.

HPCCF4. The Applicant provided a functional landscape plan and maintenance protocol/contract that meets RPP requirements, appropriate to the nature of the Project. Such plan provides some planting along Merchants Way and Business Way, along the perimeter of the Site, and within and adjacent to internal parking islands. The Applicant has articulated in its narrative that additional plantings will be installed in the stormwater biofiltration areas; the current plans show the stormwater biofiltration areas as grassed swales. The Applicant shall submit revised landscaping and stormwater plans depicting additional plantings in stormwater biofiltration areas.

## CONCLUSION

Based on the above Findings, the Commission hereby approves the Cape Cod Training Center Project described herein as a Development of Regional Impact/ Hardship Exemption, subject to the Conditions, below.

#### CONDITIONS

C1. When final, this decision shall be valid and in effect for a period of 7 years, and local development permits may be issued pursuant hereto for a period of 7 years from the date of this written decision. This decision shall be final when the appeal period set out in Section 17 of the Cape Cod Commission Act has elapsed without appeal (or if such an appeal has been filed, when the appeal has been finally settled, dismissed, adjudicated, or otherwise disposed of in favor of the Applicant), and a copy of this decision has been recorded with the Barnstable Registry of Deeds, and registered with the Barnstable Land Court, as applicable. The Applicant shall bear the costs of recording or registering this decision.

C2. This decision shall be appurtenant to and run with the property which is the subject Project Site. The decision shall bind and be enforceable against, and inure to the benefit of, the Applicant, its successors, and assigns.

C3. The Applicant shall obtain all necessary federal, state, and municipal permits, licenses, and approvals for the Project, including but not limited to those from the Town of Barnstable and from the Massachusetts Department of Transportation for roadwork and work in road layout, and provide copies of the same to the Commission, prior to commencement of any Project building construction.

GC3(a). The Project's consistency with municipal development by-laws, regulations or ordinances shall be evidenced and confirmed by the Applicant obtaining all said necessary municipal permits, licenses and approvals.

C4. The Project shall be undertaken, constructed, operated, and maintained in accordance with the Findings and Conditions set out herein, including the plans and documents referenced below ("Approved Project Plans.") When and as supplemental or revised plans and documents required to be submitted as Conditions of this decision are reviewed and approved by Commission staff, such plans and documents shall be deemed incorporated into the Approved Project Plans to supplement or substitute for those plans and documents approved herein, as the case may be, and the Project shall similarly be undertaken, constructed, operated, and maintained in accordance with the same. Failure to comply, and remain in compliance, with all findings and conditions stated herein may be deemed cause to revoke or require modification to this decision. This decision does not permit any other work or development at the Project Site, including tree and vegetation clearing and removal, except as authorized herein.

***See Exhibit B attached hereto and incorporated herein***

C5. Pursuant to section 9(b)(iv)(3) of the *Enabling Regulations*, upon considering any Modification to this decision, the Commission may in its discretion as part of such Modification request require additional or full compliance with the Minimum Performance Standards for which relief is granted hereunder if the Commission finds that the basis for the original Hardship Exemption has changed.

C6. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall:

- a. submit final project plans as approved by state, federal, and municipal authorities for review by Commission staff who will determine their consistency with this decision. If Commission staff determines that the final plans are not substantially consistent with the Approved Project Plans, the Commission requires that the Applicant seek a modification to this decision for further review and approval of the Project changes in accordance with the "*Modification*" section of the Commission's *Enabling Regulations* in effect at the time the modification is sought;
- b. provide evidence to the Commission that a copy of this decision has been provided to and received by the general contractor for the Project. Copies of this decision and Approved Project Plans shall be maintained on-site during Project construction.
- c. Provide the Commission a recorded copy of a perimeter plan for the Site eliminating existing interior lot lines of its constituent parcels.

C7. Prior to and as a condition to issuance of a Building Permit by the Town, the Applicant shall obtain a Preliminary Certificate of Compliance from the Commission that evidences that all conditions in this decision required to have been satisfied prior to the issuance of a Preliminary Certificate of Compliance have been satisfied, and that the Project is in compliance with this decision.

C8. Prior to and as a condition to issuance of a Certificate of Use/Occupancy for the Project by the Town, the Applicant shall obtain a Final Certificate of Compliance from the Commission that evidences that all conditions in this decision required to have been satisfied prior to issuance of a Final Certificate of Compliance have been satisfied and that the Project is in compliance with this decision.

C9. Commission staff will undertake a review of the Project's compliance with this decision, including the applicable conditions hereof, upon the Applicant's request to the Commission for issuance of any Certificate of Compliance. At the time the Applicant requests such a Certificate, it shall provide Commission staff a list of key project contact(s), along with their telephone numbers, mailing addresses, and email addresses, in the event questions arise during the Commission's compliance review. As part of its compliance review, Commission staff may make, and the Applicant hereby authorizes, site inspections upon reasonable notice to the Applicant, as

such visits are needed. Upon review, the Commission shall either prepare and issue the requested Certificate, or inform the Applicant in writing of any compliance deficiencies and the remedial action required for the issuance of the requested Certificate.

C10. The Applicant shall connect the Project to the municipal sewer system, and the Project shall be served by municipal sewer.

C11. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall provide for Commission staff review and approval final construction plans and details about Site stormwater and drainage facilities consistent with the Stormwater standards contained under Goal 7 of the Water Resources RPP issue area, including:

- A. more detailed Erosion Control plan with best management practices for erosion and sedimentation control during construction, including a sequencing plan for construction activities and location for stockpiling of soils and other materials, consistent with MPS WR7.9;
- B. final construction design of the artificial field turf stormwater system, sufficient to infiltrate the 25-year, 24-hour storm, and stormwater operations and maintenance provisions for the artificial turf field, including consideration for infiltration cylinders;
- C. details/ cross-section about proposed plantings in biofiltration areas, and installation, operation and maintenance practices for such biofiltration plantings.

When and as approved by Commission staff, the foregoing shall be part of the “Approved Project Plans,” and the Project shall be constructed, maintained, used and operated according to such plans and documents.

C12. One year after completion of the Project’s stormwater system, a qualified engineer shall provide written certification to the Commission that the Project’s stormwater system is functioning as designed and approved, according to MPS WR7.10

C13. The Applicant shall not install signs, vegetation, or other visual obstructions in a manner that would create an obstruction to safe sight distance at the Site drives. Cape Cod Commission staff will conduct a site visit to confirm that no signs, vegetation, or other visual obstructions have been placed in a manner that would create an obstruction to safe sight distance at the Site drives, prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission.

C14. The Applicant shall prepare a revised site plan addressing pedestrian safety concerns detailed in finding TF11 herein for review and approval by Commission staff, prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission. When and as approved by Commission staff, the foregoing shall be part of the “Approved Project Plans,” and the Project shall be constructed, maintained, used and operated according to such plan.

C15. The Applicant shall implement the safety mitigation measures detailed in Finding TF7 herein at the intersections of Industrial Boulevard at Kidds Hill Road, Merchants Way at Kidds Hill Road, and Kidds Hill Road at Independence Drive, prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission.

C16. The Applicant shall install the off-Site sidewalks, crosswalks and related infrastructure, and on-Site connections to these sidewalks, presented as "Potential Sidewalk Route A" in the July 12, 2017 VHB memo, and discussed in Findings TF8, TF9, and TF10 herein. Prior to and as a condition to issuance of Preliminary Certificate of Compliance by the Commission, the Applicant shall provide for Commission staff review and approval final construction plans and details for the same, including details about ADA compliance for sidewalks and curb ramps. Where the sufficient right-of-way exists and where additional tree removal and grading would not be required, the proposed sidewalk should be offset from roadway to improve pedestrian safety and level of comfort. The Applicant shall install said infrastructure prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission.

C17. The Applicant shall implement and maintain its proposed Travel Demand Management (TDM) Program for the Project as detailed in Finding TF12 and TF 13 herein. Cape Cod Commission staff will conduct a site visit to confirm that on-site elements of the TDM program have been implemented, prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission.

C18. As discussed in Finding TF19 herein, the Applicant shall prepare and implement a Traffic Management Plan, in consultation with Town of Barnstable staff and emergency personal, designed to effectively manage the traffic from special events at the Project Site. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall provide a copy of such Plan to Commission staff for review and approval, as reviewed and approved by Town officials.

C19. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall submit for Commission staff review and approval a revised landscaping plan, and corresponding revised landscape maintenance protocol/ contract, with appropriate plantings in stormwater biofiltration areas. When and as approved by Commission staff, the foregoing shall be part of the "Approved Project Plans," and the Project shall be constructed, maintained, used and operated according to such revised plan.

C20. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall submit for Commission staff review and approval an operations and maintenance protocol for the pool and ice rink, including appropriate storage protocols for maintenance materials and products, and provisions for appropriate storage and disposal of wastewater from the pool and ice rink, which may be required off-site. When and as approved by Commission staff, the foregoing shall be part of the "Approved Project Plans," and the Project shall be constructed, maintained, used and operated according to such revised protocol.

*(SIGNATURE PAGE FOLLOWS)*

Cape Cod Training Center, Hyannis  
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**SIGNATURE(S)**

Executed this 3rd day of August 2017.

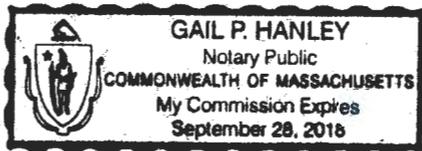
Harold W Mitchell  
Signature

Chairman CC Commission  
Print Name and Title

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss \_\_\_\_\_ August 3, 2017

Before me, the undersigned notary public, personally appeared Harold W. Mitchell, in his/her capacity as Chairman 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.



SEAL

Gail P. Hanley  
Notary Public  
My Commission Expires: 9-28-18

Exhibit A – Cape Cod Training Center  
DRI/ HDEX Application and Review Materials

Application to the Cape Cod Commission dated May, 2017, consisting of 23 tabs, including:

- Property and Project Description (Tab 2)
- Community Partners / Community Benefits (Tab 3)
- RPP Compliance and Hardship Relief (Tab 4)
- Memorandum of Lease dated May 19, 2017 (Tab 6(B))
- List of Anticipated Project Land Use Permits / Approvals (Tab 8)
- Design Narrative, dated November 29, 2016 (Tab 10)
- Natural Resources Inventory dated March 2017 (Tab 11)
- Nitrogen Loading Calculations dated November 25, 2016 (Tab 12)
- Storm-water Drainage Calculations dated November 27, 2016 and Drainage Operation and Maintenance Plan dated March 27, 2017 (Tab 13)
- Traffic Impact and Access Study dated April 2017 (Tab 14)
- FAA Determinations (6 total) of No Hazard to Air Navigation for building dated October 19, 2016 (Tab 16)
- Hazardous Material Narrative dated November 18, 2016 (Tab 18)
- Construction Waste Management Plan dated November 18, 2016 (Tab 19)
- Photo Simulation / Rendering of Project (Tab 22(A))
- Email communications (2) from Attorney Eliza Cox of Nutter McClennen & Fish, LLP dated May 31, 2017 and June 2, 2017 to Attorney Jon Idman re: community character details, including building materials/colors, roof slope, and solar panels.
- Energy Consumption / Generation Report prepared by Science Wares, Inc., dated May 31, 2017 re: roof mounted solar panels
- Correspondence dated June 9, 2017 from Attorney Eliza Cox of Nutter McClennen & Fish, LLP with Exhibits A-E with Project pro forma, letters from St. John Paul II High School and Sturgis Charter Public Schools, describing anticipated school usage of Project, further describing relationship with HYCC, anticipated employment, and letters of support from Cape Cod Chamber of Commerce and Trinity Christian Academy
- (Updated) FAA Determination of No Hazard to Air Navigation dated June 20, 2017 for proposed field lighting.
- Turf and Landscape Maintenance Contract, dated June 21, 2017
- Correspondence dated June 28, 2017 with staffing and employment data and information on the ice hockey billet program
- Updated and supplemental transportation memorandum (with attachments) from VHB, dated July 12, 2017
- Stormwater & Drainage Report, Appendix F, dated 2017-07-26, prepared by Baxter Nye
- NCAA Best Lighting Standards, Football (2011)
- Lighting Standards of the US Soccer Foundation (2007)
- Youth and Amateur Sports Tourism Opportunity on Cape Cod, Summary Level Strategy Report, prepared for the Cape Cod Convention and Visitor's Bureau by SFA LLC, April 2015

### **Civil Site Plans**

- “Comprehensive Plan Cover Sheet Cape Cod Training Center” prepared by Falmouth Engineering dated November 25, 2016 consisting of 4 sheets, as follows:
  - Cover Sheet
  - Existing Conditions Plan (Sheet 2 of 4)
  - Site Plan (Sheet 3 of 4) revised 7/27/17
  - Standard Details Plan (Sheet 4 of 4)

### **Architectural Plans**

- Colored Architectural Plans prepared by Pando Associates Architects (plans not dated, but included in Tab 22(B) of the Application Materials):
  - Exterior Elevations, Sheet SK-4D
  - First Floor Plan, Sheet A-1.0
  - Mezzanine Plan Overall, Sheet A-1.3
- “Exterior Elevations” prepared by Pando Associates Architects, Inc., Sheet A-2.0, dated “Progress 27 Sept. 2016”
- “Roof Plan” prepared by Pando Associates Architects, Inc., Sheet A-1.6, dated “Progress 27 Sept. 2016”
- Insulated Metal Wall Panel Specifications, MetlSpan (CF Light Mesa)
- Standing Seam Roof Specifications, Metallic Building Company

### **Landscape Plan**

- “Site Planting and Landscape Plan” prepared by Desley Landscape Consulting & Design dated December 30, 2016.

### **Photometric Plans**

- Sheet SL1, entitled “Lighting Plan, Schedules and Specifications” prepared by SK & Associates dated September 13, 2016 (Parking Lot Photometrics)
- Sheet SL2, entitled “Lighting Plan, Schedules and Specifications” prepared by SK & Associates dated September 13, 2016 (Field Photometrics)
- Sheet SL3, entitled “Lighting Pole and Fixture Info, Specifications” prepared by SK & Associates dated September 13, 2016

Exhibit B – Cape Cod Training Center  
DRI/ HDEX Approved Project Plans

- Nitrogen Loading Calculations dated November 25, 2016
- Storm-water Drainage Calculations dated November 27, 2016 and Drainage Operation and Maintenance Plan dated March 27, 2017
- Traffic Impact and Access Study dated April 2017
- Hazardous Material Narrative dated November 18, 2016
- Construction Waste Management Plan dated November 18, 2016
- Energy Consumption / Generation Report prepared by Science Wares, Inc., dated May 31, 2017 re: roof mounted solar panels
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- Insulated Metal Wall Panel Specifications, MetlSpan (CF Light Mesa)
- Standing Seam Roof Specifications, Metallic Building Company

**Landscape Plan**

- “Site Planting and Landscape Plan” prepared by Desley Landscape Consulting & Design dated December 30, 2016. *(Note- to be revised, including removal of ‘concessions building’)*

**Photometric Plans**

- Sheet SL1, entitled “Lighting Plan, Schedules and Specifications” prepared by SK & Associates dated September 13, 2016 (Parking Lot Photometrics)
- Sheet SL2, entitled “Lighting Plan, Schedules and Specifications” prepared by SK & Associates dated September 13, 2016 (Field Photometrics)
- Sheet SL3, entitled “Lighting Pole and Fixture Info, Specifications” prepared by SK & Associates dated September 13, 2016