3225 MAIN STREET • P.O. BOX 226
BARNSTABLE, MASSACHUSETTS 02630

(508) 362-3828 • Fax (508) 362-3136 • www.capecodcommission.org

CAPE COD
COMMISSION

Date: September 15, 2011

To: John W. Kenney
Attorney at Law
12 Center Place
1550 Falmouth Road
Centerville, MA 02632

From: Cape Cod Commission

Re: Limited DRI Review Scoping Decision
Cape Cod Commission Act, Section 13(a)
Cape Cod Commission *Enabling Regulations,* Sections 3, 5, & 7

Applicant: The Tarkinow Group, Limited

Property Owner: First Hyannis Realty, LLC

Project: BJs Wholesale Club Addition

Project #: TR/LR 09015

Project Location: 420 Attucks Lane, Hyannis, MA 02601

Map and Parcel: 274/040/001

Barnstable Registry of Deeds: Book 18448 Page 018
Lot One: Plan Book 625 Page 34

DECISION OF THE CAPE COD COMMISSION

SUMMARY

The Cape Cod Commission (Commission), hereby approves, with conditions, the proposed 19,438 square foot addition to the existing BJs store located at 420 Attucks Lane, Hyannis, MA as a Development of Regional Impact (DRI) pursuant to Sections 12, 13, and 13(a) of the Cape Cod Commission Act (Act), c. 716 of the Acts of 1989, as amended. This project is also subject to a Limited DRI scope as determined by an authorized Commission Subcommittee in a decision dated February 8, 2011. The Limited scope of DRI review was granted subject to Sections 3, 5, and 7 of the Commission's *Enabling Regulations* (revised May 2010, corrected June 2, 2010),

COUNTY OF BARNSTABLE MASSACHUSETTS

and limited the scope of DRI review in the 2009 Regional Policy Plan (RPP) (as amended May 2010 and effective June 2010) issue areas of Affordable Housing, Economic Development, Energy and Transportation. The DRI decision is rendered pursuant to a unanimous vote of the Commission on September 15, 2011.

PROJECT DESCRIPTION

The proposed project is located at 420 Attucks Lane, Hyannis, MA. According to the Limited Development of Regional Impact application the site is 11.66 acres, and is occupied by an existing 68,831-square foot BJs Wholesale Club store. The site is zoned *B-Business*. An existing sand/gravel operation abuts to the rear. There is an undeveloped lot to the northwest of the project site, with the proposed Cape Cod Healthcare Wilkens Ambulatory Care Center to the northeast.

Tarkinow Group, Limited, the Applicant, proposes to construct a new, 19,438 square foot addition to the existing BJs store. The new addition would be built on existing paved and unvegetated areas of the site, extending out the rear of the current building, and towards the sand/gravel operation. According to the DRI application, it would increase building coverage but simultaneously reduce pavement coverage by 22,666 square feet and reduce total impervious site coverage by 3,228 square feet.

PROCEDURAL HISTORY

In a written decision dated February 8, 2011, a Cape Cod Commission Subcommittee determined that the scope of DRI review for the proposed BJs 19,438 square foot addition is limited to the specific Regional Policy Plan issue areas of Affordable Housing, Economic Development, Energy and Transportation.

The project was referred to the Commission as a DRI under Section 3(e) of Chapter A, *Enabling Regulations Governing Review of Developments of Regional Impact* (as amended). The Commission received the referral from Barnstable Site Plan Review through John C. Klimm, Barnstable Town Manager, on March 15, 2011. A Hearing Officer opened the DRI hearing on May 13, 2011. The DRI application was deemed substantially complete on July 27, 2011. The substantive public hearing on the DRI application using a limited scope was held on July 27, 2011. The Commission Subcommittee voted to continue the hearing and the record to August 10, 2011 where both were procedurally closed by a Hearing Officer. The Subcommittee also held a meeting on August 22, 2011 to discuss the project; at this meeting, the Subcommittee voted to recommend the project for approval, with conditions, to the full Commission on September 15, 2011.

MATERIALS SUBMITTED FOR THE RECORD

In addition to the list of materials submitted for the record (see Table 1 below), the application and notices of public hearings relative thereto, Commission staff's notes and correspondence, the minutes of public meetings and hearings, and all other written submissions received in the course of the proceedings are hereby incorporated into the record by reference.

TABLE 1: Materials Submitted for the Record

Materials from Cape Cod Commission	***Date Sent***
Email, Andrea Adams (AA), to Mathew Kealey (MK), VHB: Information from 2003 BJs review	2/28/11
Letter, AA to Attorney John Kenney (KJ): DRI referral	3/21/11

Email, AA to Attorney Jeffrey Ford, Stinson & Ford: BJs review and local DRI referral	3/23/11
Email, AA to JK: Fee calculation	3/29/11
Email, AA to JK: Guidance on Affordable Housing issues from Paul Ruchinskas (PR)	3/30/11
Email, GC to Bob Burgman, Town of Barnstable: Sidewalks	3/31/11
Email, Glenn Cannon (GC) to MK: Sidewalks	3/31/11
Phone Log, AA with JK: Next steps	4/7/11
AA to Barbara Pendergast: Fee payment	4/14/11
Phone Log, AA to JK: Next steps	4/26/11
Email, AA to Ryan Christenberry (RC) and Sarah Korjeff (SK): Solar arrays	5/5/11
Email, RC and SK to AA: Solar arrays	5/5/11
Email, AA to JK: Solar arrays	5/5/11
Email, RC and SK to AA: Solar arrays	5/5/11
Email, AA to JK: Solar arrays and interconnect to Wilkins Cancer Center	5/9/11
Hearing Notice – Hearing Officer	5/13/11
Hearing Officer Minutes	5/13/11
Email, PR to JK: Calculation of Affordable Housing mitigation	5/24/11
Email, GC to Steve Seymour, Town of Barnstable: Sidewalks	5/31/11
Email, AA to JK: Comments on revised site plan	6/3/11
Email, RC to AA: Energy comments	6/11/11
Email, AA to JK: Next steps in Commission review	6/15/11
Email, GC to MK: Traffic mitigation	6/23/11
Email, AA to JK and MK: Hearing information and copies of materials for Subcommittee mailing	6/24/11
Email, GC to JK: Traffic information for Subcommittee mailing	6/13/11
Letter, GH, to Attorney Kenney: Notice Hearing	7/8/11
Emails, AA to JoAnne Miller Buntich: Consistency with local requirements and answer to question on DCPCs	7/13/11 (2)
Staff Report	7/20/11
AA: Cover Memo to Subcommittee	7/20/11
Letter, AA to JK: Application complete	7/27/11
Hearing Notice	7/27/11
Hearing Sign In Sheet	7/27/11
AA: Commission staff PowerPoint presentation used at hearing	7/27/11
Hearing Outline	7/27/11
Hearing Minutes	7/27/11
Email, GH to Linda Hutchenrider, Barnstable Clerk: Post Notice	7/28/11
Phone Log, AA to Attorney Eliza Cox, Nutter, McClennen & Fish, Interconnect to Wilkins Cancer Center and next steps	8/2/11
Email, AA to Barnstable Fire Department: Next steps in review	8/2/11
Hearing Notice - Procedural – Close Hearing/Record	8/10/11
Hearing Officer Minutes	8/10/11

Email, AA to Subcommittee members: Copies of materials submitted for the record: 7/27/11 draft Minutes, 8/2/11 phone log, 8/2/11 Email to Fire Department, copy of 1/21/11 letter from Attorney Ford	8/16/11
Email, GH to Linda Hutchenrider, Barnstable Clerk: Post Notice	8/16/11
Email, AA to JK: Draft minutes from 7/27/11 hearing	8/17/11
Meeting Notice	8/22/11
Sample Motions	8/22/11
Meeting Minutes	8/22/11
Letter, GH, Clerk, to Attorney Kenney: Notice Hearing	8/26/11
Email, AA to JK: Next steps in DRI review timeframe	8/30/11
AA: Cover Memo to Subcommittee: Draft decision & minutes	8/30/11
Draft decision *(Dated 9/15/11)*	8/30/11
Meeting Notice	9/6/11
Meeting Minutes	9/6/11
Hearing Notice: Draft decision at full Commission meeting	9/15/11
Materials from Applicant	***Date Received***
Email, Matthew Kealey (MK), VHB, to AA and Glenn Cannon (GC): Copy of 2003 BJs DRI decision and 1/10/03 Staff Report	2/28/11
Email, Barbara Pendergast, Law Office of John Kenney, to AA: Fee Payment	2/14/11
Email, JK, to AA: Information on temporary access to Wilkins Cancer Center	2/26/11
Email, JK to AA: Information on proposed solar arrays	5/3/11
Email, JK to AA: Information on proposed solar arrays	5/5/11
Abutters List	5/11/11
Letter, JK to AA: Discussion of proposed connection to Cape Cod Aggregates (dated 5/12/11)	5/16/11
MK to AA and GC: Traffic mitigation	5/18/11
JK to AA: Draft site plan showing interconnect to Wilkins Cancer Center and Cape Cod Aggregates	5/20/11
JK to AA and Paul Ruchinskas (PR): *Projected Manpower Needs for New Johnston Club*	5/23/11
MK to AA and GC: Trip calculations/Traffic mitigation	5/24/11
JK to AA: Comments on Revised BJs Site Plan	6/3/11
JK to AA: Discussion of several issues including site plan, traffic mitigation, proposed interconnects	6/15/11
MK to AA and GC: Traffic mitigation	6/22/11
JK to AA and GC: Traffic mitigation	7/12/11
JK to AA: Copy of materials submitted for the record for the Subcommittee members: Color renderings, site plan set, landscape plan, roof plan, elevations, floor plan, and Memorandum and project narrative - includes a large size plan set	7/21/11
JK to AA and GC: Traffic mitigation/sidewalk	7/26/11
Site Plan set, Black & White, unstamped	Unstamped
Materials from Public Agencies	***Date Received***
John Klimm, Barnstable Town Manager and Tom Perry, Barnstable	3/15/11

Building Commissioner: DRI Referral Form and attachments, including site plan	
Email, JoAnne Miller Buntich, Barnstable: Consistency with local requirements	7/13/11
Materials from General Public	***Date Received***
Email, Jeffrey Ford to AA: Question on BJs DRI review	3/23/11
Attorney Michael Ford, representing Atlantis Development/Stop & Shop: Copy of 1/21/11 letter concerning litigation between Tarkinow Group and Atlantis Development *(Previously submitted during Limited DRI Review scoping process)*	Received on 7/27/11

TESTIMONY

May 13, 2011 Hearing Officer

Ms. Page Czepiga, Commission Regulatory Officer, acted as a Hearing Officer at 10:00 AM on May 13, 2011 at the Commission office to open a pro-forma hearing. No presentations, testimony or substantive action was taken on the project at this time.

July 27, 2011 Public Hearing

The Subcommittee received comments and testimony from Commission staff, Attorney John Kenney representing the Tarkinow Group, Limited (Applicant), and Attorney Michael Ford on a project proposed by the Applicant, for a Limited DRI review.

Ms. Adams gave a Power Point presentation of the 7/20/11 staff report.

Attorney John Kenney introduced himself and presented on behalf of The Tarkinow Group, Limited, the Applicant. He described the proposed store addition using large size site plans. Attorney Kenney addressed the issue of Affordable Housing, noting that BJs is not a traditional retailer, like a grocery store. He also noted the project is an addition to an existing building, not a tear-down. He said BJs estimated that 2.5 jobs would be created as a result of the proposed project. Attorney Kenney noted this is because the store uses a pallet inventory system, where goods are not shelved for sale as in a grocery store. He said BJs also uses Just in Time inventory control systems which reduce the store staff. He said BJs also expects to promote existing staff to fill any new positions. He noted the proposed $40,900 mitigation payment is based on projected new employees.

In the area of Economic Development, Attorney Kenney said the project would meet two waivers: Shared Infrastructure and Energy. With respect to Shared Infrastructure, he noted that BJs had a firm commitment to provide access to the adjacent Cape Cod Aggregates parcel. He noted the proposed connection was shown in concept on BJs site plans and used a large size plan to note that. He said BJs could not definitively say where the connection would be at this time, because of other reasons, including not wanting for safety reasons to create a connection to Aggregates at a time when the gravel operations are still ongoing. Regarding the Energy waiver criterion, he noted that BJs would put a rooftop solar panel on the addition, providing 25% of its demand. He used a large size roof plan and sight line plan to indicate the location of the solar panels, noting that because of an existing roof parapet wall, neither the current HVAC equipment nor the solar panels would be visible from the parking lot or Attucks Lane.

On Transportation issues, Attorney Kenney noted the store is a membership club. He said the addition will provide more inventory for the same customer base. He said BJs did not have data on a store with an addition. As such, ITE data was used. Attorney Kenney said ITE data generally overstated the anticipated transportation impacts.

Mr. Matthew Kealey, VHB, also addressed Transportation issues, using large site plans. He noted a sight distance analysis had been done on Attucks Lane, and this indicated it is adequate: 600 feet in both directions. On Trip Generation, Mr. Kealey said ITE does not capture the nuances of a warehouse club store. On the issue of sidewalks, he said BJs had agreed to install one on the East side of the property and a crosswalk on Attucks Lane. On pavement markings, he noted the proposed location on the site plan, which also showed the turning lane in Attucks Lane.

Attorney Kenney concluded his presentation by noting the interconnection to the Wilkens site, by using colored illustrations of the building's exterior, and showing a colored large scale landscape plan.

Mr. Graham asked Attorney Kenney or the other BJs representatives to explain the employee positions listed on the 5/23/11 information in the Applicant's submittals.

Mr. Hopley and Mr. Netreba said each of the notations or letter abbreviations corresponded to a staff position in the store. Mr. Hopley said *FLS* meant Front Line Supervisor, and *FB* meant Fresh Bakery.

Mr. Graham asked if the 5/23/11 information was current?

Mr. Hopley discussed the employee staffing and hours, noting the store was generally open from 9:00 AM to 10:00 PM.

Mr. Graham said this appeared to constitute a double shift. He asked if full time employees also got benefits?

Mr. Hopley said yes.

Mr. Graham said he had experience running a warehouse and based on that, it seemed as though the addition would need more than the 2 to 4 new people that BJs was projecting.

Mr. Hopley said the store was constrained by its current and projected final size, even with the addition. He also noted the store's inventory handling is generally limited to unwrapping pallets of goods, and placing them on the sales floor or on racks. He said there is limited unpacking and hand-stacking of goods. Mr. Hopley said this sales model translates into less good handling. He also noted the store has fewer items for sale or Stock Keeping Units (SKU) than a traditional retailer.

Mr. Graham said he had been a BJs member, and as such, had been in the Hyannis store. He said the addition would need more than the 2 to 4 new people that BJs was projecting. He suggested this was particularly true given the long employee shifts.

Mr. Richardson asked how BJs came to determine the store would need the projected 2.5 new employees?

Mr. Hopley said this was in part because the high-intensity operations are already accounted for in the store, such as cashiers, meat and deli staff.

Mr. Richardson asked the Applicant to clarify how goods were displayed for sale?

Mr. Hopley said the store receives daily shipments from BJs warehouse in Uxbridge, MA via Just in Time ordering and also from other vendors. He said restocking is done at night. He said the main method of storage is on the sales floor; there is little "back of store" storage area for extra inventory not already on display. He said pallets of goods are generally left on the sales floor, with the shrink wrap removed. Mr. Hopley said there is some occasional additional breakdown of palletized goods, but it is not the norm.

Mr. Richardson said he was familiar with general retail through his work at the A&P Supermarkets.

Mr. Hopley said BJs model is very different from A&P.

Mr. Graham asked when BJs had done the traffic counts?

Mr. Kealey said the counts had been done in 2009.

Ms. Brookshire suggested that the store would see an increase in memberships or customers with the proposed addition, contrary to what Attorney Kenney had said. She noted that she had been a BJs member and so was familiar with the store's layout. Based on this, she asked the Applicant to clarify how the store's layout would change with the addition? She said she had been a member of the Subcommittee that had granted the Limited DRI review, and note that there was much discussion during this prior review that the addition was for "holiday" and "seasonal" items. She also asked what constituted "holiday" and "seasonal" items?

Mr. Hopley said the "seasonal" and "holiday" items would be paper goods, lawn furniture, holiday decorations and the like. He said the addition would allow BJs to spread the inventory for sale out more, and to widen isles. He noted the registers; bakery and deli areas would not change.

Ms. Brookshire asked about in store storage. What would happen to unsold lawn furniture at the end of the summer? How would it be kept in the store if staff were trying to make room for the fall seasonal items?

Mr. Hopley said merchandise would not be kept in the store per se. He said the Just in Time ordering and inventory control is such that only enough of a particular item is kept in the store to keep up with customer demand. He said the store does not now nor will it have much "back room" space. He said sample items would be kept on the sales floor, next to the "nonsample" items.

Ms. Brookshire noted the DRI scoping review dealt with a connection to the adjacent Wilkens Center. She asked if this connection was shown on the site plans, and if it would be permanent or temporary?

Attorney Kenney, using a large size site plan, showed the connection to Wilkens on the BJs property. He said both Cape Cod Commission staff and BJs representatives had met with the Barnstable Fire Chief about the connection. Attorney Kenney said it was his understanding that it was the Chief's preference that the interconnection remain in place, at least until Gonzalves Road, which was part of the overall adjacent development, was completed. Attorney Kenney said the proposed connection from BJs to the Cape Cod Aggregates land was a firm commitment.

Mr. Cannon said it was his understanding that Wilkens was not interested in a permanent connection to BJs. He said it was his understanding from the conversation with the Barnstable Fire Chief that the interconnection to BJs would be required until Gonzalves Road was completed, sometime in 2015.

Mr. Virgilio said he had experience with designing an inventory control system as Director of Facilities for the Massachusetts State Lottery system. As such, he said he understood the connection between employees, the sales system, and inventory racking methods. As such, he questioned whether BJs used hand-placement of pallets?

Mr. Hopley said no, pallets were moved by forklift drivers, mostly at night, to prevent conflicts with customers, and to increase efficient goods handling. He said this method also cuts down on the number of employees needed as "spotters" for the forklift operators. He said BJs Hyannis wanted to have an efficient store that responded to customer demands.

Mr. Virgilio asked if the exits/entrance or cashier areas would change with the proposed addition?

Mr. Hopley said no.

Mr. Richardson asked if the traffic information was credible?

Mr. Cannon said staff had discussed this at length with the Applicant, giving them a chance to produce store-specific data. He said BJs was ultimately unable to provide such data, so the ITE data was used. He said ITE data has been used repeatedly in the review of other DRI projects.

Mr. Hopley said the store could not provide traffic or wage information for a similar store.

Attorney Kenney noted that the average BJs is 120,000 square feet with 125-150 employees. He said the Hyannis store was 68,000 +/- square feet with 117 employees. He said this indicates how inefficient the Hyannis store is, in that it is smaller than the average BJs but has a relatively similar number of employees.

Mr. Graham said he understands that an inventory system is driven by the items to be held as SKUs. He also noted that pallets of different products (soap, shampoo, bags of pet food, etc.) are configured differently given the different sizes and shapes of product packages. He said an item analysis would help determine the number of needed employees. He questioned whether such an analysis had been done, and suggested that if such an analysis was done, more than the projected 2.5 new employees would be needed. Mr. Graham said the store membership would most likely increase as a result of the addition, which was positive. At the same time, he suggested this would indicate more employees were needed.

Mr. Hopley said he understood Mr. Graham's concerns, but suggested the Hyannis store was relatively inefficient in how it handled inventory, and this was in part a factor of its relatively small size.

Mr. Harris asked about potential or current BJs members going off Cape to shop, versus them remaining on Cape to go to the Hyannis store once the additional floor space was added. He said that if the store does not carry certain items, would members go off Cape to shop?

Attorney Kenney said the store receives inquiries with respect to its inventory, and requests to stock more items and provide a greater selection.

Mr. Harris said this seemed to imply that the store's business would remain flat with the addition, which seemed unlikely. Mr. Harris also expressed a general concern about the speed of vehicles on Attucks Lane being greater than 40 MPH, and as such, noted that a traffic signal was probably needed to make use of the crosswalk realistically feasible.

Attorney Kenney said a traffic signal at Stub Road A, which is BJs site drive, and the Atlantis Stop & Shop driveway would be part of future roadway work. He said BJs did not anticipate a membership increase from the addition, although a revenue increase was likely.

Mr. Harris said he anticipated a membership increase from the addition. He said he also understood the sensitivity of data a company might consider confidential or proprietary. He noted the information in the Commission's files was public.

Attorney Kenney noted the Applicant's transportation analysis used ITE numbers and the mitigation was based on ITE numbers.

Mr. Virgilio asked what the timeframe was for completing the traffic signal?

Mr. Cannon said it was not certain. He said the Commission's 2008 DRI decision on the Atlantis/Stop & Shop project obligated Stop & Shop to install the signal, but the start date for that work was uncertain.

Ms. Brookshire said Attucks Lane is a key regional roadway.

Mr. Kenney said BJs is providing full mitigation of the project's transportation impacts.

Mr. Richardson said he has personal experience of the roadway, being the Barnstable Commission member. As such, he questioned whether the Applicant's Transportation analysis accounted for future traffic?

Mr. Cannon said each study looks at existing traffic, and projected traffic from the DRI under review. He said the studies also look at projects in development, meaning in initial stages of permitting. He said it would be hard to include "theoretical" projects in the traffic studies.

Mr. Graham asked if the Commission had a copy of the Applicant's traffic study?

Ms. Adams said it is an Applicant's responsibility to include copies of their information in the packages distributed to the Subcommittee. She said there is a copy of the full study on file.

Attorney Kenney said a copy of the Executive Summary of the study had been provided to the Subcommittee.

Ms. JoAnne Miller Buntich, Director of Barnstable's Growth Management Department, provided testimony. She said Hyannis is a regional commercial center, and as such is of special concern to Barnstable and to the region. On Transportation issues, she noted the Town owns Attucks Lane, and as such, takes safety concerns on the roadway very seriously. She noted this was in part why the road was designed as a limited access road. Ms. Buntich said the commitment to make a connection to Cape Cod Aggregates visa vie Kidd's Hill Road is laudable, as it will assist with traffic circulation when the Aggregates parcel is eventually developed. She said the vehicle queue detection and pavement marking is appreciated. On the issue of sidewalks, she said a longer one would be better, but she understands BJs position. On Affordable Housing issues, Ms. Buntich said Barnstable has had a similar experience that it is difficult to get employment data, including stores similar to BJs such as Home Depot. She noted Hyannis, as the regional commercial center, is an appropriate location for such stores, as opposed to one of Barnstable's Villages. On Economic Development, she said she understood the Fire Chief's concerns, and his desire to see Gonzalves Road built. She noted the process and timeline by which this road would be constructed is related to the subdivision process, which is complex.

Mr. Richardson asked for comments from the general public.

Attorney Ford said he was representing Atlantis Development/Stop & Shop, across Attucks Lane from the BJs site. He said he had sent the Commission a 1/20/11 letter as part of the Limited DRI Review scoping process, and was re-introducing this letter into the record for this review. He said the 1/20/11 letter discusses the litigation between his clients and the Tarkinow Group. He said his purpose was to put the Subcommittee on notice of this litigation. He said it related to the match up of the site driveways, and he suggested the BJs driveway may move as a result of the litigation.

Attorney Ford also expressed concern about the projected BJs traffic. He said access is onto Attucks Lane. He said BJs is generating more vehicle trips than ITE. He said the new trips would be onto Attucks Lane. He noted a particular concern about left turns out of the site drive. He said the Level of Service (LOS) on Attucks Lane must be maintained, and to do this, the BJs project appears to rely on the traffic signal to be constructed by his clients, Atlantis Development/Stop & Shop. He said the RPP has MPS relative to new driveways. He said the Technical Bulletin states that future degredation of roadway LOS must be mitigated. He said it is not appropriate to address the roadway LOS degredation by BJs new traffic via the signal to be constructed by Atlantis Development. Attorney Ford said BJs must address this impact themselves.

Mr. Richardson asked what the anticipated LOS was? Level F?

Attorney Ford said yes, when looking at the PM Peak hour, Saturday, future case without a light. He said the traffic signal is needed to meet the requirements of the Technical Bulletin.

Mr. Richardson asked if the litigation was in Superior Court?

Attorney Ford said the litigation is between Atlantis Development/Stop & Shop and Tarkinow Group. He said his clients believe they have an enforceable agreement with BJs. He said the

concern is that the Tarkinow Group is not being asked to solve the transportation impacts and degredation caused by the project.

Mr. Cannon said Commission staff does not agree with Mr. Ford. He said the proposed BJs project's transportation impacts are fully mitigated per the RPP MPS and Technical Bulletin. He said the BJs driveway is not a new driveway. He said additional degredation is allowed for existing driveways as a way of trying to encourage redevelopments.

Mr. Richardson asked for final comments from the Applicant and Commission staff.

Attorney Kenney said the litigation in question is between BJs/Tarkinow Group and Atlantis Development/Stop & Shop. He said if Atlantis prevails, it will not affect the situation. He said the two site driveways will ultimately line up and the four-way traffic signal will be built. He said the litigation was in summary judgment, but it was uncertain when this would be issued.

Mr. Cannon said the proposed project did in fact meet several Best Development Practices (BDPs) in the RPP Transportation section. This included BDP TR2.15 related to bike racks, BDP TR2.16 related to use of alternate modes of transportation, and BDP TR2.19 relative to provision of carpool parking spaces. He also suggested that the provision of a crosswalk could be seen as a potential project benefit.

The Subcommittee voted to continue the public hearing to Wednesday, August 10, 2011 at 10:00 AM at the Commission's office, where the DRI hearing and record would be closed procedurally by a Hearing Officer. The Subcommittee voted to hold a public meeting on August 22, 2011 beginning at 1:00 PM at the Commission office, 3225 Main Street, Barnstable, MA.

August 22, 2011 Public Meeting

The Subcommittee received comments from Commission staff, Attorney John Kenney representing the Tarkinow Group, Limited, and JoAnne Miller Buntich. The Subcommittee also voted that the proposed 19,438 square foot addition to the existing BJs store in Hyannis, MA is consistent with Barnstable's Cape Cod Commission-Certified Local Comprehensive Plan (LCP), and with Barnstable's local bylaws, and that Barnstable's Town-wide residential District of Critical Planning Concern (DCPC) is not applicable to the proposed 19,438 square foot addition to the existing BJs store in Hyannis, MA, nor is the project site located within the other Districts of Critical Planning Concern in Barnstable.

The Subcommittee voted that the proposed project be allowed to make payment of $40,900 as mitigation as an alternate approach to comply with Minimum Performance Standard (MPS) AH3.1. The Subcommittee found that payment of $40,900 as an alternate approach, to achieve MPS AH3.1 is not more detrimental to the protected resource than would be allowable under MPS AH3.1.

The Subcommittee also voted that that the proposed project can be made consistent with MPS ED1.3 through conditions, and that it is appropriate to condition the proposed project to be consistent with MPS ED1.3 by requiring the Applicant to allow a vehicular interconnect to the Cape Cod Aggregates property, to allow traffic to pass to and from each property, and that it is appropriate to condition the proposed project to be consistent with MPS ED1.3 by requiring the Applicant to install a rooftop solar array to meet 25% of the new addition's energy demand prior to the Final Certificate of Compliance and prior to the local Certificate of Use/Occupancy.

The Subcommittee also voted to condition the proposed project to be consistent with MPS E1.6, which is the alternate method of meeting MPS E1.1-MPS E1.5, and to condition the proposed project to be consistent with MPS E1.6 by requiring the Applicant to install a rooftop solar array to meet 25% of the new addition's energy demand prior to issuance of the Final Certificate of Compliance and prior to issuance of the Certificate of Use/Occupancy.

The Subcommittee also found the following: that the trip generation sources and calculations submitted on behalf of the Applicant by Vanasse Hangen Brustlin, Inc. are consistent with MPS TR0.1; the Traffic Impact Assessment Study submitted on behalf of the Applicant by Vanasse, Hangen Brustlin, Inc. was conducted in compliance with MPS TR3.3;the project is eligible for a five (5) percent credit for provision of an interconnect to the adjacent Cape Cod Aggregates property as allowed by MPS TR2.4;the Applicant's proposed employee trip reduction plan is consistent with MPS TR2.1; the Applicant was allowed to utilize a credit of 24 trips from the 2003 Commission review of the original BJs store as part of the method of achieving compliance with MPS TR2.1; to require the Applicant to make a monetary contribution of $186,400 to satisfy the remainder of the trip reduction requirements of MPS TR2.1; the Level of Service Analysis submitted on behalf of the Applicant by Vanasse, Hangen Brustlin, Inc. was conducted in compliance with MPS TR3.1 and that the project complies with MPS TR3.1; the project complies with MPS TR3.1, TR3.4 and MPS TR3.6 by provision of a monetary contribution to reduce peak hour traffic impacts; the project's Fair Share mitigation amount according to MPS TR3.6 is $50,400 and that payment of this amount by the Applicant complies with MPS TR3.6; the proposed project is consistent with MPS TR1.1 and will not cause a degradation in public safety; the proposed project is consistent with MPS TR1.2 and MPS TR1.3 regarding crash frequency and safety improvements at the site drive and in the transportation study area; the proposed project's site driveway is an existing driveway, and is consistent with MPS TR1.4 regarding standards for driveway construction; the proposed project is consistent with MPS TR1.6 and does not create sight obstructions for traffic exiting the site; the proposed project is consistent with MPS TR1.8 and provides safe stopping sight distance at the site driveway, and it is appropriate to condition the proposed project to be consistent with MPS TR2.1, MPS TR3.1, MPS TR3.4 and MPS TR3.6 by requiring the Applicant to make a mitigation payment of $236,800 to the Barnstable County Treasurer prior to issuance of the Final Certificate of Compliance and prior to issuance of the Certificate of Use/Occupancy.

The Subcommittee also voted that the probable benefit of the proposed development is greater than the probable detriment, and that the probable benefits of the proposed development include additional tax revenue to the Town of Barnstable; that the project will construct a crosswalk; install a vehicle queue detection device on Attucks Lane at the site driveway, and provide pavement markings on Phinney's Lane.

The Subcommittee directed Commission staff to draft a written decision with conditions for the BJs store addition project as a Limited DRI/DRI in the Regional Policy Plan issue areas of issue area of Affordable Housing, Economic Development, Energy and Transportation.

The Subcommittee voted to recommend to the full Commission that approval of the BJs store addition project as a Limited DRI/DRI with conditions, and to authorize Commission staff to notice discussion/review of the draft written decision on the 9/15/11 Commission agenda.

September 6, 2011 Public Meeting

The Subcommittee received comments from Commission staff, and Attorney John Kenney on a draft written decision. The Subcommittee reviewed and approved the draft Minutes from the

8/22/11 public meeting as presented. The Subcommittee reviewed a draft written decision, with conditions, page by page.

Mr. Graham asked whether the methodology in the Affordable Housing Findings and Conditions of the draft decision were similar to what had been done on prior Developments of Regional Impact (DRIs).

Mr. Ruchinskas said the method was similar to a concept suggested but not implemented on a prior project called the Red Jacket Resorts. He said he was considering new language to deal with a partial tear down or an addition to an existing store as part of a subsequent RPP update.

Ms. Adams noted the Affordable Housing section of the Regional Policy Plan (RPP) currently only contemplated mitigation scenarios for vacant properties or redevelopments where there was a complete tear down and re-build. She noted the BJs project was different, in that it was an addition to an existing building. Ms. Adams noted that because of this, there was no mechanism already in the RPP to deal with the BJs case other than the Flexibility Clause.

Attorney Kenney requested that the Affordable Housing mitigation payment be tied to the Final Certificate of Compliance and the local Certificate of Use/Occupancy rather than being tied to the Preliminary Certificate of Compliance and Building Permit.

Mr. Graham asked Commission staff to comment on why the requirement had been tied to the Preliminary Certificate.

Mr. Ruchinskas said it is typically tied to the Preliminary Certificate of Compliance/Building Permit because it can take some time for the Town to determine how to use the funds, and the additional time provided by tying the requirement to the Building Permit makes it easier for the Town to make this decision. He said similar Affordable Housing Conditions had been tied to the Building Permit in the FW Webb DRI decision.

Mr. Richardson suggested the Affordable Housing Findings and Conditions described in the draft decision had been arrived at after a lengthy discussion by the Subcommittee.

Attorney Kenney noted the significant economic uncertainty in the general US economy. He also suggested this might be the first time the exact timing of the Affordable Housing condition was put in print.

Ms. Brookshire said the Tarkinow Group would likely decide well before having to pay the $40,900 Affordable Housing mitigation to the Commission/County Treasurer if the overall project would or would not go forward. She also suggested that if the site were sold, the Tarkinow Group would be in a position to recover these and other costs from the subsequent owner.

Attorney Kenney said it seemed reasonable to tie the Affordable Housing mitigation payment to the Final Certificate of Compliance, similar to the other requirements in the DRI decision. He noted this and the other mitigation payments were a cost to the business.

Ms. Brookshire noted the proposed language of the Affordable Housing condition had been spelled out in the draft motion, and was described in the draft 8/22/11 Minutes, including that the payment would be tied to the Preliminary Certificate of Compliance.

Mr. Richardson asked for a vote whether to change the language of Affordable Housing Condition AHC1.

Mr. Graham moved to keep the language of AHC1 as drafted, that the mitigation payment be made prior to issuance of the Preliminary Certificate of Compliance. Ms. Brookshire seconded the motion. The Subcommittee voted unanimously for the motion.

The Subcommittee accepted a number of corrections to spelling and typographical errors offered by Attorney Kenney.

The Subcommittee voted to approve the draft written decision with conditions as amended. The Subcommittee voted to recommend to the full Commission that approval of the BJs store addition project as a Limited DRI/DRI with conditions.

JURISDICTION

The project qualifies as a Development of Regional Impact (DRI) pursuant to Section 3(e)(ii) of the Commission's *Enabling Regulations* (Revised March 2011) as an addition to an existing building that results in an increase greater than 10,000 square feet of Gross Floor Area.

FINDINGS

The Commission has considered the DRI application of the Tarkinow Group, Limited for the proposed 19,438 square foot addition to the existing 68,831 square foot store, and based on consideration of such application and upon the information presented at the public hearings and submitted for the record, makes the following findings, pursuant to Sections 12 and 13 of the Act:

GENERAL FINDINGS

GF1. As the date of the first substantive public hearing on the proposed project under the Limited DRI Scope was July 27, 2011, this project was reviewed subject to the 2009 RPP, as amended in May 2011.

GF2. The proposed project that is the subject of this DRI decision is located at 420 Attucks Lane, Hyannis, MA. The site is 11.66 acres, and is occupied by an existing 68,831-square foot BJs Wholesale Club store. The site is zoned *B-Business*. An existing a sand/gravel operation abuts to the rear. There is an undeveloped lot to the northwest of the project site, with the proposed Cape Cod Healthcare Wilkens Ambulatory Care Center to the northeast. Tarkinow Group, Limited, the Applicant, proposes to construct a new, 19,438 square foot addition to the existing BJs store. *(See Site Plans attached to this decision as Exhibit A and incorporated by reference).* The new addition would be built on existing paved and unvegetated areas of the site, extending out the rear of the current building, and towards the sand/gravel operation. According to the Limited DRI application, it would increase building coverage but simultaneously reduce pavement coverage by 22,666 square feet and reduce total impervious site coverage by 3,228 square feet.

GF3. The existing BJs store is the subject of a 2003 Cape Cod Commission DRI approval decision with conditions.

GF4. Based on the 7/23/11 written testimony of JoAnne Miller Buntich, Barnstable's Director of Growth Management, "[*t]he proposed addition to BJs on Attucks Lane in Hyannis is located in*

the Regional Commercial Center Strategic Planning Area and is consistent with [the Local Comprehensive Plan] *Land Use goals and policies for that area"* and as such, the Commission finds the proposed development is consistent with Barnstable's Commission-Certified LCP.

GF5. Based on the 7/23/11 written testimony of JoAnne Miller Buntich, Barnstable's Director of Growth Management, *"[t]he proposed addition is a by-right use under the Barnstable Zoning Ordinance and as proposed would comply with both the underlying commercial district and the groundwater protection overlay district,"* and as such, the Commission finds that the proposed development is consistent with Barnstable's municipal development bylaws.

GF6. Based on the 7/23/11 written testimony of JoAnne Miller Buntich, Barnstable's Director of Growth Management, Barnstable's Town-wide District of Critical Planning Concern (DCPC), which regulates residential development, does not apply to the proposed BJs project. Also, the site of the proposed project is not located within the geographic area covered by the other DCPCs in Barnstable, so these also do not apply to the project. As such, the Commission finds this approval criterion is not applicable to the proposed development.

GF7. Based on materials and written testimony submitted for the record, the Commission finds that the probable benefit from the proposed development is greater than the probable detriment. The Commission finds the project's probable benefits include that the project has or will meet Best Development Practices (BDP) TR2.15 related to bike racks, BDP TR2.16 related to use of alternate modes of transportation, and BDP TR2.19 relative to provision of carpool parking spaces. The Commission also finds the project's probable benefits include increased tax revenue to the Town of Barnstable, the construction of a crosswalk across Attucks Lane, the installation of a vehicle queue detection device on the northbound Phinney's Lane approach to the Phinney's Lane/Attucks Lane signalized intersection, and the provision of adequate signage for a left turn lane and repainting of the pavement marking on Attucks Lane at the site driveway to conform to the Manual on Uniform Traffic Control Devices manual.

AFFORDABLE HOUSING

AHF1. As a non-residential redevelopment project, the Commission finds that only the Minimum Performance Standards under Goal AH3 apply; these include MPS AH3.1 (*Mitigation Standard*), MPS AH3.2 (*Alternate Mitigation Calculation Option*) and MPS AH3.5 (*Redevelopment/Change of Use*). The Commission finds that MPS AH3.4 (*Onsite Units Option*) is not applicable, as the Applicant is not proposing on-site or off-site housing units.

AHF2. The Commission finds that as a redevelopment project that is maintaining the same use, under MPS AH3.5, the Applicant receives a credit for the required amount of mitigation based upon the existing square footage. Therefore, the Commission finds the affordable housing mitigation is calculated on the amount of net new square footage as shown in the table, below:

Affordable Housing Mitigation per Square Feet of Development

Total building square footage	88,269
Existing square footage	68,831
Net new square footage	19,438

AHF3. The Commission finds the amount of the affordable housing mitigation required under MPS AH3.1 is therefore calculated according to the 19,438 square feet of net new square footage. As the DRI is not located in a designated *Economic Center* according to the Land Use Vision

Map, the mitigation for retail uses is $10.17 per square foot per the table that is part of MPS AH3.1, as adjusted for inflation per MPS AH3.3. Therefore, the Commission finds the required affordable housing mitigation pursuant to MPS AH3.1 is $197,684.

AHF4. The Commission finds that the Applicant did not provide the information necessary to determine if the proposed addition would result in a higher percentage of employees earning wages greater than the regional average wage than that determined by the *Nexus Study*. Based on this, the Commission finds the Applicant could not receive the reduction in the affordable housing mitigation amount allowed by MPS AH3.2.

AHF5. Based on information provided by Attorney Kenney for the record dated 5/23/11, the Applicant provided a breakdown of current employment at the Hyannis BJs along with the projected employment needs post addition. Based on this location-specific data, the Commission finds that currently, there are 42 full time and 74 part time employees with the projection that there will be an additional 2 full time and 1 part time new employees needed once the addition is completed.

AHF6. The Commission adopts the 7/27/11 testimony of Peter Hopley, BJs given at the public hearing and finds that the existing BJs store of 68,831 square feet has 117 employees.

AHF7. The Commission adopts the 8/22/11 testimony of Attorney Kenney and Peter Hopley that existing BJs stores of approximately 120,000 square feet have between 125-150 employees.

AHF8. Based on an analysis conducted by the Commission's Affordable Housing Specialist using the 5/23/11 data, the Commission finds it is appropriate to calculate the affordable housing mitigation using an alternate approach based upon the current and projected employment levels:

- Affordable housing mitigation under MPS AH3.1 for retail= $197,684
- Existing space = 68,831 square feet
- Current number of employees = 116
- Employment density (*i.e.* square feet of store per employee) = 593 square feet
  (traditional retail = 400 square feet per employee)
- Projected number of new employees in the 19,438 square foot addition = 33
  (19,438 divided by 593)
- Use national data and Nexus Study finding that 89% of retail jobs pay less than the average wage; therefore, the number of projected new below average wage jobs = 29
  (33 times .89)
- Affordable housing mitigation= $6,817 per below average wage job
  ($197,684 divided by 29)
- Affordable housing mitigation for projected 3 new jobs= $20,450

AHF9. The Commission finds that the Applicant's proposed contribution of $40,900 for affordable housing to cover the possibility that the expansion could result in up to 6 new jobs being created is an alternate approach that is not more detrimental than what would be allowable under the MPS, and that protects the interests of MPS AH3.1 for the proposed BJs addition given the following factors:

- The project is a redevelopment of an existing store where the redevelopment is an addition to the existing store, not a complete tear-down and rebuild

- Attorney Kenney stated in the hearing on 1/25/11 as part of the Limited DRI review scoping that the uses to which the additional space will be put will be similar in nature to the existing uses in the store, and will also consist mainly of a sub-set of the store's potential inventory, primarily "holiday" and "seasonal" items

- Attorney Kenney stated at the 1/25/11 hearing that *"the inventory is delivered and placed out on pallets, so* [BJs representatives] *feel that they are properly staffed and will not require any additional staff..."*

- BJs presented documentation through Attorney Kenney on 5/23/11, that its "warehouse" retail business model employs fewer people than traditional retail businesses

- The existing BJs store in Hyannis currently has 117 employees which is more than other BJs stores of similar size

AHF10. Based on the materials and testimony submitted to date, the Commission finds that payment of $40,900 as mitigation is an acceptable alternate approach to achieve MPS AH3.1 and is not more detrimental to the protected resource than would be allowable under MPS AH3.1.

AHF11. Based on the materials and testimony submitted to date, the Commission finds that it is appropriate to condition the proposed project to require a contribution of $40,900 be made to the *Barnstable County Treasurer* prior to issuance of a Preliminary Certificate of Compliance by the Commission and prior to the issuance of a local Building Permit.

ECONOMIC DEVELOPMENT

ECDF1. The Commission finds the proposed project is located in an Industrial Service and Trade Area on the Regional Land Use Vision Map and therefore, must meet MPS ED1.2 which this MPS states *"shall be reserved for light industry, warehousing, business-to-business wholesale, research and development facilities..."* and which the RPP specifies are defined as areas reserved for *"industrial uses, construction trades, and/or public works facilities. Areas are intended for uses....with a high square-foot-to employee ratio."* The Commission finds that although the proposed project is not an industrial use, compliance with MPS ED1.2 can be waived through the application of the waiver requirements under MPS ED1.3.

ECDF2. The Commission finds that as a redevelopment project, the Applicant has demonstrated that the project will meet the two (2) waiver criteria in MPS ED1.3 of *Shared Infrastructure* and *Distributed Energy Generation.*

ECDF3. The Commission finds the Applicant meets the *Shared Infrastructure* waiver criterion because the Applicant has committed in a letter dated May 12, 2011 that the Applicant will *"extend the driveway servicing the BJs store...to the property line abutting the parcel of land to the north of the BJs site currently owned by Cape Cod Aggregates. The purpose of extending the driveway to said property line would be to allow for connection of the driveway to a driveway on the Cape Cod Aggregates site to allow traffic to pass to and from each property."* This property is identified on the Assessor's Map as Map 296, Parcel 47. The Commission also finds that it is appropriate to require the interconnect as a condition of DRI approval.

ECDF4. The Commission finds the Applicant meets the *Distributed Energy* waiver criterion by a commitment to use solar energy to meet 25% of the energy demand required for the new addition. The Commission also finds that it is appropriate to condition the project to require

implementation of the solar energy plan as further outlined in the Energy Findings and Conditions of this decision.

ENERGY

EF1. Based on materials provided for the record to date, the Commission finds that the following Energy MPS apply to this project:

- MPS E1.1 (*Redevelopment Energy Audit*)
- MPS E1.2 (*Energy Star*)
- MPS E1.3 (*ASHRAE (90.1-2007, Section 5.4)*
- MPS E1.5 (*On-site Renewable Energy Generation*) and
- MPS E1.6 (*Alternative Method of Compliance with E1.1 – E1.5, optional*)

EF2. As a redevelopment, the Commission finds the proposed project is eligible for the redevelopment credit of 10,000 square feet in determining the on-site renewable energy generation calculation in MPS E1.5. The MPS states that the *"10-percent calculation shall be based solely on the gross floor area of the additional new development in excess of 10,000 square feet..."* which is 9,438 square feet for this project. This redevelopment credit also applies to MPS E1.6, the *Alternative Method of Compliance with E1.1 – E1.5*. The Applicant has chosen to comply with MPS E1.6, which allows DRIs to provide 25% or more of electrical demand through onsite renewable energy as an alternate method of meeting MPS E1.5. Based on the materials and testimony submitted to date, the Commission finds it is appropriate to condition the proposed project to be consistent with MPS E1.6, which is the alternate method of meeting MPS E1.1-MPS E1.5.

EF3. In a 1/6/11 letter from Schlenger/Pitz &Associates, the Applicant indicated they will meet MPS E1.6 with a proposed 22 KW rooftop solar PV system. Commission Energy staff calculations submitted for the record show that a PV array of this size will meet the 25% on-site requirement for the new addition, and therefore satisfies the requirements of the RPP Energy section for this project. The Commission also finds that it is appropriate to condition the proposed project to be consistent with MPS E1.6 by requiring the Applicant to install a rooftop solar array to meet 25% of the new addition's energy demand prior to issuance of the Final Certificate of Compliance by the Commission and prior to issuance of the local Certificate of Use/Occupancy.

TRANSPORTATION

TF1. The Commission finds that the Applicant's transportation engineer, Vanasse Hangen Brustlin (VHB), Inc., has calculated the estimated trip generation for the proposed 19,438 square feet wholesale club expansion based on data for similar facilities, as outlined in the Institute of Transportation Engineers (ITE) *Trip Generation,* Eighth Edition, 2008, and is shown in the *Trip Generation Table,* below. The Commission also finds the trip generation sources and calculation submitted on behalf of the Applicant for the project were conducted in conformance with MPS TR 0.1 (*Sources of Trip-generation Data*).

Trip Generation Table

Proposed Development	Afternoon Peak Hour	Daily	Saturday Peak Hour	Saturday Daily
19,000 square feet	80	794	130	1,022

TF2. The Commission finds the Applicant's Traffic Impact and Access Study was conducted in compliance with MPS TR3.3 (*Traffic Studies*).

TF3. The Applicant has agreed to allow an interconnection between the DRI parcel and an adjacent parcel. MPS TR2.4 (*Incentives of Connections between Adjacent Properties*) allows for a five (5) percent credit for developments that agree to provide an interconnection to an adjacent property. The Commission finds that the project is therefore eligible for a five (5) percent interconnection credit.

TF4. MPS TR2.1 (*Trip Reduction Outside Growth Incentive Zones or Economic Centers*) requires all DRIs to reduce new vehicle trips in and out of the site by twenty-five (25) percent over what is typically expected for the land use. As noted in Finding TF3, the project has been granted a five (5) percent trip reduction credit for providing an interconnect to the adjacent parcel. Based on the increase in average daily traffic of 754 trips per day (794 – 5% traffic credit), the Commission finds the trip reduction requirement for this project is 151 [754 x .25] daily vehicle trips.

TF5. The Applicant has proposed using a three phase approach to comply with MPS TR2.1 which consists of an employee trip reduction plan, a monetary contribution (based on the transit equivalency equation) and utilizing trip reduction credits from the original 2003 DRI decision. The Commission finds this three-part approach is consistent with MPS TR2.1. The proposed employee trip reduction plan is outlined below:

- Tenants will continue to be encouraged to promote ridesharing to its employees via car pools
- Information regarding carpooling and its benefits will be distributed to new employees.
- Interested carpooler names will be posted in the employee area
- A notice of interested carpoolers will be listed in the facility newsletter
- A guaranteed ride home program, in the case of an emergency for registered ride-sharers, will be provided via a local taxi service
- Preferential parking spaces will be designed for employees that ride-share
- Financial incentives will be established to encourage employees to rideshare
- The on-site transportation coordinator will continue to ensure that the ridesharing program is consistently promoted and provided
- Transit schedules and route information will continue to be provided in the employee areas
- The applicant will work with the CCRTA to provide bus service to the site
- The applicant will provide a bus shelter on site
- Secure bicycle racks will be provided near building entrances
- A taxi pick-up area will be designated for patrons who walk to the store, but wish to take a taxi home
- Information on local taxi services, including telephone numbers will be available at the customer service desk
- Sidewalk and crosswalks improvements will be implemented

The following on-site services will be provided on-site to decrease employee mid-day trip-making:

- Food services
- On-site dry cleaning pick-up
- Employee refrigerators
- Employee microwaves
- Automatic teller machine
- Direct deposit of paychecks

TF6. In addition to the employee trip reduction plan outlined in Finding TF5, the Applicant has agreed to a monetary contribution of $186,400 to address MPS TR2.1. The Commission also

finds it is appropriate to allow the Applicant to utilize a credit of 24 trips from the 2003 BJs DRI trip reduction plan. These trip credits are outlined in an Email from VHB dated June 22, 2011. The Commission also finds that it is appropriate to condition the project to require the Applicant to be consistent with MPS TR2.1 by requiring the Applicant to make a mitigation payment of $186,400 to the *Barnstable County Treasurer* prior to issuance of the Final Certificate of Compliance by the Commission and prior to issuance of the local Certificate of Use/Occupancy.

TF7. MPS TR3.1 (*Operational Requirements*) requires Level of Service analysis at all site driveways. The Applicant has provided the required Level of Service analysis, and as such, the Commission finds the project complies with MPS TR3.1.

TF8. MPS TR3.4 (*Mitigation of Congestion Impacts Required*) requires DRIs to offset or mitigate all peak hour traffic impacts of the project. The Applicant has requested to mitigate all peak hour traffic by providing a financial contribution. The Commission finds that providing a financial contribution to offset peak hour traffic is allowable by the method outlined in MPS TR3.6 (*"Fair Share" Payments*). Based on this, the Commission finds the Applicant has complied with MPS TR3.4.

TF9. MPS TR3.6 requires Applicants to calculate the "Fair Share" mitigation amount to offset the amount of new peak hour traffic generated by the project. The Applicant has calculated the "Fair Share" mitigation to offset project traffic in the amount of $50,400. The Commission finds that the procedure used to calculate the "Fair Share" mitigation amount is consistent with Commission standards. Based on this, the Commission finds that the Applicant has complied with TR3.6 (*"Fair Share" Payments*). The Commission also finds that it is appropriate to condition the project to require the Applicant to be consistent with MPS TR3.1, MPS TR3.4 and MPS TR3.6 by requiring the Applicant to make a mitigation payment of $50,400 to the Barnstable County Treasurer prior to issuance of the Final Certificate of Compliance by the Commission and prior to issuance of the local Certificate of Use/Occupancy.

TF10. MPS TR1.1 (*No Degradation of Safety*) requires that a project shall not result in a degradation in public safety. Based on the materials submitted for the record, the Commission finds the project will not result in a degradation in public safety and therefore complies with MPS TR1.1.

TF11. MPS TR1.2 (*Crash Frequency at Key Locations*) requires DRI Applicants to provide the most recent crash data at all site access locations. MPS TR1.3 (*Identification of Safety Impacts*) requires DRI Applicants to provide the most recent crash data at all study area locations impacted by twenty-five (25) or more peak hour trips. The Applicant has provided the most recent available three years of crash data as provided by the Massachusetts Department of Transportation. Neither the site driveway nor any intersection within the study area experienced an average of three crashes per year for three years. Based on this information, the Commission finds the Applicant has complied with MPS TR1.2 and MPS TR1.3.

TF12. MPS TR1.4 (*Standards for Driveway Construction*) requires all site driveways to be built in conformance with access management guidelines. Based on a review of the site plans by Commission Transportation staff, the Commission finds the proposed site driveway will be built in conformance with Commission access management guidelines and that this project complies with MPS TR1.4.

TF13. MPS TR1.6 (*Sight-distance Obstructions*) requires that the Applicant does not place signs or vegetation that would obstruct a driver's view for exiting traffic. Based on a review of the site plans by Commission Transportation staff, the Commission finds that this project will not place any obstruction that has the potential to block the sight of any exiting driver and therefore finds project complies with MPS TR1.6.

TF14. MPS TR1.8 (*Sight-distance Requirements*) requires an Applicant to ensure that safe stopping sight distance is available at all driveway locations. Based on observations conducted by Commission Transportation staff of the stopping sight distance on Attucks Lane, the Commission finds that adequate safe stopping sight distance is available on Attucks Lane at the site driveway. The Commission also finds that it is appropriate to condition the project such that the Applicant will confirm the stopping sight distance at the driveway prior to issuance by the Commission of a Final Certificate of Compliance and prior to issuance of the local Certificate of Use/Occupancy. Based on this, the Commission finds the project complies with MPS TR1.8.

CONCLUSION

Based on the above Findings, the Commission hereby concludes:

1. That upon satisfaction of the conditions identified in this decision, the proposed project is consistent with the 2009 (as amended) Regional Policy Plan.

2. The project is consistent with Barnstable's Commission-Certified Local Comprehensive Plan as outlined in finding GF4. The proposed project is consistent with Barnstable's local development by-laws/ordinances, as outlined in finding GF5.

3. The project is not subject to Barnstable's Town-wide residential District of Critical Planning Concern, nor is it located in another District of Critical Planning Concern in Barnstable as noted by finding GF6, and therefore is consistent with this criterion.

4. That the probable benefits of the proposed project are greater than the probable detriments. This conclusion is supported by finding GF7.

CONDITIONS

The Commission hereby approves, with conditions, the Limited DRI/DRI application of Tarkinow Group, Limited for the proposed 19,438 square foot addition to the existing BJs store located at 420 Attucks Lane, Hyannis, MA provided the following conditions are met:

GENERAL CONDITIONS

GC1. This decision is valid 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.

GC2. The Applicant shall obtain all necessary federal, state, and local permits for the proposed project.

GC3. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, and remain in compliance herewith, shall be deemed cause to revoke or modify this decision.

GC4. No development work, as the term *"development"* is defined in the Cape Cod Commission Act, shall be undertaken until all appeal periods have elapsed or, if such an appeal has been filed, until all judicial proceedings have been completed.

GC5. Prior to issuance of a Preliminary Certificate for any proposed *"development"* as defined by the Cape Cod Commission Act and as approved herein, the Applicant shall submit final plans as approved by state, federal, and local boards for review by Commission staff to determine their consistency with this decision. If Commission staff determines that the final plans are not consistent with those plans approved as part of this decision, the Commission shall require that the Applicant seek a modification to this decision in accordance with the Modification section of the Commission's *Enabling Regulations* in effect at the time the modification is sought.

GC6. All development and redevelopment shall be constructed in a manner consistent with the following plans and other information attached hereto as Exhibit A. These plans and documents are also on file with the Cape Cod Commission.

1. A 1/6/11 letter from Schlenger/Pitz &Associates concerning the proposed 22 KW rooftop solar PV system
2. *Roof Plan* showing proposed addition and solar array, by Bignell Watkins Hasser, dated 7/14/11
3. *Elevation Drawings (East, West, North Elevations)*, two sheets, one color, by Bignell Watkins Hasser, dated 7/14/11 and one black and white dated 1/25/11
4. *Plan Showing Existing Site Conditions*, by Coastal Engineering Company, dated 8/5/09, Sheet C1.2.1
5. *General Site Plan Showing Existing and Proposed Building & Parking Layouts*, by Coastal Engineering Company, dated 5/27/11, Sheet C2.0.0
6. *Site Demolition & Erosion Control Plan*, by Coastal Engineering Company, dated 8/5/09, Sheet C2.0.1
7. *Layout and Materials Plan and Grading, Drainage and Utilities Plan*, by Coastal Engineering Company, dated 8/5/09, Sheet C2.1.1
8. *Site Details*, by Coastal Engineering Company, dated 8/5/09, Sheet C2.4.1
9. *Landscape Plan* (two sheets), by Bignell Watkins Hasser, color concept dated 10/15/10 and black and white plan dated 7/14/11
10. *Floor Plan* (interior view of store), by Bignell Watkins Hasser, addition shown, black and white plan dated 7/14/11

GC7. Any deviation during construction to the approved plans and other documents, including but not limited to changes to the building design, rooftop solar array or other work shall require approval by the Commission through the Modification process pursuant to the Commission's *Enabling Regulations*. The Applicant shall submit to the Commission any additional information deemed necessary to evaluate any modifications to the approved plans or project as described in this decision and the February 8, 2011 Limited DRI Review Scoping decision.

GC8. Prior to commencement of any *"development"* as defined by the Commission Act, and prior to issuance by the Town of Barnstable of a Building Permit, the Applicant shall obtain a Preliminary Certificate of Compliance from the Commission which states that all conditions in this decision pertaining to a Preliminary Certificate of Compliance have been met.

GC9. Prior to issuance by the Town of Barnstable of a Certificate of Use/Occupancy, the Applicant shall obtain a Final Certificate of Compliance from the Commission which states that all conditions in this decision pertaining to a Final Certificate have been met.

GC10. The Applicant shall notify Commission staff in writing at least thirty (30) calendar days prior to its intent to seek either a Preliminary or Final Certificate of Compliance. Such notification shall include a list of key contact(s), along with their telephone numbers, for questions that may arise during the Commission's compliance review. Commission staff may complete an inspection under this condition, if warranted, within fourteen (14) business days of such notification and inform the Applicant in writing of any deficiencies and corrections needed. The Applicant understands that the Commission has no obligation to issue any Certificate of Compliance unless all conditions are complied with or secured consistent with this decision. The Applicant agrees to allow Commission staff to enter onto the property which is the subject of this decision for the purpose of determining whether the conditions contained in this decision, including those linked to each Certificate, have been met.

GC11. If all required building and site work is not complete at the time a Final Certificate of Compliance is sought by the Applicant from the Commission, any work that is incomplete shall be subject to an escrow agreement of form and content satisfactory to Commission counsel. The amount of the escrow agreement shall equal 150% of the cost of that portion of the incomplete work, including labor and materials. The escrow agreement may allow for partial release of escrow funds upon partial completion of work. Funds to secure the escrow agreement shall be payable to the *Barnstable County Treasurer* with the work approved by Commission staff per the escrow agreement prior to release of the escrow funds. Unexpended escrow funds shall be returned to the Applicant, with interest, upon completion of the required work. All site work secured by this Condition and the escrow agreement, if necessary, shall be completed within 12 (12) months of issuance of a Final Certificate of Compliance from the Commission.

AFFORDABLE HOUSING

AHC1. To satisfy the requirements of MPS AH3.1 via an alternate approach, the Applicant shall make a monetary mitigation payment of $40,900, made payable to the *Barnstable County Treasurer* prior to a Preliminary Certificate of Compliance by the Commission and prior to issuance of a local Building Permit. These mitigation funds shall be used to create additional affordable housing units in the Town of Barnstable. The mitigation funds established by this condition may be released by the County Treasurer upon written request by the Commission's Executive Director.

ECONOMIC DEVELOPMENT

ECDC1. To satisfy one of the two waiver criteria listed in MPS E1.3 for a redevelopment project, specifically the *Shared Infrastructure* waiver criterion the Applicant shall allow the extension of *"the driveway servicing the BJs store...to the property line abutting the parcel of land to the north of the BJs site currently owned by Cape Cod Aggregates. The purpose of extending the driveway to said property line would be to allow for connection of the driveway to a driveway on the Cape Cod Aggregates site to allow traffic to pass to and from each property."* The Cape Cod Aggregates property is identified on the Assessor's Map as Map 296, Parcel 47. The interconnect between the BJs site and the Cape Cod Aggregates property shall be allowed when and if additional development or redevelopment is proposed on the Cape Cod Aggregates property.

ENERGY

EC1. To be consistent with MPS E1.6, the Applicant shall install a rooftop solar array to meet 25% of the new addition's energy demand in a manner consistent with a 1/6/11 letter from Schlenger/Pitz &Associates. Installation of the solar array shall be prior to issuance of the Final Certificate of Compliance by the Commission and prior to issuance of the local Certificate of Use/Occupancy.

TRANSPORTATION

TC1. To be consistent with MPS TR2.1, the Applicant shall implement the employee trip reduction program as outlined in Transportation Finding TF5. Prior to issuance of a Final Certificate of Compliance by the Commission, and prior to issuance of the local Certificate of Use/Occupancy, the Applicant shall submit to Commission staff written confirmation that the trip reduction program has been established and is in place.

TC2. Not more than fifteen (15) consecutive months after issuance of a Final Certificate of Compliance by the Commission and a Certificate of Use/Occupancy, the Applicant shall provide for Commission staff review and approval a written report of the trip reduction program's effectiveness over the last 12 consecutive months. Such report shall detail the manner in which the trip reduction plan components have been implemented or achieved.

TC3. To be consistent with MPS TR2.1, Applicant shall also make a mitigation payment of $186,400 made payable to the *Barnstable County Treasurer* prior to issuance of the Final Certificate of Compliance by the Commission and prior to issuance of the local Certificate of Use/Occupancy. Uses of such funds may include, but are not limited to the planning, design, or implementation of trip reduction measures, including but not limited to sidewalks, multi-use paths, transit stops or transit routes. The mitigation funds established by this condition may be released by the County Treasurer upon written request by the Commission's Executive Director.

TC4. To be consistent with MPS TR3.1, MPS TR3.4 and MPS TR3.6, the Applicant shall make a mitigation payment of $50,400 made payable to the *Barnstable County Treasurer* prior to issuance of the Final Certificate of Compliance by the Commission and prior to issuance of the local Certificate of Use/Occupancy. Uses of such funds may include, but are not limited to the planning, design, or implementation of congestion relief measures including but not limited to sidewalks, multi-use paths, transit routes, roundabouts, traffic signals, turning lanes or travel lanes. The mitigation funds established by this condition may be released by the County Treasurer upon written request by the Commission's Executive Director.

TC5. To be consistent with MPS TR1.8 the Applicant shall provide written confirmation of the stopping sight distance at the driveway prior to issuance by the Commission of a Final Certificate of Compliance and prior to issuance of the local Certificate of Use/Occupancy.

TC6. To provide project benefits as outlined in Finding GF7, the Applicant shall install one or more bike racks on site, and shall provide a minimum of two (2) carpool parking spaces.

TC7. To ensure project benefits as outlined in Finding GF7, prior to issuance by the Commission of a Final Certificate of Compliance, and prior to issuance of a local Certificate of Use/Occupancy, the Applicant shall:

1. Construct a crosswalk across Attucks Lane at the intersection of Attucks Lane with Stub Road A (shown on the plan entitled *"Plan Showing Existing Site Conditions drawn by Coastal Engineering Company, Inc. dated August 5, 2009 Sheet 1.2.1")* and Stub Road B (shown on said plan but not labeled) to connect the sidewalk to be constructed on the BJ's site with a sidewalk to be constructed as part of the development of the parcel of land located on the south side of Attucks Lane;

2. Install a vehicle queue detection device on the northbound Phinney's Lane approach to the Phinney's Lane/Attucks Lane signalized intersection, and

3. Provide adequate signage for a left turn lane and repaint the pavement marking on Attucks Lane at the site driveway to conform to the Manual on Uniform Traffic Control Devices manual.

Peter Graham, Cape Cod Commission Chair

9/15/11
Date

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss Sept 15, 2011

Before me, the undersigned notary public personally appeared

Peter Graham in his capacity as Chairman 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.

Gail P. Hanley
Notary Public

My Commission Expires: 10.13.11

MARYLAND
15 W. Aylesbury Rd.
Timonium, MD 21093
p 410.561.1937
f 410.561.1446

PENNSYLVANIA
7 Old Farm Ln.
Shrewsbury, PA 17361
p 717.227.2320
f 717.227.9916

DELAWARE
4 N. Main St.
Selbyville, DE 19975
p 302.436.2733
f 302.436.9211

spaengineers.com

January 6, 2011

Bignell Watkins Hasser Architects
One Park Place, Suite 250
Annapolis, MD 21401

Attention: Mr. Richard Loeschke

Re: BJ's Wholesale Club – Hyannis, Mass 19,000 sq ft addition
Cape Cod Commission – Energy Standards

Gentlemen:

After review of the letter from Andrea Adams, of the Cape Cod Commission to Attorney John W. Kenney dated November 19, 2010, and using the Regional Policy Plan (RPP) energy standard dated May 19, 2010, we offer the following to respond to each of the Energy Minimum Performance Standards as they apply to the project:

1. MPS E1.1 (Redevelopment Energy Audit) – To meet this standard we have modeled the 19,000 sq ft addition using gas fired rooftop units with electric cooling and natural gas-fired heating for the HVAC. ASHRAE standards were used to calculate the internal loads. The energy efficient design considerations included day lighting with the use of skylights, air side economizers for the rooftop units and demand control ventilation thru the rooftop units. Because this is a three sided addition, we created a wall in the model to close the building to provide an accurate energy analysis of the addition. The estimated monthly energy use is attached with this consultation letter.
2. MPS E1.2 (Current ENERGY STAR Certification) - STATEMENT OF DESIGN INTENT - We have performed an energy model for the addition and have determined that the system we are planning to design for the new space meets the Target Finder goal of 75 which is a 30% improvement above the average building of similar type in the Hyannis area. The attachments included show our energy model results for the addition as well as the input/output information from the Target Finder program and the ENERGY STAR STATEMENT OF DESIGN INTENT.
3. MPS E1.3 (ASHRAE/LEED Standards) – PROJECT NARRATIVE - We have performed preliminary design calculations for the addition utilizing the ASHRAE 90.1-2004 standards. The intent of the project is to continue forward with this design with respect to the standards for building envelope, ventilation air minimums and controls, internal loads, and energy consumption.
4. MPS E1.4 – This is a residential standard and does not apply to this application.
5. MPS E1.5 (On-site renewable energy) –
    a. Applicant to provide 25% on-site renewable energy for the 19,000sq ft addition. For this addition, it has been determined that 22 KW of PV shall be required to meet the 25% minimum. We propose to locate an array of photovoltaic panels on the roof of the addition to satisfy this requirement.

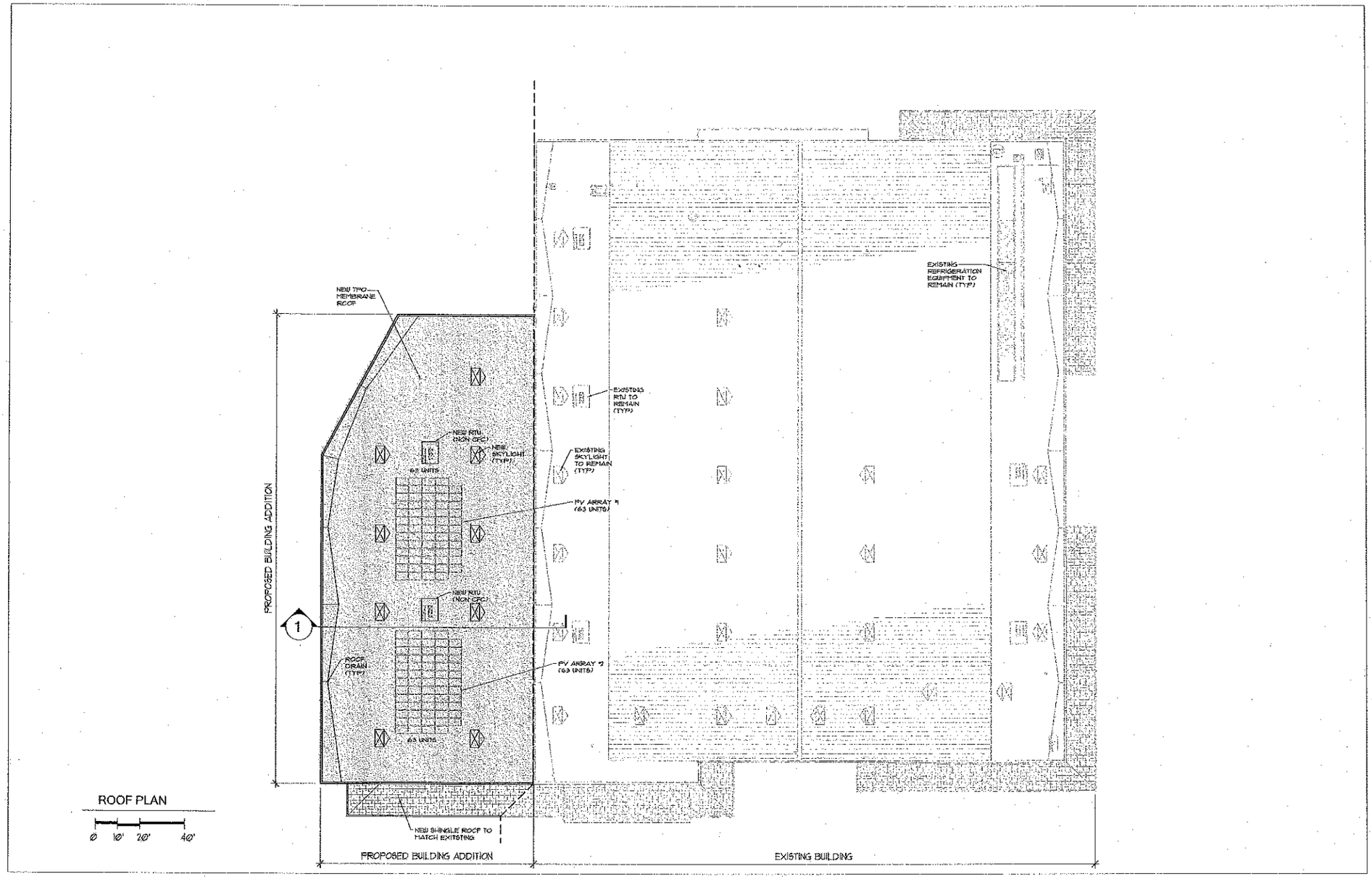
Please call with any questions.

Very truly yours,

SCHLENGER/PITZ & ASSOCIATES INC

William Pitz, PE
WJP/rtn

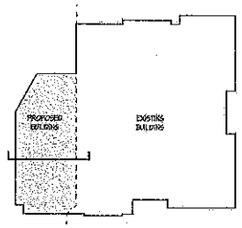
COMMONWEALTH OF MASSACHUSETTS
WILLIAM J. PITZ
MECHANICAL
REGISTERED PROFESSIONAL ENGINEER
1/6/2011



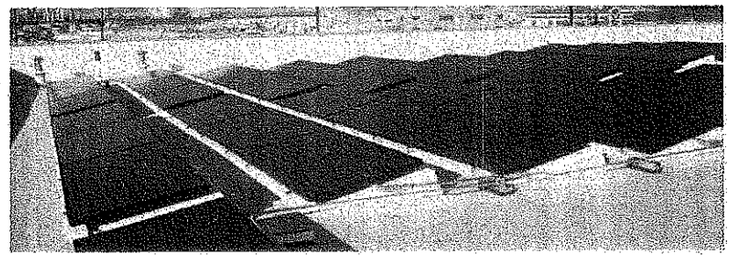
Proposed Building Addition
Hyannis, MA
07/14/2011

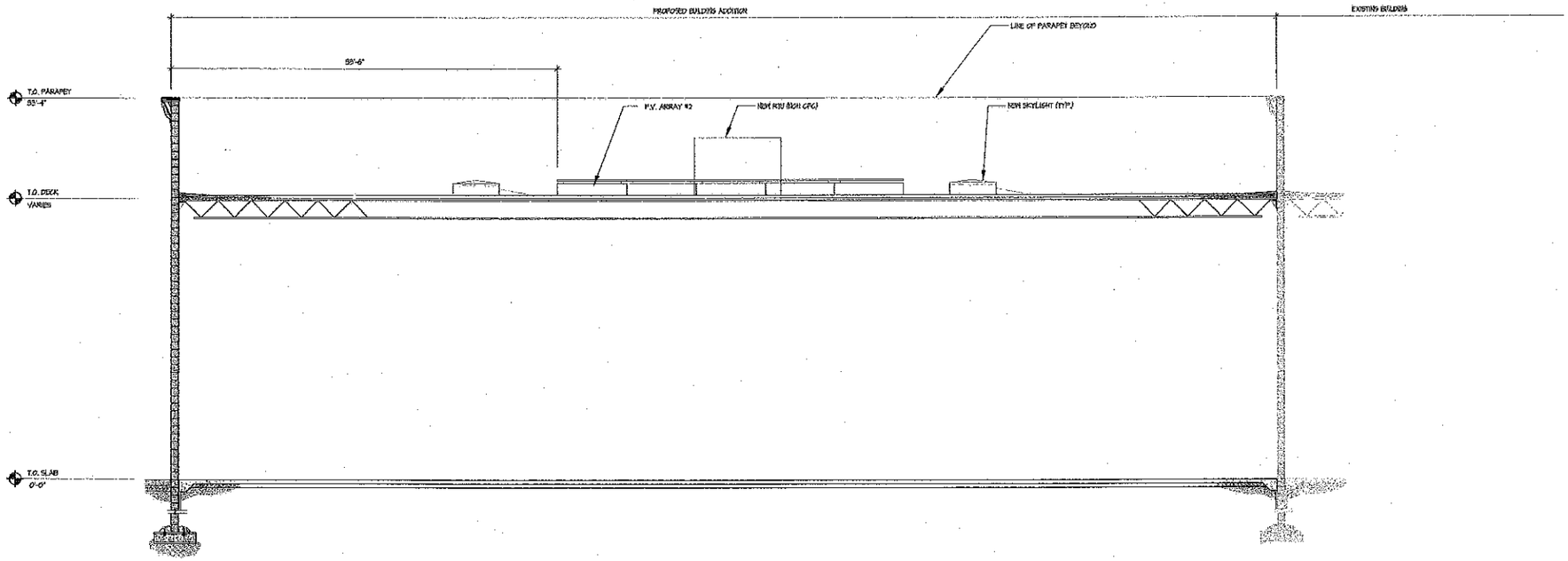
BJ's WHOLESALE CLUB

Bignell Watkins Hasser
ARCHITECTS, P.C.



KEY PLAN N



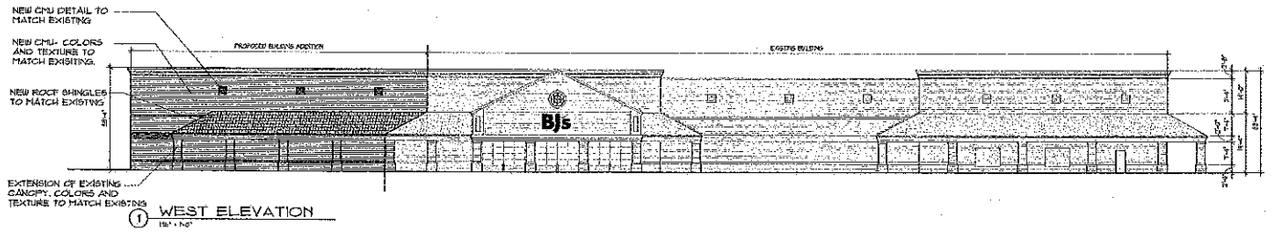


ROOF PLAN

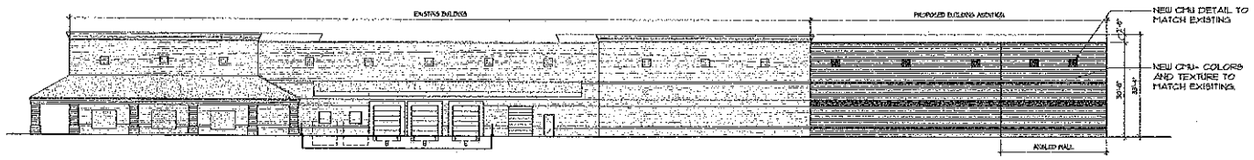
BJ's WHOLESALE CLUB

Proposed Building Addition
Hyannis, MA
07/14/2011

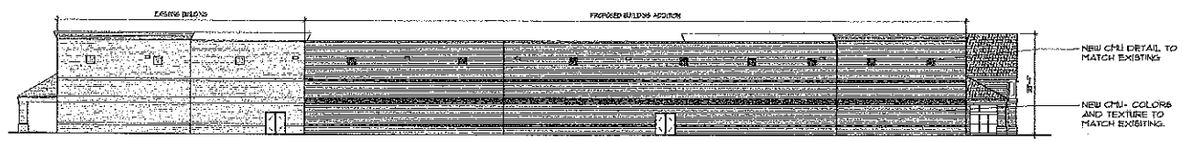
Bignell Watkins Hasser
ARCHITECTS, P.C.



1 WEST ELEVATION



2 EAST ELEVATION



3 NORTH ELEVATION

ELEVATIONS

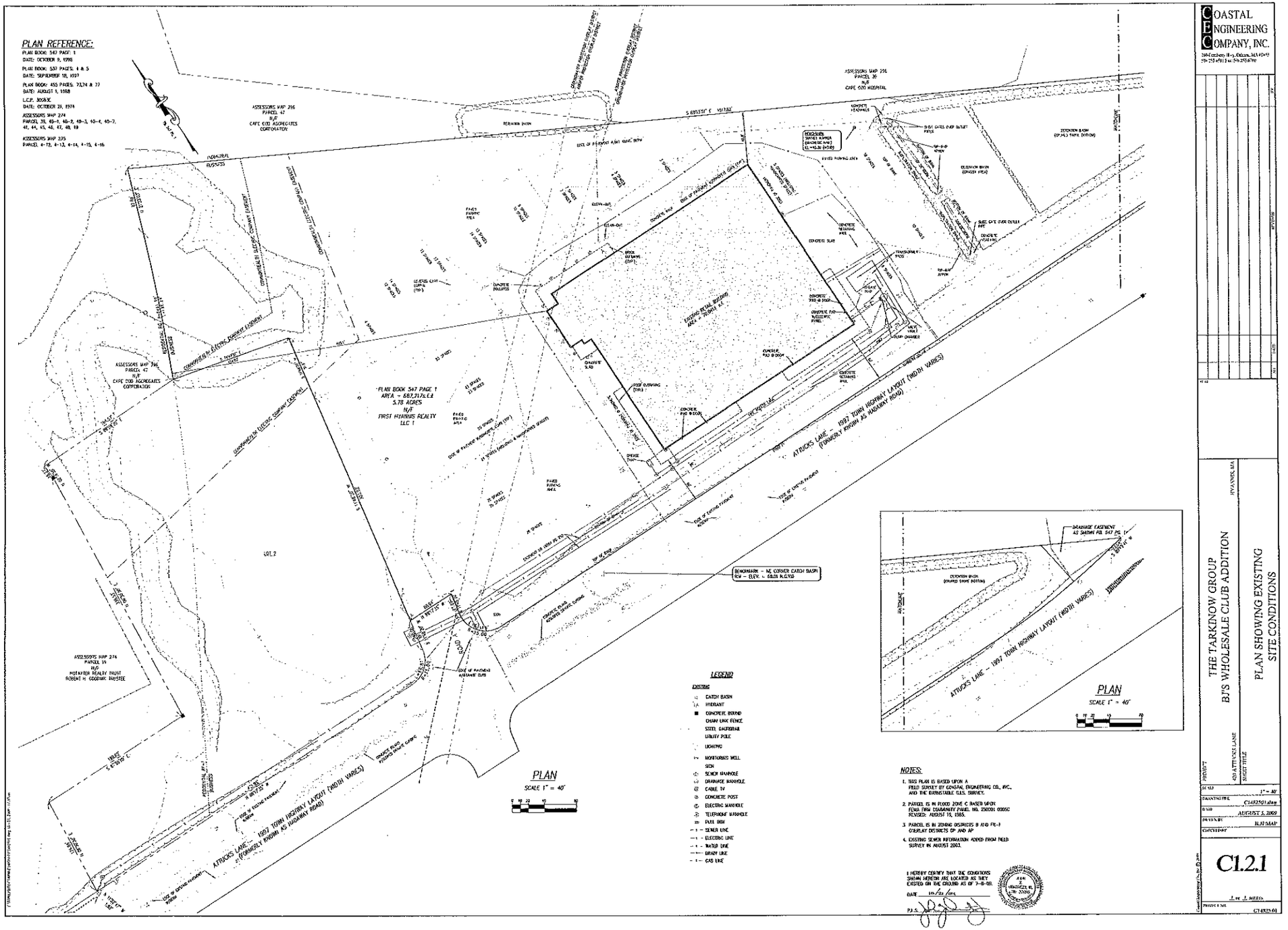
0 10' 20' 40'

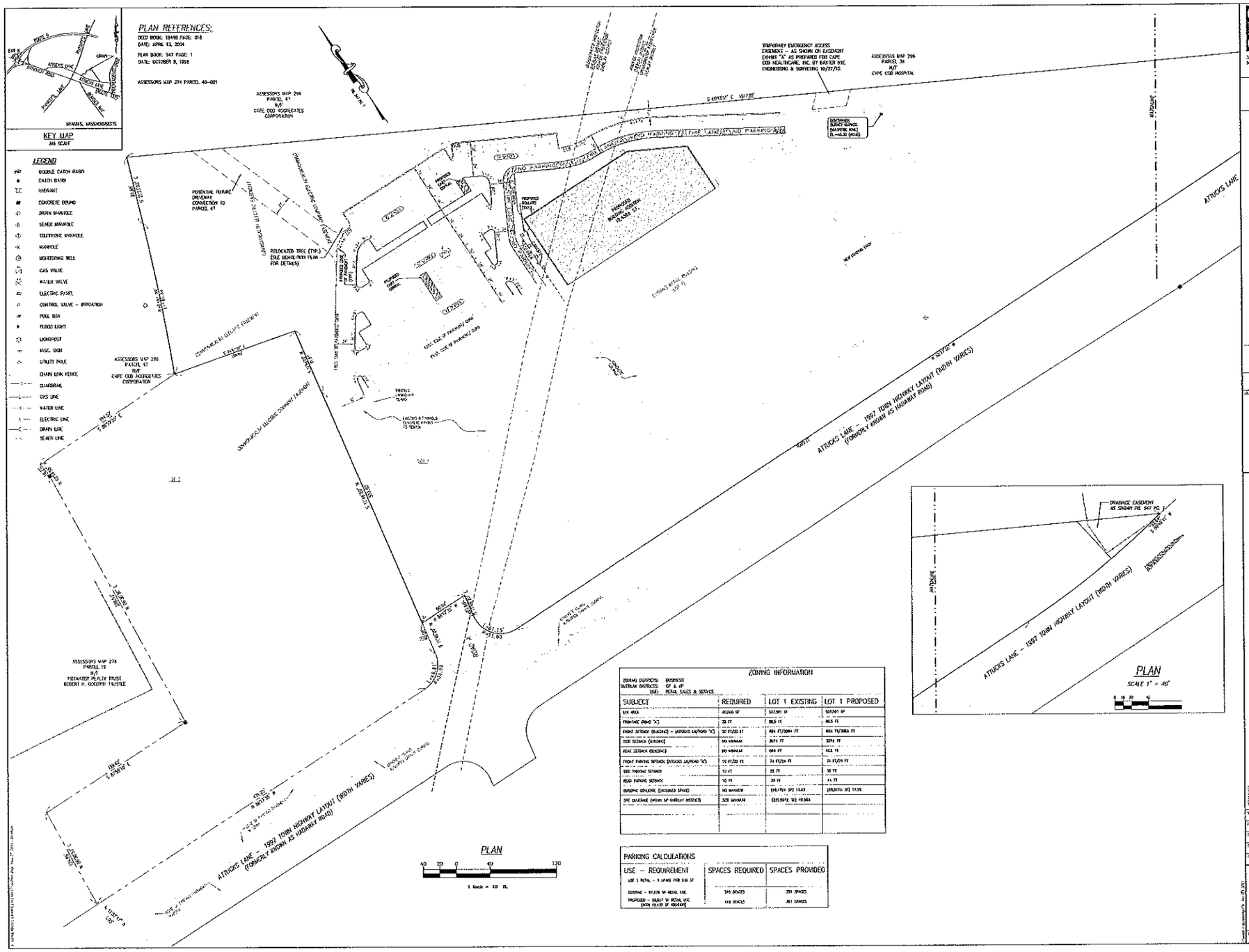
BJs

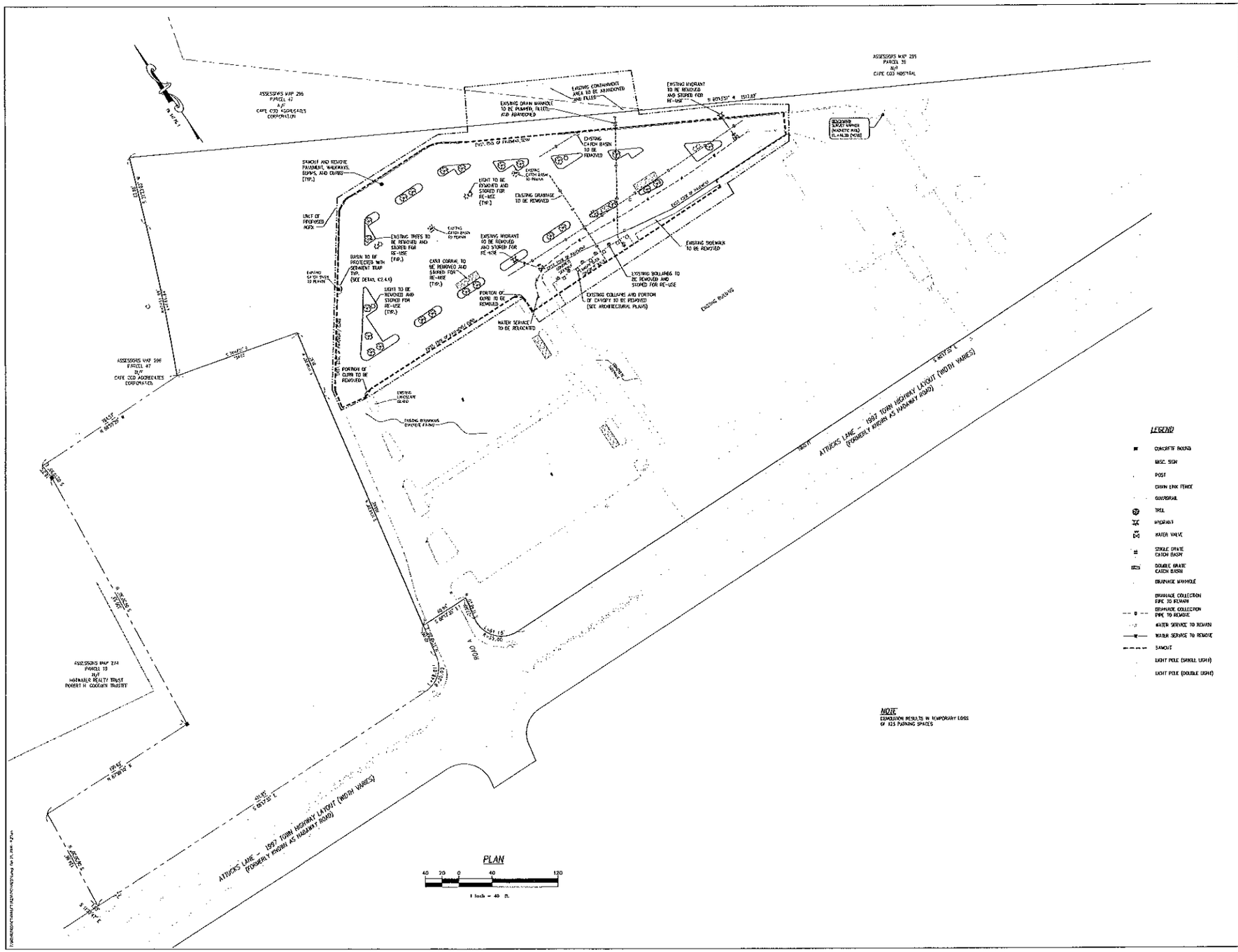
Proposed Building Addition
Hyannis, MA
01/25/2011

WHOLESALE CLUB

Bignell Watkins Hasser
ARCHITECTS, P.C.


PLAN REFERENCE:
PLAN BOOK 547 PAGE 1
DATE: OCTOBER 9, 1998
PLAN BOOK: 537 PAGES 4 & 5
DATE: SEPTEMBER 18, 1997
PLAN BOOK: 455 PAGES 73,74 & 77
DATE: AUGUST 1, 1988
L.C.P. 305836
DATE: OCTOBER 31, 1974
ASSESSORS MAP 274
PARCEL 38, 40-1, 40-2, 40-3, 40-4, 40-7, 41, 44, 45, 46, 47, 48, 49
ASSESSORS MAP 275
PARCEL 4-12, 4-13, 4-14, 4-15, 4-16
ASSESSORS MAP 296
PARCEL 42
N/F
CAPE COD AGGREGATES CORPORATION
ASSESSORS MAP 296
PARCEL 35
N/F
CAPE COD HOSPITAL
ASSESSORS MAP 296
PARCEL 42
N/F
CAPE COD AGGREGATES CORPORATION
ASSESSORS MAP 274
PARCEL 19
N/F
MORAITIS REALTY TRUST
ROBERT H GODSMARK TRUSTEE
"PLAN BOOK 547 PAGE 1
AREA = 687,217± S.F.
5.78 ACRES
N/F
FIRST HYANNIS REALTY LLC 1
EXISTING RETAIL BUILDING
AREA = 70,000± S.F.
LOT 2
ATTUCKS LANE - 1897 TOWN HIGHWAY LAYOUT (WIDTH VARIES)
(FORMERLY KNOWN AS HADAWAY ROAD)
BENCHMARK - NE CORNER CATCH BASIN
ELEV. = 61.09 N.G.V.D.
DRAINAGE EASEMENT
AS SHOWN ON PLAN BOOK 547 PAGE 1
PLAN
SCALE 1" = 40'
LEGEND
EXISTING
CATCH BASIN
HYDRANT
CONCRETE BOUND
CHAIN LINK FENCE
STEEL GUARDRAIL
UTILITY POLE
LIGHTING
MONITORING WELL
SIGN
SEWER MANHOLE
DRAINAGE MANHOLE
CABLE TV
CONCRETE POST
ELECTRIC MANHOLE
TELEPHONE MANHOLE
MAIL BOX
SEWER LINE
ELECTRIC LINE
WATER LINE
DRAIN LINE
GAS LINE
NOTES:
1. THIS PLAN IS BASED UPON A FIELD SURVEY BY COASTAL ENGINEERING CO., INC., AND THE EXISTING CLS SURVEY.
2. PARCEL IS IN FLOOD ZONE C BASED UPON FEMA FIRM COMMUNITY PANEL NO. 250001 0005C REVISED: AUGUST 15, 1985.
3. PARCEL IS IN ZONING DISTRICTS B AND FR-1 OVERLAY DISTRICTS OP AND AP.
4. EXISTING SEWER INFORMATION ADDED FROM FIELD SURVEY IN AUGUST 2003.
I HEREBY CERTIFY THAT THE CONDITIONS SHOWN HEREON ARE LOCATED AS THEY EXISTED ON THE GROUND AS OF 7-8-05.
DATE 10/22/05
P.L.S.
COMMONWEALTH OF MASSACHUSETTS
JOHN E. ROSATI
No. 30202
REGISTERED PROFESSIONAL LAND SURVEYOR
PLAN
SCALE 1" = 40'
COASTAL ENGINEERING COMPANY, INC.
THE TARKINOW GROUP
BJ'S WHOLESALE CLUB ADDITION
459 ATTUCKS LANE
HYANNIS, MA
PLAN SHOWING EXISTING SITE CONDITIONS
SCALE 1" = 40'
DRAWING FILE C1482501.dwg
DATE AUGUST 5, 2005
DRAWN BY RJT/MAP
CHECKED BY
C1.2.1
1 OF 1 SHEETS
PROJECT NO. G1482501


PLAN REFERENCES:
DEED BOOK: 18448 PAGE: 018
DATE: APRIL 13, 2004
PLAN BOOK: 547 PAGE: 1
DATE: OCTOBER 9, 1998
ASSESSORS MAP 274 PARCEL 40-001
KEY MAP
NO SCALE
BARNSTABLE, MASSACHUSETTS
LEGEND
DOUBLE CATCH BASIN
CATCH BASIN
HYDRANT
CONCRETE BOUND
DRAIN MANHOLE
SEWER MANHOLE
TELEPHONE MANHOLE
MANHOLE
MONITORING WELL
GAS VALVE
WATER VALVE
ELECTRIC PEDEST.
CONTROL VALVE - IRRIGATION
PULL BOX
FLOOD LIGHT
LIGHTPOST
MISC. SIGN
UTILITY POLE
CHAIN LINK FENCE
GUARDRAIL
GAS LINE
WATER LINE
ELECTRIC LINE
DRAIN LINE
SEWER LINE
ASSESSORS MAP 296 PARCEL 47 N/F CAPE COD AGGREGATES CORPORATION
ASSESSORS MAP 296 PARCEL 38 N/F CAPE COD HOSPITAL
TEMPORARY EMERGENCY ACCESS EASEMENT - AS SHOWN ON EASEMENT EXHIBIT "A" AS PREPARED FOR CAPE COD HEALTHCARE, INC. BY BAXTER BYE ENGINEERING & SURVEYING 10/27/10.
BENCHMARK SURVEY MARKING NAIL EL=48.30 (NAVD)
POTENTIAL FUTURE DRIVEWAY CONNECTION TO PARCEL 47
DOMINION ENERGY COMPANY EASEMENT
RELOCATED TREE (TYP.) SEE DEMOLITION PLAN FOR DETAILS
PROPOSED ROOF DRAIN (TYP.)
PROPOSED ROOF DRAIN
PROPOSED BUILDING ADDITION FF=48.5'
PROPOSED BOLLARD (TYP.)
EXISTING BUILDING (TO BE DEMOLISHED)
EXISTING BUILDING (TO REMAIN)
EXISTING CANOPY (TO BE DEMOLISHED)
EXISTING CANOPY (TO REMAIN)
EXISTING RETAINING WALL (TO BE REMOVED)
EXISTING RETAINING WALL (TO REMAIN)
EXISTING CONCRETE CURB
EXISTING ASPHALT CURB
EXISTING GRANITE CURB
EXISTING CONCRETE SIDEWALK
EXISTING ASPHALT SIDEWALK
EXISTING GRAVEL SURFACE
EXISTING LANDSCAPED AREA
EXISTING TREE LINE
EXISTING WOOD FENCE
EXISTING CHAIN LINK FENCE
EXISTING GUARDRAIL
EXISTING UTILITY POLE
EXISTING GAS LINE
EXISTING WATER LINE
EXISTING ELECTRIC LINE
EXISTING DRAIN LINE
EXISTING SEWER LINE
EXISTING HYDRANT
EXISTING GAS VALVE
EXISTING WATER VALVE
EXISTING ELECTRIC PEDESTAL
EXISTING CONTROL VALVE - IRRIGATION
EXISTING PULL BOX
EXISTING FLOOD LIGHT
EXISTING LIGHTPOST
EXISTING MISC. SIGN
EXISTING MONITORING WELL
EXISTING DRAIN MANHOLE
EXISTING SEWER MANHOLE
EXISTING TELEPHONE MANHOLE
EXISTING MANHOLE
EXISTING CATCH BASIN
EXISTING DOUBLE CATCH BASIN
EXISTING CONCRETE BOUND
ASSESSORS MAP 296 PARCEL 46 N/F CAPE COD AGGREGATES CORPORATION
ASSESSORS MAP 274 PARCEL 19 N/F MIDWAYER REALTY TRUST ROBERT H. GOODSPEED TRUSTEE
ATTUCKS LANE - 1997 TOWN HIGHWAY LAYOUT (WIDTH VARIES) (FORMERLY KNOWN AS HADAWAY ROAD)
PLAN
40 20 0 40 120
1 Inch = 40 ft.
ZONING INFORMATION
ZONING DISTRICTS: BUSINESS
OVERLAY DISTRICTS: GP & HP
USES: RETAIL SALES & SERVICE
SUBJECT | REQUIRED | LOT 1 EXISTING | LOT 1 PROPOSED
LOT AREA | 40,000 SF | 507,591 SF | 507,591 SF
FRONTAGE (ROAD "A") | 25 FT | 865 FT | 865 FT
FRONT SETBACK (BUILDING) - (ATTUCKS LN/ROAD "A") | 50 FT/20 FT | 404 FT/3004 FT | 404 FT/3004 FT
SIDE SETBACK (BUILDING) | 100 MINIMUM | 3074 FT | 3074 FT
REAR SETBACK (BUILDING) | 100 MINIMUM | 604 FT | 604 FT
FRONT PARKING SETBACK (ATTUCKS LN/ROAD "A") | 50 FT/20 FT | 24 FT/24 FT | 24 FT/24 FT
SIDE PARKING SETBACK | 10 FT | 50 FT | 50 FT
REAR PARKING SETBACK | 10 FT | 20 FT | 11 FT
BUILDING COVERAGE (EXCLUDED SPACE) | NO MAXIMUM | (88,870± SF) 17.5% | (88,870± SF) 17.5%
SITE COVERAGE (WITHIN GP OVERLAY DISTRICT) | 70% MAXIMUM | (339,807± SF) 69.95% |
PARKING CALCULATIONS
USE - REQUIREMENT | SPACES REQUIRED | SPACES PROVIDED
USE 1 RETAIL - 1 SPACE PER 300 SF
EXISTING - 67,870 SF RETAIL USE | 340 SPACES | 351 SPACES
PROPOSED - 88,870 SF RETAIL USE (NOW 19,430 SF ADDITION) | 444 SPACES | 351 SPACES
DRAINAGE EASEMENT AS SHOWN PER 547 PG 1
ATTUCKS LANE - 1997 TOWN HIGHWAY LAYOUT (WIDTH VARIES)
PLAN
SCALE 1" = 40'
0 10 20 40
COASTAL ENGINEERING COMPANY, INC.
383 Main Street Hyannis, MA 02601
508.775.7846 Fax: 508.775.7880
THE TARKINOW GROUP
B.J'S WHOLESALE CLUB ADDITION
PROJECT
ATTUCKS LANE
HYANNIS, MA
GENERAL SITE PLAN SHOWING
EXISTING AND PROPOSED BUILDING & PARKING LAYOUTS
SCALE 1" = 40'
DRAWING FILE C1482500.dwg
DATE 5-27-2011
DRAWN BY MAP
CHECKED BY JBF
C2.0.0
1 OF 1 SHEETS
PROJECT NO. C1482500



COASTAL ENGINEERING COMPANY, INC.
260 Cushing Hwy, Hyannis, MA 02601
508-775-4811 Fax: 508-775-6760

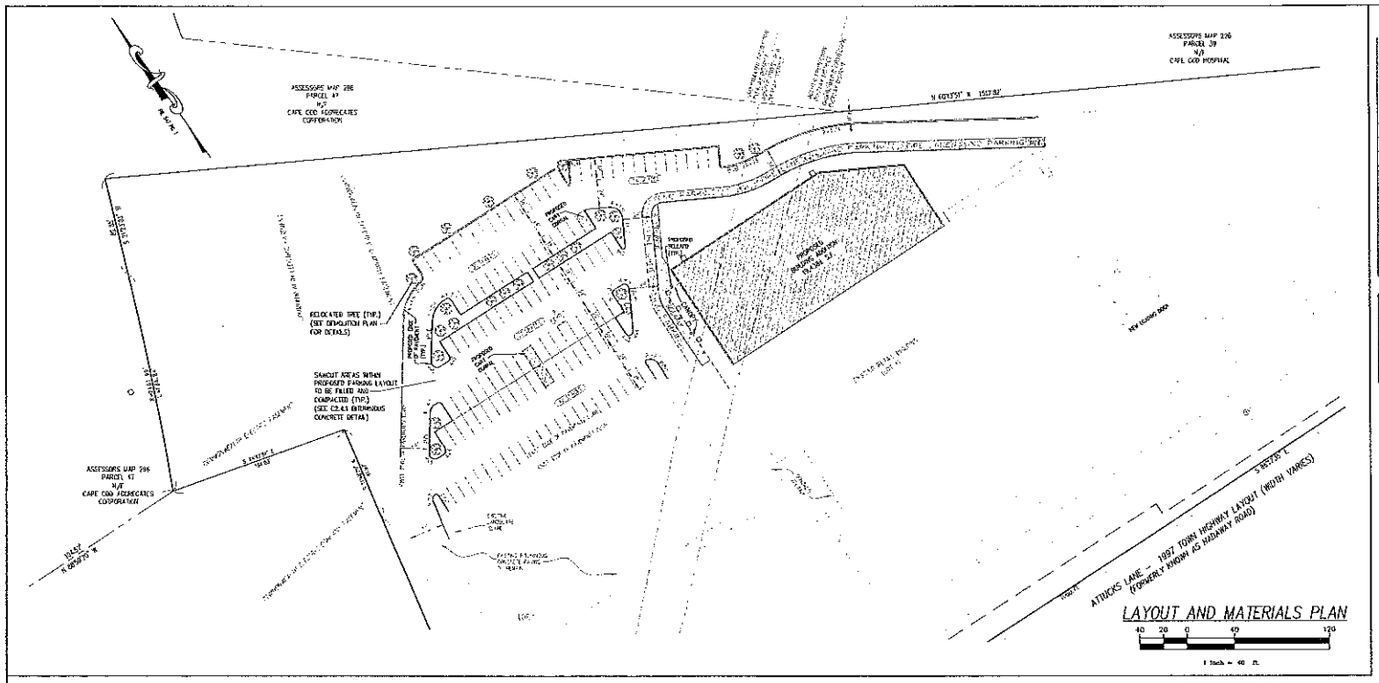
PROJECT: THE TARKNOW GROUP
BJ'S WHOLESALE CLUB ADDITION
HYANNIS, MA
4201 ATTUCKS LANE
SHEET TITLE: SITE DEMOLITION & EROSION CONTROL PLAN

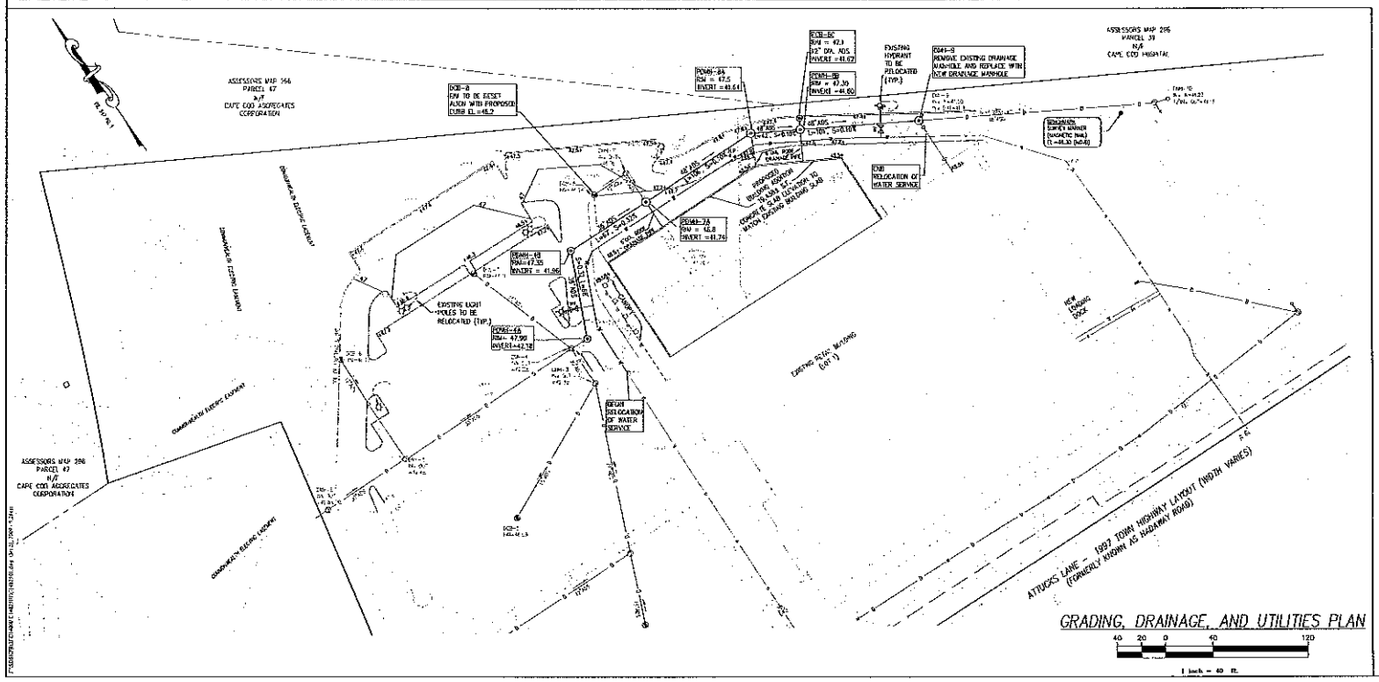
SCALE: 1" = 40'
DRAWING FILE: C1482501.dwg
DATE: AUGUST 5, 2009
DRAWN BY: TLM
CHECKED BY: MRL

C2.0.1

1 of 3 SHEETS

PROJECT NO: C14825.01





ZONING INFORMATION

ZONING DISTRICTS: BARNSTABLE
OVERLAY DISTRICTS: CP & AP
USE: RETAIL SALES & SERVICE

SUBJECT	REQUIRED	LOT 1 EXISTING	LOT 1 PROPOSED
LOT AREA	MINIMUM SF	360,001 SF	360,001 SF
FRONTAGE (ROAD "A")	20 FT	855.9 FT	855.9 FT
FRONT SETBACK (BUILDING) – (ATTUCKS LANE/ROAD "A")	50 FT/30 FT	466 FT/308.8 FT	466 FT/308.8 FT
SIDE SETBACK (BUILDING)	NO MINIMUM	267.6 FT	267.6 FT
REAR SETBACK (BUILDING)	NO MINIMUM	666 FT	666 FT
FRONT PARKING SETBACK (ATTUCKS LN/ROAD "A")	50 FT/30 FT	74 FT/24 FT	74 FT/24 FT
SIDE PARKING SETBACK	10 FT	88 FT	88 FT
REAR PARKING SETBACK	20 FT	20 FT	11 FT
BUILDING COVERAGE (SPECIFIED SPACE)	NO MAXIMUM	(88,5700 SF) 43.6%	(88,5700 SF) 17.3%
SITE COVERAGE (SYSTEM OF IMPERVIOUS DETAILS)	95% MAXIMUM	(339,697 ± SF) 93.92%	(339,697 ± SF) 93.92%

PARKING CALCULATIONS

USE – REQUIREMENT	SPACES REQUIRED	SPACES PROVIDED
LOT 1 RETAIL – 1 SPACE PER 200 SF		
EXISTING – 69,175 SF RETAIL USE	346 SPACES	351 SPACES
PROPOSED – 88,567 SF RETAIL USE (WITH 19,392 SF ADDITION)	444 SPACES	351 SPACES

LEGEND

EXISTING

- CONCRETE BOUND
- CATCH BASIN
- MAIL SIGN
- POST
- CHAIN LINK FENCE
- GUARDRAIL
- # PARKING SPACES TO REMAIN
- SINGLE GRATE CATCH BASIN
- DOUBLE GRATE CATCH BASIN
- DRAINAGE MANHOLE (DMH)
- CONTOUR
- SPOT GRADE

PROPOSED

- # PARKING SPACES TO REMAIN
- # PARKING SPACES
- BITUMINOUS CONCRETE BERM
- PRECAST CONCRETE CURB
- TREE
- SINGLE GRATE CATCH BASIN
- DRAINAGE MANHOLE (PDMH)
- DRAINAGE COLLECTION PIPE TO REMAIN
- DRAINAGE COLLECTION PIPE TO REMOVE
- RELOCATED DRAINAGE COLLECTION PIPE
- RELOCATED WATER SERVICE
- WATER SERVICE TO REMAIN
- WATER SERVICE TO REMOVE
- HYDRANT
- WATER VALVE
- LIGHT POST (SINGLE LIGHT)
- LIGHT POST (DOUBLE LIGHT)
- CONTOUR
- SPOT GRADE

NOTES

1. EXISTING UTILITIES WITHIN OUT OF SERVICE WITHIN PROPOSED BUILDING ADDITION FOOTPRINT SHALL BE REMOVED. MACKEREL SHALL BE PERFORMED IN ACCORDANCE WITH SPECIFICATIONS. REFER TO MECHANICAL DRAWINGS FOR PLUMBING ROOF DRAINS WITHIN PROPOSED BUILDING ADDITION. SITE CONTRACTOR RESPONSIBLE FOR NEW ROOF DRAIN CONNECTIONS TO RE-ROUTED DRAINAGE COLLECTION SYSTEM.
2. SITE CONTRACTOR SHALL FIELD VERIFY LOCATION AND ELEVATION OF EXISTING DRAINAGE PIPE AT PROPOSED EXTENSIONS AND TIE-IN LOCATIONS PRIOR TO THE INSTALLATION OF ANY DRAINAGE COMPONENTS. NOTIFY ENGINEER OF ANY CONFLICTS PRIOR TO THE INSTALLATION OF ANY DRAINAGE COMPONENTS.
3. EXISTING LIGHT POLE POWER NOT SHOWN. SITE CONTRACTOR SHALL COORDINATE WITH BUILDING ELECTRICIAN FOR POWER SOURCE.
4. SITE CONTRACTOR SHALL RESET ALL CATCH BASIN AND UTILITY COVERS TO FINISH GRADE AS REQUIRED TO MEET PROPOSED GRADING AND PAVING MODIFICATIONS.

COASTAL ENGINEERING COMPANY, INC.
260 Cranberry Hwy, Orleans, MA 02653
tel 508 255 6511 fax 508 255 2165

NO.	DESCRIPTION	DATE
1	PER TOWN COMMENTS	8/5/09

CAPE COD
PROFESSIONAL ENGINEER
No. 36161
REGISTERED
MARK S. FORMICELLI

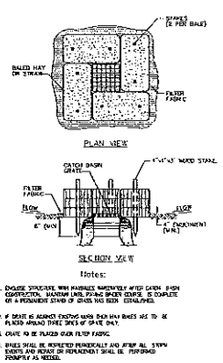
PROJECT: THE TARKINOW GROUP
BJ'S WHOLESALE CLUB ADDITION
HYANNIS, MA
SHEET TITLE: LAYOUT AND MATERIALS PLAN AND GRADING, DRAINAGE, AND UTILITIES PLAN
LOCATION: 420 ATTUCKS LANE

SCALE	1" = 40'
DRAWING FILE	C1482361.dwg
DATE	AUGUST 5, 2009
DRAWN BY	TLM
CHECKED BY	MSF

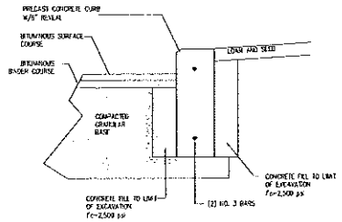
C2.1.1

2 OF 2 SHEETS

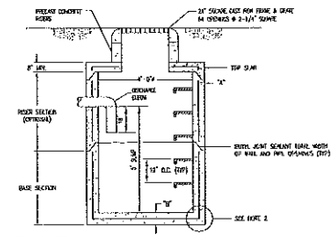
PROJECT NO. C1482361.01



CATCH BASIN SEDIMENT TRAP

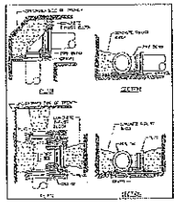


PRECAST CONCRETE CURB
(NOT TO SCALE)



GENERAL NOTES:

PRECAST CONCRETE CATCH BASIN
(NOT TO SCALE)



PIPE DIAMETER (INCHES)	KNEE BRACE LENGTH	90 BENDS	45 BENDS	22 1/2° BENDS	11 1/4° BENDS
4	2.0	2.0	2.0	2.0	2.0
6	2.5	3.0	2.0	2.0	2.0
8	4.4	4.2	3.3	2.0	2.0
10	6.5	6.2	5.0	2.8	2.0
12	8.9	12.8	6.6	3.4	2.0

NOTES:

NOTE: ALL FITTINGS TO BE PLACED ON WELL CONSOLIDATED GRAVEL

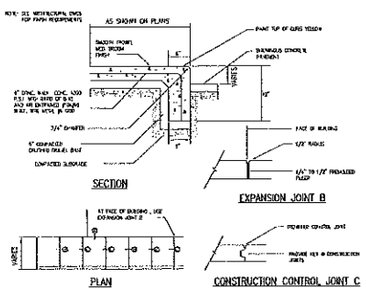
TYPICAL THRUST BLOCK PLACEMENT ON BENDS, TEES AND PLUGS
(NOT TO SCALE)

SOIL COMPACTION NOTES:

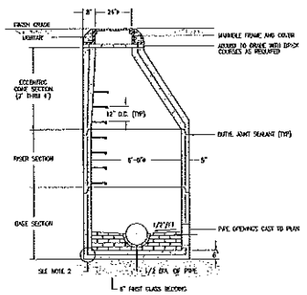
1. SOILS WITHIN BUILDING ENVELOPE AND BELOW PAVING AREAS, DRIVEWAYS, SIDEWALKS, AND EQUIPMENT PADS SHALL BE COMPACTED TO 95% MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557.

2. SOILS WITHIN LANDSCAPE AREAS SHALL BE COMPACTED TO 90% MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D1557.

3. FILL SHALL BE PLACED IN LIFTS NOT EXCEEDING 12" UNCOMPACTED THICKNESS IN AREAS TO BE COMPACTED WITH HEAVY MECHANICAL EQUIPMENT AND 8" UNCOMPACTED THICKNESS IN AREAS TO BE COMPACTED BY HAND-HELD COMPACTORS.

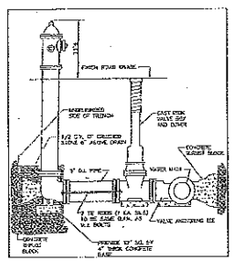


CONCRETE WALKWAY WITH CONCRETE CURB
(NOT TO SCALE)

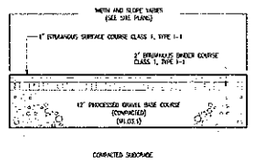


GENERAL NOTES:

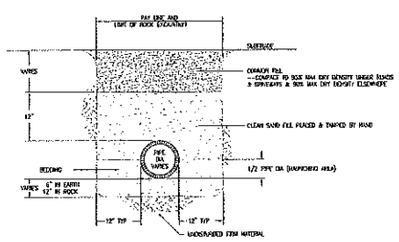
DRAINAGE MANHOLE – 6' DIAMETER
(NOT TO SCALE)



HYDRANT INSTALLATION
(NOT TO SCALE)

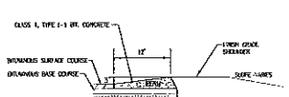


BITUMINOUS CONCRETE PAVEMENT
(NOT TO SCALE)

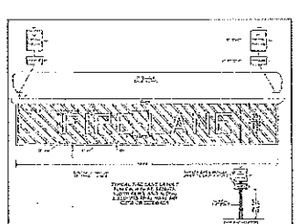


GENERAL NOTE:

UTILITY TRENCH
(NOT TO SCALE)



BITUMINOUS BERM
(NOT TO SCALE)



FIRE LANE DETAIL
(NOT TO SCALE)

COASTAL ENGINEERING COMPANY, INC.
240 Cranberry Hwy, Orleans, MA 02653
508.255.6511 Fax: 508.255.6500

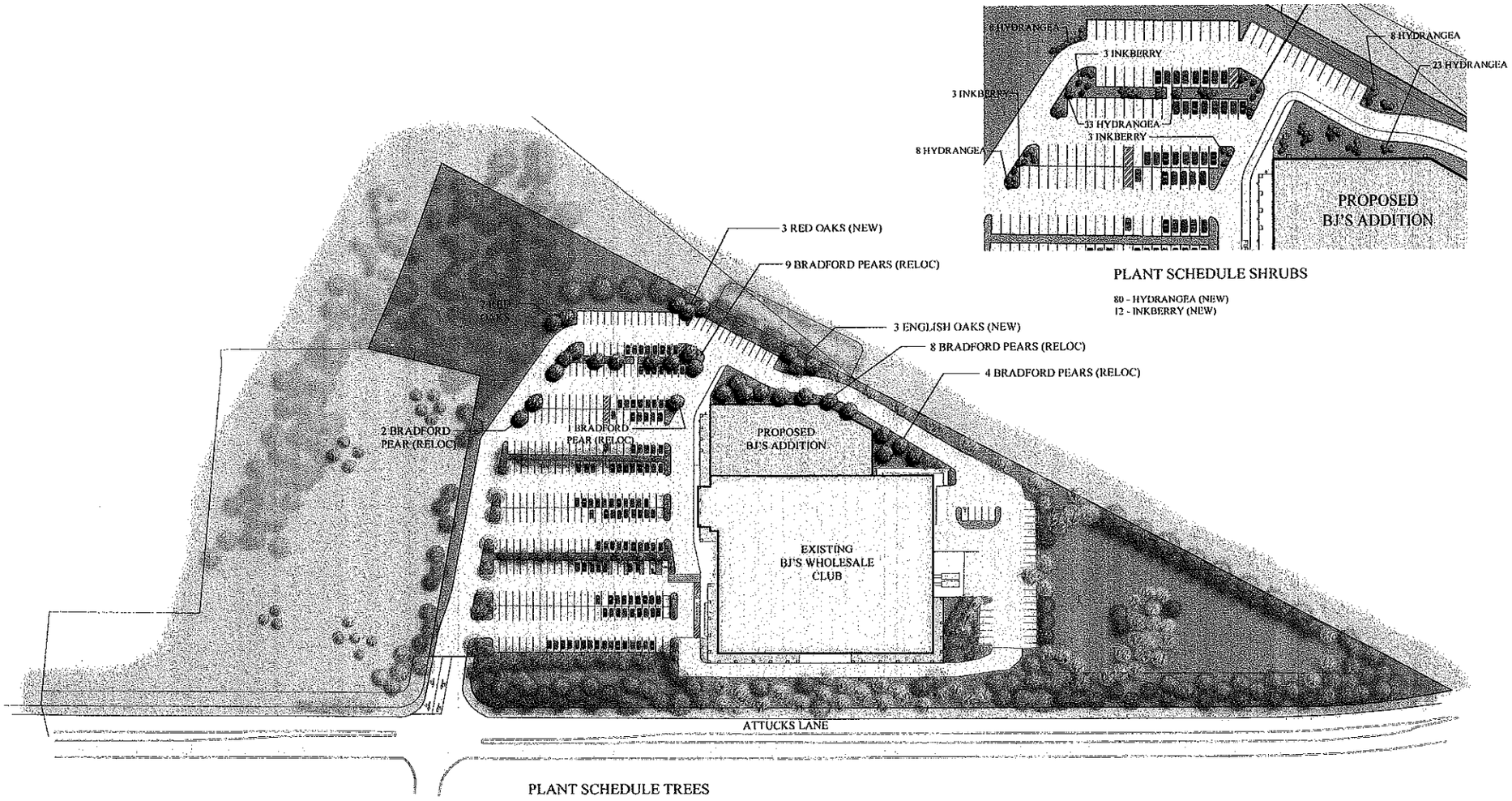
PROJECT
THE TARKNOW GROUP
875 WHOLESALE CLUB ADDITION
430 ATTUCKS LANE
HYANNIS, MA

SHEET TITLE
SITE DETAILS

SCALE 1" = 40'
DRAWING FILE C:\425\425.dwg
DATE AUGUST 5, 2009
DESIGNED TEAM
CHECKED

C2.4.1

SHEET 3 OF 3 SHEETS
PROJECT NO. C1425.01



PLANT SCHEDULE SHRUBS

80 - HYDRANGEA (NEW)
12 - INKBERRY (NEW)

PLANT SCHEDULE TREES

24 - BRADFORD PEARS (RELOCATED OR NEW)
5 - RED OAKS (NEW) (REPLACEMENT FOR DEAD TREES)
3 - ENGLISH COLUMNAR OAKS (NEW) (REPLACEMENT FOR DEAD TREES)

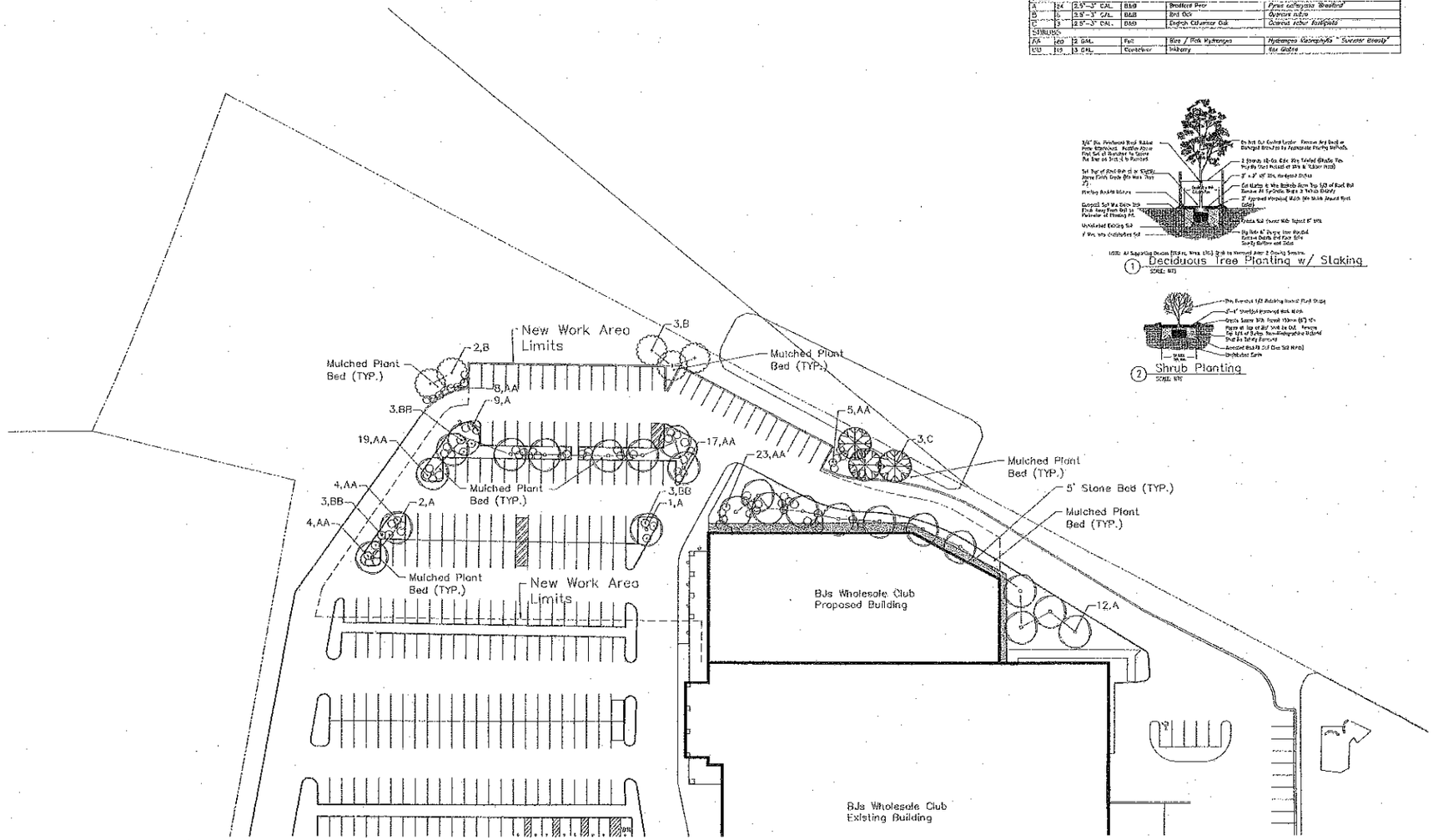
Landscape Plan
Proposed Building Addition
Hyannis, MA

10/15/2010

BJ's WHOLESALE CLUB

Bignell Watkins Hasser
ARCHITECTS, P.C.

Planting Schedule					
Key	Qty.	Size	Remarks	Common Name	Botanical Name
TREES					
A	24	2.5"-3" CAL.	B&B	Bradford Pear	*Pyrus calleryana 'Bradford'*
B	16	2.5"-3" CAL.	B&B	Red Oak	*Quercus rubra*
C	3	2.5"-3" CAL.	B&B	English Columnar Oak	*Quercus robur 'fastigiata'*
SHRUBS					
AA	160	2 GAL.	Full	Bire / Pink Hydrangea	*Hydrangea Macrophylla "Summer Beauty"*
BB	119	3 GAL.	Container	Inkberry	*Ilex Glabra*

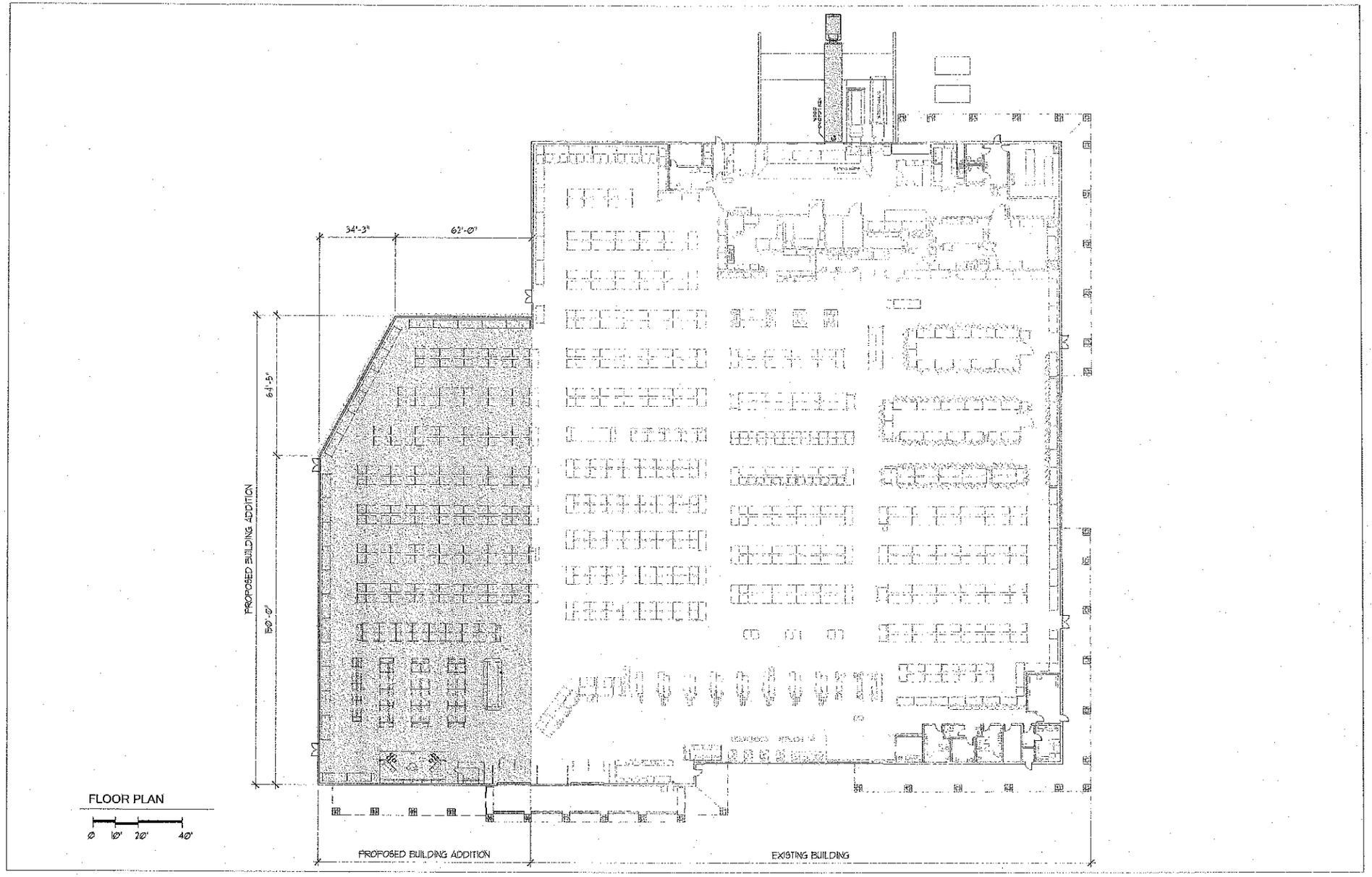


Landscape Plan
Proposed Building Addition
Hyannis, MA

07/14/11

BJ's WHOLESALE CLUB

Bignell Watkins Hasser
ARCHITECTS, P.C.



Proposed Building Addition
Hyannis, MA
07/14/2011

WHOLESALE CLUB

Bignell Watkins Hasser
ARCHITECTS, P.C.