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DEVELOPMENT OF REGIONAL IMPACT STAFF REPORT

PROJECT: TR15023
NORTHBRIDGE ASSISTED LIVING
68 GREAT NECK ROAD SOUTH, MASHPEE, MA

DATE: MARCH 9, 2016

PROJECT DESCRIPTION

The Project proposes the construction of a 70-unit assisted living and memory care facility in a two-story, 64,826-square-foot building. The Project Site is a 3.65-acre wooded parcel located at 68 Great Neck Road South in Mashpee, MA. The footprint of the proposed building is 35,724 square feet with additional impervious lot coverage of 43,529 square feet for associated site drives, walkways, and courtyards.

The Project proposes a unit mix as follows. For the assisted living portion of the Project, 44 apartments will be studio or one-bedroom single occupancy units and 8 apartments will be double occupancy units. For the memory care portion of the Project, 14 apartments will be studio or one-bedroom single occupancy units and 4 apartments will be double occupancy units. Accordingly, the assisted living portion will provide for 60 beds and the memory care portion will provide for 22 beds.

The Project Applicant, the Northbridge Companies, has entered into a Purchase and Sale Agreement with owner Mashpee Commons to purchase the Project Site, subject to permitting and other contingencies.

JURISDICTION

The Project qualifies as a Development of Regional Impact (DRI) pursuant to Section 3(g) of the Commission's Enabling Regulations (revised November 2014) as "Any proposed development, including the expansion of existing developments, that is planned to create or add 30 or more Residential Dwelling Units."

The Project is being reviewed in light of the 2009 Regional Policy Plan (RPP), as amended August 2012, which is the RPP in effect at the time of the first public hearing on the application.

Section 7(c)(viii) of the Commission's *Enabling Regulations* contains the standards to be met for DRI approval, which include consistency with the Act, the RPP, District of Critical Planning Concern (DCPC) implementing regulations (as applicable), municipal development by-laws, and the Local Comprehensive Plan. The Commission must also find that the probable benefit from the proposed development is greater than the probable detriment.

PROCEDURAL HISTORY

The Applicant submitted a DRI application on November 16, 2015. The DRI referral by the Town of Mashpee Planning Board was received on November 23, 2015. Additional application materials were received in December and January 2015. The hearing period for the Project was opened procedurally by hearing officer on January 15, 2016. The Project was declared complete sufficient to proceed to a substantive hearing on February 11, 2016. The first substantive hearing on the Project is scheduled for March 9, 2016 at 5:30pm at the Mashpee Senior Citizens Center located at 26 Frank E. Hicks Drive in Mashpee, MA.

COMMISSION STAFF ANALYSIS

Commission staff reviewed the DRI application, pursuant to the 2009 Regional Policy Plan as amended 2012 (RPP) and provides the following analysis.

LAND USE

Minimum Performance Standards (MPSs) under the RPP issue area of Land Use do not apply to the Project because the Town of Mashpee has not adopted a Land Use Vision Map (LUVM), the Project is a residential development, and the Project does not propose an expansion of infrastructure.

ECONOMIC DEVELOPMENT

The Economic Development issue area of the RPP directs the Commission to promote businesses that diversify the region's economy, provide year-round employment opportunities, draw wealth into the region, and locate in areas that are compatible with Cape Cod's environment and cultural heritage.

The following tables summarize the economic and fiscal aspects of the proposed assisted living and memory care facility:

Zoning	Commercial C-1
Total Sq. Footage	64,826 sf
Industry	Health Care – Assisted Living
Primary Trade Area	Upper Cape plus Barnstable
Secondary Trade Area	Rest of Cape plus 25% from off-cape

ESTIMATED Quantitative Impacts	
Projected Employment	56 Jobs = to 48.5 FTE
Projected Payroll (Annual)	\$2.7 Million
Projected Average Wage (Annual)	\$38,455
New Investment	\$23.3 Million
New Assessed Value	\$16 Million
New Property Tax Revenue (Annual)	\$140,000

Minimum Performance Standards

Given that Mashpee has not adopted a LUVVM, the Project is required to meet MPS ED1.1 (Location in Economic Centers) by satisfying certain waiver criteria in MPS ED1.3 (Waiver). As new development, this Project must meet four waiver criteria. The applicant suggests the Project meets the following criteria from ED3.1:

- *Green Design: The project is, at a minimum, LEED/New Construction-certified at the base level.*
- *Shared Infrastructure: The project is tied into existing infrastructure, such as wastewater treatment, telecommunications, and on-site energy-generation facilities, with excess capacity and where possible allows proximate development to do the same.*
- *Emerging Industry Clusters: The project is designed to and will accommodate a business or businesses within the region's Emerging Industry Clusters, which include marine sciences and technology; arts and culture; information and related technology; renewable and clean energy, and education and knowledge-based industries or other high-skill, high-wage, knowledge-based business activity.*
- *Municipal Endorsement: The location of the project outside of a designated Economic Center, Industrial and Service Trade Area, or Village as identified on the Regional Land Use Vision Map is endorsed through a resolution from the selectmen or town council of the town(s) in which the project is located. The resolution should state that the proposed location is consistent with both the goals of the town's Local Comprehensive Plan as well as the town's capital facilities and infrastructure planning or plan.*

Staff has reviewed the project materials and has the following comments on each of these waiver criteria:

Green Design: The Project satisfies this criterion as it has, by virtue of its proposed design, claimed 40 points on the LEED/NC check list.

Shared Infrastructure: The Project satisfies this criterion as it is proposed to connect to Mashpee Commons' existing wastewater treatment facility.

Emerging Industry Clusters: The Project falls within the healthcare industry which is a core sector of the regional economy, though not an emerging sector. The Project provides four (4) high-skill, high-wage, knowledge-based jobs out of (48.5) FTE jobs total. Based on the jobs created by the Project and past Commission practice for assisted living/memory care facilities, Commission staff suggests the Project satisfies this criterion.

Municipal Endorsement: The Applicant has obtained a resolution of the Mashpee Board of Selectmen attesting that the Project is consistent with the Town's LCP and Capital plans, satisfying this criterion.

The Project is not adjacent to any working agricultural land, waterfronts, harbors, fishing grounds, or recreational areas, complying with MPS ED1.4 (Resource-based Economic Areas).

Best Development Practices

The Economic Development issue area of the RPP encourages development to provide competitive wages consistent with the state average for that industry, employer-supported medical and retirement benefits packages, training opportunities beyond that need to perform the current job, and opportunities for advancement.

Based on the information provided by the Applicant and included below, the estimated average wage for this project is \$38,455. This average is in fact above the state average for the nursing care facilities industry. It is slightly lower than the county average for this industry, which is unusually higher than the state average.

Annual Average Wage Metrics				
Metric	Source	Date	Barnstable County	Massachusetts
Average Wage (All Industries)	BLS/MDET: ES202	2014	42,588	64,116
Nursing Care Facilities	BLS/MDET: ES202	2014	38,532	37,128
Community Care Facility for the Elderly	BLS/MDET: ES202	2014	30,732	27,872

Information is also available about the individual positions to be offered at the facility on the staffing table included in the Economic and Fiscal Impact Analysis completed by Clyde Barrow, Pyramid Associates (see below). The proposed pay for 10 positions is below the regional average for that occupation. This equals 20 FTE employees out of 48.5 FTE employees total (41%).

Staffing Table					
Job Titles from DRI Application	DRI Annualized Wage (FTE)	OES Occupation <i>(classification different than the DRI application in italics)</i>	Barnstable MSA Annual Mean Wage	DRI Wage Compared Against OES Wage	DRI Wage as % of OES Wage
Food Service Director	61,800	Food Service Managers	57,520	\$4,280	107.4%
Executive Director	103,000	<i>Chief Executives</i>	174,170	(\$71,170)	59.1%
Marketing Director	63,000	<i>Marketing Managers</i>	100,960	(\$37,960)	62.4%
Business Office Manager	61,800	<i>Managers All Other</i>	99,290	(\$37,490)	62.2%
Medical Technician	43,214	Medical and Clinical Laboratory Technicians	53,830	(\$10,616)	80.3%
Chefs (2.25 FTE)	36,421	<i>Chefs and Head Cooks</i>	52,620	(\$16,199)	69.2%
Utility	29,994	Food Preparation Workers	23,270	\$6,724	128.9%
Dining Room Supervisor (7 FTE)	32,993	<i>First-Line Supervisors of Food Preparation and Serving Workers</i>	36,760	(\$3,767)	89.8%
Maintenance Director	51,500	First-Line Supervisors of Housekeeping and Janitorial Workers	43,080	\$8,420	119.5%
Assistant	24,694	Janitors and Cleaners Except Maids and Housekeeping Cleaners	32,870	(\$8,176)	75.1%
Housekeepers	24,253	Maids and Housekeeping Cleaners	27,040	(\$2,787)	89.7%
Social Programming Director	51,500	First-Line Supervisors of Personal Service Workers	44,880	\$6,620	114.8%
Care Aides - ALZ (CNAs)	43,680	Personal Care Aides	28,400	\$15,280	153.8%
Social Programming Assistant (2 FTE)	29,994	<i>Healthcare Support Occupations</i>	30,910	(\$916)	97.0%
Lead Receptionist	30,636	Receptionists and Information Clerks	28,410	\$2,226	107.8%
Receptionist	29,994	Receptionists and Information Clerks	28,410	\$1,584	105.6%
Generations Manager	59,740	<i>Managers All Other</i>	99,290	(\$39,550)	60.2%
Director of Resident Care	77,250	<i>Managers All Other</i>	99,290	(\$22,040)	77.8%
Resident Care Employees (2.75 FTE)	83,982	<i>Healthcare Social Workers</i>	57,920	\$26,062	145.0%
Community Outreach	46,350	<i>Community and Social Service Occupations</i>	46,380	(\$30)	99.9%
Source: Application; Bureau of Labor Statistics/MA Department of Employment and Training, Occupational Employment and Wage Estimates, 2014					

Based on the information provided by the applicant, eight positions (9.75 FTE) require a Bachelor's degree or higher. Full-time employees (working 30 hours or more) are eligible for medical insurance (40% employee paid), dental insurance (50% employee paid), 401K retirement savings match of 6% after six months (after a year for part-time employees), and paid sick and vacation based on accrued time (must work greater than 22 hours per week).

WATER RESOURCES

The Project is not located in a growth area recognized by the Commission (because the town has not adopted a LUVI) and the Town of Mashpee does not yet have a Commission-approved Comprehensive Wastewater Management Plan. According to RPP Water Resources Classification Maps I & II, the Project Site is not located in any Wellhead Protection Area, Potential Public Water Supply Area or Freshwater Recharge Area. The Project will be connected to the public water supply. The Project Site is located in a Marine Water Recharge Area that drains to the Mashpee River.

The Project incorporates low-impact stormwater designs, consistent with RPP Goal WR7 (Stormwater), and the Project's wastewater will be treated at the existing Mashpee Commons treatment facility. The Project's Stormwater Report details landscape maintenance procedures for the proposed bioretention systems. Drought and pest-resistant plantings should be selected consistent with MPS WR1.5; RPP community character/ site design comments contained herein confirm that plantings selected are drought and pest-resistant as appropriate to their uses on site.

Nitrogen loading calculations submitted with the DRI application indicate that the Project will result in a site-wide nitrogen loading concentration of 1.2 milligrams-N per liter (ppm-N), which meets the 5 ppm-N loading standard (MPS WR1.1; Technical Bulletin 91-001).

The Project Site contributes to the Mashpee River, which has been identified as a nitrogen-overloaded estuary. Therefore, the Project is also subject to MPS WR3.1 (Critical Nitrogen Load Standard for Development), which limits a project's nitrogen load to identified critical nitrogen loading standard for the impaired estuary. In determining critical nitrogen load obligations for the Project, the fair-share limit for the Mashpee River is 1.21 kilograms-N per year per acre (kg-N/yr/ac), or 4.42 kg-N/yr in the case of the 3.6-acre Project Site. This limit is calculated from the watershed nitrogen threshold for the Mashpee River published by the Massachusetts Estuaries Project (MEP).

According to the referenced nitrogen loading calculations, the Project will generate 13.5 kg-N/yr/ac. Calculations submitted by the Applicant do not include wastewater nitrogen loads, though the applicant provides details on wastewater (Title 5) design flow elsewhere in its DRI application materials. Addition of the wastewater load increases when project wastewater loads are added.

Mashpee Commons has committed to reserving capacity at its plant for wastewater flows generated by the Project. The Mashpee Commons wastewater plant is a potential future component of the Town of Mashpee's pending Comprehensive Wastewater Management Plan. The plan also describes potential expansion of plant capacity from the current 0.018 million gallons per day (mgd) to 0.33 mgd. Actual capacity needs, and future use of the facility as part of the CWMP, depend in large part on the relative success of the proposed initial phases of the plan

involving alternative nutrient management strategies, primarily aquaculture, to address water-quality problems in Popponesset Bay.

Wastewater design flows of 8,180 gpd generated by the Project will be treated at the Mashpee Commons plant, assumedly prior to any expansion of the facility. As a result, the Project's wastewater nitrogen load will be significantly lower than the 396 kg-N/yr load that would be generated by a standard Title 5 septic system. However, the facility will not treat the Project's proposed wastewater nitrogen load to a level below the Project's fair share nitrogen load.

Information submitted with the DRI application indicates that wastewater effluent at the Mashpee Commons plant averaged 4.2 ppm-N over the 12-month period ending September 2015. At this level of treatment, the Project would generate a wastewater nitrogen load of 47.1 kg-N/yr, for a total project load of 60.7 kg-N/yr. This load exceeds the project's fair share nitrogen load by 56.3 kg-N/yr. The monetary equivalent to offset this load pursuant to MPS WR3.4 is \$87,200. (A commitment by the Applicant to not manage any turf on site and pre-treatment, i.e. biofiltration, of all stormwater could reduce the Project's monetary offset.) The monetary offset would be collected, held, and made available to the Town of Mashpee as a condition of DRI approval for the purpose of managing nitrogen in the Mashpee River watershed. Alternatively, Mashpee Commons presently has an accrued credit of 76.3 kg-N/yr through its DRI review that may be transferred in whole or part to the Project by agreement between the Applicant and Mashpee Commons, and a modification to Mashpee Commons North Market Street DRI decision (JR98009), which could potentially reduce or eliminate the Project's required monetary offset.

WILDLIFE AND PLANT HABITAT

The 5-acre Project Site is mapped as a Significant Natural Resources Area (SNRA) due to its location within an area of Estimated Habitat of Rare Wildlife or Priority Habitat of Rare Species. It is located to the east of Great Neck Road South and to the north of an adjacent utility easement. A wastewater treatment plant is located off-site to the northeast, with its unimproved access road bisecting the Project Site from southwest to northeast. The site consists of primarily undeveloped woodlands and contains no wetlands or wetland resource areas, or jurisdictional buffers thereto.

MPS WPH1.1 (Natural Resources Inventory) requires applicants proposing to alter undeveloped areas to provide a natural resources inventory (NRI) of the project site. Horsley and Witten Group conducted site evaluations in February 2014 and submitted an NRI consistent with Commission guidelines dated August 2015.

MPS WPH1.2 (Clearing and Grading) directs applicants to minimize clearing and grading and to plant native vegetation as needed or restore wildlife habitat. The Project Site design will preserve an 80-100 foot buffer on the eastern boundary of the site, adjacent to the utility corridor. The landscaping plan will integrate native shrub and tree species into the proposed vegetated areas of the site.

MPS WPH1.3 (Wildlife and Plant Habitat) requires projects to minimize fragmentation of wildlife and plant habitat by providing greenways and wildlife corridors through the use of open space or clustering of development. The Project's development area is concentrated on Great Neck Road South and near the (on-site) gravel driveway for the wastewater treatment plant. A

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woodland buffer area on the eastern boundary will be kept on the site to maintain the integrity of the existing wildlife corridor adjacent to the utility easement.

MPS WPH1.4 (Rare Species) states that DRIs located within mapped rare species habitat are required to submit the development proposal to the Natural Heritage and Endangered Species (NHESP) program for review. Projects that would result in adverse impacts to habitat of local populations of rare wildlife and plants shall not be permitted. Proponents for Mashpee Commons submitted a conceptual master plan (“Trout Pond Open Space Plan” dated 11/7/2013) that included development of the Project’s parcel, and received a determination that the proposal would not result in a prohibited “take” of rare species. Commission staff phoned NHESP and confirmed that this determination applies equally to the Project as currently configured.

MPS WPH1.5 (Vernal Pools) requires the provision of an undisturbed 350-foot buffer to a vernal pool. According to the NRI, no vernal pools are located on or proximate to the Project Site.

MPS WPH1.6 (Invasive Species) requires that sites with invasive plant species present implement a management and restoration plan, including eradication where possible. The NRI notes the presence of a “small patch” of *Phragmites* within the utility corridor adjacent to but not located on the Project Site.

OPEN SPACE AND RECREATION

MPS OS1.1 (Clustering of Development) requires development within a SNRA to be clustered away from sensitive resources on site and to maintain a continuous corridor to preserve wildlife habitat. The Project’s development of the site is concentrated along Great Neck Road South and the existing gravel driveway that connects to the wastewater treatment plant. A woodland buffer area along the eastern boundary, adjacent to the utility corridor, will maintain the existing wildlife corridor.

MPS OS1.2 (Open Space Connections) requires that on-site protected open space be designed to be contiguous or interconnecting with adjacent open space. The Project’s open space proposal is to provide off-site open space that abuts a Mashpee River Woodlands Conservation parcel.

MPS OS1.3 (Open Space Requirements) requires DRIs to provide permanently protected open space in proportion to the project’s development area. According to the application materials, the developed area for the project is 3.64 acres. As a DRI located within a SNRA, the open space requirement is 7.28 acres of upland. The Applicant indicates that the Project intends to meet the requirement through the provision of 7.28 acres off-site, but the application has not provided details about the open space parcel. According to the NRI, the applicant has come to an agreement with Mashpee Commons LP to provide the open space on land “further south” along Great Neck Road that is contiguous with larger undeveloped forested parcels also mapped as rare species habitat and containing occasional areas of wetland habitat. This may meet RPP requirements and result in protection of land with high natural resource value, though the Applicant will need to provide an open space proposal/ plan that specifically identifies the location of the proposed off-site open space parcel.

TRANSPORTATION

Traffic analysis for the Project was conducted by BSC Group and is presented in its June 2015 Traffic Impact Study (TIS). The Applicant has provided correspondence from the town's Design and Plan Review Committees, dated January 6, 2016 and December 15, 2015, respectively supporting the provision of a safe pedestrian connection from the site to the existing multi-use path on Donna's Lane and Great Neck Road South, and the town's amenability to allowing the same within the public right-of-way. To afford a safe access to employee, residents, and visitors to the site as well as the travelling public, this pedestrian connection would need to include:

1. A minimum 5-foot-wide sidewalk along the site frontage extending south to the existing crosswalk south of Donna's Lane; and
2. Manual on Uniform Traffic Control Devices (MUTCD)-compliant marking and signage and Americans with Disabilities Act (ADA)-compliant curb ramps at all roadway and driveway crossings.

Commission Transportation staff has reviewed the Project for compliance with the Transportation MPSs of the RPP. Due to the lack of a sufficiently robust Travel Demand Management (TDM) Plan, Commission Transportation staff suggests that the Project, as currently proposed, would not meet TR2.1 (Trip Reduction Outside Growth Incentive Zones or Economic Centers) or TR2.5 (Estimating Trip Reduction). Commission Transportation staff suggests that, with an expanded TDM plan, the Project could be conditioned to comply with all of the Transportation MPS.

Explanation of Recommendations

The Applicant has suggested that the 25% trip reduction requirement will be met by the provision of "*bus service, pedestrian access, and bicycle access.*" Commission Transportation staff finds that without the implementation of a more robust TDM plan, this trip reduction estimate is not reasonable. For this type of development, a TDM plan is essential to informing employees, residents, and visitors of the variety of transportation options available to and from the site. Elements of a TDM plan that are common for this type of development include:

1. Establishing an on-site transportation coordinator to provide employee, residents, and visitors information on carpool and transit options;
2. Providing a ADA-compliant sidewalk along the site frontage, driveway, and connecting to the building entrance;
3. Providing secure bicycle storage;
4. Providing preferential parking spaces with "Carpool Only" signage on each parking space;
5. Providing on-site amenities such as lunchrooms, microwaves, refrigerators, and other services;
6. Establishing a Guaranteed Ride Home Program for occasions when an employee has carpooled to work and the employee has no means of getting home ;
7. Providing incentives for the use of alternative modes such as: raffles, free lunch for alternative mode users, and subsidized transit passes;

8. Posting information on bulletin board in a common area of the building including a Cape Cod Regional Transit Authority schedule and map, a bicycle and pedestrian network map, a MassRIDES Program Information brochure, MassRIDES Emergency Ride Home Guidelines, and information on any financial incentives being offered; and
9. Providing a report on the status of the TDM plan implementation to the Commission on an annual basis.

Should the Applicant agree to implement a TDM plan substantially similar to the one described above, Commission Transportation staff suggests that the 25% trip reduction requirement would be met.

General Minimum Performance Standards

As presented in the June 2015 TIS, trip generation estimates were developed for the proposed 82 bed assisted living facility based on data for similar facilities, as outlined in the *Institute of Transportation Engineers (ITE) Trip Generation, Ninth Edition, 2012*, and is summarized in the following table.

Time Period	Total New Trips¹
Weekday Daily Trips	218
AM Peak Hour Trips	15
PM Peak Hour Trips	29

¹ITE LUC 254, Assisted Living, 82 beds

Commission Transportation staff has reviewed the trip generation source of data and calculations and suggests that the trip generation source of data (ITE) and calculations were conducted in conformance with MPS TR0.1 (Sources of Trip-generation Data); therefore, Commission Transportation staff suggests that the project complies with MPS TR0.1.

No traffic credits for past uses are proposed; therefore, Commission Transportation staff suggests that MPS TR0.2 (Traffic Credit for Past Use) does not apply to this project.

Commission Transportation staff suggests that the Project should be conditioned to comply with MPS TR0.3 (Permits for Roadwork prior to Construction) with the provision that, prior to issuance by the Commission of a Preliminary Certificate of Compliance, the Applicant be required to submit copies of all necessary roadwork approvals and permits to the Cape Cod Commission.

MPS TR0.4 (Alternative Method for Compliance within Economic Centers) allows DRIs located within Economic Centers “to meet certain trip-reduction and congestion standards of the RPP as identified in this MPS by making a payment of funds based on the DRI’s daily or peak-hour

trip generation.” The site is not with a designated Economic Center; therefore, Commission Transportation staff suggests that MPS TR0.4 does not apply to this Project.

The site is not within a designated Economic Center and does not propose a mix of discrete commercial and residential uses; therefore, Commission Transportation staff suggests that MPS TR0.5 (Incentive for Mixed Use in Economic Centers) does not apply to this Project.

Safety

With the pedestrian improvements previously discussed, Commission Transportation staff suggests that the Project would comply with MPS TR1.1 (No Degradation of Public Safety).

Based on the fact that the DRI is not expected to increase traffic by 25 vehicle trips or more during the project’s peak hour on any road links or at any intersections, Commission Transportation staff suggests that the project complies with MPS TR1.2 (Crash Frequency at Key Locations) and MPS TR1.3 (Identification of Safety Impact).

MPS TR1.4 (Standards for Driveway Construction) states that “*all access and egress locations for DRIs shall meet local, county, and/or state and federal access management bylaws, technical bulletins, standards, and/or policies for driveway spacing and separation from the nearest intersections.*” MPS TR1.4 additionally requires that “*the width of driveway and/or curb-cut openings to serve DRIs shall not exceed 12 feet per travel lane, except where deemed appropriate by the Commission*” and that “*driveway openings of more than 24 feet shall include a center pedestrian refuge island where deemed appropriate by the Commission.*” As presented on the site plans dated 11/11/15, the proposed development is served by a single two-lane, 24-foot-wide driveway onto Great Neck Road South. In order to safely accommodate vehicles entering and exiting the facility, the driveway flares out at the connection with Great Neck Road South resulting in an overall driveway opening in excess of 24 feet. As indicted in the June 2015 TIS, the Applicant “*will work with the Town of Mashpee to install a sidewalk along the Project property frontage within the Town right-of-way.*” Commission Transportation staff suggests that a pedestrian refuge island is not necessary at this driveway. With ADA-compliant ramps across the site driveway, Commission Transportation staff suggests that the project would meet MPS TR1.4.

Commission Transportation staff suggests that the Project be conditioned to comply with MPS TR1.6 (Sight-distance Obstructions) with the provision that, prior to issuance by the Commission of a Final Certificate of Compliance, Commission staff will conduct a site visit to confirm that no signs, vegetation, or other visual obstructions have been placed in a manner that would create an obstruction to safe sight distance at the site drive.

With the pedestrian improvements previously discussed, Commission Transportation staff suggests that the Project would meet MPS TR1.7 (Bicyclists and Pedestrians Safety and Access/Egress Requirements).

As detailed in the sight distance analysis included in the June 2015 TIS, the driveway has been located on a tangent section of Great Neck Road South that provides acceptable sight distances;

therefore Commission Transportation staff suggests that the Project complies with MPS TR1.8 (Sight Distance Requirements).

In order for the project to comply with MPS TR1.9 (Mitigation Timing), Commission Transportation staff suggests that a decision be conditioned to require that transportation mitigation to address or offset safety concerns be provided or implemented prior to issuance of a Final Certificate of Compliance.

Trip Reduction/Transportation Balance and Efficiency

With the implementation of a TDM plan substantially similar to the one previously described, Commission Transportation staff suggests that the Project will meet the required 25% trip reduction and therefore meet MPS TR2.1 (Trip reduction Outside Growth Incentive Zones or Economic Centers). Without such a robust TDM plan and just the “*bus service, pedestrian access, and bicycle access*” describes in the June 2015 TIS, a payment of \$133,800 would be required to make up the anticipated trip reduction shortfall.

Given that the site is bordered by wooded areas on Great Neck Road South wooded, Commission Transportation staff suggests that interconnections are not feasible for this project. Commission Transportation staff suggests that MPS TR2.3 (Interconnections) and MPS TR2.4 (Incentives for Connections between Adjacent Properties) do not apply to this project.

MPS TR2.5 (Estimating Trip Reduction) states that “*the estimates of the number of trips reduced through proposed trip-reduction measures including trip-reduction support measures, transportation services, economic incentives, and locating on a transit line shall be based on an analysis that is accepted and approved by the Commission based upon the methodology provided by the Cape Cod Commission Guidelines for Transportation Impact Assessment, Technical Bulletin 96-003, as amended.*” Commission Transportation staff suggests that the Applicant’s estimation of 25% trip reduction based on the Project described in the June 2015 TIS is inconsistent with MPS TR2.5. With the implementation of a TDM plan substantially similar to the one previously described, Commission Transportation staff suggests a 25% trip reduction would be appropriate and therefore the Project would meet MPS TR2.5.

The site is not on any fixed-route bus route; therefore, Commission Transportation staff suggests that it would not be appropriate to require the Applicant to construct a bus stop and/or bus turn-out and/or bus shelter, and the Project complies with MPS TR2.6 (Bus Stops, Turn-outs, and Shelters).

With the pedestrian improvements previously discussed, Commission Transportation staff suggests that the Project would meet MPS TR2.7 (Bicycle and Pedestrian Accommodations).

Commission Transportation staff suggests that appropriate rights-of-way currently exist along the site’s street frontage to accommodate expected needs for bicycle and pedestrian accommodation and/or relocation of utilities; therefore, it would not be appropriate to require the Applicant to provide additional rights-of-way, and the Project complies with MPS TR2.8 (Preservation of Frontage).

As presented in the June 2015 TIS, the zoning requirement for the proposed development is 92 parking spaces. The Applicant is proposing 64 parking spaces *“based on parking utilization data collected at other existing Northbridge Facilities.”* The Applicant is proposing no more than the minimum number of spaces required by town zoning; therefore, Commission Transportation staff suggests that the project complies with MPS TR2.9 (Parking Spaces).

MPS TR2.10 (Acceptable Trip-reduction Strategies) and MPS TR2.11 (Other Trip-reduction Strategies) detail trip-reduction strategies, such as payments, for meeting the trip-reduction requirement of Goal TR2 not met through other means. No other trip-reduction strategies, as defined by MPS TR2.10 or MPS 2.11, have been proposed by the Applicant; therefore, Commission Transportation staff suggests that MPS TR2.10 and MPS TR2.11 do not apply to the Project.

No credits for trip reduction in excess of the requirements of this section have been requested by the Applicant; therefore, Commission Transportation staff suggests that MPS TR2.12 (Trip-Generation Credit) does not apply to the Project.

No trip reduction payments have been proposed by the Applicant; therefore, Commission Transportation staff suggests that MPS TR2.13 (Inflation Factor) and MPS TR2.14 (Use of Trip-reduction Funds) do not apply to this project.

Level of Service/Congestion Management

Since the Project is not located in an Economic Center the site driveway must operate at a Level of Service C or better during the Project’s peak hour. As presented in the June 2015 TIS, the site driveway will operate at Level of Service B during the PM peak hour (project’s peak hour) under 2020 build conditions. Commission Transportation staff suggests that the site driveway meets the operation requirements of MPS TR3.1 (Operation Requirements).

Commission Transportation staff suggests that if a decision is conditioned as recommended in these transportation comments, the Project will comply with all MPS under Goal TR2 (Trip Reduction/Transportation Balance and Efficiency); therefore, with that assumption, Commission Transportation staff suggests that for the purpose of meeting the requirements of Goal TR3 (Level of Service/Congestion Management) the Project should be allowed to reduce their estimated trip generation by 25 percent and suggests that the project complies with MPS TR3.2 (Credit for Trip-reduction Mitigation).

Commission Transportation staff suggests that the transportation-related materials submitted by the Applicant were prepared in accordance with Cape Cod Commission Technical Bulletin 96-003; therefore, Commission Transportation staff suggests that the Project complies with MPS TR3.3 (Traffic Studies).

As presented in the June 2015 TIS, the Applicant has proposed a payment of \$101,900, following the methodology of MPS TR3.6 (“Fair-share” Payments), to meet the congestion mitigation requirements of MPS TR3.4 (Mitigation of Congestion Impacts Required). Commission Transportation staff suggests that the calculation of the “Fair-share” payment was

performed in accordance with the requirements of MPS TR3.6 and guidance in Technical Bulletin 96-003; however, with updated transit cost data available since the estimate was made, the amount should be adjusted to \$89,200. Additionally, Commission Transportation staff suggests that the off-site portions of the pedestrian improvements previously discussed represent a congestion benefit to the public and credit, in the amount of \$50,000, could be applied to this required payment. Commission Transportation staff suggests that if, through Commission discretion, the payment of \$39,200 is accepted to mitigate adverse traffic impacts, the Project will comply with MPS TR3.4.

MPS TR3.11 (No Capacity Increase on Controlled-access Highways) states that “*DRI shall not increase the mainline capacity of limited-access highways on Cape Cod, including portions of Route 6, Route 3, and the Route 25 extension within Barnstable County.*” No increases in the mainline capacity of limited-access highways on Cape Cod have been proposed by the Applicant; therefore, Commission Transportation staff suggests that the project complies with MPS TR3.11.

If deemed appropriate by the Commission, a decision could be conditioned to require an annual inflation rate be applied to the proposed congestion mitigation payment. Commission Transportation staff suggests that based on a 10-year annual average increase of the National Highway Construction Cost Index prepared by the Federal Highway Administration, an annual inflation rate of 1% would be appropriate. Commission Transportation staff suggests that it would be appropriate for the Commission to condition a decision such that a 1% annual inflation rate be applied to the congestion mitigation payment from the date of the final Commission decision until the funds are paid. If a potential decision were conditioned as previously suggested, Commission Transportation staff suggests that the Project would comply with MPS TR3.15 (Inflation Factor).

Commission Transportation staff suggests that, to ensure compliance with MPS TR3.16 (Use of Congestion Mitigation Funds), a decision should be conditioned to require that the use of congestion mitigation funds be “*used to support projects or strategies that encourage alternatives to automobile travel*” in accordance with the requirements of MPS TR3.16.

ENERGY

According to the application materials, the building and common spaces will be designed to achieve an Energy Star Target Rating of 75 or higher and the building envelope will comply with ASHRAE 90.1-2010 Section 5.4. The Energy Star SEDI submitted in the application shows an Energy Star Design Score of 80. Thus, staff suggests the Project meets MPS E1.2 (Designed to Earn Energy Star Certification) and E1.3 (ANSI/LEED Standards).

The Assisted Living units of the building will be designed to specifications in the Energy Star Qualified Homes Builder Option package which relate to cooling/heating equipment, thermostat, ductwork, building envelope, windows, water heater, and lighting and appliance selection, meeting MPS E1.4 (Multi-family Projects).

Additionally, the application materials include a narrative describing strategies to achieve LEED certifiability and a project checklist prepared by a LEED-accredited professional, meeting MPS E1.5 (On-site Renewable Energy Generation).

AFFORDABLE HOUSING

In the RPP consistency narrative provided in the application materials, the Applicant states its intention to provide affordable units on-site to meet the 10% requirement of the RPP as outlined by MPS AH1.1 (Residential Requirement). The RPP requires that affordable unit types should be provided in the same proportion as will be provided with market units. The architectural plan set provided in the application materials specifies the Project will create a total of 7 studio assisted living units, 37 one-bedroom assisted living units, 8 two-bedroom assisted living units, 12 studio memory care units, 1 one-bedroom memory care unit, and 4 “shared” memory care units.

The Applicant proposes the 10% requirement be met through the provision of 2 studio assisted living units, 4 one-bedroom assisted living units, and 1 studio memory care unit. To meet MPS AH1.8 (Timing and Mix of Affordable Units), Commission staff suggests the Project provide 1 studio assisted living unit, 4 one-bedroom assisted living units, and 2 studio memory care units.

The Applicant proposes to meet MPS AH1.11 (Pricing and Rents of the Affordable Units) by calculating the affordable rent and services using the MassHousing Elder Choice program guidelines of total fees for rent and services not to exceed 75% of income for a household at 80% of area median income for the Barnstable MSA, consistent with recent DRI decisions for assisted living and memory care facilities. The materials include a package of services to be included which are consistent with this standard. The Applicant notes that all fair housing/equal opportunity standards will be met by the Project. Those provisions should be incorporated by condition into any DRI decision approving the Project.

HERITAGE PRESERVATION AND COMMUNITY CHARACTER

The Applicant submitted a Project Notification Form to the Massachusetts Historical Commission (MHC) to determine whether there are any concerns regarding archaeological resource impacts from the proposed development. Commission staff confirmed with MHC that no resource impacts were identified. Based on MHC’s MACRIS database there are no known historic structures on the Project Site. Though there is one modern historic structure identified in the database located across Great Neck Road from the Project, it would not be adversely impacted by the proposal given the distance and buffering between the properties. Thus, staff suggests the Project is consistent with RPP Goal HPCC1 (Historic, Cultural, and Archaeological Resources) and the MPS therein.

Commission staff suggests the Project is consistent with RPP Project Siting Standards MPS HPCC2.1 (Strip Development), HPCC2.2 (Protection of Existing Roadway Character), and HPCC2.3 (Avoid Adverse Visual Impacts) in that it does not create strip development, does not propose changes to existing roadway character, and is not located on a scenic roadway.

Commission staff suggests the Project's building is consistent with RPP Building Design Standards MPS HPCC2.4 (Consistency with Regional Context for Surrounding Distinctive Area), HPCC2.5 (Footprints over 15,000 Square Feet), and HPCC2.6 (Building Forms and Facades). MPS HPCC2.7 (Non-traditional Materials and Designs) does not apply to the Project, as it is not located in an industrial area. The building is divided into two main components arranged at very different distances from the street. The rear portion of the building is set back more than 100 feet from the front façade, clearly separating the two massings. All facades incorporate changes in setback and projection, as well as changes in roof height and façade detailing. The portion of the building closest to the street is approximately 220 feet long, but is divided into three components with 15 foot setbacks between the sections, plus smaller setbacks adjacent to porch areas. These setbacks, plus significant changes in roof height and configuration (the peak ranges from 28 to 34 feet, and the eave height also varies), and variation in the porch and window design, provide sufficient variation in building forms and facades. The Project proposes finishes that are consistent with Commission guidelines. The Project is not located in an Historic District, or an area with a distinctive or dominant architectural style.

Proposed parking is located to the side and rear of the building. The Project proposes a significant amount of landscaping incorporating sustainable plant materials and planted bioretention areas, and the Applicant has provided a draft landscape maintenance agreement. Thus, staff suggests the Project meets MPS HPCC2.8 (Parking to the Side or Rear of Buildings), HPCC2.9 (Landscaping Improvements for Redevelopment), and HPCC2.10 (Landscape Plan Requirements), subject to specifying plant materials in the proposed bioretention areas.

The Applicant's proposed lighting plan is consistent with requirements of MPS HPCC2.11 (Exterior Lighting). The Applicant has not provided a signage plan, but any proposed signage, including sign lighting, must be submitted to the Commission for review, and designed consistent with MPS HPCC2.11 and MPS HPCC2.12 (Signage).

CONCLUSION

Based on the above recommendations, Commission staff suggests that the Project can be found consistent with the MPS of the RPP with the recommendations and resultant conditions proposed herein.

The only applicable District of Critical Planning Concern (DCPC) to the Project is the Cape-wide Fertilizer Management DCPC. The Project has submitted a draft Turf Management and Integrated Pest Management Plan which specifies a total yearly application limit of 1.5 pound of nitrogen per 1000 square feet of turf. The Commission-approved implementing regulations for the Town of Mashpee only recommend a total yearly application of 1.0 pounds of nitrogen per 1000 square feet of turf. The Applicant should modify the Turf Management and Integrated Pest Management Plan to conform to the foregoing and other relevant provisions of the Mashpee Nitrogen Control By-law.

The Applicant has stated that the Project requires a Town of Mashpee Planning Board Special (Use) Permit for an Assisted Living Facility. As part of this review, the Applicant is seeking waivers of certain vegetated setback requirements as allowed under recent amendments to the

town zoning by-law. The Applicant will also have to obtain a Building Permit and Certificate of Use/Occupancy from the Town of Mashpee Building Department.

Based on review by Commission staff and correspondence with Town of Mashpee Town Planner Thomas Fudala dated 2/11/2016, the Project is consistent with local zoning and other applicable local development by-laws as well as Mashpee's 1998 Local Comprehensive Plan (LCP). Consistency with local by-laws will be evidenced by the Applicant obtaining all necessary permits on the local level. The Project is consistent with the LCP because it is located in a mapped Growth/Activity Center and the plan seeks to "encourage the development of healthcare and related facilities."

The Applicant has proposed several benefits of the Project. Commission staff suggests the Commission may wish to consider the following benefits and detriments it has deduced from the application materials and suggestions by the Applicant.

Benefits:

1. The Project brings development to an area mapped and developed as a Growth/Activity Center by Town planning activities.
2. As claimed by the Applicant's provided Economic and Fiscal Impact Analysis, the Project will provide 48.5 year-round, full-time-equivalent jobs as well as new net tax revenues to the Town.
3. As claimed by the Applicant's provided Market Feasibility Analysis and Study, the Project addresses a regional need for new assisted living and memory care housing units.
4. The Project connects to existing wastewater treatment infrastructure.
5. The Project proposes to provide higher value off-site open space than could be protected on site.
6. Sidewalk connectivity on the Project Site will improve multi-modal transportation options and safety for the public at large.
7. The Project is multiple stories, which reduces the footprint of the building.
8. The Project proposes fewer than the number of parking spaces required by local zoning, which reduces impervious area on the Project Site.
9. The Project submitted a 21E Phase I site assessment as part of the application materials.

Detriments:

1. The Project will result in the clearing of 3.64 acres of forested upland.