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COMMISSION

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**Minutes**  
**Springhill Suites by Marriott (TR14017) Hearing**  
**June 16, 2015**  
**Morse Pond School Auditorium**  
**323 Jones Road, Falmouth, Massachusetts**

Subcommittee Members Present: Ernest Virgilio (Chair), Mary Pat Flynn, John D. Harris, John McCormack, Jr., Richard Roy, Charles McCaffrey (Alternate), and Royden Richardson (Alternate)

Commission Staff Present: Paul Niedzwiecki (Executive Director), Patty Daley (Deputy Director), Kristy Senatori (Deputy Director), Glenn Cannon (Director of Technical Services), Atty. Jonathon Idman (Chief Regulatory Officer), Atty. Elizabeth Perry (Regulatory Officer II) and Jeffrey Ribeiro (Regulatory Officer II)

Others Present: Atty. Kevin Eriksen (Counsel, Falmouth Hospitality LLC) and Robert Walker (Principal, Falmouth Hospitality LLC)

**Minutes Summary**

The Cape Cod Commission (Commission) Springhill Suites by Marriott Subcommittee (Subcommittee) held a hearing to review a proposal by Falmouth Hospitality LLC to construct a 110-room hotel as a Development of Regional Impact (DRI). The Subcommittee heard brief comments from the applicant and staff and took public testimony.

**Documents Used/Received**

1. Springhill Suites by Marriott Limited DRI Scoping Decision, dated 1/22/2015
2. Springhill Suites by Marriott Limited DRI Staff Report, dated 5/19/2015
3. Submittal by Peter Cook
4. Submittal by Gisela Tillier
5. Submittal by Kathy Taylor, dated 6/16/2015
6. Submittal by Nancy Hayward, dated 6/16/2015
7. Submittal by Cris Tarnay

## Hearing Opened

Ernest Virgilio, Chair, called the continued hearing to order at 6:32pm. He asked the Subcommittee to introduce themselves, and they did so. Mr. Virgilio then asked Cape Cod Commission Regulatory Officer Jeffrey Ribeiro to provide brief comments.

Mr. Ribeiro informed the Subcommittee that all the project materials have been uploaded to the Cape Cod Commission website and are available to the public. He said the materials are updated daily as they are being sent to the Commission members.

Mr. Ribeiro stated that new correspondence with the Falmouth Town Planner could be found in the materials. He said this letter adds a special permit for lot coverage from the Falmouth Planning Board to the list of required local permits.

Mr. Ribeiro said that there was confusion from the public over the square footages for existing uses. He stated that the number used for all purposes was consistent and correct, but the numbers are broken down differently under different issue areas.

Mr. Ribeiro noted that at the previous hearing it was suggested that alternate locations, such as Route 151, be considered. He said that the Commission does not choose or plan private projects it reviews. He said Commission regulations do not support greenfield development, especially in areas without infrastructure.

Mr. Ribeiro addressed concerns that there was no need for the hotel in the area. He said that the Commission has just begun a hotel feasibility study for the Upper Cape, but the results will not be available until the end of the year. He stated that the Market Analysis for Cape Cod, prepared by the Chesapeake Group for the Commission, made no direct statement on full-service hotels for Falmouth, but it did find that Bed and Breakfast Inns are "over-represented" for the area.

Mr. Ribeiro concluded his remarks by summarizing the primary concerns under the RPP issue area of Heritage Preservation and Community Character that were identified in the staff report. He said these include the engagement with the street, the setback of the east building, the façade articulation of the west building, and the exterior finish materials. He said the Subcommittee also heard many comments at the previous hearing concerning the size of the building. He said there are other large buildings in the area, but Minimum Performance Standard HPCC2.2 requires buildings be sized so as not to change the character of the roadway.

Mr. Ribeiro then asked Cape Cod Commission Director of Technical Services Glenn Cannon to present.

Mr. Cannon introduced himself to the Subcommittee. Mr. Cannon gave a presentation using PowerPoint. That presentation is attached hereto.

Mr. Virgilio invited the applicant to provide brief comments.

Atty. Kevin Eriksen introduced himself and stated that he would address comments from the public at the previous hearing. He said that Falmouth Hospitality LLC is not part of the Marriott

corporation, but rather a franchisee. He said access to Lantern Lane would be maintained and improved through proposed roadway improvements. He said the applicant would consider installing signage to direct hotel residents to use the exit on Main Street. He said the applicant has significant experience developing real estate and would be meeting a need in the market for branded commercial accommodations. He stated that in order to receive franchise rights from Marriott, a third party market analysis had been conducted.

Mr. Eriksen said that the benefits of the project include the improvement of the character of the site, provide an increase in tax revenue to Falmouth, increase in business along Main Street from hotel customers, the creation of temporary and full-time jobs, and fulfillment of the need for branded commercial accommodations.

Mr. Virgilio asked if there were comments or questions from the Subcommittee. Charles McCaffrey, Falmouth Representative, asked Mr. Cannon for further clarification on the ITE land use code that was used for the traffic assessment. Mr. Cannon described the uses on site. Mr. McCaffrey said the uses did not seem to be related and asked if they met the ITE definition. Mr. Cannon explained that the uses did meet the definition. Mr. McCaffrey asked what the calculation would be if the uses were broken out separately. Mr. Cannon said he did not know what the exact trip generation would be, but he said the trip credit would likely be higher.

Mr. Virgilio asked for comments from federal, state, and local officials. There were none.

Mr. Virgilio then asked for comments from the public, starting with those who signed in. He stated that because of the large number of people who would like to speak he would hold comments to a time limit.

### **Public Comment**

Peter Cook said that he moved to Falmouth because it was a community that cared about history. He submitted into the record a newspaper article about the area. He said the project was not consistent with the character of the neighborhood. He said trucks would use Lantern Lane for deliveries to the hotel.

Gisela Tillier stated that she bought her home on Lantern Lane in 1980 from John Fay Jr. She said there was a green triangle that was meant to be maintained as a buffer, and she held a plan to show the area. She submitted the plan and her comments into the record. She said the hotel building would not relate to the surrounding neighborhood.

Pierre Tillier asked to give his time to Jill Neubauer. Mr. Virgilio accommodated his request.

Jill Neubauer stated that she is an architect and said that the project was not appropriately sized for its surroundings. She showed elevations with surrounding buildings pictured, which were submitted into the record with her comments. She said the building comes too close to the property lot lines and said it is not possible to mitigate the building's appearance. She said the Commission should deny the project on Community Character grounds.

Matthew Gould asked to give his time to Davien Gould. Mr. Virgilio accommodated his request.

Davien Gould said that she bought her home from the Fay family. She said she did not realize the triangle previously mentioned was zoned for commercial development. She said the project will damage the character of the community. She said there would be significant noise from the project.

Kathy Taylor said the project would result in increased traffic on Lantern Lane. She said the stormwater infiltrated on the site would create problems in the neighborhood. She said the project should not infiltrate its stormwater on-site.

Brian Ridgeway said the project would have a negative effect on real estate values.

Daniel Gould said the building is not appropriate for Main Street in Falmouth.

Alison Leschen said the project is not properly located. She said the project would result in an increase in traffic, a reduction in home values, an impact on the safety of pedestrians, and a negative visual impact on the area.

Carina Rizzi said the detriments outweigh the benefits. She said the project does not fit the character of Falmouth. She said delivery trucks would use Lantern Lane. She said the project would be too close to residential development, and that the Subcommittee should visit the back of the site.

Scott Lindell said there would be a significant impact on traffic on Lantern Lane as well as on Dillingham Avenue.

Maureen Trodden said the Subcommittee should listen to Falmouth residents.

Susanne Hallstein said there would be negative traffic impacts on downtown Falmouth.

Kevin Robinson said that he owns a Bed and Breakfast on Main Street in the historic district. He said the applicant should reduce the size of their project.

Robert Dugan said that traffic from the project would have a negative effect on emergency response times. He said actual counts should be used for traffic calculations. He said the building should use natural materials. He said this project is not consistent with what he believed the Business Redevelopment district would result in. He said the adjacent project that will provide shared parking should be included in the review.

Shelby Allen said the project is not appropriately sized for this portion of Main Street.

Kay Paine said the proposed building is too big.

Ruth Ann Molineaux said the project is will have a negative impact on the character of Lantern Lane. She said increased traffic from the project would have a negative impact for businesses on Main Street.

Harry Mack said that he lives near the Seacrest Hotel, and that he was surprised the hotel does not generate significant traffic. He said the project is consistent with the goals of the Business

Redevelopment district. He said the project would have positive impacts on local businesses and local tax revenue.

Robin Singer said the project would have a negative effect on the local neighborhood. She said the project would increase traffic on Main Street. She said Falmouth has water and sewer issues. She said the traffic assessment is insufficient.

Vicky Lowell said the project should provide greater buffering to neighboring properties. She said that not every site in the Business Redevelopment zoning district is appropriate for every use allowed therein, and that the project is not well sited as it abuts a residential neighborhood. She said the scale of the project is wrong.

Gerard Smith stated that he sees minor vehicular accidents at the intersection of Nye Road and Main Street frequently. He said that he does not think the traffic assessment is sufficient. He said the project is not suited to this location.

Leslie McDonald said the building does not do a good job of relating to the street.

Craig Martin said the trip generation used in the traffic assessment is not accurate. He said he believed the Business Redevelopment zoning district would result in retail and residential uses.

Hannes Tarnay stated that the project would have a negative effect on the residential neighborhood of Lantern Lane. She said the project would have a negative effect on traffic along Main Street.

Amy Sellers said the project is not appropriate for this location because of the effect it would have on Lantern Lane.

Nancy Hayward said there are historic resources in the area near the hotel that would be affected by the project. She submitted documentation on some of these resources into the record. She said the new affordable housing project on Main Street resembles the project, and that it adds little to the street. She stated that she has been unhappy with the way the project has been reviewed on the local level.

Deborah Siegel said residents of the town are concerned about the project. She said the ITE code used for trip generation is not accurate. She said that she has concerns about water service and wastewater for the project.

Julie Brienza stated that she owns a bed and breakfast inn in Woods Hole that caters to families. She said the project would have a negative effect on her business.

Robert Platt said that the rights of both the applicants and the abutters should be considered. He said the developer has a good reputation.

Janet Simons Folger said the traffic assessment is not sufficient and actual counts should be used.

Genoa Langnickel asked if the jobs would pay a living wage.

Dave Businowski said that the project is too large and the traffic assessment is insufficient.

Lisa Rudy said the project is not properly sited. She said the applicant should redevelop defunct hotels elsewhere in town.

Sean Roubouchard said young people in Falmouth are opposed to the project. He said the project would have a negative effect on the area.

### **Continuance**

Mr. Virgilio asked the Subcommittee if they would like to discuss the project at the hearing, or, in the interest of time, hold a public meeting. Mr. Idman stated that the Subcommittee could use a public meeting to discuss the project in a workshop session while continuing the public hearing. John McCormack Jr. stated that he would prefer to have a public meeting to discuss the project. Mary Pat Flynn said she thought a workshop session for the Subcommittee members would be useful and allow the members to deliberate over the testimony collected. John Harris, Richard Roy, and Royden Richardson said that they also agree the Subcommittee should discuss further at a public meeting.

Charles McCaffrey asked staff if the Subcommittee would provide further analysis. Mr. Idman said the Subcommittee could ask for any analysis it wanted. Mr. Virgilio asked for a motion to continue the public hearing to June 30th at 6:00pm at the Morse Pond School auditorium in Falmouth. Mr. McCormack moved to continue the hearing, and Ms. Flynn seconded. Mr. Roy expressed he was concerned that there would not be enough time between the public hearings to hold a public meeting. Mr. Idman clarified that the public meeting could be an opportunity for the Subcommittee to discuss the project.

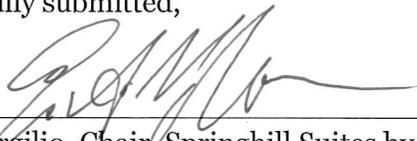
Atty. Kevin Eriksen asked the chair if he could respond to comments from the evening. Mr. Virgilio accommodated his request.

Mr. Eriksen stated that several trees would remain on the site. He noted that the property at 3 Lantern Lane shown on Ms. Neubauer's elevations is owned by the applicant and is part of the project site. He said the abutters immediately to the west are not opposed to the project. He stated that commercial accommodations are a use allowed in the Business Redevelopment zoning district. He said the applicant has worked to meet all local regulations.

Mr. Virgilio then asked for a vote to continue the hearing. All were in favor.

Mr. Virgilio asked for a motion to adjourn the public hearing. Mr. McCormack moved, and Mr. Harris seconded. All were in favor, and the continued hearing was adjourned at 9:02pm.

Respectfully submitted,



Ernest Virgilio, Chair, Springhill Suites by Marriott Subcommittee

0/30/15

Date