Hearing Submittal
August 20, 2015

The full committee might not be aware of the enormous and unanimous opposition this project has engendered in the Town of Falmouth. Hundreds of people have turned out to meeting after meeting to voice their disapproval. Well over 100 people have written letters. 700 people signed an online petition and almost of half of those made comments. These are not just neighbors – these are people from all over Falmouth, and even people who are regular visitors to Falmouth and don't want to see this hotel destroy the character of the town they love. The Falmouth Historic Commission and the Falmouth Bed and Breakfast Association wrote in opposition. Perhaps most significantly, The Falmouth Selectmen voted unanimously to oppose the project. All of this correspondence shared a concern that people's lives and the character of their town – and by extension of Cape Cod – will be forever changed for the worse if you allow this project to go forward.

The applicant recently submitted a letter stating that the development of private property is not determined by a popular vote. I want to remind you that the entire purpose of the Cape Cod Commission review of large developments is to ensure that private property rights on developments of Regional Impact be held to a higher standard than the bare minimum local zoning laws, in order to fulfill your mission to "Keep a special place special." Within your review, you are allowed -- in fact expected -- to judge whether this project a) fits with community character, and b) whether the benefits outweigh the detriments.

While the CCC staff has been leading the Commission down the path of approving this project, public testimony and submissions have given you ample, specific contradictions to staff opinions, thus providing you with ammunition to deny this project on grounds of both Community Character and lack of benefits. Those of us in regular attendance at the hearings were surprised and disappointed to witness how little any of those submissions even entered the discussion of the subcommittee, which confined its discussion largely to shingle material and other small design details, rather than the much larger issue of the sheer mass of the building. We are hoping that with the clearly stated opposition of the Board of Selectmen of the town this project is supposed to "benefit," that you will take a fresh look at the comments of the opponents, accord them the attention and respect they deserve, and incorporate them into your discussion of this project.

As you know there were a great many letters submitted. If you can't read them all, I urge you to at least read the ones I have printed out in this packet, as they encapsulate the most cogent arguments which give you the power and right to turn down this project.

Many of us have been supportive of the Commission in the past. You have done many wonderful things that have helped Cape Cod retain its character. You have made difficult and controversial decisions to oppose inappropriate development. This project represents a tipping point. You hold the future of Falmouth, and in many respects the entire Cape, in your hands as you make this decision. We hope that the full committee takes this grave responsibility very seriously, and that you will consider all of the information gathered and submitted by hundreds of concerned citizens, listen to your fellow commission members and the Selectmen from Falmouth who best know what is right for their town, and that you will have the courage to make the right decision in this case, to retain the character of a regionally important village on Cape Cod.

Alison Leschen
Lantern Ln.
Falmouth

A number of people have referenced the re-development plan that was approved by Town Meeting. Even though I voted for it, I thought that refreshing my memory in the interest of dealing with the facts at these hearings would be helpful. Here is what I found, directly out of the Town Zoning Code:

Business Re-development Bylaw

- Passed at Town Meeting, Nov. 8, 2004
- Approved on Dec. 30, 2004

It is now Article XLVI, Chapter 240-240 of the Zoning Code for the Business Redevelopment District.

A. Purpose

The purpose of this article is to promote the re-vitalization of commercial centers using mixed-use re-development integrating retail, office, restaurant and community service uses with housing, such as second floor apartments, condominiums and townhouses.

That is what I voted for, and not one of these purposes is applicable to this plan by this developer. This is not mixed use, it is not retail, it is not office, it is not a restaurant, it is not community service, and there is no housing. Commission staff in their comments said that this proposal fits with this zoning, and so did Brian Currie, the Town Planner. While the proposal might meet some of the details that come later in the bylaw, I can't possibly see how it meets the purpose of it.

Also in this bylaw, sizes of 4K, 7K, and 10K sq ft are mentioned as either maximum allowed, or requiring a special permit if bigger. When I voted for this, my assumption was that it was clear we were looking for a mix of small-medium uses on a lot, not one giant use as this 65,000 sq ft. hotel is.

~~Finally, just an aside~~: When Brian Currie reviewed the plan for consistency with Town zoning, he mentioned the need for a Special Permit from the ZBA for commercial accommodation and from the Planning Board for lot coverage. I'm puzzled why he didn't mention the further requirement of a special permit from the Planning Board. Maybe I don't understand this, but it says, under the Heading, *"Uses Allowed on special permit from the Planning Board:*

(a)Any new construction of a business or commercial shopping center with a proposed gross floor area of seven thousand (7,000) ~~spare~~ feet or more."

Of course I hope this plan never makes it to the Planning Board, but if it does, I want to be sure it's with the full review it deserves.

~~has been~~ continue with.

There is one other point that I would like to ~~make~~. The word "blighted" has been used multiple times in previous hearings to describe the existing site. This is opportunistic hyperbole and would cause great amusement to anyone living in a truly blighted area of most cities. A vacant lot? Yes. Under-utilized? Yes. Somewhere between boring and ugly? Yes. But hardly blighted, though admittedly not gorgeous, and I suggest to you that building something new in a place that isn't gorgeous is not an automatic improvement.

Respectfully submitted,
Deborah Siegal
50 Friends Way
West Falmouth

Regarding the proposed Marriot Hotel for Main Street, Falmouth

The slogan of the Cape Cod Commission from the web site is:

"Keeping a Special Place Special"

The focus of these hearings is to determine if the proposed hotel on Main Street is in keeping with this goal, particularly in the area of Cape Cod character. A huge part of Cape Cod character is keeping the Main Streets of the 15 towns quaint and unique. In particular, the large size of the proposed development is out of keeping with this goal.

The Cape Cod Commission Regional Policy Plan explains the importance of guarding this character in many parts of the document. For example it states:

"To obtain the goal of a balanced, sustainable economy, Cape Cod should remain unique and authentic and not become like any other place. If the competitive advantages of the region are not sustained, Cape Cod could see greater disparities in wealth, labor could increasingly need to be imported from elsewhere, and the character of Cape Cod could change dramatically. A coordinated economic development strategy, supported in this plan, will help the region achieve the goal of a balanced, sustainable economy."

Further, it stresses uniqueness and regional character in this section:

"Development and policy should complement the strengths that make Cape Cod unique and economically viable without taxing the built, human, and natural resources beyond their capacity. As in the business world, regional economic success depends on differentiating the product (in this case, Cape Cod's natural environment and historic character) from the competitors' (other destination areas) and maximizing profits by using resources efficiently."

Another relevant passage from the Regional Policy Plan, which reflects not only on the size issue but also on the disruption to the neighborhoods near the proposed hotel states:

"Cape Cod's character is defined by its villages, structures, and landscapes. The built environment on this peninsula is a reflection of the region's history, illustrating its agricultural beginnings, its maritime industrial successes, and its growing popularity as a resort. This history is ... expressed in the region's distinctive vernacular architecture of generally modest, *pedestrian-scaled buildings that respect the natural environment and use locally available natural materials. The buildings, neighborhoods, working waterfronts, and cultural landscapes that tell the Cape's story are both historically significant and critical to maintaining the unique character that draws so many people to the region."

Again, the Regional Policy Plan reflects the size issue when it says:

"The challenge is to limit commercial development that is out of scale with the existing surroundings ...."

RPP

The plan goes on to reiterates this goal and brings up problems associated with parking, which in the case of this proposed development would be across Main Street.

"The character of a place is determined by such factors as how buildings are sited, their scale and design, landscaping, the location of parking, as well as lighting and signage."

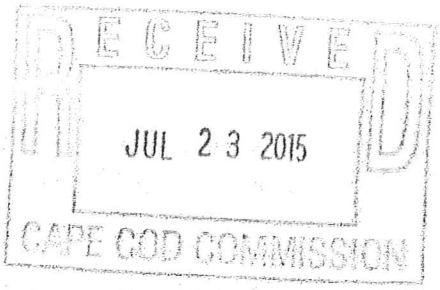
and the plan indicates the importance of our neighborhoods when it refers to the CCC mission to:

"...protect neighborhood character and public views..."

At the previous four hearings, Falmouth resident after Falmouth resident stood up and indicated that they felt the proposed hotel would be out of keeping with Main Street character and the character of the surrounding neighborhoods, due to its massive size and the activities that would accompany its use (trucks, traffic, neighborhood disruption). Denial of the proposal would be consistent with the Regional Policy Plan and consistent with the overwhelming desire of Falmouth residents to **"Keep... a Special Place Special".**

Tor Clark
Well Rd
Falmouth, MA

Stephen Leighton
P.O.Box 841
Falmouth, MA 02541
(508-548-0784
July 20, 2015



Cape Cod Commission
3225 Main Street
Barnstable, MA 02630

RE: Springhill Suites by Marriott, 556 Main Street, Falmouth, MA

Looking at the new plans submitted July 17, and comparing them with the former ones, it appears that the developer, aside from very minor changes, is basically unresponsive to concerns of Falmouth citizens and suggestions by the Cape Cod Commission's subcommittee members.

Foremost, the footprint is unchanged and still "out of scale with the existing surroundings" as stated in the CCC's Regional Policy Plan. The mass of the building also remains the same, thus not conforming with Heritage Preservation/ Community Character HPCC2.5 and HPCC2.4. The latter stipulates "Consistency with Regional Context or Surrounding Distinctive Area."

When the developer states that his hotel fits the surrounding context, referring to the size of neighboring buildings on Main Street, he ignores Jill Neubauer's illustrations of relative building sizes. He also forgets that the biggest structure at 704 Main Street is a 40B housing project that followed Falmouth's Redevelopment Zoning Bylaws of mixed use. The design of this building is appealing, and its storefronts are for public use. Although the size (and signage) of the Mutual Bank building at 668 Main Street seems too big, it provides mixed use as well. Those buildings have space around them, generous setbacks and pleasing landscaping. None of those buildings are three stories high as the hotel would be.

I urge you to deny the project.

S. B. Leighton

July 21, 2015

Cape Cod Commission
P.O. Box 226
3225 Main St
Barnstable, MA 02630

REBUTTAL TO 7/17 REVISED PLAN FOR MARRIOTT HOTEL – FOR ENTRY INTO PERMANENT RECORD

The proposed hotel as developed by Falmouth Hospitality LLC for the tenant Springhill Suites by Marriott was and still remains to be an assault on the character of Falmouth. It does not meet the physical criteria outlined by the Commission which are essential for a large building to be an asset to a community. Every aspect of this building is inconsistent with the goals of the Regional Policy Plan:

JILL NEUBAUER ARCHITECTS
15 Depot Avenue
Falmouth MA 02540
508 548-0909
fax 548-2552
jna@jnarchitects.com
www.jnarchitects.com

HPCC2.4: Consistency with Regional Context or Surrounding Distinctive Area: All development and redevelopment shall be consistent with the region's traditional development patterns, reflecting features such as *modest building mass, height, scale, roof shape, roof pitch*, building materials, and proportions between doors and windows. *In areas with a distinctive character*, such as historic districts, *village centers*, cultural landscapes, and historic properties, *any design shall be consistent with the character of the area and reflect the surrounding context.* (Emphasis added)

This proposal did not and still does not meet the fundamental criteria of the Regional Policy Plan. The "revised" plan submitted 7/17 added superficial and unattractive pastiche and exacerbates the fundamental problems of this building. This effort further illustrates that the developer and the Designer have a building that cannot be superficially changed and meet with goals of the Commission and the community. As my drawings (and the developer's own in the recent resubmission) so startlingly illustrated, the size of the proposed hotel is grossly out of scale with surrounding buildings, which are dwarfed by comparison. Other than the thin slice of applied fake façade facing Main Street, the roof is flat, which reflects neither the shape nor pitch of buildings in the village center. HPCC2.4 states that in a village center, "the design shall be consistent....and reflect the surrounding context." The drawings make it clear that the revised proposal remains an egregious attempt at design and the building remains inconsistent with surrounding buildings.

HPCC2.5: Footprints over 15,000 Square Feet: For all new development, no individual structure shall exceed a footprint of 15,000 square feet unless it is designed as multiple distinct massings *differentiated by significant variations in roofline and building footprint, or is fully screened.*

Once again, the submitted design does not meet the fundamental criteria outlined by the CCC.

The recently revised building proposal, as the original proposal, is not designed with appropriate or attractive massing. Its roofs are not differentiated in a meaningful manner, the roof line creates a large ugly box, with superficial pastiche which does not mitigate the overall massing. Nothing significant has changed.

HPCC2.6: Building Forms and Façades: For all development and redevelopment involving new construction, the massing, façades, and roof configuration of a building shall be varied. If a building façade is more than 50 feet in length, it shall include a minimum of 10 feet of variation in the building footprint (set-back or projection in the building wall) for every 50 feet of façade length, and related changes in the roofline in order to reduce the apparent mass of the building.

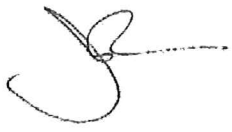
With the above Forms and Facades prescription the CCC has offered tools to help design an appropriate building. The Developer and Architect are using the lowest standard of this language and the results are instantly understandable; it is still a very poorly articulated and designed building that cannot be made appropriate to village character with superficial efforts even if the mathematically meet the criteria. The Massing, Form and Façades are worse with this effort illustrating again, that one cannot put a thin layer of makeup on a fat person and hope to trick them into fit and healthy.

HPCC2.10: Landscape Plan Requirements: All development shall provide landscaping that integrates buildings with their environment, enhances architectural features, fosters sustainable practices, clearly divides parking lots into smaller areas, includes tree planting, and provides amenities for pedestrians. All development shall implement a landscape plan that addresses the functional aspects of landscaping, such as drainage and innovative storm water technologies, erosion prevention, *screening and buffering*, provision for shade, and energy conservation. *When vegetative buffers are necessary to prevent adverse visual impacts from new development, existing vegetation shall be retained and unaltered in the buffer area...*

The new illustrations still do not show this building in full context with the trees removed fully that will be cut down. The dash lines of trees DO NOT SHOW the truth. This is an unprofessional and dishonest representation.
Only 3 of several dozen mature trees will be retained. This landscape proposal is as thin and underdeveloped as the architecture and does not meets the above requirement. Any buffer to be planted is much lower than the proposed building height and will therefore provide little screening. For a building of this scale to be screened, it would take 50 years. The unscreened large, ugly building will be visible.

In conclusion, THIS BUILDING CANOT BE SUPERFICALLY FIXED – only a building meaningfully reduced and redesigned with talent could create a sensitive appropriate redevelopment for this site which would meet the goals and criteria of the Commission and the community. As proposed, this building and its landscape do not meet any of the Criteria outlined in the Regional Policy Plan.

Respectfully submitted,



Jill Neubauer

Jeffrey Ribeiro

From: Taree McIntyre on behalf of Front Desk
Sent: Monday, August 17, 2015 9:39 AM
To: Jeffrey Ribeiro
Subject: FW: Comment on Draft LDRI Decision re: Springhill Suites Project in Falmouth

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From: Andrew Mattox [mailto:amattox@capecod.net]
Sent: Monday, August 17, 2015 9:15 AM
To: Front Desk
Subject: Comment on Draft LDRI Decision re: Springhill Suites Project in Falmouth

This comment is offered in response to the Cape Cod Commissions Draft LDRI Decision that was uploaded to your web site on August 10, 2015.

I have not found any data to support your claim that the Springhill Suites project will increase room tax revenue to the town of Falmouth and without an independent study supporting such a claim it should not be listed as a potential benefit of the project.

With perhaps very few exceptions Falmouth does not have a demonstrated shortage of hotel and motel rooms and the Marriot will not attract a significant number of tourists to Falmouth who otherwise would stay in other towns. The intent of this project is clearly to use a moderate pricing structure to compete with existing higher priced accommodations. The most likely impact of this project is therefore a reduction in room tax revenues, not an increase. The addition of 110 rooms will also suppress future rate increases and increase *discounting of rooms* at competing hotels.

The LDRI draft should be revised to list a reduction in room tax revenues as a detriment of the project. In the absence of evidence to the contrary this is certainly far more likely than an increase.

Claims of a positive impact on other Falmouth businesses are likewise inappropriate unless the Commission has independent data showing that the project will significantly increase the overall number of guests visiting Falmouth.

Andrew Mattox
523 Woods Hole Road
Falmouth
508-566-6936

In making this decision, one of the things you are supposed to look at is *benefits vs. detriments*. At the public meeting last week, the CCC staff supplied you with a list of each, compiled from the developer's submission, staff input, and comments from the public. We've heard a lot about the detriments, and will likely hear more tonight. I'd like to go through the benefits, and suggest that they are not as beneficial as the applicant would like you to believe.

"Benefit" #1: **Would further the town's goal of redeveloping the eastern end of Main St.**

While this may be true on the surface, the big question you must answer is whether it really does further the town's goal as outlined in the Business Redevelopment Zoning bylaw. That bylaw states: "The purpose of this article is to promote the revitalization of commercial centers *using mixed-use redevelopment integrating retail, office, restaurant and community service uses with housing*, such as second floor apartments, condominiums and townhomes." This proposal does not offer a single one of those things. It's not retail, it's not office, it's not a restaurant, it's not community service, and it doesn't integrate any type of housing. Just because a site is going to be redeveloped, does not mean it furthers the town's goals.

"Benefit" #2: **Would improve the character of a blighted site through redevelopment.**

Continuing to call this a "blighted site" exaggerates the urgency that something must be done about it. True, it's not beautiful. But there are no dilapidated, rat-infested buildings, there is no trash piling up, ~~there aren't homeless people or drug dealers hanging out there~~. So while everyone probably agrees that something more attractive could be there, it's not like it's a desperate situation that we must immediately address by accepting the first proposal that comes along, no matter how ill-suited. And wouldn't it be ironic if we replaced an unattractive use with another unattractive use?

"Benefit" #3: **Would rebuild sidewalk and road infrastructure along Main St. and site access to Lantern Ln.**

The sidewalk is fine along that stretch of Main St., so public pedestrian passage is not an issue. In terms of improving access to Lantern Ln, since LL is a private road, its improvement and ease of access should only concern the residents/owners who live on it. Since they are the ones purposely keeping the road pot-holed to avoid it becoming a cut-through, I hardly think its rebuilding would be considered an improvement to them.

"Benefit" #4: **Would support tourism through additional accommodations for leisure and business travelers.**

Possibly. But we have heard from a number of local B&B owners that they do not have full occupancy, and that this hotel will likely hurt their business. So this possible benefit

Since the B+B's do not

has a counterbalancing detriment of hurting existing local businesses. ~~We have also heard from B&Bers that they do not~~ have full occupancy, ~~so~~ it doesn't seem like lack of hotel rooms is stunting Falmouth's tourist industry.

_____Person # 2:

"Benefit" #5: **Would employ local contractors, workers, and suppliers during and after construction.**

~~Do we know this?~~ Do we have it in writing from the applicants that they will only hire workers from the Cape? Otherwise, they could easily bring in cheaper crews from off-Cape. And as we heard before, and was stated in the application, *91%* of the 31 permanent jobs to be generated will pay below the average wage. This is not a salary that would enable someone to live in Falmouth. Again, workers will likely commute from off-Cape where housing is cheaper. Also, any jobs gained here may well be lost at other local hotels and B&Bs who will lose business to it. So to think of this project as a local job-generator is to ignore the reality.

"Benefit" #6: **Would reduce stormwater issues on site and off through new structured infiltration.**

Reduce, or relocate? As we heard one person testify in reporting her engineer's hydrology report, the proposed stormwater handling system may merely transfer the problem to Lantern Ln and Morse Pond basements, and to Nyes Pond. This issue has not been adequately reviewed because it does not fall under a Limited DRI.

"Benefit" #7: **Would create year-round jobs.** See # 5 above.

"Benefit" #8: **Would have a positive impact on local business.**

See #4 . For every restaurant that may see a few more customers, there are B&B's that will see fewer. And restaurants and shops could see less business from locals as they start to avoid downtown due to the ever-increasing traffic snarls.

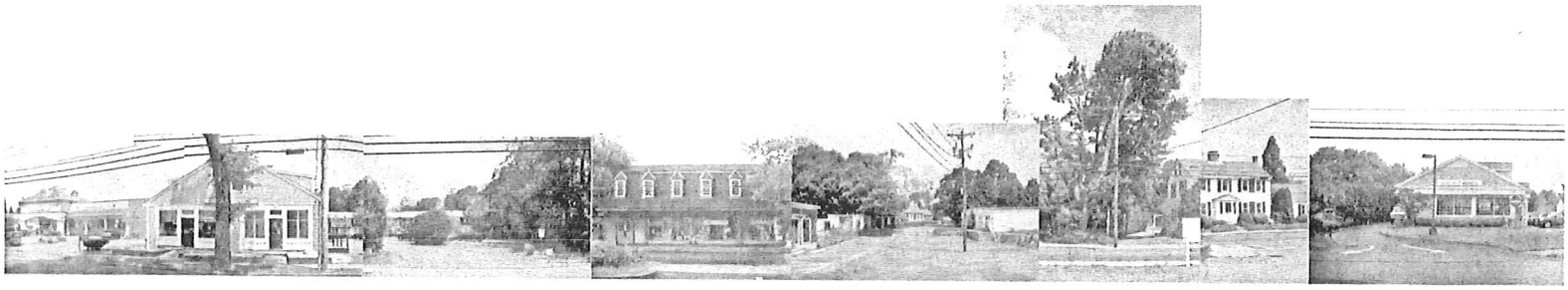
"Benefit" #9: **Is consistent with the goals of the Business Redevelopment District.** See #1 above.

There are two more benefits that have been mentioned but aren't listed here. **Property tax revenue:** I would posit that any revenue from the hotel would be offset by the reduction in property values likely seen by Lantern Ln and Nye Rd residents, and by the possibility of B&B's and other small hotels being put out of business. **Room tax:** Again, any room tax gained here will be lost by other hotels where those people would have stayed were the Marriot not available. This hotel is unlikely to cause a net increase in visitors – it will just shift them from other hotels, inns or B&Bs to this one. So I don't see a net room tax revenue.

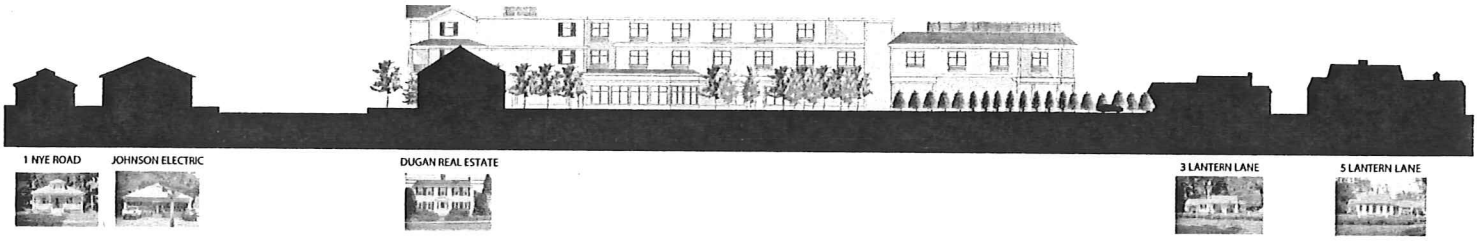
In sum, we ask you to please consider the validity of this list of "benefits" when you weigh them against the list of detriments. This is where you have discretion to turn a project down because its detriments outweigh its benefits. Please consider doing so in this case. Thank you.

Andrea Garber, N. Falmouth
Ruthanne Molyneaux, N. Falmouth

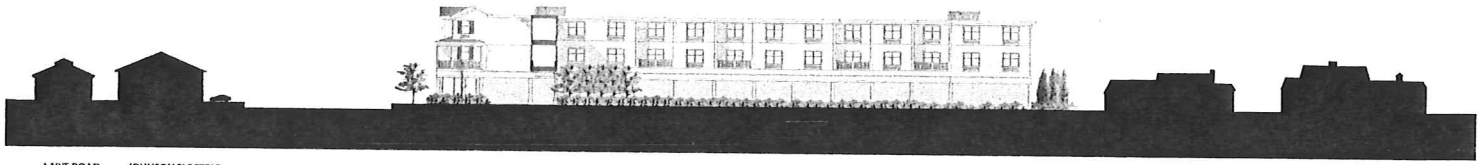
PHOTO OF SITE W/MATURE TREES



VIEW LOOKING WEST



VIEW THROUGH BRIDGE LOOKING WEST



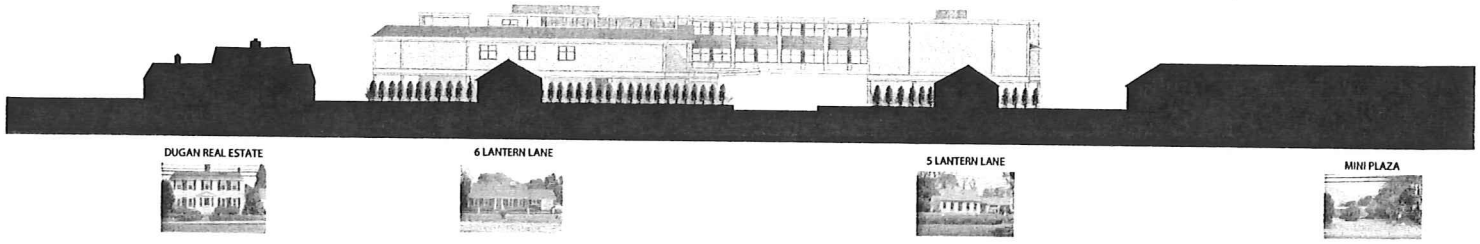
1 NYE ROAD

JOHNSON ELECTRIC

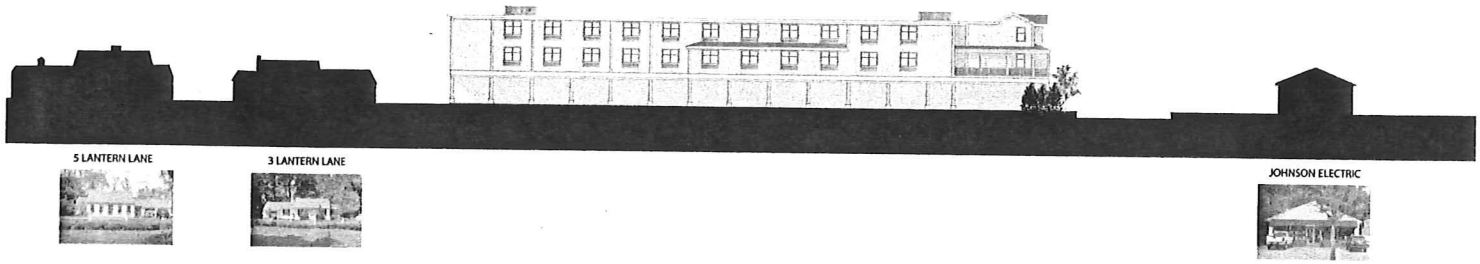
3 LANTERN LANE

5 LANTERN LANE

VIEW FROM LANTERN LANE



VIEW LOOKING EAST



y Ribeiro

Daniel Belcourt <dbelcourt@yandelsd.com>
Wednesday, June 17, 2015 9:27 AM
Jeffrey Ribeiro
JNA Presentation Drawings
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