



REGIONAL POLICY PLAN CONSISTENCY BY ISSUE AREA OF THE REGIONAL POLICY PLAN

Housing Goal

The Housing Goal of the RPP is to promote the production of an adequate supply of ownership and rental housing that is safe, healthy, and attainable for people with different income levels and diverse needs.

Objectives HOU1, HOU2, HOU3 and HOU4 are applicable, material, and regionally significant.

HOU1 – promote an increase in housing diversity and choice

- The Project will create small-scale housing units, contributing to variety of housing types to meet a range of life stage and other social needs, consistent with HOU1.

HOU2 – promote an increase in year-round housing supply

- The Project will offer year-round rentals (no short-term rentals), consistent with HOU2.

HOU3 – protect and improve existing housing stock

- The Project will not result in any loss of housing units at the site. LMC will construct 312 new housing units in Barnstable, increasing the number of net existing housing units in the region, consistent with HOU3.

HOU4 – increase housing affordability

- The typical requirement for consistency with this objective is to provide 10% of units as affordable and/or workforce housing. The Project will provide 13% of units to be affordable – 10% (31 units) at 65% AMI and an additional 3% (10 units) at 80% AMI, consistent with HOU4. This exceeds the typical requirement.

Water Resources

The Water Resources Goal of the RPP is to maintain a sustainable supply of high-quality untreated drinking water and protect, preserve or restore the ecological integrity of Cape Cod's fresh and marine surface water resources.

Objectives WR1, WR3, and WR4 are applicable, material, and regionally significant.

WR1 – Protect and preserve groundwater quality

- Objective WR1 requires site-wide nitrogen loading concentration to be less than 5 parts per million (ppm). Nitrogen loading calculations for the proposed Project indicate that the Project will have a site-wide nitrogen loading concentration of less than 5ppm, consistent with WR1.
- The Project is anticipated to result in a net decrease in on-site nitrogen loading compared to current conditions, which were determined using a standardized methodology that

incorporates specific fertilizer application rates for the various turf types present on a golf course. The decrease in sitewide nitrogen loading will be achieved by reducing managed turf area, treatment of stormwater runoff from new impervious surfaces, and connection of new buildings to the Barnstable municipal sewer system.

WR3 – Protect, preserve and restore marine water resources

- While reducing on-site nitrogen loading, the Project will contribute additional nitrogen to Lewis Bay compared to the current development because the Project's wastewater will be treated at the Barnstable Water Pollution Control Facility (WPCF), which discharges treated wastewater effluent to the same watershed the Project site is located within. This effectively transfers the obligation for removing approximately 350 kg of additional wastewater nitrogen generated by the Project from the applicant to the Town and through its Comprehensive Wastewater Management Plan.
- Objective WR3 applies to the Project, requiring a monetary contribution to address water quality problems in the affected surface waters. Consistent with WR3, as a condition to the Development Agreement, LMC will offset its nitrogen addition through a \$175,000 contribution.

WR4 – Manage and treat stormwater to protect and preserve water quality

- For redevelopment projects, such as the Project, Objective WR4 requires a project to reduce impervious coverage and improve site conditions to enhance stormwater retention, water quality treatment and recharge over existing conditions. In addition, a redevelopment project must include natural areas in its stormwater system design. The proposed redevelopment from golf course to housing use is inconsistent with WR4 because it results in an increase in impervious cover in order to build the structures, parking, and roadways required to serve the proposed housing units, such that it would not be possible to create additional housing on the Project Site without adding to the impervious surface coverage.
- While the Project will result in greater impervious coverage compared to current conditions, it will reduce fertilized turf area and will reduce the amount of impervious coverage within the areas of the site within the Wellhead Protection Overlay District.
- The proposed stormwater management system will improve stormwater management on site by reducing peak discharge rates, and providing storage and treatment capacity sufficient to store, treat, and infiltrate all runoff from parking areas and roadways onsite. The current design routes the majority of runoff to two infiltration basins located at the edges of the site and proximate to wetlands resources. This has the effect of reducing untreated surface runoff to those wetland areas but also concentrates groundwater recharge at the locations of the two infiltration basins. Although different from current hydrologic conditions where recharge is dispersed throughout the golf course, the proposed system is not anticipated to impact the hydrologic function of the wetlands resources.
- The Project has proposed the following mitigation:
 - The Project utilizes a clustered building site design to reduce the overall amount of impervious area created

- The Project reduces the amount of impervious area within the portion of the site mapped as Wellhead Protection Area
- Runoff from building roof areas will be directly infiltrated to provide recharge throughout the site and reduce the required size of stormwater treatment facilities
- Bioretention areas have been incorporated into parking and roadway areas to provide treatment for associated stormwater runoff
- The stormwater system has been designed according to Massachusetts Stormwater Handbook standards to reduce runoff from the site to adjacent water resources under conditions up to and including the 100-year storm
- By reducing fertilized turf area and treating stormwater runoff generated by new impervious surfaces, the Project will reduce overall sitewide nitrogen loading relative to current conditions.
- While the project is inconsistent with the portion of Objective WR4 related to the reduction of impervious area coverage on the site, that inconsistency is necessary to enable a substantial segment of the population to secure adequate opportunities for housing and the interests protected by the Act and the Regional Policy Plan can be advanced or protected by the alternate approach which shall include appropriate mitigation, including:
 - clustering development on the site,
 - directly infiltrating roof runoff,
 - Reducing impervious area in Wellhead Protection Overlay district,
 - incorporating bioretention areas in parking and roadway areas,
 - designing the stormwater system design according to Massachusetts Stormwater Handbook standards,
 - reducing fertilized turf and treats stormwater runoff to reduce sitewide nitrogen loading over current conditions and
 - Additional bioretention capacity within the clubhouse traffic circle.

Wetlands Resources

The Wetlands Resources Goal of the RPP is to protect, preserve, or restore the quality and natural values and functions of inland and coastal wetlands and their buffers.

Objectives WET1, WET2, WET3, and WET4 are applicable, material, and regionally significant.

WET1 – Protect wetlands and their buffers from vegetation and grade changes

In practice, meeting this objective means not proposing or conducting work within wetland resource or buffer areas. The Project proposes development within 100' wetland buffers in areas of existing development, and to fill an isolated vegetated wetland to accommodate two proposed buildings and associated parking. Objective WET1 is to protect wetlands and their buffers from vegetation and grade changes.

In order for the Project to be consistent with WET1, the Commission must find that there is a public benefit to the Project, there is no feasible alternative to the design, and that the impacts from the alteration are minimized and mitigated; and further find that the proposed development either reduces impacts or improves wetland functions. Since the Project as designed does not meet these limited specific purposes, the Project is inconsistent with the RPP as to Objective WET1 of the Wetland Resource section of the RPP as it relates to the isolated vegetated wetland.

In this case, the Project will mitigate impacts to wetlands by permanently protecting 20 acres of the property as open space and implementing a restoration plan within these 20 acres of the property. Proposed restoration activities include removing existing golf course development from 9.84 acres of the open space area, replanting with native species of plants, and removing invasive species.

WET2 – Protect wetlands from changes in hydrology

- Although proposed stormwater management for the Project may result in occasional discharge to the wetland buffer area during the 100-year storm event, the proposed stormwater management system nonetheless represents an improvement over existing conditions, under which fertilizer and other potential pollutants are carried by stormwater toward and through wetlands and their buffers.
- Consistent with WET2, stormwater runoff from development activities will not alter wetland hydrology.

WET3 – Protect wetlands from stormwater discharges

- Although proposed stormwater management from the Project may result in occasional discharge to the wetland buffer area during the 100-year storm event, the Project nonetheless represents an improvement over existing conditions by reducing the flow of fertilizers and other potential pollutants via stormwater toward and through wetlands and their buffers.
- Consistent with WET3, stormwater runoff from the Project will be directed away from wetlands and their 100-foot buffers.

WET4 – Promote the restoration of degraded wetland resource areas

- The Project proposes to restore degraded wetlands within the existing developed golf course by removing the golf course development from wetland resource and flood hazard areas, removing invasive species from wetland resource areas, and planting native trees, shrubs and herbaceous plants where such restoration planting will improve the natural functions of the wetland.
- Consistent with WET4, the planned restoration will improve the natural wetland functions, restore native vegetation, and/or improve habitat for native species.

Community Design

The Community Design Goal of the RPP is to protect and enhance the unique character of the region's built and natural environment based on the local context.

Objectives CD1 and CD2 are applicable, material, and regionally significant.

CD1 – Promote context sensitive building and site design

- The Project will be accessed from Scudder Avenue through a curvilinear drive located along the western edge of the Site. The entrance leads to the clubhouse building, a one-story building which will likely be visible from the streetscape. The clubhouse structure is similar in height and scale to small commercial structures in the vicinity, and is designed with shake siding, hipped and gable roof forms, whitewashed trim, a widow's walk, and a cupola, incorporating some regionally appropriate forms and materials, consistent with CD1.
- The residential buildings are to the rear of the Hotel and Conference Center and therefore will be screened from regional roadways and are not expected to impact the current streetscape. The residential buildings incorporate some regionally appropriate forms and materials, using siding that mimics traditional building materials and design elements distinct to the region, such as gable and hip roof forms, projecting entries, inset areas, and white trim. The combined screening of the buildings from regional roadways and the use of some traditional building design elements will make it likely that the buildings, if seen, will mirror the character of surrounding development, consistent with CD1.
- All Site lighting will use LED luminaries and will be required to be "Dark Sky" compliant, with 90-degree vertical cutoff.
- Landscaping proposed within the site includes tree plantings along circulation drives and within parking areas, and additional plantings adjacent to the residential buildings. In addition, new plantings along the southeastern portion of the proposed development will provide additional landscape screening adjacent to wooded wetland areas.
- The Project screens parking from the street and divides it into a series of small parking lots where it does not adversely impact visual character of the area, consistent with CD1.

CD2 – Minimize the amount of newly disturbed land and impervious surfaces

- Residential buildings have been clustered mostly within developed areas of the existing golf course to preserve existing mature trees and shrubs along the perimeter, and to provide a partial vegetated screen and buffer to adjacent wetland areas and to adjacent neighborhoods to the south, east, and west.
- The buildings are designed as 3-story structures which minimizes the overall size of the development footprint, consistent with CD2.
- Proposed parking has been minimized, proposed to be below the number of spaces required by zoning, consistent with CD2.
- The Project will revegetate some disturbed areas of the Property under the Restoration Plan.

Economy

The Economy Goal of the RPP is to promote a sustainable regional economy comprised of a broad range of businesses providing employment opportunities to a diverse workforce.

Objectives EC1, EC2, and EC4 are applicable, material, and regionally significant.

EC1 – Protect and build on the Cape’s competitive advantages

- Consistent with the intent of Objective EC1 to preserve and protect assets that make Cape Cod a desirable region for residents and visitors, the Project will restore portions of the Property that are in Natural Areas and protect a large area of the site as open space.
- The Project will also establish multifamily housing in a Community Activity Center and redevelops in an area with existing infrastructure, protecting more sensitive areas.

EC2 – Use resources and infrastructure efficiently

- Consistent with Objective EC2, the Project uses resources efficiently by constructing a redevelopment project, where infrastructure is available. The Project will be accessible by multiple modes of transportation and its location within a Community Activity Center will provide access to many amenities and services, including local businesses in downtown Hyannis.

EC4 – Encourage industries that provide living wage jobs to a diverse workforce

- Consistent with the methods for Objective EC4, the Project may help to address the region’s high cost of living as the proposed 312 new housing units would provide year-round housing opportunities that could support the regional workforce.

Waste Management

The Waste Management Goal of the RPP is to promote a sustainable solid waste management system for the region that protects public health, safety, and the environment and supports the economy

Objective WM1 is applicable, material, and regionally significant.

WM1 – to reduce waste and waste disposal by promoting waste diversion and other Zero Waste Initiatives

- Consistent with the methods for Objective WM1, as conditioned the Project will incorporate alternatives to disposal.
- LMC proposes to incorporate building materials that include recycled content and source materials regionally, where feasible. During the construction phase, construction debris management and the separation of building materials will be provided.
- Once constructed, waste disposal and collection of recyclables will be provided through a local commercial waste management firm. The Project will have an on-site recycling program for residents to divert common household recyclables from the waste disposal stream, consistent with WM1.

Cultural Heritage

The Cultural Heritage Goal is to protect and preserve the significant cultural, historic, and archaeological values and resources of Cape Cod.

Objective CH2 is applicable, material, and regionally significant.

CH2 – Protect and preserve archaeological resources and assets from alteration or relocation

- While there are no known historic or archaeological resources on the Project Site or in its vicinity, the Project will be conditioned to require contractor teams to follow an “unexpected archaeological find” protocol during construction to ensure any archaeological resources are protected and/or documented, consistent with the methods for Objective CH2.

Coastal Resiliency

The Coastal Resiliency Goal of the RPP is to prevent or minimize human suffering and loss of life and property or environmental damage resulting from storms, flooding, erosion, and relative sea level rise, including but not limited to that associated with climate change.

Objectives CR1, CR2, and CR3 are applicable, material, and regionally significant.

The applicant has not yet sought resource area delineations or determinations of applicability from the Barnstable Conservation Commission for the majority of the wetland resources on the Project Site. To the extent the Conservation Commission determines that the wetland resource areas on the Project Site are different from that presented to the Commission, the Applicant may need to return to the Commission for a modification.

CR1 – Minimize development in the floodplain

- Consistent with CR1, there is no new development in the V zone and redevelopment in the A zone is limited to a small construction area for the proposed access drive. The access drive is located within an existing paved parking area and has been located further from the floodplain boundary than the existing limit of pavement. A secondary emergency access drive is proposed on the northeast side of the site. Both accesses and associated portions of Scudder Avenue are vulnerable to storm surge from hurricanes. Although these access drives are vulnerable to flooding, the Project will not place new structures in the floodplain.

CR2 – Plan for sea level rise, erosion, and floods

- Redevelopment may be permitted on or within 100 feet of a coastal bank provided there is no feasible alternative, that there is no increase in impacts to the natural functions of coastal resources, and that the redevelopment is designed to address anticipated sea level rise. The coastal bank on this site is vegetated and is not eroding. All of the buildings and all but a small area of paved parking at the southern extent of the development are located outside of the 100 ft buffer to the coastal bank. The proposed area of pavement, and the proposed stormwater structures located within the 100 ft buffer will not adversely impact the ability of the vegetated coastal bank to provide its natural beneficial functions as a sediment source. The Project’s design addresses sea level rise in siting the buildings at >20’ elevations. The redevelopment area is sited in the north and central area of the site (where the higher elevations, between 20 and 30 ft, exist) in a manner to accommodate potential sea level rise, consistent with CR2.

CR3 – Reduce vulnerability of built environment to coastal hazards

- The Project removes existing golf course development in coastal resource areas and avoids or minimizes siting new development in the coastal resource areas on the site, consistent with CR3. The Project also plans to restore or rehabilitate floodplain and restore the ability for coastal resources to migrate naturally through the proposed open space / restoration area.

Wildlife And Plant Habitat

The Wildlife and Plant Habitat Goal of the RPP is to protect, preserve, or restore wildlife and plant habitat to maintain the region's natural diversity

Objectives WPH1, WPH2, WPH4, and WPH5 are applicable, material, and regionally significant.

WPH1 – Maintain existing plant and wildlife populations and species diversity

- As required by WPH1, the Project minimizes clearing of vegetation and altering topography by utilizing existing disturbed areas, clustering the development to the north and center of the site, protecting an approximately 20-acre, contiguous area, and clustering development away from the most sensitive portions of the site.
- The Property contains both managed and unmanaged woodland areas. The woodland areas provide habitat for common plant and wildlife species as documented in the NRI; however, the managed areas provide limited habitat value. Invasive species were also documented on the Property further limiting its already limited habitat value. Although there will likely be temporary disturbance to and displacement of plant and wildlife species present during construction of the Project, the remaining and restored wetland and woodland areas will continue to provide habitat for these species.
- As shown on the plans submitted by the applicant, the Project protects most of the 100' buffers and portions of the 200' buffers to the streams, minimizes fragmentation of wildlife and plant habitat, and protects a riparian wildlife corridor, consistent with WPH1.
- While specimen trees will be removed in the development area, specimen trees in the open space/restoration area will be protected and the landscape and restoration plans include native vegetation to enhance or restore wildlife habitat.
- Consistent with WPH1, the Project avoids development in Key Sites as defined in the State Wildlife Action Plan, and BioMap Core Habitat and Critical Natural Landscapes as defined by the Massachusetts Natural Heritage and Endangered Species Program.

WPH2 – Restore degraded habitats through use of native plant communities

- The applicant has submitted a restoration plan for the currently developed golf course areas. Consistent with WPH2, the restoration plan identifies the nature of the restoration, including grading changes, quantities and types of native species to be planted, plans to ensure establishment, and provides a narrative discussing the purpose and objectives of the restoration, and monitoring. As part of the restoration plan, LMC will restore golf course area or other altered or degraded area on site, as ecologically appropriate under the plan. Consistent with WPH2, this restoration will be completed through the use of native plantings appropriate to the site. To the extent that the restoration plan is modified following review by the Barnstable Conservation Commission, any revised restoration plan will require further review by the Commission in accordance with the terms of the Development Agreement.

WPH4 – Manage invasive species

- Consistent with WPH4, the Project will implement an invasive species management and restoration plan, including construction best management practices, which details the management and, where possible, eradication of the invasive species present, and the proposed revegetation of the site with native species.

WPH5 – Promote best management practices to protect wildlife and plant habitat from the adverse impacts of development

- The redevelopment is clustered in the north central portion of the site within a proposed limit of work that limits the extent of site alteration and disturbance to the minimum areas needed for the project.
- Consistent with Objective WPH5, the Project will use erosion control barriers during construction and LMC has provided an "Environmental Management System Protocol" for use by the General Contractor during construction.

Open Space

The Open Space Goal of the RPP is to conserve, preserve, or enhance a network of open space that contributes to the region's natural and community resources and systems.

Objectives OS1, OS2, and OS3 are applicable, material, and regionally significant.

OS1 – Protect and preserve natural, cultural, and recreational resources

- The Project will cluster the development to site the development close to existing development and minimize the development footprint. The Project will protect and preserve those areas with the highest natural resource value on the site, which are lands adjacent to Stewart's Creek and Joshua's Brook and wildlife corridors, consistent with OS1, by maintaining and/or restoring all portions of the Project Site that are not included within the area to be developed within a contiguous block of open space to allow these areas to return to a more natural state. Most of the redevelopment is sited outside of Natural Areas.
- To preserve the open space that benefits natural and community systems, the Project is providing a landscaped and restored buffer that will maintain at least 350 feet of separation between the proposed buildings and the nearest abutting residential dwellings and will increase the natural buffer to Stewart's Creek and Joshua's Brook. The Project will provide recreational areas, including a proposed walking path through the proposed open space/restoration area, consistent with OS1.

OS2- Maintain or increase the connectivity of open space

- The Project protects open space contiguous to undeveloped lands or protected open space, including wildlife corridors. The Project proposes to establish a recreational trail through the open space for residents, consistent with OS2.

OS3 – Protect or provide open space appropriate to context

- The Project is providing open space according to the Area of Development Impact and Placetype ratios indicated in the RPP Open Space Technical Bulletin. The Project is providing

and protecting open space appropriate to context with proposed permanent protection of approximately 20 acres of open space on site, consistent with OS3.

- The open space contains lands with high natural resource value, including buffers to wetlands, connection to existing open space, plant and wildlife habitat, and wildlife corridor, and will benefit natural and community systems through the permanent protection of these resources. The Project will also restore degraded areas on site to a natural state, consistent with OS3.

Transportation

The Transportation Goal of the RPP is to provide and promote a safe, reliable, and multi-modal transportation system

Objectives TR1, TR2, and TR3 are applicable, material, and regionally significant.

TR1 – Improve safety and eliminate hazards for all users of Cape Cod’s transportation system

- Based on its Transportation Impact Assessment (TIA) the proposed site driveway meets the minimum safety requirements to provide safe stopping sight distance and has been designed appropriately to meet access management guidance in the Transportation Technical Bulletin.
- The Project will implement appropriate safety improvements based on a detailed analysis of off-site safety impacts of the development and consistent with TR1.

TR2 – Provide and promote a balanced and efficient transportation system that includes healthy transportation options and appropriate connections for all users

- Consistent with TR2, Project includes an internal sidewalk network connecting to Scudder Avenue, installation of secure bicycling parking, and implementation Transportation Demand Management (TDM) best practices.
- The Project will implement off-site multimodal improvements on Scudder Avenue, North Street, Main Street, and at the West End Rotary to improve connectivity and support healthy transportation options.
- The Project’s location, with its close proximity to the Hyannis Main Street area and nearby connections to CCRTA transit service on North Street, has the potential to reduce reliance on vehicles and support healthy transportation, consistent with TR2.

TR3 – Provide an efficient and reliable transportation system that will serve the current and future needs of the region and its people

- As conditioned, the Project will mitigate off-site congestion impacts through a combination of fair-share payments and physical improvements that will be made in the area of Scudder Avenue and the West End Rotary, consistent with TR3.

Energy

The Energy Goal of the RPP is to provide an adequate, reliable, and diverse supply of energy to serve the communities and economies of Cape Cod

Objectives EN1, EN2, and EN3 are applicable, material, and regionally significant.

EN1 – Support renewable energy development that is context-sensitive

- The residential buildings will have solar-ready rooftops. If solar panels are not installed prior to occupancy of the buildings, LMC will execute a Power Purchase Agreement or arrangements with Net Metering Credit Purchase Agreement for Renewable Energy Certificates (RECs) to provide 25% of on-site energy usage, consistent with EN1.

EN2 – Increase resiliency of energy generation and delivery

- Consistent with EN2, the Project will support energy delivery resilience with utilities for the residential buildings located underground.

EN3 – Minimize energy consumption through planning and design (including energy efficiency and conservation measures)

- Consistent with the purpose of Objective EN3 to promote energy conservation, the Project’s building design will meet “Stretch code” and it will incorporate energy efficient appliances and fixtures. There will also be submetering of electricity in residential units, consistent with EN3.

Climate Mitigation

The Climate Mitigation Goal of the RPP is to support, advance and contribute as a region to the Commonwealth’s interim and long-term greenhouse gas reduction goals and initiatives, including a state-wide net zero carbon target by 2050.

Objectives CM1, CM2, CM3, and CM4 are applicable, material, and regionally significant.

CM1 - Promote low or no carbon transportation alternatives and technologies

- Consistent with CM1, the Project provides bicycle sharing, racks, or storage and advances the accommodation of pedestrians, bicyclists, and transit users in the transportation system by including sidewalks, and/or connections to multi-use paths
- The Project incorporates dedicated spaces for EVs and EV charging stations within parking facilities

CM2 – Promote low or no carbon technologies for building energy use, including appliances, lighting, and heating, ventilation, and cooling (HVAC) systems

- The Project includes ground or air source electric heat pumps, in place of fossil fuel HVAC systems, consistent with CM2.
- The Project includes energy efficient appliances and methods to reduce peak-demand electricity usage, consistent with CM2.

CM3 – Promote carbon sequestration and other emissions removal practices and technologies as appropriate to context

- Consistent with CM3, the Project proposes tree planting as part of landscaping plan and restoration of the golf course areas with native vegetation, including trees in appropriate habitat settings.

CM4 – Promote low or no carbon energy generation technologies as appropriate to context

- The Project is EV ready, solar-ready, and commits to the generation or purchase of renewable energy, consistent with CM4.