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CAPE COD
COMMISSION

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Cape Cod Commission Staff Memo

DATE: March 13, 2026
TO: Cape Cod Commission
RE: Development of Regional Impact Exemption
Riverview School Hyannis (CCC File No. 25032)

Project Description

The Applicant, Riverview School, Inc., proposes exterior and interior renovations and associated site improvements to the existing +/- 100,000-sf building at 35 Scudder Avenue in Hyannis. The existing building is used as the Cape Cod Irish Village at the Emerald Resort and Conference Center. The Applicant proposes to use the building for their “Friends Forever” Program, a program designed for adult student alumni of the Riverview School. The building will include space for educational and recreational programming and a health club and pool.

Commission Jurisdiction

The Project literally qualifies as a DRI under Section 2(f)(i) of the Enabling Regulations Governing Review of Developments of Regional Impact, as amended November 17, 2021 (“Enabling Regulations”). Said Section provides that “[a]ny proposed Change of Use...involving commercial, service, retail, wholesale, industrial, private office, private health, private recreational or private educational uses...[w]here the Gross Floor Area of the building(s), or that portion of a building, subject to the Change of Use, is greater than 10,000 square feet” is presumed to be a DRI.

Where proposed development literally qualifies as a DRI, Section 12(k) of the Cape Cod Commission Act and Section 7 of the Enabling Regulations allow the Applicant to apply to the Commission for an exemption from Commission review “because the location, character and environmental effects of the development will prevent its having any significant impacts on the values and purposes protected by the Act outside of the municipality in which the development is to be located.”

Procedural History

The Town of Barnstable submitted a mandatory DRI referral for the Project on December 19, 2025. A hearing officer held a proforma hearing on February 26, 2026 to open the hearing period on the Project.

The Applicant submitted application materials for a DRI Exemption on January 29, 2026. Additional materials were submitted throughout February 2026. The DRI Exemption application was determined to be complete on February 27, 2026. A hearing to consider the DRI Exemption request will be held at the meeting of the full Cape Cod Commission on March 19, 2026.

Review of Exemption Request

To grant an Exemption from DRI Review, the Commission must find that the location, character, and environmental effects of the development will prevent its having any significant impacts on the resources, values and purposes protected by the Act outside of the municipality in which the development is to be located. The burden is on the Applicant to show that the Project is exempt.

Commission staff suggest that as proposed, the Applicant has adequately demonstrated that the Project is unlikely to result in any adverse impact to the values and purposes protected by the Act. Thus, staff suggest that the Commission could properly find that location, character, and environmental effects of the development will prevent its having any significant impacts on the values and purposes protected by the Act outside of the Town of Barnstable. In making this recommendation, Commission staff considered the following:

- The proposed Project proposes renovations to an existing building associated with a Change of Use. While there will be improvements to stormwater management and parking areas, there is no significant expansion to the existing building.
- The Change of Use from commercial resort and conference center to a private educational and recreational use is not expected to result in significant impacts to the regional economy.
- Staff suggest that the proposed Project would not result in regional impacts to the transportation network. The Applicant submitted a Traffic Impact Evaluation (TIE), dated December 22, 2025. The TIE concludes that the proposed Project is predicted to generate 986 fewer vehicle trips on an average weekday; 20 fewer vehicle trips during the weekday morning peak-hour; and 121 fewer vehicle trips during the weekday evening peak-hour.
- Staff suggest that, to the extent that the Applicant proposes modifications to the building exterior, the proposal is an improvement in design and will not result in adverse regional impacts to community design.

- The Project proposes an increase in vegetated areas and is connected to sewer. The proposal will reduce nitrogen loading as compared to the existing conditions and will not have regional impacts on water resources.
- The Project proposes redevelopment of an existing building and thus avoids regional impacts to wildlife and plant habitat, wetlands, and open space.