

3225 MAIN STREET • P.O. BOX 226
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • www.capecodcommission.org

DEVELOPMENT OF REGIONAL IMPACT DECISION

Project:	Sandwich Community Health Center (Cape Cod Commission File No. 24020)
Property Owners:	Cape Cod Five Cents Savings Bank P.O. Box 10, Orleans, MA 02635
Applicant:	Community Health Center of Cape Cod c/o Eliza Cox, Nutter, McClennen & Fish, LLP. P.O. Box 1630, Hyannis, MA 02601
Project Site/Location:	85 Route 6A, Sandwich, MA 02563 Assessors ID Map 87 Parcel 77
Title Reference:	Land Court Certificate # 172942
Decision Date:	December 5, 2024

SUMMARY

The Cape Cod Commission grants Development of Regional Impact approval, with Conditions, for a proposed development at 85 Route 6A in Sandwich; specifically a mixed-use medical office and residential building, parking, and other supporting site improvements.

FINDINGS

The Cape Cod Commission ("Commission") hereby finds and determines as follows:

Project Description

- F1. Community Health Center of Cape Cod ("Applicant") proposes a new development to be located at 85 Route 6A in Sandwich. The development site encompasses a 1 acre +/- portion of a 4.84 acre +/- parcel ("Project Site"; "Property").
- F2. The Project Site is bordered to the west by a Cape Cod 5 Bank, to the south by Route 6A, to the east by a residential development, and to the north by a driveway connecting to Tupper Road. The Site was previously fully cleared according to historical photographs, and currently hosts an unoccupied barn/stable structure and a mixture of lawn, brush-mowed areas, and clusters of invasive vegetation.
- F3. The proposed development includes:

- a. a new two-story building, with basement, comprising approximately 19,695 sq. ft.+/-, containing medical office space and two residential units;
- b. surface parking lot connected to existing access drives to Route 6A and Tupper Road, including electric vehicle (“EV”) charging stations; and
- c. an on-site nitrogen-reducing wastewater treatment system, (collectively, the “Project”).

Jurisdiction/Procedural Background

- F4. The Project requires mandatory Development of Regional Impact (“DRI”) review pursuant to Section 3(e)(i) of the Commission’s *Chapter A: Enabling Regulations Governing Review of Developments of Regional Impact (“Enabling Regulations”)*, as revised November 2021, because it proposes new construction of a mixed-use residential and non-residential (private health) building with greater than 10,000 square feet of commercial space.
- F5. Section 13(d) of the Cape Cod Commission Act and 6(c)(viii) of the *Enabling Regulations* contain the criteria for DRI approval, which include consistency with the Cape Cod Regional Policy Plan (“RPP”), and applicable District of Critical Planning Concern implementing regulations, Municipal Development Bylaws, and Commission-certified Local Comprehensive Plans (“LCPs”). The Commission must also find that the probable benefit from the Project is greater than the probable detriment.
- F6. The Town of Sandwich referred the Project to the Cape Cod Commission on July 29, 2024.
- F7. The Applicant submitted a DRI application to the Commission for the Project on July 19, 2024.
- F8. The hearing period was opened procedurally by a staff hearing officer on September 27, 2024.
- F9. Commission staff prepared a staff report on the Project, dated October 22, 2024. A Subcommittee of the Commission held the first substantive public hearing on October 29, 2024.
- F10. At its October 29, 2024 hearing, the Subcommittee directed Commission staff to prepare a draft written DRI Decision consistent with its findings and recommendation for further subcommittee review on November 21, 2024.

Municipal Development Bylaws and LCP Consistency Review

- F11. The Project is located entirely within the Town of Sandwich.
- F12. There are no District of Critical Planning Concern (“DCPC”) implementing regulations applicable to the Project, pursuant to the Commission’s *Chapter E: District of Critical Planning Concern (DCPC) Regulations*.
- F13. Under Sandwich zoning, the Project Site is located within a BL-1 zoning district.
- F14. The Applicant has applied to the Sandwich Board of Appeals for a Special Permit and will also need to apply to the Sandwich Planning Board for endorsement of an Approval Not Required Plan.
- F15. Within the BL-1 zoning district, there is no side yard setback unless the adjacent property is residentially occupied, in which event a 20-foot side yard setback is applied. Where the property lying to the east of the project site is currently residentially occupied, the Applicant will seek a variance from the Sandwich Board of Appeals, to allow a setback of 11.1 feet, as shown on the

Preferred Site Plan. The Applicant has also prepared an Alternative Site Plan showing a site design that would accommodate the 20-foot setback requirement, in the event the variance is denied.

- F16. Subject to review and approval by relevant Town authorities, the Project is consistent with applicable Zoning Bylaws.
- F17. The Project is consistent with goals and policies identified in Sandwich's current Local Comprehensive Plan ("LCP") related to community systems, cultural heritage, economy, and built systems.

Cape Cod Regional Policy Plan Consistency Review

- F18. The Commission reviewed the Project relative to the 2018 RPP, as amended in March 2021, and companion Technical Bulletins, which were those in effect at the time the Commission commenced substantive hearings on the Project.
- F19. Per Section 9 of the 2018 RPP, the Commission determines the Project's consistency with the RPP by determining whether the Project is consistent with the goals and objectives in Section 6 of the RPP, as particular goals and objectives are deemed applicable, material, and regionally significant relative to the Project. The companion Technical Bulletins set forth the methods by which the goals and objectives may be met.
- F20. Section 9 of the RPP authorizes the Commission to waive full and literal compliance or consistency with any specific RPP goal or objective provided that an applicant demonstrates:
 - a. Such waiver will not result in substantial detriment to or substantial derogation from the purposes and values intended to be protected or promoted by such goal or objective; and
 - b. That the intent of the goal or objective will be met through some alternate approach, including appropriate mitigation; and
 - c. That the waiver is necessary to fulfill, protect or promote another compelling regional purpose, goal, objective or value from the Act or RPP that could not be achieved without such waiver.

In considering the grant of such waiver, the Commission may factor into its decision-making any hardship claimed and demonstrated by an applicant that would render such full and literal compliance or consistency impracticable. In determining such hardship, the Commission will consider, among other things:

- d. Whether that without the desired relief, full and literal enforcement would result in substantial hardship, financial or otherwise, to the project applicant; and
 - e. The extent to which the claimed hardship is specific to the project, not generalized in nature, and the extent to which the hardship might be self-created; and
 - f. Whether the requested waiver relates directly and is the minimum relief necessary to address the stated hardship.
- F21. Under the 2018 RPP, companion Technical Bulletins and maps, based on the Project's location and the surrounding development context, the Project's Placetype is Suburban Development Area. This Placetype encompasses residential neighborhoods built primarily between the 1950s and 1990s as well as automobile-oriented commercial and light industrial development.

- F22. The following goals and objectives from the 2018 RPP, as discussed below, are those applicable, material, and regionally significant relative to the Project and are thus subject to the Commission's RPP consistency review: Water Resources goal and objectives WR1 and WR4; Wetlands Resources goal and objectives WET1, WET2, and WET3; Wildlife & Plant Habitat goal and objectives WPH1, WPH4, and WPH5; Open Space goal and objective OS3; Community Design goal and objectives CD1 and CD2; Transportation goal and objectives TR1, TR2, and TR3; Energy goal and objectives EN1, EN2, and EN3; Climate Mitigation goal and objectives CM1, CM2, CM3, and CM4; Cultural Heritage goal and objective CH1 and CH2; Economy goal and objectives EC1, EC2, EC3, and EC4; and Housing goal and objective HOU1.

Water Resources

- F23. 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. The Water Resources objectives that are applicable, material, and regionally significant relative to the Project are to: protect and preserve groundwater quality (WR1); and manage and treat stormwater to protect and preserve water quality (WR4).
- F24. The Project is not located within 400 feet of a drinking water well or within an Impaired Area as identified in the RPP Water Resources Technical Bulletin.
- F25. The Project is anticipated to generate approximately 1,500 gallons per day ("gpd") of wastewater flow.
- F26. The Project proposes to treat wastewater with a new on-site treatment system (KleanTu NitROE) which is designed to treat wastewater to 11 mg/L or lower total effluent nitrogen.
- F27. The Project's anticipated site-wide nitrogen loading concentration is approximately 4.93 parts per million ("ppm"), below the 5ppm maximum allowed per the Water Resources Technical Bulletin, consistent with WR1.
- F28. The Project will create approximately 29,500 square feet of new impervious surfaces while the remainder of the Site will consist of permeable landscaped areas.
- F29. The Project's stormwater management system utilizes Low Impact Design ("LID") including enhanced tree trenches and subsurface infiltration chambers, and is designed to prevent adverse impacts from stormwater, consistent with WR4.

Wetlands Resources

- F30. 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. The Wetlands Resources objectives that are applicable, material, and regionally significant relative to the Project are to: protect wetlands and their buffers from vegetation and grade changes (WET1); protect wetlands from changes in hydrology (WET2); and protect wetlands from stormwater discharges (WET3).
- F31. The Project Site does not include any wetlands, though two bordering vegetated wetlands are located off-site (one located to the South across Route 6A, the other located to the north across a paved driveway).

- F32. The Project's limit of work falls within the 100-foot buffer to off-site wetlands. All proposed work within the wetland buffer will occur on areas already altered by landscaping and pavement.
- F33. The Project will not increase impacts to or further degrade wetland resource areas, consistent with WET1.
- F34. The Project will not result in new untreated stormwater discharges to wetland resource areas or new groundwater withdrawals, consistent with WET2 and WET3.

Wildlife & Plant Habitat

- F35. 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. The Wildlife and Plant Habitat objectives that are applicable, material, and regionally significant relative to the Project are to: maintain existing plant and wildlife populations and species diversity (WPH1), manage invasive species (WPH4), and promote best management practices to protect wildlife and plant habitat from the adverse impacts of development (WPH5).
- F36. The Applicant completed a Natural Resources Inventory ("NRI") consistent with the technical bulletin guidelines.
- F37. The Project Site was previously cleared and currently supports an ecologically degraded community of mostly invasive plant species.
- F38. The Project Site is not mapped as rare species habitat or BioMap Core Habitat or Critical Natural Landscape Areas and is not within an Important Bird Area or Area of Critical Environmental Concern.
- F39. The Project minimizes the amount of new clearing by using a multistory building, proposing fewer parking spaces than required by zoning and locating new development on previously disturbed areas, consistent with WPH1.
- F40. The Applicant will remove invasive plant species during construction and employ best management practices to avoid the spread of invasives on the Project Site, consistent with WPH4.
- F41. The Project includes sediment and erosion control measures to minimize impacts of construction-related disturbance, consistent with WPH5.

Open Space

- F42. 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. The Open Space objective that is applicable, material, and regionally significant relative to the Project is to protect or provide open space appropriate to context (OS3).
- F43. Per the Open Space Technical Bulletin Objective OS3, projects in Suburban Development Areas must offset any loss of open space at a ratio of 1 part protected open space to 1 part Area of Development Impact ("ADI"). The Project's ADI is a maximum of 12,408 square feet inclusive of 835 sf forested area and 11,573 sf of unmanaged lawn and shrub cover as described in the NRI. Compliance with OS3 would require a maximum of 12,408 sf of open space mitigation.

- F44. The Project Site was almost fully cleared and disturbed to support the barn/stable building and adjacent managed lawn areas, according to historic aerial photographs included in the NRI.
- F45. Existing vegetation on the Site is composed of predominantly invasive tree and shrub species.
- F46. The Applicant sought a waiver of compliance with OS3 pursuant to Section 9 of the RPP. The Subcommittee voted to recommend the full Commission grant the Applicant's waiver request.
- F47. The waiver will not result in substantial detriment to or substantial derogation from the purposes and values intended to be protected or promoted by such goal or objective for the following reasons:
 - a. The Project Site does not contain sensitive habitat and is fragmented from other open land on all sides by roads or other development.
 - b. The vegetated areas of the Site are occupied by invasive species and not contiguous to off-Site open space.
- F48. The intent of the goal or the objective will be met through some alternate approach, including appropriate mitigation:
 - a. The Project Site has been previously cleared, contains an abandoned structure, and is largely redevelopment.
 - b. The Project utilizes a multi-story structure and reduced parking requirements to minimize development impacts.
 - c. The Project proposes redevelopment and minimizes the footprint of the proposed structure consistent with the strategies for Suburban Development Area Placetypes.
- F49. The waiver is necessary to fulfill, protect, or promote another compelling regional purpose, goal, objective or value from the Act or RPP that could not be achieved without such waiver:
 - a. The Project provides a new medical facility space which will provide high-quality employment and healthcare services to underserved populations.
- F50. The Applicant demonstrated substantial hardship resulting from compliance, which is specific to the Project, and that the waiver relates directly to such hardship:
 - a. The Applicant is a non-profit organization, reliant upon grants and other funding to secure costs associated with constructing and operating the proposed Project.
 - b. The expense of providing open space mitigation would redirect funds from the organization's primary purpose, providing community healthcare services regardless of an individual's ability to pay.

Community Design

- F51. 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. The Community Design objectives that are applicable, material, and regionally significant relative to the Project are to: promote context-sensitive building and site design (CD1) and minimize the amount of newly disturbed land and impervious surfaces (CD2).

- F52. The proposed building utilizes multi-story design to provide approximately 19,000 square feet of floor area in a 6,700-sf footprint. The scale of the proposed building is further broken down by setbacks in the facade and changes in roof form, consistent with CD1.
- F53. The Project includes context-sensitive design elements such as sloped roof forms, traditional clapboard and panel siding, varied window designs, and a parking lot located behind the building, consistent with CD1.
- F54. The Project includes redevelopment of a previously disturbed site, shared access driveways, multi-story building, and fewer parking spaces than otherwise required by zoning, thereby minimizing the amount of newly disturbed land, consistent with CD2.

Transportation

- F55. The Transportation goal of the RPP is to provide and promote a safe, reliable, and multi-modal transportation system. The Transportation objectives that are applicable, material, and regionally significant relative to the Project are to: improve safety and eliminate hazards for all users of Cape Cod's transportation system (TR1), provide and promote a balanced and efficient transportation system that includes healthy transportation options and appropriate connections for all users (TR2), and provide an efficient and reliable transportation system that will serve the current and future needs of the region and its people (TR3).
- F56. The transportation-related materials submitted by the Applicant as part of the DRI application were prepared professionally and follow standard industry practices related to the study area, data collection, crash analysis, trip generation, and capacity analysis, consistent with TR1.
- F57. According to the Traffic Impact Analysis ("TIA") prepared in July 2024, in accordance with relevant guidance from the Cape Cod Commission Transportation Technical Bulletin, the Project is expected to generate approximately 626 weekday daily vehicle trips, with 57 vehicle trips during the weekday morning peak hour and 70 vehicle trips during the weekday evening peak hour.
- F58. The TIA included a safety review and capacity analysis during the weekday morning and weekday afternoon peak hours for both an average month and peak summer month at the following four (4) study area intersections and four (4) roadway links were identified in the TIA:
- *Intersections:*
 - Route 6A at the 85 Route 6A Driveway (Cape Cod 5)
 - Tupper Road at the Cape Cod 5 Site Driveway
 - Route 6A at Tupper Road (East)
 - Route 6A at Main St (Route 130) and Tupper Road (West)
 - *Roadway links:*
 - Route 6A between Tupper Road (East) and the 85 Route 6A Driveway
 - Route 6A between the 85 Route 6A Driveway and Tupper Road (West)/Main Street
 - Tupper Road (West) between Route 6A and the Cape Cod 5 Driveway
 - Tupper Road (East) between the Cape Cod 5 Driveway and Route 6A
- F59. The TIA vehicle trip generation was developed based on Institute of Transportation Engineers data for Land Use Code ("LUC") 630 Clinic applied to 16,275-sf and LUC 220 Multifamily Housing (Low Rise) applied to two units.

- F60. Project Site access will be provided via existing Cape Cod 5 driveways on Route 6A and Tupper Road. A new internal site driveway for the Project will be constructed to connect to the Cape Cod 5 site. The shared access driveways minimize the number of new curb cuts to adjacent roadways, consistent with TR1.
- F61. The TIA safety analysis revealed that the following intersections are above-average crash locations, experiencing 3 or more crashes per year, and requiring safety mitigation measures: Route 6A/Tupper Road (East) and Route 6A/Tupper Road (West)/Main Street. To enhance safety, the Applicant proposed that it will seek permits from the Massachusetts Department of Transportation to undertake the following improvements, consistent with TR1 and TR3:
- a. *Route 6A at Tupper Road (East)*: design and implement an optimal traffic signal timing and phasing plan to include updates to clearance intervals and the pedestrian phase; review and upgrade/replace signs and pavement markings including the replacement of Stop lines, the installation of intersection ahead warning signs with supplemental street name plaque and installing tracking line pavement markings to improve motorist guidance; and selectively trim vegetation at and on the approaches.
 - b. *Route 6A at Tupper Road (West)/Main Street*: Review and upgrade/replace signs and pavement markings including the replacement of Stop lines, the installation of intersection ahead warning signs with supplemental street name plaque and reflective yellow tape on the signpost; explore opportunities to improve traffic flow at this intersection; and selectively trim vegetation at and on the approaches.
- F62. The Project proposes a Transportation Demand Management ("TDM") Program, including but not limited to, an on-site TDM coordinator, a rideshare matching program, posting information on public transportation services, and secure bicycle parking, among other measures, consistent with TR2 and TR3.
- F63. An ADA-compliant sidewalk will be constructed internal to the Site, consistent with TR2.
- F64. The TIA capacity analysis indicates that the Project site driveway is anticipated to operate at an adequate level of service during average and peak periods.
- F65. The Project may result in minor increases to average vehicle delays at study area intersections and a corresponding increase in vehicle queuing of one additional vehicle. Some of the movements at the Route 6A/Tupper Road (East) and Route 6A/Tupper Road (West)/Main Street intersections are currently operating over capacity (i.e., LOS "F").
- F66. Regularly scheduled public transportation services are provided on Route 6A by the Cape Cod Regional Transit Authority (CCRTA) via the Sandwich Line. The CCRTA also provides Dial-a-Ride Transportation (DART) and SmartDART service. The nearest bus stop is located at Stop and Shop, an approximately 0.4 miles west of the Project Site. There are currently no sidewalks provided within this section of Route 6A.

Energy

- F67. 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. The Energy objectives that are applicable, material, and regionally significant relative to the Project are to: support renewable energy development that

is context-sensitive (EN1), increase resiliency of energy generation and delivery (EN2), and minimize energy consumption through planning and design (EN3).

- F68. The Applicant proposes to incorporate a roof-mounted solar photovoltaic (“PV”) system on the building, consistent with EN1.
- F69. The Project will increase energy resiliency by locating utilities underground and installing a standby emergency generator, consistent with EN2.
- F70. The Project is being designed to be LEED silver certifiable, with energy efficient building design elements, low flow water fixtures, LED lights, and Energy Star mechanical equipment, among other Project components, consistent with EN3.
- F71. The Project includes 2 Electric Vehicle (“EV”) charging stations in the parking lot and will provide conduit for 8 additional EV charging spaces, consistent with EN3.

Climate Mitigation

- F72. 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. The Climate Mitigation objectives that are applicable, material, and regionally significant relative to the Project are to: promote low or no carbon transportation alternatives and technologies (CM1), promote low or no carbon technologies for building energy use, including appliances, lighting, and heating, ventilation, and cooling (“HVAC”) systems (CM2), promote carbon sequestration and other emissions removal practices and technologies as appropriate to context (CM3), and promote low or no carbon energy generation technologies as appropriate to context (CM4).
- F73. The Project incorporates EV charging stations in the parking areas and on-site pedestrian infrastructure, consistent with CM1.
- F74. The Project includes an efficient building design, energy efficient lighting, heating and cooling systems, consistent with CM2.
- F75. The Project includes new tree planting, native vegetation in the landscaping plans, and LID stormwater infrastructure, consistent with CM3.
- F76. The Project proposes EV charging stations within the parking lot and rooftop solar PV to generate renewable energy on-site, consistent with CM4.

Cultural Heritage

- F77. The Cultural Heritage goal of the RPP is to protect and preserve the significant cultural, historic, and archeological values and resources of Cape Cod. The Cultural Heritage objectives that are applicable, material, and regionally significant relative to the Project are to: protect and preserve forms, layouts, scale, massing, and key character-defining features of historic resources, including traditional development patterns of villages and neighborhoods (CH1), and protect and preserve archaeological resources and assets from alteration or relocation (CH2).

- F78. The Project Site includes an unoccupied building listed as a stable in the State's inventory of cultural resources (MACRIS) as part of an area inventory form covering the western portion of Route 6A. The stable is not described further in the inventory narrative and appears to have been built between 1952 and 1971 according to historic aerial photographs.
- F79. The Applicant submitted a Project Notification Form ("PNF"), and Massachusetts Historical Commission (MHC) issued a comment letter dated August 23, 2024, noting that the building proposed for demolition is on the State Register of Historic Places and within the Old Kings Highway Historic District, requiring review and approval by the Sandwich Old Kings Highway Historic District Committee.
- F80. Given the stable building's recent age and the lack of historic inventory detail, it likely has limited cultural significance and demolition to construct the Project is consistent CH1.
- F81. The Site has been previously cleared and developed so the Project is unlikely to impact intact archeological resources, consistent with CH2.

Economy

- F82. 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. The Economy objectives that are applicable, material, and regionally significant relative to the Project are to: protect and build on the Cape's competitive advantages (EC1), use resources and infrastructure efficiently (EC2), foster a balanced and diverse mix of business and industry (EC3), and encourage industries that provide living wage jobs to a diverse workforce (EC4).
- F83. The Project is designed to minimize the development impact area by locating on a previously disturbed site and including all facilities within a multi-story building, consistent with EC1.
- F84. The Project will locate new utilities underground, install rooftop solar PV, and support a mixture of uses within the building including professional healthcare, and residences, consistent with EC2.
- F85. The Project will provide full-time and construction period employment opportunities, as well as a building with spaces for various medical uses as well as residences, consistent with EC3.
- F86. The completed Community Health Center is estimated to create 27 full-time employment opportunities within its first year of operation, and employ 40 staff when operating at full capacity, consistent with EC4.

Housing

- F87. 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. The Housing objective that is applicable, material, and regionally significant relative to the Project is to promote an increase in housing diversity and choice (HOU1).
- F88. The Project includes two new small-scale residential units (one bedroom each, approximately 550 sf) within a mixed-use structure, consistent with HOU1.
- F89. The Applicant intends to use the units for workforce housing, including medical students, interns, entry-level staff or visiting staff, as needed, consistent with HOU1.

Probable Project Benefit/Detriment

F90. Probable Project benefits include:

- The Project supports Suburban Development Area Placetype strategies by adding a new mixed-use structure adjacent to other developed areas.
- The Project is sited to avoid impacts to identified sensitive natural areas.
- The Project includes redevelopment, a multi-story building and reduced parking lot footprint, which minimize the area of new disturbance necessary to accommodate the Community Health Center's facilities.
- The Project will add high quality, year-round employment opportunities in the healthcare sector.
- The Project will increase access to healthcare services in the region, with particular benefit to underserved populations.
- The Project includes energy-efficient design and utilities, electric vehicle charging stations, and on-site renewable energy generation.

F91. Probable Project detriments include:

- The Project will result in additional vehicle trips at two high-crash intersections: Route 6A/Tupper Road (East) and Route 6A/Tupper Road (West)/Main Street.

CONCLUSION

Based on the Findings above and subject to the Conditions below, the Commission further determines, finds, and concludes that: the Project is consistent with the 2018 Cape Cod Regional Policy Plan, applicable Municipal Development Bylaws, and the Town of Sandwich's LCP; the probable benefit of the Project is greater than its probable detriment; and the Commission hereby grants DRI approval for the Project described herein.

CONDITIONS

- C1. This Decision shall be final when the appeal period set out in Section 17 of the Cape Cod Commission Act has elapsed without appeal (or if such an appeal has been filed, when the appeal has been finally settled, dismissed, adjudicated, or otherwise disposed of in favor of the Applicant).
- C2. When final and after a copy of this Decision has been recorded with the Barnstable County Registry of Deeds, this Decision shall be valid and in effect, and local development permits may be issued pursuant hereto, for a period of seven years from the date of this Decision.
- C3. This Decision shall be appurtenant to and run with the Property. The Decision shall bind and be enforceable against, and inure to the benefit of, the Applicant, its heirs, successors, and assigns.
- C4. The Applicant shall obtain all required federal, state, and local permits, licenses, and approvals for the Project. Consistency with Municipal Development Bylaws shall be ratified and confirmed by the Applicant obtaining all required local permits, licenses, and approvals. Prior to commencement of

the Project, the Applicant shall provide the Commission with copies of all required permits, licenses, and approvals, and plans approved therein, for the Project.

- C5. The Project shall be constructed, operated, and maintained in accordance with the documents listed in Exhibit A ("Approved Project Plans"). Plans, protocols, and other documents required as Conditions of this Decision shall be treated as incorporated into the Approved Project Plans once received, reviewed, and determined consistent with this Decision by Commission staff, and the Project shall be similarly constructed, operated, and maintained.
 - a. The Applicant hereby authorizes Commission staff to make site visits as necessary, at reasonable times and upon reasonable notice to the Applicant, to confirm that the Project is implemented in accordance with this Decision.
 - b. The Approved Project Plans include both the Preferred Site Plan and the Alternative Site Plan as listed in Exhibit A.
- C6. The Applicant shall provide a copy of this Decision and the Approved Project Plans to the Project's general contractor prior to commencement of the Project. The Applicant shall maintain a copy of this Decision and the Approved Project Plans on the Project Site throughout Project construction.
- C7. Prior to and as a condition to issuance of a building permit/s for the Project from the Town of Sandwich Building Department, the Applicant shall request and obtain from the Commission a Preliminary Certificate of Compliance; the issuance of such Preliminary Certificate of Compliance evidences that the Applicant has satisfied all Conditions in this Decision required to have been satisfied prior to the issuance of a local building permit/s.
- C8. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall submit a final plan for Commission staff review and approval which specifies best management practices to be employed to avoid the introduction and/or spread of invasive species during construction.
- C9. Prior to and as a condition to issuance of a Certificate/s of Use and Occupancy for the Project from the Town of Sandwich Building Department, the Applicant shall request and obtain from the Commission a Final Certificate of Compliance; the issuance of such Final Certificate of Compliance evidences that the Applicant has satisfied all Conditions in this Decision required to have been satisfied prior to the issuance of a local Certificate/s of Use and Occupancy, and shall confirm that the Project was constructed or implemented in accordance with this Decision.
- C10. Prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission, the Applicant shall provide the proposed Transportation mitigation as set out in Findings F61 a.—b. herein.
- C11. Prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission, the Applicant shall install no fewer than 2 electric vehicle charging stations, and conduit capable of supporting no fewer than 8 additional electric vehicle charging stations in the parking lot.

SIGNATURE PAGE FOLLOWS

SIGNATURE PAGE

Executed this 10th day of December 2024

For the Cape Cod Commission by:

Harold W Mitchell

Signature

Harold W Mitchell chair
CC Commission
Print Name and Title

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

December 10, 2024

Before me, the undersigned notary public, personally appeared Harold Mitchell,
whose name is signed on the preceding or attached document, and such person acknowledged to
me that he/she signed such document voluntarily for its stated purpose in his/her capacity as
Chairman of the Cape Cod Commission. The identity of such person was
proved to me through satisfactory evidence of identification, which was [] photographic
identification with signature issued by a federal or state governmental agency, [] oath or
affirmation of a credible witness, or [] personal knowledge of the undersigned.

Lisa Dillon

Notary Public

My Commission Expires: 8/28/26

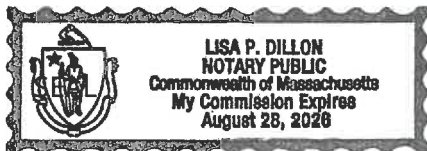


EXHIBIT A
Sandwich Community Health Center
Condition C5 – Approved Project Plans

- Plan Set titled “Community Health Center Permitting Plans, Sandwich, Massachusetts” as prepared by Horsley Witten Group. (dated 07/01/2024), inclusive of:
 - C-1 – Cover Sheet
 - C-2 – General Notes
 - C-3 – Existing Conditions Plan
 - C-4 – Site Prep & Erosion Control Plan
 - C-5 – Site Plan
 - C-6 – Grading & Drainage Plan
 - C-7 – Utility & Wastewater Plan
 - C-8—C10 – Construction Details
 - C-11 – Utility Details
 - C-12 – Wastewater Details
 - C-13 – Landscape Plan
 - C-14 – Landscape Details
 - C-1 – Alternative Site Plan

- Plan Set titled “Community Health Center, 85 Route 6A, Sandwich, MA 02563” as prepared by Medcom Architectural Group, Inc. (dated 07/08/2024), inclusive of:
 - CS – Cover Sheet
 - A1.0 – First Floor Plan
 - A1.1 – Second Floor Plan
 - A1.2 – Basement Plan
 - A1.3 – Roof Plan
 - A2.0 – Exterior Elevations
 - A2.1 – Exterior Elevations
 - L1.0 – Building Lighting Plan
 - R1.0 – Rendered Views

BARNSTABLE REGISTRY OF DEEDS
John F. Meade, Register