

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: Cape Cod Five Hyannis Banking Center (CCC File No. 17006)

Property Owner/
Applicant: The Cape Cod Five Cents Savings Bank
c/o Attorney Andrew Singer
26 Upper County Road, P.O. Box 67
Dennis Port, Mass. 02639

Project Site/
Location: 131 Attucks Lane/1520 Iyannough Road (Route 132), Hyannis, MA 02601

Title Reference: Deed Book 27968 Page 116; Deed Book 27968 Page 195

Assessors ID: Map 253 Parcel 20 and Map 254 Parcel 12

Date: July 20, 2017

SUMMARY

The Applicant, The Cape Cod Five Cents Savings Bank, proposes to redevelop an 8.7-acre site in Hyannis to accommodate a new banking center. The Project involves the demolition and removal of two existing buildings and related improvements on the Project Site, and re-development of the Site with a 78,220-square-foot office building including a drive-up retail branch, structured parking garage, and associated on-site and off-site improvements.

The Cape Cod Commission (Commission) hereby approves with conditions the Project as a Development of Regional Impact (DRI) pursuant to Sections 12 and 13 of the Cape Cod Commission Act (Act). This decision is rendered pursuant to a vote of the Cape Cod Commission on July 20, 2017.

FINDINGS

The Cape Cod Commission finds as follows:

General Findings

GF1. The Applicant is The Cape Cod Five Cents Savings Bank (“Cape Cod Five” or “Bank”), which is an independent mutual savings bank incorporated in Massachusetts and established in 1855 with more than 20 branch and office locations across Cape Cod.

GF2. The Project Site is composed of multiple, adjoining properties/ zoning parcels along Iyannough Road and Attucks Lane owned by the Applicant, which it proposes to combine into a single, 8.7 acre building lot. These properties (1520 Iyannough Road [Rte. 132], 131 Attucks Lane and portions of an unbuilt paper road, “Old Strawberry Hill Road”) are currently developed with a retail building most recently housing an Ethan Allen furniture store and Mid-Cape Home Design Center, and an office building currently being used by the Applicant.

GF3. The Project proposes to redevelop the properties and consists of the following:

- A. Combining the individual parcels into a single building lot;
- B. Demolition of the existing one-story, 32,255 gross sq. ft. retail building at 1520 Iyannough Road, the 5,904 gross sq ft, two-story office building at 131 Attucks Lane, and removal of all related existing site improvements, including three septic systems;
- C. Construction of a new, approximately 78,220 sq ft two and half story banking center with
 - a. Lobby and Receptions area,
 - b. 1,850 square foot Branch Bank with drive-up window,
 - c. Office Space (private and open office areas),
 - d. Conference Space,
 - e. Cafeteria, Health and Wellness Areas and other similar site amenities,
 - f. Outdoor Spaces, and
 - g. Roof mounted solar panels;
- D. Construction of a three-level parking structure with 99,733 sq. ft. (33,000 sq ft footprint) of raised/ covered parking deck to accommodate up to 240 vehicles;
- E. New on-site surface parking and driveway areas, walkways, and landscaping improvements;
- F. Sewer connection and sewer lift station, and
- G. Off-site and on-Site sidewalks and other provisions for safe pedestrian and non-vehicular travel on and to the Site.

GF4. Cape Cod Five has grown to be one of the largest banks headquartered on the Cape, Islands and Southeastern Massachusetts, and is a full-service community bank with total assets exceeding \$3 billion. Cape Cod Five’s chartered structure allows it to be locally controlled and operated for the benefit of its customers and community, rather than for shareholders or investors.

GF5. Incorporated under the Bank’s parent entity is The Cape Cod Five Cents Savings Bank Charitable Trust. For 2015, the Trust supported 264 community initiatives or organizations, with the Bank’s donations totaling \$1,064,992 for community health, education, the arts and other purposes.

GF6. Cape Cod Five has experienced a period of steady and continued growth in assets and offices. In 1998, the Commission granted DRI approval for the Bank's Orleans Operations Center (CCC File No. 98019). In 2014, Cape Cod Five acquired the subject properties constituting the Project Site, considering it a strategic location to plan, permit and develop additional space to more effectively serve its customers and accommodate recent and expected growth. The Cape Cod Five states that it views the proposed redevelopment Project as an important part of sustaining its current operations and allowing future growth, and intends to retain and grow its employee base. The Project has been designed to accommodate 300+ employees, customers, visitors, and/or guests.

GF7. The Project is centrally located with direct access from main roads into and out of Hyannis, including nearby access onto Rte.6, and the Applicant maintains that such location will be a convenient location for the Applicant's customers and serve as an appropriate and visible gateway to Hyannis. This location was also selected, according to the Applicant, because it provides a redevelopment opportunity and has access points from Rte. 132 and Attucks Lane.

GF8. The Applicant proposes to reuse the (4) curb cuts (two on Rte. 132 and two on Attucks Lane), though with extensive renovations. Two on Iyannough Road (Rte. 132) will remain unchanged. Existing driveways from Attucks Lane will be altered with the goal to improve safety and traffic flow. The Site includes parking and access to the building and parking structure from both the north and south of the Site while the interior driveway between the main building and the garage is designed, according to the Applicant, to assist in reducing traffic at surrounding intersections.

GF9. The Project will be connected to Town sewer through a new force main the Applicant has been designing in consultation with the Town of Barnstable's Department of Public Works. This will allow the Applicant to permanently remove three (3) existing septic systems on the Site that lie within the Barnstable Water Protection Overlay District (WP). The wastewater from the replacement building will be sent to a new municipal sewer lift station that is to be built on the Site, at the expense of the Applicant. All other utilities such as water, underground electric, telephone cable TV, and natural gas are all currently present on site.

GF10. The Applicant proposes to undertake, construct, operate, and maintain the Project in accordance with the following application materials submitted during the DRI review process:

See Exhibit A attached hereto and incorporated herein

GF11. The Project is a mandatory Development of Regional Impact (DRI) pursuant to Sections 3(e) and 3(f) of the Commission's *Enabling Regulations Governing Review of Developments of Regional Impact* (Enabling Regulations) because it proposes to redevelop the Site with net new commercial Gross Floor Area of 10,000 square feet or greater.

GF12. The Project was reviewed under the 2009 Regional Policy Plan (RPP), as amended August 2012.

GF13. The Project was referred to the Commission as a DRI by the Barnstable Building Commissioner on March 30, 2017. The Applicant filed its DRI application with the Commission on April 3, 2017, and filed supplemental application materials in April and May 2017. A DRI subcommittee held hearings in Barnstable on the Project May 25, June 7, and June 28, 2017. Commission staff prepared a staff report for the May 25, 2017 hearing, and a memorandum for the June 7, 2017 hearing. At the June 7, 2017 hearing, the subcommittee directed staff to prepare a draft DRI decision for its consideration. At its June 28, 2017 hearing, the subcommittee voted to recommend the Project to the Commission for approval, and recommend the draft DRI decision approving the project, with conditions, to the Commission for adoption. The June 28, 2017 hearing was continued to July 20, 2017 for the full Cape Cod Commission's review and consideration of the Project and of the draft DRI decision.

GF14. Section 7(c)(viii) of the Commission's *Enabling Regulations* contains the standards for DRI approval, which include consistency with the Act, the RPP, District of Critical Planning Concern (DCPC) implementing regulations (as applicable), municipal development by-laws or ordinances, and applicable Local Comprehensive Plans. The Commission must also find that the probable benefit from the proposed development is greater than the probable detriment.

GF15. The only District of Critical Planning Concern (DCPC) applicable to the Project is the Cape-wide Fertilizer Management DCPC. Barnstable adopted a fertilizer (nutrient) management ordinance as implementing regulations pursuant to this DCPC. The Project's proposed turf management practices and Site planting scheme are consistent with the town of Barnstable's Fertilizer Management DCPC implementing regulations.

GF16. The probable benefits of the Project include:

- A. The Applicant proposes to redevelop a previously disturbed Site within a broadly developed commercial area, surrounded by similar and compatible uses and building types, and will serve as an anchor to the emerging financial and professional use district planned for by the town in the area.
- B. The Applicant proposes to construct a sewer connection, lift station and extension to serve the Project. This infrastructure will facilitate sewer extension by the Town to other properties in the surrounding area, especially important given the area's location in wellhead Protection areas, and the Applicant is amenable to transferring ownership of this infrastructure to the Town upon its completion.
- C. The Applicant's proposed structured parking requires much less structural site coverage than would be required for equivalent surface parking, especially important given the Project's location in a Wellhead Protection Area.
- D. The Applicant will improve the quality of wetland buffer areas through revegetation and removal of an existing building located less than 10 feet from bordering vegetated wetlands and less than 50 feet from a pond.
- E. The Project provides off-site pedestrian infrastructure to serve the Site and surrounding area.

- F. The Project is located in a Wellhead Protection Area and will reduce the site-wide nitrogen loading concentration from the Site's existing conditions.
- G. The Applicant proposes to remove three septic systems within pond buffer areas.
- H. The Project facilitates the maintenance and expansion of a local bank that in turn supports and drives other economic activity and quality year-round employment opportunities in and for the region.
- I. The Project eliminates existing strip type development patterns on-site.
- J. The Project improves the aesthetics of the Site and surrounding area.
- K. The Applicant has designed the Project to achieve a high level of LEED Certification, including the use of roof mounted photovoltaic arrays.

The probable detriments of the Project include:

- A. As under existing conditions, some Site development is located in wetland buffers.
- B. As under existing conditions, some surface parking is located between the Site building and surrounding roadways.
- C. The Project requires removal of some natural site vegetation.

GF17. The Project is consistent with municipal development ordinances, provided it obtains all necessary local permits licenses and approvals. The Project meets dimensional requirements set out in the Town's zoning ordinance, subject to local permitting, and the proposed office use is allowed as a matter of right, given recent zoning map amendments adopted by the town with the goal of transforming the area with professional office and service uses such as the one proposed. The Town amended the zoning mapping to the Project Site from Residence R-1 and Residence D-1 to Highway Business.

GF18. The Project is consistent and compatible with surrounding development and uses in the area, many of which have or are in the process of being redeveloped with professional office and service uses similar to the Project.

GF19. The Project is consistent with the high level, general goal of the Town's Local Comprehensive Plan (LCP) applicable to the Project, in that redevelopment is encouraged in this area of the town, and the Project proposes to redevelop an existing site.

GF20. The Commission received comments from Town's Growth Management Department Director Elizabeth Jenkins on behalf of the Town dated May 24, 2017 supporting the Project, and attesting to the Project's consistency with town development ordinances, the town's LCP, and the town's vision for development for the area in which the Project Site is located. The letter notes that the Project is redevelopment of an underutilized site in a commercial area, consistent with the town's planning and economic development goals for the area; that the Town Council had re-zoned the area to allow for such development; that the Project will serve as an anchor for the burgeoning financial district in the surrounding area; that the Project will serve as a significant investment in the local economy and provide quality employment opportunities; that the Project is an aesthetic enhancement over existing conditions, at a 'gateway' location to

Hyannis; and that the Project is properly sited to take advantage of existing public infrastructure without overburdening the infrastructure.

GF21. The following local reviews, actions, permits, licenses and approvals are required for the Project:

- A. Site Plan Review;
- B. Board of Health review;
- C. Conservation Commission review;
- D. Planning Board or Board of Appeals review to permit continuation of preexisting, non-conforming parking areas within the required landscape setbacks;
- E. Planning Board or Board of Appeals for drive-up bank, special permit use;
- F. Sewer Connection Permit to extend the sewer line and construct a lift station; and
- G. Building permits.

GF22. The following state reviews, actions, permits, licenses and approvals are required for the Project:

- A. Massachusetts Highway Department / MassDOT curb cut and highway access permits

REGIONAL POLICY PLAN FINDINGS

The following are Findings related to the Project's consistency with RPP issue areas that are applicable, relevant and material to the Project:

Land Use

LUF1. The RPP's Land Use issue area deals primarily with the efficient use of land and infrastructure for development, and the appropriateness of proposed locations for development.

LUF2. The Project utilizes a previously developed site, and is located in an appropriate location for the use based on recent local planning and zoning efforts, and on existing and anticipated development patterns and uses in the area surrounding the Project.

LUF3. The 2009 RPP set out a process for towns to propose, and for the Commission to approve, Land Use Vision Maps (LUVM) and designations thereon. Barnstable adopted its map several years ago, and the 2009 RPP is now eight years old. The Project Site is not mapped as an Economic Center on Barnstable's LUVM, but circumstances have changed in the area since adoption of the town's LUVM, including that more recent planning and zoning efforts by the Town have encouraged professional office and service uses, like the one proposed, in the surrounding area. The area has since and is currently undergoing a change consistent with these efforts. Though not an economic center designated on the LUVM, the area is functionally equivalent to one, and the Town's recent actions indicate an intent or willingness to treat this area as if designated an economic center on the LUVM. Several other redevelopment projects

reviewed by the Commission in the surrounding area have been treated as if they were in the nearby mapped, designated Economic Center.

LUF4. The Applicant has employed cluster or compact design principles to the extent feasible under local zoning (there is a 100-foot required building setback from Rte. 132, and the Project is located along two road frontages, that makes the Project's full realization of compact design principles difficult). The Project includes features representative of compact development including multistory buildings, mixed use (non-residential) development, structured parking, pedestrian-friendly design, shared wastewater treatment, municipal water service and Low Impact Development (LID) landscaping and stormwater treatment. Additionally, the Applicant is combining the previously separately-owned and developed parcels of land into a single site.

LUF5. The Project respects the natural topography of the Site:

- The Applicant proposes to undevelop and restore disturbed areas within wetlands buffers.
- The grading and topography at the northeast corner of the office building allows the ground (or lower) level to be a walk-out level, well-suited for the service entrance and delivery dock.
- The lower level of the garage is set in the lowest part of the site, and the upper level is less than fifteen (15) feet above grade at the east and north sides. The design of this parking structure responds to the natural topography with a split-level design minimizing its structural massing and visibility. Although the garage is approximately 99,000 gross square feet in total size, the footprint is only 33,000 square feet; an equivalent typical at-grade parking lot would otherwise require a larger structural footprint. The garage allows parking for 240 cars on less than an acre of land.
- In addition, in order to limit impervious coverage the Applicant has designed all surface parking spaces to be 9' x 19'. The Barnstable Building Commissioner, as he is authorized to do under the zoning ordinance, has determined that the proposed number of parking spaces (375) complies with town zoning, though there is less total parking proposed than the zoning parking schedule would otherwise require.
- The Project design also maintains existing natural vegetated buffer areas between the parking garage, Iyannough Road, Attucks Lane, and the commercial property to the west. The placement and massing of the building have been designed to meet the town's building setbacks and to best fit the building into the natural landscape and existing topography. The front entrance of the building is situated on the west elevation, opposite the pedestrian entry of the parking structure.

LUF6. In acquiring the Project Site and planning the Project, the Applicant considered the broad availability of existing infrastructure in the area, such as the road network, utilities systems and the potential for a municipal sewer connection to replace multiple existing Title 5 septic systems.

- The surrounding area is broadly developed with commercial uses and the Site has extensive utility services present and available for connection and use. Cape Cod Five will, as part of the Project, have the municipal sewer service extended to the Site, which may ultimately serve other surrounding properties in the future that are not currently connected to the system and have not been able to connect in the absence of such an extension.
- The Applicant is currently working on plans for the sewer connection and extension with the Town of Barnstable DPW and is in discussion with the Town generally about it. A new sewer lift station is proposed to be constructed on Project Site, along with new gravity and force main lines as required in the public way (primarily beneath or adjacent to Attucks Lane), that will in turn be given over to the Town, as it desires, to own, operate, and maintain.

Economic Development

EDF1. Similar to the Land Use issue area, Economic Development deals in large part with the appropriateness of locations for proposed development and redevelopment.

EDF2. As discussed above under the RPP- Land Use Findings, the Project Site is not in an Economic Center as designated on the LUVM, but functionally serves as one based on the character of existing and proposed development in the surrounding area, and on recent planning and regulatory efforts by the Town.

EDF3. The Project also meets several waiver criteria set out in the Economic Development standards for proposed redevelopment not located in a designated Economic Center, as it proposes: mixed uses (non-residential); shared infrastructure; emerging industry cluster (knowledge based, high wage sector); and distributed energy generation (roof mounted solar).

EDF4. More broadly, the Economic Development issue area sets out as goals the promotion of a balanced, year-round economy, quality year-round employment opportunities, and economic activity that creates and retains wealth in and for the region.

EDF5. Cape Cod Five is an independent, mutual community bank that serves as a backbone to further the above goals. The Bank has grown steadily over the years, and it looks to retain and grow its work force in expanding and preserving its core business. The Bank has surpassed \$3 billion dollars on the balance sheet, including \$2.4 billion in deposits and over \$2.5 billion in loans. Its mortgage department services a total of over \$4 Billion in loans. The Bank also has an additional \$1 billion plus in assets under management in its Trust Department.

EDF6. The Project is estimated to cost over \$35,000,000 in site related and vertical construction improvements, plus an estimated additional \$10,000,000 in project development costs, representing a substantial investment in the town and region. The Bank is in discussion with the Town of Barnstable about a Tax Increment Financing Agreement which recognizes the

investment the bank is making in the town and region, and its associated economic effects, with the Project.

EDF7. Cape Cod Five provides full-time employment (including benefits and training) for over 450 individuals, many of whom live within Barnstable County. The Bank provides a range of job types for different skill levels and is an equal opportunity employer. The Bank's median salary is over \$49,000, higher than the county median. The Bank has stated it will be moving 178 jobs currently located in other offices to this facility and expects to fill up to 90 new positions.

EDF8. In terms of expanding the local economy, the Bank, while not an export business, does provide vital support to local residents and businesses through their lending programs. Cape Cod Five also has a charitable foundation that contributes widely to the community.

Water Resources

WRF1. The Project will be serviced by public water supply. New to the site will be a sanitary sewer connection, which the Applicant has been designing in consultation with the Town of Barnstable DPW. A new municipal sewer lift station will be built and funded by the Applicant on the Project Site to accommodate connection through a new force main. Three existing septic systems will be removed, all within three hundred feet of ponds. This will have the effect of lessening nutrient loading to the adjacent ponds.

WRF2. The Project Site is within a Zone II Wellhead Protection Area, as it is positioned directly upgradient of two public water supply wells. MPS WR2.2 restricts the use, treatment, generation, handling, storage, and disposal of hazardous materials and hazardous wastes. Due to the nature of the type of business and building use, the Commission does not anticipate quantities of any hazardous materials to exceed normal "household quantities."

WRF3. The Site is located within a marine water recharge area to Barnstable Harbor, which has not yet been studied by the Massachusetts Estuaries Project and is not expected to be significantly nitrogen-impaired. The Project's landscape and stormwater management design and use of sewer result in low nitrogen loading as explained below.

WRF4. Compared to existing conditions, the redevelopment will increase the square footage of roof area, paved surfaces, and lawn area, resulting in increased nitrogen loads from stormwater runoff and fertilizer. However, because the new building will be connecting to the municipal sanitary sewer network, the site nitrogen load from wastewater will be significantly reduced from existing conditions. Wastewater from the existing buildings was treated with an on-site septic system and contributed to an existing site wide nitrogen load of 5.57ppm. The calculated load from the proposed development is 2.85ppm, which meets the 5ppm nitrogen loading standard for WR1 General Aquifer Protection and WR2 Drinking Water Quality and Quantity, applicable to Wellhead Protection Areas.

WRF5. Low flow plumbing fixtures will be used throughout the proposed building to conserve water use.

WRF6. Because no stormwater management system currently exists, the proposed stormwater management plans provide an improvement in both runoff quantity and quality.

- The proposed stormwater management system infiltrates all stormwater on site. Except for the parking garage which is equipped with its own subsurface infiltration chambers, the remainder of the site's stormwater runoff from parking areas will be infiltrated via four different "stormwater facilities." Each stormwater facility accepts runoff from a conveyance system equipped with hooded sump catch basins and curb openings. The collected runoff then travels through a sediment forebay, prior to infiltrating through either a bioretention area or a subsurface infiltration structure. The stormwater systems were sized for the 25-year design storm and remove between 87% and 96% of the total suspended solids (TSS), meeting the Commission's storage and TSS removal requirements.
- MPS WR7.4 requires the first inch of stormwater runoff from parking lot and roadways to be treated with bioinfiltration practices. The only stormwater runoff from the site parking areas not incorporating some element of bioinfiltration is the parking garage, where runoff is directly channeled to subsurface infiltration chambers equipped with Cultec stormfilters and Cultec chambers. Stormwater quality treatment and opportunities for infiltration provided by the proposed stormwater management system will be greatly improved over existing conditions.
- The Site Operation and Maintenance Plan provides detailed maintenance procedures for the Stormwater Management System, ensuring periodic inspections and maintenance practices for maintaining intended functionality. Additionally, the best management practices for erosion and sedimentation control during construction are adequate for this site.

WRF7. In regards to managing the proposed turf and landscape, the Applicant proposes to use native, drought-tolerant species in all proposed planting areas. Fertilizer use will be limited to water insoluble, slow-release, organic products, with application limits consistent with the Town's nutrient control ordinance adopted pursuant to the cape-wide fertilizer Management DCPC. No long-term irrigation will be necessary for the wooded areas along Attucks Lane, the large fescue meadow fronting the Site, and other naturalized portions of the Site. The remaining areas will incorporate water efficient irrigation by using soil moisture sensors and weather-based controls gauges to adjust water schedules.

Natural Resources

NRF1. The Applicant has stated in its application that with respect to natural resources, its design philosophies are as follow: to limit the extent of newly disturbed areas; to cluster the new development to the extent possible in the center of the site, as there are wetlands at both the east and west ends of the site; to improve existing disturbed wetland buffer areas; to limit the square footage/acreage of surface parking and maximize the landscape areas around the building to

support the Applicant's sustainable/green goals; and to utilize Low Impact Development techniques to handle Stormwater requirements. The Applicant has also tried to maintain stands of existing trees and the natural buffers around the two constructed wetland areas adjacent to Rte. 132, as well as the undisturbed areas along Attucks Lane.

NRF2. The Applicant proposes to remove development on the Site, including pavement and buildings, and to redevelop the site with a more consolidated, though expanded, footprint. Existing development is located within the 300' setback to ponds abutting the Site, as is proposed development. Though it does not appear feasible to locate the Project entirely outside the 300 foot setback from the ponds, the Applicant is removing three existing septic systems located within these 300 foot setback areas.

NRF3. While the Project will increase the overall development of the Site, for the most part new development is located further from sensitive resources than under existing conditions. Presently there is a ~2,000 sq. ft. building (131 Attucks Lane) located almost entirely within the 50 ft buffer to a pond system in the east portion of the Site (and within 10 feet of the bordering vegetated wetland surrounding the pond). Parking, site drive, and maintained lawn area associated with this building are also located within the 100 ft buffer to this wetland. The Applicant proposes to restore this portion of the Site after removal of the structures.

NRF4. According to application materials, approximately 2 acres of the Site is presently impervious area. The Old Strawberry Hill Road layout also runs through the 100 ft buffer area, though most of this area is naturally vegetated at present. There is a stormwater wetland located just offsite on the southwest corner of the Site, with the buffer zone for this regulated wetland extending into the Site.

NRF5. Undeveloped portions of the Site are wooded with a mix of pitch pines and oaks, and with a low shrub understory and vines. Mapped rare species habitat (likely plant species associated with the pond on the other side of Attucks Lane) extends onto the Site from the north. The Commonwealth's Natural Heritage and Endangered Species Program has confirmed by letter that activity (utility work) associated with the Project within mapped priority habitat is exempt from its review.

NRF6. The Site presently includes 17,522 sq ft of altered areas in the buffer zone, both pervious and impervious. Stormwater under existing conditions is not treated and may run off the building and directly into wetlands. The proposed removal of these structures from the buffer zone will be a benefit of the Project. Site redevelopment will result in approximately 4,000 sq ft of new impervious development in the 100 ft buffer zone, though further from the wetlands (approximately 75 ft from the wetland at the closest point). The Applicant proposes to restore 8,200 sq ft within the buffer zone. Stormwater facilities are also proposed within the 100 ft buffer to the wetlands in the eastern corner of the Site, and the stormwater wetland located offsite to the west. These two proposed facilities are bioretention basins to be planted with a good mix of native species. While the RPP typically discourages new stormwater facilities in wetland buffers, the RPP does allow siting LID stormwater systems, such as those proposed, in

buffers located in wellhead protection areas. In sum, while the Project proposes new development within the 100 ft buffer to wetlands, the extent of development, the quality of design, and the proposed restoration will improve conditions within the wetlands buffer zones.

NRF7. Project landscaping/planting plans note that the Applicant proposes to thin an area on-site of woodland near the Old Strawberry Hill Road layout. A portion of this woodland is located within the 100 ft buffer; additional vegetation removal in this area will be limited to invasive species, vines, and standing dead or diseased trees.

NRF8. According to the Natural Resources Inventory provided, there are several different kinds of invasive species found on the Site. The Applicant has provided an invasive species management plan that will appropriately manage these species.

NRF9. RPP Open Space standards require that an applicant permanently restrict open space as mitigation for areas of new disturbance proposed by a Project; there are also other mitigation actions and credits set out in the RPP that an Applicant may undertake to satisfy the RPP's Open Space standards.

NRF10. The Site is located in a Significant Natural Resource Area (SNRA) due to the presence of mapping for Wellhead Protection Area and 300 ft. pond buffer.

NRF11. The total proposed, new disturbed area for the Project is 93,178 sq ft. As the Site is mapped SNRA, without considering other available credits under the RPP's Open Space Issue Area, the Project's open space requirement would be twice the area of proposed new disturbance.

NRF12. The Applicant proposes to build a 99,733 sq ft parking structure, which square footage the RPP allows the Applicant to take as a 1:1 credit against any required open space mitigation requirements.

NRF13. The Applicant proposes to deed restrict from development the pond, bordering vegetated wetland, and 50 ft upland buffer zone thereto located in the northeasterly portion of the Site, as shown on the proposed deed restriction plan submitted by the Applicant during the Subcommittee's hearings. The proposed deed restriction area extends to the southern layout of Attucks Lane bordering the northeast part of the Site. This is the highest value resource area on the Site.

NRF14. The Applicant proposes to retain and not disturb ~76,000 sq. ft. of existing naturalized area on-Site. The Applicant will revegetate ~31,165 sq ft of existing or newly disturbed areas, with about half that area being renaturalization, wetland buffer restoration or LID-type stormwater facilities. Ultimately, ~182,133 sq ft of the Site will remain as pervious upland (natural and revegetated).

NRF15. The Project forwards Wellhead Protection interests by removing three septic systems on-Site (located within pond buffer zones), connecting to and extending municipal sewer service to the Site, reducing impervious coverage through the use of structured parking, and proposing a use that does not involve hazardous materials or wastes. Proposed LID stormwater facilities will also intercept and treat stormwater prior to discharging to the pond or to groundwater.

NRF16. Redevelopment projects in Economic Centers are not required to provide open space mitigation under the RPP. As discussed in other RPP Issue Area Findings, above, the Site is not formally mapped as an Economic Center, but essentially functions as one. The Commission has treated other projects in the immediate surrounding area similarly as mapped Economic Center, though not formally designated as such. The Town treats and has recognized that the area functions as an Economic Center, and specifically, as an emerging “Financial Services District.” The Town encourages redevelopment and the use proposed within area in which the Site is located.

NRF17. Through a combination Site and Project design, Project location, and proposed deed restriction of the portions of the Site with the highest natural resource value, the Project meets the requirements of the RPP Issue Area of Open Space, and furthers and protects associated natural resources goals and interests.

Transportation

TF1. As presented in the Project’s Traffic Impact and Access Study (TIAS), prepared by VHB, trip generation estimates were developed based on trip generation data in *Institute of Transportation Engineers’ (ITE) Trip Generation*, 9th Edition, for ITE Land Use Code (LUC) 714 (Corporate Headquarters), ITE LUC 912 (Drive-In Bank), and ITE LUC 890 (Furniture Store) as summarized in Table 1 below.

Table 1: Estimated Project Trip Generation

Time Period	Net Increase in Office Trips¹	Proposed Drive-in Bank Trips²	Existing Furniture Store Trips³	25% Trip Reduction Requirements⁴	Drive-in Pass-by Trips⁵	Net New Trips
Weekday Daily	576	274	-164	-172	-42	472
Weekday Morning Peak Hour	109	32	-13	-33	-6	89
Weekday Evening Peak Hour	112	49	-18	-37	-8	98

Note:

¹ Based on ITE LUC 714 (Corporate Headquarters) for 70,466 sf.

² Based on ITE LU 912 (Drive in Bank) for 1,850 sf.

³ Based on ITE LU 890 (Furniture Store) for 32,255 sf.

⁴ In accordance with the RPP

⁵ Pass-by rate based on ITE data with maximum of 25-percent allowed by Technical Bulletin 96-003

TF2. Study area locations identified for analysis in the TIAS include the following intersections and roadway links:

Intersections:

- Route 132 at Route 6 Westbound Ramps
- Route 132 at Route 6 Eastbound Ramps
- Route 132 at Shootflying Hill Road
- Route 132 at Attucks Lane
- Attucks Lane at Site Driveway West
- Attucks Lane at Site Driveway East
- Attucks Lane at Phinney's Lane
- Route 132 at Site Driveway West
- Route 132 at Old Strawberry Hill Road/Site Driveway East
- Route 132 at Phinney's Lane

Roadway Links:

- Route 132 between Route 6 WB Ramp and Route 6 EB Ramps
- Route 132 between Route 6 EB Ramps and Shootflying Hill Road
- Route 132 between Shootflying Hill Road and Attucks Lane
- Route 132 between Attucks Lane and Site Driveway West
- Route 132 between Site Driveway West and Site Driveway East
- Route 132 between Site Driveway East and Phinney's Lane
- Attucks Lane between Route 132 and Site Driveway West
- Attucks Lane between Site Driveway East and Phinney's Lane
- Phinney's Lane between Attucks Lane and Route 132

The TIAS presents a crash analysis of all study area locations and identifies the following five locations as high-crash locations (three or more crashes per year):

- Route 132 at Route 6 Westbound Ramps
- Route 132 at Route 6 Eastbound Ramps
- Route 132 at Shootflying Hill Road
- Route 132 at Attucks Lane
- Route 132 at Phinney's Lane

TF3. The crash analysis presented in the TIAS presented no major safety deficiencies at these locations with crash rates well below the regional average when considering the volume of traffic through the intersections.

DRI Decision – Cape Cod Five Hyannis Banking Center (CCC File No 17006)

TF4. Within the study area is a key bicycle and pedestrian facility, a multi-use path on the south side of Route 132, which provides a connection to numerous commercial and residential areas. Currently, the lack of sidewalks on Attucks Lane and lack of a safe and convenient crossing from Attucks Lane to the multi-use path on the south side of Route 132 present hazards to non-motorists. While there is currently no pedestrian crash history in the area, as the nature of land uses change along Attucks Lane, including this Project, pedestrians will be exposed to a potentially very hazardous condition.

TF5. The TIAS states that *“bicycling and walking to the project site may be attractive to some employees and guests may choose to walk/bike to/from work or travel to local attractions during the day.”* The Site is well-designed to accommodate non-motorist travel on-site, but a safe connection to the multi-use path on the south side of Route 132 is critical to the success of the Applicant’s Travel Demand Management (TDM) program.

TF6. Given the relatively low vehicle crash rates at study area intersections, non-motorist safety is the primary safety concern for this Project.

TF7. With regards to *RPP Goal TR1 – Safety*, responding to non-motorist safety concerns expressed by Commission staff, the Applicant has proposed the following non-motorist safety improvements, as presented on the “Concept Sidewalk Plan,” dated Jun 7, 2017, prepared by Baxter Nye, including:

- Installation of a crosswalk with ADA-compliant ramps, pedestrian push buttons, and pedestrian signal heads to the signal at the intersection of Route 132 and Attucks Lane traffic signal;
- Retiming of the Route 132 and Attucks Lane traffic signal to accommodate a pedestrian-activated crossing phase;
- Installation of a sidewalk along Attucks Lane from Route 132 to the easterly site driveway;
- Installation of a crosswalk with ADA-compliant ramps across Attucks Lane (approximately 350 from Route 132); and
- Installation of a sidewalk connection between the sidewalk proposed along Attucks Lane and the on-site sidewalk network.

TF8. Provision for a safe and convenient connection between the Project Site and the multi-use path on the south side of Route 132 not only address safety concerns, but contributes towards meeting trip reduction and congestion management goals in the RPP.

TF9. With regards to *RPP Goal TR2 – Trip Reduction/Transportation Balance and Efficiency*, the Applicant has proposed a Travel Demand Management (TDM) program to meet the 25-percent trip reduction requirement under Goal TR2. This TDM program is detailed in Trip Reduction Mitigation section of the TIAS and includes measures aimed at promoting ridesharing, encouraging use of public transit, facilitating bicycle and pedestrian access to and within the site, and providing a host of on-site amenities. With the non-motorist safety

improvements proposed by the Applicant, the Applicant is in a good operational position to facilitate successful implementation of a robust TDM Program.

TF10. With regard to *RPP Goal TR3 – Level of Service/Congestion Management*, the TIAS details anticipated capacity impacts of the net new motorist vehicle trips generated by the Project on study area locations. This impact analysis and mitigation approach considers, among other things, the net change in motor vehicle travel associated with Cape Cod Five's employees, currently located at offices across the Cape, being relocated to the Project Site and site traffic from the retail bank portion of the Project. The overall congestion impact on the roadway network is relatively minor and future congestion benefits from the provision of the additional non-motorist facilities within the study area would offset these impacts and would further congestion management interests. The Applicant's mitigation approach is appropriate, and proposes to provide safe and convenient non-motorist connections between the Project Site and multi-use path on the south side of Route 132.

Energy

EF1. The redevelopment Project is designed to exceed the Energy Star rating threshold. The Bank has also designed the Project to achieve a high level of LEED certification, as detailed in the preliminary LEED rating scorecard submitted with the application. In addition to LEED certification, the Applicant proposes to generate renewable energy onsite, with 1,000 photovoltaic panels on the roof. These systems are not in final design yet, but preliminary calculations show that the current roof plan has a capacity of more than 300,000 watts, from which the Bank anticipates generating approximately 416,000 kW/year. The Applicant prepared a projected energy generation and cost savings analysis that is contained in the application. The Bank will also install high performance mechanical equipment and energy saving LED lighting systems.

EF2. The Applicant states that the building's layout and massing design are also integral to the sustainability and Green building goals as well. The Project provides the ability to capture natural light into and provide views from space in the building. In addition, the roof line of the office building has been specifically designed to provide a base for the photovoltaic solar power array on the south and southeast facing roof planes. The area of the roof with photovoltaic panels is ~15,000 square feet.

EF3. The entire building envelope will be designed to perform at a high level of energy efficiency and will exceed current energy code requirements. This redevelopment project will be constructed to meet the USGBC LEED V4.0 Standard. The open plan design and significant glass area on the facades is designed to allow daylight to penetrate the building offsetting the need for continuous artificial lighting in some areas. The building skin will also be high performance, with highly insulated walls and high efficiency window systems. The exterior walls will be constructed to prevent infiltration and unwanted heat loss or heat gain.

Affordable Housing

AH1. All commercial DRIs are subject to Affordable Housing Goal 3 - Community Participation. The Applicant has provided calculations in its RPP consistency narrative addressing the MPS under this goal. The Applicant's use of MPS 3.2 (Alternate Mitigation Calculation Option) is appropriate. This standard adjusts the per-square-foot community contribution amounts to better reflect the anticipated need for affordable housing generated by a particular project.

AH2. The Applicant has provided documentation showing that significantly more workers at the Project are likely to make above average wages than the 2005 Nexus Study determined likely for general office uses on Cape Cod. Given that the Project will primarily replace lower-wage jobs associated with existing retail Site uses through redevelopment, the Project is not expected to have a negative impact on the overall demand for affordable housing on Cape Cod and thus no mitigation is required.

Heritage Preservation

HPF1. The Project is located outside of any historic districts and there are no known historic resources on the Site or in close vicinity to it. Massachusetts Historical Commission (MHC) reviewed the Project and issued comments on March 21, 2017 finding it unlikely to affect significant historic or archaeological resources.

Community Character

Exterior Lighting

CCF1. Commission lighting regulations seek to limit light pollution to prevent unnecessary negative impacts to both community character, such as overly bright parking areas or the inability to see stars, and to the natural environment, such as negative impacts to birds and other animals.

CCF2. The Applicant submitted specifications sheets and a foot candle plan for proposed exterior lighting. Proposed parking area lighting levels are appropriate and well below the maximum levels allowed by the Commission. In addition, all pole-mounted, wall-mounted, and bollard fixtures are full-cutoff at 90-degrees from vertical, consistent with Commission standards. The proposal does include 17 uplights meant to provide decorative lighting of trees in the building's courtyard. While the Commission generally does not allow uplighting, Technical Bulletin 95-001 allows for exceptions where the lighting levels produced by the luminaires are similar to those of residential-type fixtures, such as the ones proposed. The Applicant also submitted appropriate operational and use guidelines for such lighting to the Commission contained in a letter dated June 5, 2017, to which the Applicant has committed.

Building Design

CCF3. The Project has frontage along both Route 132 and Attucks Lane, making it visible from a regional roadway. While this is not an area with a distinctive historic character, as a gateway to Hyannis it is an area where good design is important.

CCF4. This redevelopment Project is not strip development. In fact, it proposes to remove older Site development that may constitute strip development.

CCF5. The proposed Banking Center is an L-shaped office building bent around a courtyard in the middle of the Site, and a square parking garage at the westernmost portion of the Site. The main building footprint is approximately 30,000 square feet with 2 ½ stories, while the parking garage has a footprint of 34,000 square feet and is 3 levels.

CCF6. The size of the buildings is largely driven by the operational needs of the Bank; the Project proposes a regional banking center for Cape Cod Five. To that end, the Applicant states that it has chosen building forms and materials that it feels are appropriate to the location and the building typology.

CCF7. The Applicant's design of the building massings and facades are influenced by the programmatic requirements of the redevelopment Project, including the Site's topography, the Bank's internal space needs, solar orientation and roof area for the proposed roof mounted PV panels, views to the exterior, penetration of natural light into each space, and the desired LEED ratings.

CCF8. In its application, Cape Cod Five submitted a design narrative outlining its design philosophy for the proposed site buildings and the Project Site overall. It expresses the Bank's commitment to 'sustainable,' 'green' and 'forward-looking' design, incorporating new materials in highly efficient building envelopes to create modern buildings in a contextual way. The Bank states that the building elements are intentionally expressed in modern or updated ways, with colors and materials that speak to the context of Cape Cod, without mimicking them; with building facades using modern interpretations of traditional building forms and rhythms found in many nearby buildings; and with forms and shapes, textures and patterns not foreign to Cape Cod but which can be found in local civic and institutional structures. The Bank maintains that this philosophy results in a design for the office building which looks as though it has been assembled with many forms and volumes, and with a massing that appears to be several buildings in a campus setting.

CCF9. Because of the size of the buildings, the Bank's stated design philosophy aims at balancing programmatic and operational needs with building scale and the architectural features to reduce visual massing. The proposed building design endeavors to create the appearance of multiple masses and vary roof lines. The design includes a massing intended to suggest the combination of several forms, as well as variations in the footprint shape, setbacks, material selections, fenestration types and arrangements, and the integration of the structures into the topography and with proposed landscaping.

CCF10. The interior of the office building is designed with relatively few hard office walls, and the majority of the space will be flexible workspace with modular office furnishings. This modern office planning method utilizes less square feet per employee workspace. The saved space is occupied by collaborative meeting spaces and meeting rooms. The largest space in the design allows for the creation of a significant, enclosed outdoor courtyard which will be used by employees daily and guests and visitors for events. The outdoor space is accessible only from within the building and is a unique and special feature of the design. The building is designed to include large open floor areas allowing for flexible and changing office layout needs.

CCF11. The height of the buildings varies due to the sloping roof sections that hold solar panels and due to site topography. Seen from Route 132, the office building height varies from approximately 32 feet on the flat-roofed sections overlooking the courtyard, to approximately 41 feet at the highest point of the roof slope. Along the Attucks Lane side, where the basement level is visible, overall building heights are higher, ranging from approximately 38 feet on the flat-roofed section to 53 feet near the loading dock. While somewhat tall by Cape Cod standards, these building heights are not inconsistent with nearby buildings and the apparent height will be softened by the structure's roughly 200-foot setback from both roadways.

CCF12. The parking garage is generally lower in height than the office building. It is approximately 33 feet tall at the entrance feature, and ranges from approximately 28-34 feet in height along the rest of the Route 132 façade. On the west elevation, the garage height is approximately 35 feet, and along the north elevation its visible height is approximately 20 feet. The lower elevation and lower overall height of the parking garage help to limit visibility and focus attention on the office structure. That said, the garage will still be somewhat visible from Route 132, especially to west-bound traffic, and but will be adequately screened by existing natural vegetation proposed to be retained, and proposed supplemental tree and other plantings, along Attucks Lane.

CCF13. The office building meets the façade variation required by HPCC2.6. The longest façade (facing Attucks Lane) is 263 feet long, thus requiring roughly 50 feet of façade variation. The design incorporates a 20-foot projecting mass and a drive-through enclosure to meet this requirement. The remaining building facades meet the variation requirement through the significant setback of the ell behind the courtyard, and provide variation through changes in roof height, roof form, and changes in building materials.

CCF14. The parking garage is angled away from Route 132 so that most of it is set further back than the main building. On Attucks Lane, the garage is sited behind an approximately 50-foot vegetated buffer. The garage does not meet the precise amount of façade variation set out in the RPP along its roughly 185-foot long facades. However, siting the garage on lower parts of the Site, keeping its height lower than the office building, retaining existing vegetation and planting the proposed supplemental plantings will help reduce its visibility and make façade variation less critical.

CCF15. The Site is an appropriate location for the proposed modern design and use of non-traditional building materials, given the proposed Site design and character of the surrounding area. RPP Standard HPCC2.7 allows the use of non-traditional materials and designs in areas that are not visible from scenic or regional roadways or other distinctive areas, so long as adequate buffers are maintained on the subject property.

- The Applicant’s design narrative states that the office building will be clad in modern materials such as high strength concrete panels, concrete plank siding, high performance aluminum windows and glazing, and metal siding materials. The garage will be constructed of precast concrete; the applicant notes “creative use of color and texture” in the design narrative.
- Many of these materials are considered ‘sustainable’ and integral to the Applicant’s green building philosophy. The design narrative notes that some of these materials resemble cut stone and that they are arranged in “familiar patterns” of columns and panels. The design is clearly modern, but it includes variation that breaks down the building into smaller components and provides for interesting facades. The colors shown on the elevation drawings include various shades of gray which may resemble the colors of traditional building materials. The Applicant submitted specifications sheets for the proposed exterior materials, and a proposed materials board.

CCF16. The Project Site has frontage on Attucks Lane and Rte. 132. The Barnstable zoning ordinance requires significant building setbacks from these roads. HPCC2.8 generally requires that parking fields be located to the side or rear of buildings. While the proposed parking garage provides most parking for this Project and it is located to the side of the office building, there are still two or more rows of surface parking provided on both street frontages. There is currently existing surface parking along the Site’s Rte. 132 frontage.

CCF17. The Applicant has substantiated its operational need for the amount of parking proposed (357 spaces, with 240 in the structured parking garage), and has evidenced the parking count’s compliance with the town’s zoning ordinance.

CCF18. Given the environmental limitations for locating this parking elsewhere on the Site including location of wetlands and wetland buffers on and abutting the Site, that the Project is a redevelopment and parking already exists in these areas, that the Project is constrained by its location on two road frontages with deep corresponding building setback requirements, the Applicant’s proposal to address much of the parking with the multi-level garage, and the screening provided on the proposed landscape plans, the layout and location of the surface parking is appropriate.

- The Project’s Attucks Lane frontage has existing dense vegetation with supplemental plantings, as well as lawn areas with proposed high-branching tree canopy.
- Along and within the Route 132 frontage and layout, the Applicant proposes to thin existing vegetation and replace existing lawn areas with a fescue meadow with some

mature existing trees and transplanted red cedars. The Applicant will be required to obtain from MassDOT a highway access permit to install and maintain the meadow and plantings along and within the Route 132 layout. Along the length of the parking lot facing Route 132 there are shrub beds proposed with plantings to screen the parking area. There is also a slight grade change of about five to six feet from the road edge of Route 132 to the parking lot (up to a ten-foot difference towards the southeast corner) which will help to screen the parking area from certain viewpoints. The Applicant revised its landscape plans in hearings before the Project subcommittee to incorporate additional and different trees and other plantings along Route 132 to further assist in screening the Project. As proposed, there will be a reasonable view corridor into the Site while still providing for appropriate screening of buildings and parking on the Site.

CCF19. The Applicant submitted detailed landscape plans, a draft landscape management plan and a landscape design narrative with its application. The landscape design narrative states that the Project has been developed with the goal of creating a high-quality work environment for those who occupy the building, while also presenting a strong environmental precedent and positive visual impression as experienced by passing vehicular traffic.

CCF20. The Project includes a significant amount of proposed landscaping and site amenities for employees and visitors consistent with HPCC 2.10. The landscaping improves the visual character of the Site, and integrates proposed buildings with the Site and surrounding environment. Public amenities like benches are proposed, and the Applicant has designed the Site to extend interior spaces into the proposed exterior spaces. The landscape design narrative details the intent to create a more natural landscape on the exterior of the Site transitioning to a more maintained landscape in the interior of the Project Site. The proposed plant species are either native or otherwise appropriate and compatible with native species. During the Subcommittee hearings, the Applicant revised its landscaping plans, in response to Commission comments, to remove one large existing *Euonymus*, and limit the use of Russian Sage and Vinca to the more manicured, interior portions of the Site where they can better be controlled through the Applicant's landscape maintenance program; though these species are not on the State's invasive plant list, they have some invasive characteristics.

CCF20. As a condition of this decision, the Applicant will be required to provide additional details in its landscaping plans and landscape management protocol for Commission staff review and approval, including: specifications on installation and maintenance of the meadow grasses, and seed mix (e.g. introducing native grasses to the fescues such as *Deschampsia flexuosa* that is an ideal component for roadside slopes and naturalized areas); proper plant installation methods for new plantings, shrubs and trees; provisions for replacing dead and diseased plantings; and details for maintaining newly installed plantings.

CONCLUSION

Based on the Findings above, the Commission hereby concludes, determines, and finds further that:

1. Subject to and upon satisfaction of the conditions identified in this decision, the Project is consistent with the Act and the 2009 Regional Policy Plan (as amended).
2. The Project is consistent with Barnstable's Local Comprehensive Plan.
3. The Project is consistent with municipal development ordinances, subject to the Applicant obtaining all required local approvals, licenses, and permits for the Project.
4. The Project is consistent with applicable DCPC Implementing Regulations.
5. The probable Project benefit is greater than the probable Project detriment.

The Commission hereby grants DRI approval for the Cape Cod Five Hyannis Banking Center Project described herein, subject to the following conditions:

CONDITIONS

C1. When final, this decision shall be valid and in effect for a period of 7 years, and local development permits may be issued pursuant hereto for a period of 7 years from the date of this written decision. 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), and a copy of this decision has been recorded with the Barnstable Registry of Deeds, and registered with the Barnstable Land Court, as applicable. The Applicant shall bear the costs of recording or registering this decision.

C2. This decision shall be appurtenant to and run with the property which is the subject Project Site. The decision shall bind and be enforceable against, and inure to the benefit of, the Applicant, its successors, and assigns.

C3. The Applicant shall obtain all necessary federal, state, and municipal permits, licenses, and approvals for the Project, including but not limited to those from the Town of Barnstable and from the Massachusetts Department of Transportation for roadwork and work in road layout, and provide copies of the same to the Commission, prior to commencement of any Project building construction.

GC3(a). The Project's consistency with municipal development by-laws, regulations or ordinances shall be evidenced and confirmed by the Applicant obtaining all said necessary municipal permits, licenses and approvals.

C4. The Project shall be undertaken, constructed, operated, and maintained in accordance with the Findings and Conditions set out herein, including the plans and documents referenced below ("Approved Project Plans.") When and as plans and documents required to be submitted as Conditions of this decision are reviewed and approved by Commission staff, such plans and documents shall be deemed incorporated into the Approved Project Plans, and the Project shall similarly be undertaken, constructed, operated, and maintained in accordance with the same. Failure to comply, and remain in compliance, with all findings and conditions stated herein may be deemed cause to revoke or require modification to this decision. This decision does not permit any other work or development at the Project Site, including tree and vegetation clearing and removal, except as authorized herein.

See Exhibit B attached hereto and incorporated herein

C5. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall:

- a. submit final project plans as approved by state, federal, and municipal authorities for review by Commission staff who will determine their consistency with this decision. If Commission staff determines that the final plans are not substantially consistent with the Approved Project Plans, the Commission requires that the Applicant seek a modification to this decision for further review and approval of the Project changes in accordance with the "*Modification*" section of the Commission's *Enabling Regulations* in effect at the time the modification is sought;
- b. provide evidence to the Commission that a copy of this decision has been provided to and received by the general contractor for the Project. Copies of this decision and Approved Project Plans shall be maintained on-site during Project construction.
- c. Provide the Commission a recorded copy of a perimeter plan for the Site eliminating existing interior lot lines of its constituent parcels.

C6. Prior to and as a condition to issuance of a Building Permit by the Town, the Applicant shall obtain a Preliminary Certificate of Compliance from the Commission that evidences that all conditions in this decision required to have been satisfied prior to the issuance of a Preliminary Certificate of Compliance have been satisfied, and that the Project is in compliance with this decision.

C7. Prior to and as a condition to issuance of a Certificate of Use/Occupancy for the Project by the Town, the Applicant shall obtain a Final Certificate of Compliance from the Commission that evidences that all conditions in this decision required to have been satisfied prior to issuance of a Final Certificate of Compliance have been satisfied and that the Project is in compliance with this decision.

C8. Commission staff will undertake a review of the Project's compliance with this decision, including the applicable conditions hereof, upon the Applicant's request to the Commission for issuance of any Certificate of Compliance. At the time the Applicant requests such a Certificate, it shall provide Commission staff a list of key project contact(s), along with their telephone numbers, mailing addresses, and email addresses, in the event questions arise during the Commission's compliance review. As part of its compliance review, Commission staff may make, and the Applicant hereby authorizes, site inspections upon reasonable notice to the Applicant, as such visits are needed. Upon review, the Commission shall either prepare and issue the requested Certificate, or inform the Applicant in writing of any compliance deficiencies and the remedial action required for the issuance of the requested Certificate.

C9. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall provide final construction plans and details about Site stormwater and drainage facilities to Commission staff for review.

C10. The Applicant shall connect the Project to the municipal sewer system and construct the sewer lift station as discussed and proposed in its application. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall provide to the Commission final construction details and layout plans for the Project's sewer infrastructure. Prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission, the Applicant shall have constructed and connected the Project to the sewer infrastructure, per the said final plans reviewed by Commission staff.

C11. The Applicant shall complete its proposed landscaping and planting per the Approved Project Plans prior to issuance of a Final Certificate of Compliance. Notwithstanding, in its discretion, the Commission may issue the Final Certificate of Compliance subject to an escrow agreement by and between the Applicant and the Commission that secures timely completion of any landscaping or site work not completed at the time said Final Certificate is requested. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall revise its landscape plans and landscape and turf maintenance protocol to include the following:

- a detailed wetlands buffer restoration plan for the pond and wetlands system in the western portion of the Site, coordinated with the Applicant's invasive species management plan;
- further specifications for the proposed meadow along the Site's Rte. 132 frontage, including additional grass species to supplement the proposed fescue (e.g. native *Deschampsia flexuosa*), and establishment and maintenance provisions for the meadow;
- details regarding appropriate installation methods for proposed plantings;
- replacement provisions for dead/ diseased plantings;
- details regarding establishment and maintenance of plantings in proposed LID stormwater facilities.

C12. The Applicant shall deed restrict the pond, wetland and buffer zone thereto in the eastern portion of the Site, as depicted on the Open Space Deed Restriction Plan by Baxter Nye dated 6/8/17. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall provide Commission staff for review and approval a draft deed restriction consistent with said plan. Prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission, the Applicant shall record said deed restriction as reviewed and approved by Commission staff, and provide the Commission a copy of said deed restriction recorded with the Barnstable Registry of Deeds.

C13. The Applicant shall not install signs, vegetation, or other visual obstructions in a manner that would create an obstruction to safe sight distance at the Site drives. Cape Cod Commission staff will conduct a site visit to confirm that no signs, vegetation, or other visual obstructions have been placed in a manner that would create an obstruction to safe sight distance at the Site drives, prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission.

C14. The Applicant shall implement and maintain its proposed Travel Demand Management (TDM) Program for the Project, as set out in the Trip Reduction section of the Applicant's TIAS. Cape Cod Commission staff will conduct a site visit to confirm that on-site elements of the TDM

Program have been implemented, prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission.

C15. The Applicant shall install the off-Site sidewalks, crosswalks and related infrastructure, and on-Site connections to these sidewalks, as depicted on the "Concept Sidewalk Plan," by Baxter Nye dated 6/5/17, and as described in Finding TF7 herein. Prior to and as a condition to issuance of Preliminary Certificate of Compliance by the Commission, the Applicant shall provide to the Commission final construction plans and details for the Concept Sidewalk Plan, including details about ADA compliance curb ramps, sidewalks, and any pedestrian signal infrastructure, consistent with the Concept Sidewalk Plan. Where the sufficient right-of-way exists and where additional tree removal and grading would not be required, the proposed sidewalk should be offset from Attacks Lane to improve pedestrian safety and level of comfort. The Applicant shall install said infrastructure prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission.

C16. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Project architect shall certify to the Commission in writing that final construction plans to be submitted for the Project's building permit/s are consistent with the Preliminary LEED Checklist submitted as part of the DRI application, and that the Project is LEED Certifiable per said plans.

SEE NEXT PAGE FOR SIGNATURE

SIGNATURE

Executed this 20th day of July 2017.

Harold W Mitchell
Signature

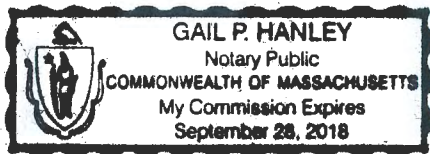
Harold W Mitchell, Chair
Print Name and Title Cape Cod Commission

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss July 20, 2017

Before me, the undersigned notary public, personally appeared

Harold W. Mitchell, in his/her capacity as Chair of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he/she signed such document voluntarily for its stated purpose. 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.



Gail P. Hanley
Notary Public

My Commission Expires: 9-28-18

Exhibit A
General Finding GF10
Application and Review Materials

Project, Design and RPP Consistency narrative dated April 3, 2017

Project revisions memorandum in response to comments, BLFR Architects dated 6/5/17

Massachusetts Historical Commission Project Notification Form response dated 3/21/17
Nitrogen Loading Calculations, existing and proposed site conditions, dated 6/30/2016

Cape Cod Five Headquarters, Site Lighting Fixture Schedule, ARUP & BLFR Architects,
consisting of 15 pages

Exterior Lighting operational guidelines letter from Chris Raber, CC5 SVP, dated June 5, 2017

Cape Cod Five economic development letter from Chris Raber, CC5 SVP, dated March 9, 2017

Cape Cod Five economic development letter from Chris Raber, CC5 SVP, dated March 23, 2017,
including CC5 2015 Annual Report and 2016 Final Quarter Report attached

Parking Zoning consistency letters from Applicant dated February 28, 2017 and from Barnstable
Building Commissioner Paul Roma dated March 14, 2017

Letter from Town of Barnstable Growth Management Department dated May 24, 2017 regarding
project consistency with town ordinances and LCP

Specifications Sheets, Exterior Building Materials, dated 5/10/17, BLFR Architects

CC5 On-site photovoltaic generation/ cost savings estimate by MyGenerationEnergy

Preliminary LEED Checklist for project dated 8/07 /2015

Traffic Impact and Access Study with Appendices, by VHB, dated January 2017, revised 3/24/17

Landscape Narrative & Turf and Landscape Maintenance Plan/ Protocol dated 12/15/16

Natural Resource Inventory by Baxter Nye dated March 20, 2017, including NHESP
determination letter 10/2/15

Exotic Invasive Plant Species Management Plan by Baxter Nye dated June 6, 2017

Stormwater Management Report by Baxter Nye dated December 14, 2016

(Stormwater) Site Operation and Maintenance Plan by Baxter Nye dated December 14, 2016

Building Floor and Elevation Plans- BLFR Architects

- Architectural elevation renderings (N, S, E, W) of office building w/ vertical dimensions
- AR.1 Architectural Rendering – Aerial View (1 of 5)
- AR.2 Architectural Rendering – Street View from Iyannough Road (2 of 5)

DRI Decision – Cape Cod Five Hyannis Banking Center (CCC File No 17006)

- AR.3 Architectural Rendering – Site Entrance from Iyannough Road (3 of 5)
- AR.4 Architectural Rendering – Building Entrance from North (4 of 5)
- AR.5 Architectural Rendering – Courtyard View (5 of 5)
- A1.0 Office Building - Ground Floor Plan 1/8”
- A1.1 Office Building - First Floor Plan 1/8”
- A1.2 Office Building - Second Floor Plan 1/8”
- A1.3 Office Building - Roof / Solar Panel Plan 1/8”
- A2.1 Office Building – West & South elevation drawings 1/8” (1of 2)
- A2.2 Office Building – East & North elevation drawings 1/8” (2 of 2)
- A2.3 Office Building - Partial West Elevation Detail w/ Exterior Material Notes 1/4”
- B1.0 Parking Structure – Lower Level Plan 1/8”
- B1.1 Parking Structure – Grade Level Plan 1/8”
- B1.2 Parking Structure – Upper Level Plan 1/8”
- B2.1 Parking Structure – East & South elevation drawings 1/8”
- B2.2 Parking Structure – West & North elevation drawings 1/8”

Civil Engineering Package – Baxter Nye Engineering

- Co.0 Cover Sheet 3/15/16
- C1.0 Legend & General Notes rev. 12/14/16
- C2.0 Overall Existing Conditions Plan rev. 12/14/16
- C2.1 Existing Conditions Plan (1 of 2) rev. 12/14/16
- C2.2 Existing Conditions Plan (2 of 2) rev. 12/14/16
- C3.0 Overall Layout & Dimension Plan rev. 1/27/17
- C3.1 Site Distance Plan (1 of 2) rev. 3/22/17
- C3.2 Site Distance Plan (2 of 2) rev. 12/14/16
- C3.3 Turning Template Plan (1of 2) rev. 12/14/16
- C3.4 Turning Template Plan (2 of 2) rev. 1/27/17
- C4.0 Grading & Drainage Plan rev. 1/27/17
- C4.1 Grading & Drainage Notes rev. 12/14/16
- C4.2 Stormwater Details rev. 12/14/16
- C4.3 SWM Enlargements & Cross Sections (1 of 4) rev. 12/14/16
- C4.4 SWM Enlargements & Cross Sections (2 of 4) rev. 12/14/16
- C4.5 SWM Enlargements & Cross Sections (3 of 4) rev. 12/14/16
- C4.6 SWM Enlargements & Cross Sections (4 of 4) rev. 1/27/17
- C5.0 Utility Plan rev. 1/27/17
- C5.1 Utility Notes rev. 12/14/16
- C6.0 Details rev. 12/14/16
- C6.1 Details rev. 12/14/16
- C6.2 Details rev. 12/14/16
- C6.3 Cultec Recharger 330XLHD Details rev. 12/14/16
- C6.4 Cultec Stormfilter 330 Details rev. 12/14/16
 - EXH1.0 (Open Space) Deed Restriction Plan, dated 6/8/17
 - CON1.0 Sidewalk Concept Plan, dated 6/5/17

Landscape Plan Set by Groundworks Landscape Architecture

- L1.0 Overall Landscape Plan (w/ plant list) rev. 6/19/17
- L2.0 landscape Grading Plan dated 1/30/17

- L2.1 Grading @ Courtyard dated 1/30/17
- L3.0 Layout & Materials Plan dated 1/30/17
- L3.1 Layout & Materials Plan Courtyard dated 1/30/17
- L3.2 Layout & Materials Plan @ Entry Areas dated 1/30/17
- L4.0 Planting Plan Full Site rev. 6/19/17
- L4.1 Planting Plan Courtyard & Building Perimeter rev. 6/19/17
- L5.2 Landscape Section rev. 6/19/17
- L6.0 Landscape Section dated 12/15/16
- Index- Plant list, incl. sizes and landscape plan codes/abbreviations

Lighting Plans - ARUP dated December 12, 2016

- L5.0 Overall Site Lighting Plan (1:20 scale)
- L5.1 Photometric Light Level Plan (1:20 scale)

Exhibit B
Condition C4
Approved Project Plans

Cape Cod Five Headquarters, Site Lighting Fixture Schedule, ARUP & BLFR Architects, consisting of 15 pages

Exterior Lighting operational guidelines letter from Chris Raber, CC5 SVP, dated June 5, 2017

Parking Zoning consistency letters from Applicant dated February 28, 2017 and from Barnstable Building Commissioner Paul Roma dated March 14, 2017

Specifications Sheets, Exterior Building Materials, dated 5/10/17, BLFR Architects

CC5 On-site photovoltaic generation/ cost savings estimate by MyGenerationEnergy

Preliminary LEED Checklist for project dated 8/07 /2015

Traffic Impact and Access Study with Appendices, by VHB, dated January 2017, revised 3/24/17

Landscape Narrative & Turf and Landscape Maintenance Plan/ Protocol dated 12/15/16

Natural Resource Inventory by Baxter Nye dated March 20, 2017, including NHESP determination letter 10/2/15

Exotic Invasive Plant Species Management Plan by Baxter Nye dated June 6, 2017

Stormwater Management Report by Baxter Nye dated December 14, 2016

(Stormwater) Site Operation and Maintenance Plan by Baxter Nye dated December 14, 2016

Building Floor and Elevation Plans- BLFR Architects

- Architectural elevation renderings (N, S, E, W) of office building w/ vertical dimensions
- AR.1 Architectural Rendering – Aerial View (1 of 5)
- AR.2 Architectural Rendering – Street View from Iyannough Road (2 of 5)
- AR.3 Architectural Rendering – Site Entrance from Iyannough Road (3 of 5)
- AR.4 Architectural Rendering – Building Entrance from North (4 of 5)
- AR.5 Architectural Rendering – Courtyard View (5 of 5)
- A1.0 Office Building - Ground Floor Plan 1/8”
- A1.1 Office Building - First Floor Plan 1/8”
- A1.2 Office Building - Second Floor Plan 1/8”
- A1.3 Office Building - Roof / Solar Panel Plan 1/8”
- A2.1 Office Building – West & South elevation drawings 1/8” (1of 2)
- A2.2 Office Building – East & North elevation drawings 1/8” (2 of 2)
- A2.3 Office Building - Partial West Elevation Detail w/ Exterior Material Notes 1/4”
- B1.0 Parking Structure – Lower Level Plan 1/8”
- B1.1 Parking Structure – Grade Level Plan 1/8”

- B1.2 Parking Structure – Upper Level Plan 1/8”
- B2.1 Parking Structure – East & South elevation drawings 1/8”
- B2.2 Parking Structure – West & North elevation drawings 1/8”

Civil Engineering Package – Baxter Nye Engineering

- C0.0 Cover Sheet 3/15/16
- C1.0 Legend & General Notes rev. 12/14/16
- C2.0 Overall Existing Conditions Plan rev. 12/14/16
- C2.1 Existing Conditions Plan (1 of 2) rev. 12/14/16
- C2.2 Existing Conditions Plan (2 of 2) rev. 12/14/16
- C3.0 Overall Layout & Dimension Plan rev. 1/27/17
- C3.1 Site Distance Plan (1 of 2) rev. 3/22/17
- C3.2 Site Distance Plan (2 of 2) rev. 12/14/16
- C3.3 Turning Template Plan (1 of 2) rev. 12/14/16
- C3.4 Turning Template Plan (2 of 2) rev. 1/27/17
- C4.0 Grading & Drainage Plan rev. 1/27/17
- C4.1 Grading & Drainage Notes rev. 12/14/16
- C4.2 Stormwater Details rev. 12/14/16
- C4.3 SWM Enlargements & Cross Sections (1 of 4) rev. 12/14/16
- C4.4 SWM Enlargements & Cross Sections (2 of 4) rev. 12/14/16
- C4.5 SWM Enlargements & Cross Sections (3 of 4) rev. 12/14/16
- C4.6 SWM Enlargements & Cross Sections (4 of 4) rev. 1/27/17
- C5.0 Utility Plan rev. 1/27/17
- C5.1 Utility Notes rev. 12/14/16
- C6.0 Details rev. 12/14/16
- C6.1 Details rev. 12/14/16
- C6.2 Details rev. 12/14/16
- C6.3 Cultec Recharger 330XLHD Details rev. 12/14/16
- C6.4 Cultec Stormfilter 330 Details rev. 12/14/16
 - EXH1.0 (Open Space) Deed Restriction Plan, dated 6/8/17
 - CON1.0 Sidewalk Concept Plan, dated 6/5/17

Landscape Plan Set by Groundworks Landscape Architecture

- L1.0 Overall Landscape Plan (w/ plant list) rev. 6/19/17
- L2.0 landscape Grading Plan dated 1/30/17
- L2.1 Grading @ Courtyard dated 1/30/17
- L3.0 Layout & Materials Plan dated 1/30/17
- L3.1 Layout & Materials Plan Courtyard dated 1/30/17
- L3.2 Layout & Materials Plan @ Entry Areas dated 1/30/17
- L4.0 Planting Plan Full Site rev. 6/19/17
- L4.1 Planting Plan Courtyard & Building Perimeter rev. 6/19/17
- L5.2 Landscape Section rev. 6/19/17
- L6.0 Landscape Section dated 12/15/16
- Index- Plant list, incl. sizes and landscape plan codes/abbreviations

Lighting Plans - ARUP dated December 12, 2016

- L5.0 Overall Site Lighting Plan (1:20 scale)
- L5.1 Photometric Light Level Plan (1:20 scale)