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CAPE COD
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Minutes
Springhill Suites by Marriott (TR14017) Hearing
August 6, 2015
Assembly of Delegates Chamber, First District Courthouse
3195 Main Street, Barnstable, Massachusetts

Subcommittee Members Present: Ernest Virgilio (Chair), Mary Pat Flynn, John D. Harris, John McCormack, Jr., Richard Roy, and Charles McCaffrey (Alternate)

Commission Staff Present: Patty Daley (Deputy Director), Kristy Senatori (Deputy Director), Glenn Cannon (Director of Technical Services), Jonathon Idman (Chief Regulatory Officer), Elizabeth Perry (Regulatory Officer II), Jeffrey Ribeiro (Regulatory Officer II), and Jessica Wielgus (Commission Counsel)

Others Present: Atty. Kevin Eriksen (Counsel, Falmouth Hospitality LLC) and Robert Walker (Principal, Falmouth Hospitality LLC)

Minutes Summary

The Cape Cod Commission (Commission) Springhill Suites by Marriott Subcommittee (Subcommittee) held a hearing to review a proposal by Falmouth Hospitality LLC (Applicant) to construct a 110-room hotel as a Development of Regional Impact (DRI). The Subcommittee reviewed a draft Limited DRI decision and recommended that decision for approval and adoption by the full Cape Cod Commission.

Documents Used/Received

1. Draft Limited DRI Decision

Hearing Opened

Ernest Virgilio, Chair, called the continued hearing to order at 3:00pm. Geoff Wyman of Falmouth Community Television announced that he was taping the proceedings. Mr. Virgilio then asked Commission staff for comment.

Jonathon Idman, Chief Regulatory Officer, said the draft decision was prepared consistent with the discussion and votes taken at the July 30, 2015 public meeting on the Subcommittee. He

said the decision would approve the project with conditions, and he said Commission staff recommended that the Subcommittee vote to recommend the decision for approval and adoption by the full Commission.

Mr. Idman said that the decision states that the project meets the standards for DRI approval, including consistency with the applicable Minimum Performance Standards (MPS) of the Regional Policy Plan (RPP) and the benefits and detriments voted by the Subcommittee. He said the conditions included the standard conditions included in all DRI decisions, the conditions from the January 22, 2015 DRI Scoping decision, and a Heritage Preservation/Community Character (HPCC) condition requiring the green screen be extended along the west building façade.

Mr. Idman said comments at the hearing should relate to the draft decision. He said there is no new information included in the decision that had not been available at prior hearings. He said more general public comment on the project would be allowed before the full Commission.

John D. Harris suggested to the Chair that the Subcommittee should introduce themselves. Mr. Virgilio then asked the Subcommittee to introduce themselves, and they did so. He asked Commission staff present to introduce themselves, and they did so. He then asked the Applicant for comments.

Kevin Eriksen, Falmouth Hospitality LLC General Counsel, said he and his client found the decision acceptable and had no further comment.

Public Comment

Mr. Virgilio asked for comment from federal, state, or local officials. Seeing none, he asked for comment from the public using the sign-in sheet. Seeing none, he asked the Subcommittee for further comment.

Discussion and Continuance

Mr. Virgilio then asked for comments and questions from the Subcommittee.

Charles McCaffrey asked Commission staff for clarification on the surrounding area used to determine consistency with the MPSs of the RPP. He said he thinks the area considered should be Main Street from Palmer Avenue to Davis Straits. Mr. Idman stated that the area is that shown on the pictorial survey previously presented and dated July 23, 2015.

Mr. McCaffrey asked about the scale of other buildings in the area. Mr. Idman asked Regulatory Officer Jeffrey Ribeiro to comment. Mr. Ribeiro said that the Royal Nursing Center, located diagonally across the street, is roughly 40,000 square feet and 3 stories tall. He said the proposed hotel building is consistent with the local Business Redevelopment district zoning in its dimensions along Main Street. Mr. McCaffrey said the Royal Nursing Center is out of character with the area and should not be reflective of the areas scale. He suggested the decision should further elaborate on the scale of the buildings in the area.

Mr. McCaffrey said that the building should be conditioned to include some natural materials. He said he was unsure the project meets the local zoning. Mr. Idman said Commission staff relies on the analysis from the Falmouth Town Planner, and the decision is conditioned upon the Applicant obtaining all local permits, including those required under the local zoning.

Mr. McCaffrey asked what would happen if the local permitting boards imposed conditions contradictory to the Commission decision. Mr. Idman said that Commission regulations and the decision contain a process for modifying the decision.

Mary Pat Flynn said that she carefully read the decision and agrees that the project meets the MPS of the RPP. She said many of her concerns are local in nature. She said she is disappointed in the scale of the project, and she said the project is out of keeping with the character of the Town.

Mr. Virgilio asked for a motion to close the public hearing period and open the decision period. John McCormack Jr. moved and Mr. Harris seconded. All were in favor.

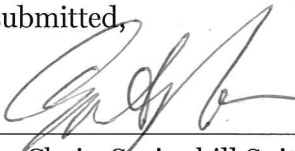
Mr. Virgilio asked Commission staff if it was necessary to convene a public meeting. Mr. Idman said it was not.

Mr. Virgilio asked for a motion to recommend the draft decision for approval and adoption by the full Cape Cod Commission. Mr. McCormack moved, and Mr. Harris seconded. Mr. Virgilio, Mr. Harris, Mr. McCormack, and Richard Roy were in favor. Ms. Flynn was opposed.

Mr. Virgilio asked for a motion to adjourn the public hearing. Mr. McCormack moved, and Ms. Flynn seconded. All were in favor. The hearing was adjourned at 3:22pm.

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Respectfully submitted,



Ernest Virgilio, Chair, Springhill Suites by Marriott Subcommittee

8/20/15

Date