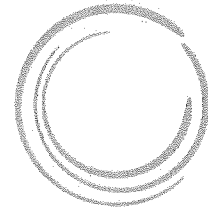


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Minutes
Cape Cod Commission DRI Subcommittee Hearing
Canal Street Crossing – Bourne (Commission File No. 19007)
July 2, 2019 at 4:30 p.m.
Cape Cod Commission Large Conference Room
3225 Main Street, Barnstable, MA

Subcommittee Members: Harold Mitchell (Chair), Fred Chirigotis, John Harris, Stephen Mealy, and Ron Bergstrom (absent)

The 7/2/19 Subcommittee hearing convened at 4:30 p.m. This was a continued hearing from the 5/15/19 Subcommittee hearing on the Canal Street Crossing DRI (“Project”).

Mr. Mitchell, Subcommittee Chair, called the meeting to order and read the hearing notice. Following Subcommittee member introductions, Mr. Mitchell called for a motion to accept the minutes from the 5/15/19 Subcommittee hearing. Mr. Chirigotis made the motion, Mr. Mealy seconded the motion, and the motion was approved unanimously.

Greg Wirsén of Green Seal Environmental, and one of the Project principals, provided an update since the last Subcommittee hearing. The Applicant completed a fire flow test and analysis of the water distribution system and in light of this work, the North Sagamore Water District (“District”) Water Commissioners determined that the water system has adequate capacity to serve the Project and issued an Order of Conditions for Availability of Water Service, subject to the conditions that the Applicant upgrade sections of the water main in Canal Street and Hunters Brook Road, and that if the Project exceeds its initial allotted water capacity, the Applicant implement water conservation measures or system upgrades.

Commission staff member Michele White reviewed a draft written DRI Decision with the Subcommittee. The draft Decision had been prepared by Commission staff at the direction of the Subcommittee following the 5/15/19 Subcommittee hearing. The Findings and Conditions in the draft Decision largely reflect the Staff Report presented at the 5/15/19 Subcommittee hearing. Ms. White suggested an additional Water Resources Finding be added to the draft Decision to reflect the Applicant’s continued coordination with the North Sagamore Water District. She suggested revisions to draft Conditions C10 and C12 to reflect that the Project may be undertaken in phases and thus Certificates of Compliance might be issued in phases.

Mr. Mitchell called for initial questions and answers from the Subcommittee.

Mr. Chirigotis asked what the timeframe would be for the phased Certificates of Compliance. Ms. White said that it depends on actual construction scheduling – Preliminary Certificates of Compliance are issued before the start of construction and Final Certificates of Compliance are issued when building is complete.

Mr. Mealy asked whether all nine conditions should be adopted from the North Sagamore Water District letter. Ms. White said that while the conditions of the District letter are not being adopted per se, the Decision recognizes the Applicant's commitments relative to the District. Jon Idman, Chief Regulatory Officer, recommended against incorporating the District's permit verbatim as a Condition into the DRI Decision. He said that it is difficult for the Commission to enforce another authority's permit, and that it would be best for the District to administer and enforce its own permit. He also explained why the applicant obtained the District's water capacity approval simultaneous with DRI review.

As there were no further questions/comments from the Subcommittee, Mr. Mitchell called for public comments. There were no comments from public officials. One member of the public spoke:

Mary McCarthy (85 Hunters Brook Road) said she had not attended previous meetings and asked where the Project was in the review process. Mr. Mitchell said that there had been one hearing already at which the Subcommittee asked Commission staff to prepare a draft Decision for review. If the Subcommittee decides to recommend approval of the draft Decision, it will go to the full Commission for a vote.

Ms. McCarthy asked about access to Hunters Brook Road, noting that it is a residential area with a narrow road and minimal traffic/mostly foot traffic. She asked whether there was a proposal to widen Hunters Brook Road by 40 feet. Mr. Wirsen responded that the road would not be widened. Ms. McCarthy asked why there is a commercial project in this location instead of in a commercial zone.

There were no further comments from the public. The Subcommittee had no further comments.

Mr. Mitchell brought forth a motion to recommend to the full Commission that it adopt the draft DRI Decision, with amendments reviewed and discussed by the Subcommittee, and approve the Project subject to the Conditions in said Decision. Mr. Chirigotis moved the motion, which was seconded by Mr. Harris. The motion was approved unanimously.

Mr. Mitchell brought forth a motion to continue the hearing to the meeting of the Cape Cod Commission on Thursday, July 11, 2019 at 3 p.m. in the East Wing Conference Room, Barnstable County Complex, 3195 Main Street, Barnstable, MA 02630. Mr. Harris moved the motion, which was seconded by Mr. Mealy. The motion was approved unanimously.

The hearing adjourned at 4:55 p.m.

Respectfully submitted,


Harold Mitchell, Subcommittee Chair

7-11-19
Date