

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



CAPE COD
COMMISSION

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

Cape Cod Commission Staff Memo

DATE: February 7, 2022
TO: Committee on Planning and Regulation, Cape Cod Commission
RE: Development of Regional Impact Exemption
Horton's Campground and North Truro Camping Area (CCC No. 21010)

Project Description

The Applicant proposes to subdivide approximately 9.61 acres of land into four (4) separate parcels (the Project) from the Adventure Bound Campground at Horton's (Horton's) currently equaling approximately 39.3 acres. The parcels proposed to be divided are shown on the plan titled "[Plan of Land AB Campground Mobile Home Park](#)", dated 8/22/2016, labeled Mitigation Area "A" (6.49 acres), Mitigation Area "B" (1.06 acres), Mitigation Area "C" (1.40 acres), and Mitigation Area "D" (0.66 acres).

Procedural History

The Applicant submitted an application to the Truro Planning Board seeking endorsement of a Plan as Approval Not Required ("ANR") under the Subdivision Control Law to divide the parcels as described above. The Commission received a [mandatory DRI referral](#) for the Project from the Town of Truro on August 23, 2021.

The Applicant submitted a [DRI Exemption application](#) for the Project to the Commission on November 12, 2021. Following the submission of additional supporting materials, the application was determined to be complete on January 11, 2022.

Commission Jurisdiction

The Project literally qualifies as a DRI because it meets or exceeds the DRI review threshold appearing in Section 3(c) of the Enabling Regulations Governing Review of Developments of Regional Impact, as amended November 17, 2021 ("Enabling Regulations"). Said Section 3(c) provides: "*Any development that proposes to divide parcel(s) of land totaling 30 acres or more in common ownership or control on or after September 30, 1994, including assembly and recombination of lots...*"

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

Review of Exemption Request

- This subdivision of land is required to comply with a [Conservation Management Permit \(CMP\)](#) issued by the Natural Heritage and Endangered Species Program (NHESP) in August 2021 for a take of eastern box turtle habitat associated with site work on the 39.3-acre +/- site for the construction and operation of a permitted wastewater treatment facility to serve Horton’s and the North Truro Camping Area.
- The Truro Conservation Trust will accept fee title conveyance by Quitclaim Deed of the four (4) parcels totaling approximately 9.61 acres for the purposes of natural resources conservation and the express purpose of conservation of state-listed species.
- The Project is a division of land and does not propose any physical building or structural development work.
- The subdivided parcels will be deeded to the Truro Conservation Trust for conservation purposes in perpetuity. Conservation of the subdivided parcels will result in the permanent protection of 9.61 acres of rare species habitat, BioMap2 Core Habitat and Critical Natural Landscape.
- The Project is consistent with and advances values, goals and purposes of the Cape Cod Commission Act and the Regional Policy Plan relative to Wildlife and Plant Habitat and Open Space.