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## Cape Cod Commission Staff Report Development of Regional Impact Review

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DATE:	October 22, 2024
PROJECT:	Sandwich Community Health Center (Cape Cod Commission File No. 24020)
APPLICANT:	Community Health Center of Cape Cod
PROPERTY/SITE:	85 Route 6A, Sandwich, MA 02563 Map 87 Parcel 77
HEARING DATE:	October 29, 2024
SUBCOMMITTEE:	Harold Mitchell (Chair), Jacqueline Etsten, Douglas Fromm, David Mead-Fox, Tom Wilson

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### **Development Context**

#### *Existing Conditions*

- The Project is proposed on a 1 acre +/- portion of a 4.84 acre +/- parcel ("Project Site"; "Site").
- The Site is bordered to the west by a Cape Cod 5 Bank, to the south by Route 6A, to the east by a residential development, and to the north by a driveway connecting to Tupper Road.
- The Site is developed with a currently unoccupied structure and a mixture of lawn, brush-mowed areas, and clusters of invasive vegetation. The Site was previously fully cleared, according to historical photographs.

#### *Placetype*

The 2018 Regional Policy Plan ("RPP") focuses on the review of proposed developments in relation to their surroundings. To this end, the RPP identifies eight Placetypes across the region and classifies areas based on similar natural and built characteristics. The Placetype for a given project is established at the outset of regulatory review and provides a lens to analyze the project with respect to the goals and objectives of the RPP. Placetypes are determined in two ways: some are depicted on a map adopted by the Commission as part of the Technical Guidance review of DRIs, and others are identified using the character descriptions set forth in Section 8 of the RPP.

Commission Staff suggest that the location of this Project most closely resembles the Suburban Development Area Placetype. Suburban Development Areas include residential neighborhoods built primarily between the 1950s and 1990s as well as automobile-oriented commercial and light industrial development. As described in the RPP, development strategies for this Placetype include integrating existing commercial development into surrounding areas with mixed-use and/or residential development providing greater housing opportunities and employment diversity.

### **Development Plan**

The proposed development consists of:

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

### **Jurisdiction and Procedural History**

The Cape Cod Commission Act (“the Act”) charges the Commission with reviewing certain proposed developments which, due to their size or other characteristics, are presumed to have impacts beyond their local communities. Section 3 of the Commission’s Chapter A: Enabling Regulations Governing Review of Developments of Regional Impact (“Enabling Regulations”) (revised November 2021) sets forth certain thresholds, which, if met or exceeded, require the Commission to review such project as a Development of Regional Impact (“DRI”). The Sandwich Community Health Center, as described in the application materials, is subject to mandatory DRI review pursuant to Section 3(k) of the Enabling Regulations because it proposes new construction of a mixed-use residential and non-residential (private health) building with greater than 10,000 square feet of commercial space.

The Applicant submitted a DRI Application on July 19, 2024, and the Project was referred to the Commission by the Town of Sandwich on July 29, 2024. The hearing period was opened procedurally by a staff hearing officer on September 27, 2024. October 29, 2024 is the first substantive hearing on the Project.

#### *DRI Review Standards*

- Section 13(d) of the Act and Section 6(c)(viii) of the Commission’s Enabling Regulations contain the standards of review for DRI approval, which include, as applicable, consistency with the Cape Cod Commission Act and its Regional Policy Plan, consistency with municipal development bylaws, or, if inconsistent, that the inconsistency is necessary to enable a substantial segment of the population to secure adequate opportunities for housing, conservation, environmental protection, education, recreation or balanced economic growth,

if within a District of Critical Planning Concern, its implementing regulations, and if Commission-certified, the town's Local Comprehensive Plan ("LCP").

- DRI review of the Project is subject to the 2018 RPP, amended in March 2021, which is the version of the RPP in effect at the time of the Commission's first substantive public hearing on the Project. The Commission assesses the Project's consistency with the RPP by determining whether the Project is consistent with the Goals and Objectives in Section 6 of the RPP, as particular goals and objectives are deemed applicable and material to the Project.
- The Commission must also find that the probable benefit from the Project is greater than the probable detriment. Though a determination that the Project is consistent with the RPP does not in itself determine that the probable benefit outweighs the probable detriment, the Commission may factor into its benefits/detriment determination: those considerations identified through its RPP review; and any other benefits, detriments, concerns or impacts within the broad purview of the Act.

### *Waiver and Flexibility*

Section 9 of the RPP authorizes the Commission to waive full and literal compliance or consistency with any specific RPP goal or objective provided that the Applicant demonstrates:

1. Such waiver will not result in substantial detriment to or substantial derogation from the purposes and values intended to be protected or promoted by such goal or objective; and
2. That the intent of the goal or objective will be met through some alternate approach, including appropriate mitigation; and
3. That the waiver is necessary to fulfill, protect or promote another compelling regional purpose, goal, objective or value from the Act or RPP that could not be achieved without such waiver.

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

1. Whether that without the desired relief, full and literal enforcement would result in substantial hardship, financial or otherwise, to the project applicant; and
2. The extent to which the claimed hardship is specific to the project, not generalized in nature, and the extent to which the hardship might be self-created; and
3. Whether the requested waiver relates directly, and is the minimum relief necessary, to address the stated hardship.

## **Cape Cod Regional Policy Plan**

## **RPP Goals and Objectives**

Based on the location and nature of the Project, the following RPP goals are applicable, material, and regionally significant and thus subject to RPP consistency review: *Water Resources, Wetlands Resources, Wildlife & Plant Habitat, Open Space, Community Design, Transportation, Energy, Climate Mitigation, Cultural Heritage, Economy, and Housing*. Commission staff make the following recommendations relative to the Project's consistency with these RPP Goals and relevant Objectives and Technical Bulletin guidance:

### **Water Resources**

The Water Resources Goal of the RPP is to *maintain a sustainable supply of high-quality untreated drinking water and protect, preserve, or restore the ecological integrity of Cape Cod's fresh and marine surface water resources*.

The following Objectives are applicable and material to the Project:

- **WR1**—protect and preserve groundwater quality
- **WR4**—manage and treat stormwater to protect and preserve water quality

**Objective WR1:** To meet Objective WR1, developments must be designed such that septic systems and other sources of contamination avoid adversely impacting downgradient existing or proposed drinking water wells. Projects also may contribute no more than 5 parts per million (“ppm”) site-wide nitrogen loading to groundwater sources. Projects should utilize site design and operational best practices to preserve groundwater quality. The Project Site does not currently have sewer service available though staff note that Phase I of the Sandwich CWRMP may provide sewer connection in the future.

Design flow estimates for the multi-use medical facility indicate approximately 1,500 gallons per day of wastewater would be generated. The Applicant has proposed to install a KleanTu NitROE septic system which is designed to treat wastewater to 11 mg/L or lower total effluent nitrogen. This is the highest level of treatment currently permitted by MassDEP for wastewater flows of less than 2,000 gallons per day. By utilizing Low Impact Design (LID) for stormwater treatment throughout the Project Site and a septic system that is highly efficient in removing wastewater nitrogen, sitewide nitrogen loading is estimated at 4.93 ppm. Much of the Project Site discharges directly to the Cape Cod Canal and noting the absence of nearby private drinking water wells in addition to the measures taken to minimize wastewater and stormwater nitrogen loading, the Project's overall design is consistent with Objective WR1.

**Objective WR4:** This Objective requires all developments to include a stormwater management system which prevents adverse impacts to water and other natural resources and provides capacity to store, treat, and infiltrate all on-site runoff. Stormwater systems should be designed in accordance with the Massachusetts Stormwater Handbook guidelines, including biofiltration, bioretention, and other treatment Best Management Practices.

The roof, parking, and driveway areas proposed by the Project will add approximately 29,500 square feet of new impervious surfaces, while the remainder of the site will consist of permeable landscaped areas. A stormwater management system has been designed to collect and treat runoff from the new impervious surfaces. The stormwater system generally utilizes a treatment train of enhanced tree trenches in landscaped areas, with associated pre-treatment, to provide water quality treatment and initial storage capacity for runoff from the parking and roadway areas. Overflow from the tree trenches is directed to subsurface infiltration chambers which provide additional storage and recharge capacity. Roof runoff is directed to the subsurface infiltration system directly or via an infiltration basin. The proposed stormwater system provides sufficient water quality and recharge volumes and would manage runoff from the proposed build condition in a manner consistent with Objective WR4, preventing adverse impacts from stormwater generated on site while managing the additional runoff volumes that would be created by the Project's new impervious surfaces.

### ***Wetlands Resources***

The Wetlands Resources Goal of the RPP is to protect, preserve, or restore the quality and natural values and functions of inland and coastal wetlands and their buffers.

The following Objectives are applicable and material to the Project:

- **WET1**—protect wetlands and their buffers from vegetation and grade changes
- **WET2**—protect wetlands from changes in hydrology
- **WET3**—protect wetlands from stormwater discharges

**Objective WET1:** This objective requires that projects provide vegetated, undisturbed buffer areas to protect wetland functions and avoid new disturbance to wetlands and their buffers except in limited circumstances. There are no wetlands on the proposed Project Site; however, there are two bordering vegetated wetlands, one located across Route 6A from the site to the southwest and the other located to the north across a paved driveway, whose 100-foot buffers extend slightly onto the site. The existing paved access to the bank from Route 6A and Tupper Road is within these 100-foot buffers and is already developed with existing landscaping and pavement.

The proposed Project's limit of work falls within 100-foot wetland buffers, but the work is proposed within existing altered areas. Staff suggests the proposed work will not increase impacts to or further degrade the function of these already altered wetland resource areas and is therefore consistent with WET1. As noted in the application materials, the Applicant will need to file a Request for Determination of Applicability or Notice of Intent with the Sandwich Conservation Commission.

**Objective WET2:** To ensure consistency with WET2, projects must be designed such that stormwater runoff from new development does not alter wetland hydrology, and any new groundwater withdrawals do not adversely impact wetlands. The Project will not discharge any

new untreated stormwater to wetland resource areas or within 100 feet of wetlands. The Project incorporates a series of stormwater infiltration and green stormwater infrastructure practices, such as an enhanced tree trench, drywells, and underground storage and infiltration chambers, to manage runoff generated onsite. The Project will be connected to municipal water and therefore not result in any new groundwater withdrawals. Staff suggest the Project is consistent with WET2.

**Objective WET3:** This objective requires that projects direct stormwater discharges away from wetlands and their buffers. As noted above, no new untreated stormwater will discharge to wetland resource areas and proposed stormwater infrastructure will be located outside of the 100-foot buffer to wetlands. Proposed stormwater management includes a green stormwater infrastructure approach to capture, treat, infiltrate, and detain runoff to the maximum extent practicable. Construction period erosion and sediment controls are also proposed to protect wetlands. Staff suggest the Project is consistent with WET3.

### ***Wildlife & Plant Habitat***

The Wildlife and Plant Habitat Goal of the RPP is to *protect, preserve, or restore wildlife and plant habitat to maintain the region's natural diversity.*

The following Objectives are applicable and material to the Project:

- **WPH1**—maintain existing plant and wildlife populations and species diversity
- **WPH4**—manage invasive species
- **WPH5**—promote best management practices to protect wildlife and plant habitat from the adverse impacts of development

**Objective WPH1:** All DRIs that propose alterations to undeveloped areas should complete a Natural Resources Inventory (“NRI”) consistent with the Wildlife and Plant Habitat Technical Bulletin guidelines. To the maximum extent feasible, projects should be designed to minimize: clearing of vegetation, alteration of natural topography, and fragmentation of wildlife and plant habitat. Projects should cluster development away from the most sensitive areas of the site and establish or maintain wildlife corridors. The Applicant provided a Natural Resources Inventory consistent with WPH1. As noted in the NRI, the Site had been historically cleared and currently supports an ecologically degraded community of mostly invasive plant species and this habitat is already fragmented by surrounding commercial and residential development and roads. The Site is not mapped as rare species habitat or BioMap Core Habitat or Critical Natural Landscape, and is not within an Important Bird Area, Area of Critical Environmental Concern, or District of Critical Planning Concern.

As noted in the application, vegetation clearing and grading of most of the Site is necessary to accommodate the proposed Project; however, the Site itself is generally appropriate for development due to previous disturbance and adjacency to other development and roadways. The Project’s development footprint has been minimized to the extent practicable, by utilizing a

multi-level building and proposing fewer parking spaces than required by zoning. Development of the Project will include removal of the existing structure and invasive plant species and landscaping with native species.

Ten specimen trees were found at the Site, consisting of a mix of native and invasive species. These trees are all proposed to be removed to accommodate the proposed development. More than twenty new native trees and numerous native shrubs will be planted to mitigate for the loss of these trees and other vegetation. The Applicant proposes an invasive species management plan and a landscape design that emphasizes the use of native plantings, including native canopy trees, understory trees, shrubs and seed mix. Trees are included in the proposed parking area where feasible to provide shade cover. Staff suggest the Project is consistent with WPH1.

**Objective WPH4:** This Objective requires projects to employ Best Management Practices during construction to avoid introducing any new invasive species to a project site. Where invasives have been identified on the site, an applicant should provide a management plan to prevent the spread of any invasives currently present.

As noted in the NRI, ten different invasive species were observed at the Site, all of which have the potential to threaten native species. A proposed invasive species management plan was included in the NRI. Given the extent and type of clearing work required, mechanical removal and disposal is the preferred method for initial management of the invasive species. The Site will then be monitored for any recurrence of pre-existing or new observed invasive species, and follow-up treatments will be performed as needed to maintain control and prevent spread of these species. Staff suggest the Project is consistent with WPH4.

**Objective WPH5:** This Objective can be met by limiting the extent of site alteration and disturbance to the minimum areas needed for the project and employing erosion control barriers and fencing during construction to protect plants and wildlife from construction impacts.

Consistent with WPH5, the Applicant proposes to establish a limit of work and install erosion and sedimentation controls prior to initiation of on-site construction activities in accordance with state and local permit conditions. An erosion and sediment control plan was included in the application materials.

### **Open Space**

The Open Space Goal of the RPP is *to conserve, preserve, or enhance a network of open space that contributes to the region's natural and community resources and systems.*

The following Objectives are applicable and material to the Project:

- **OS3**—protect or provide open space appropriate to context

**Objective OS3:** This Objective requires DRIs to mitigate the impact of new development and resulting loss of undeveloped land by permanently protecting open space of high natural,

cultural or recreational value. The amount and method of open space mitigation varies based on the Placetype designation and amount of new development proposed. Depending on Placetype, the open space requirement can be met through one or a combination of three mechanisms: 1) protection of open space on the project site, 2) protection of high-quality land offsite, or 3) cash contribution for the purpose of open space protection within the town.

The required open space is calculated based on Area of Development Impact (“ADI”), which is the total undeveloped area on the site anticipated to be impacted by the proposed development. Portions of the site that were previously developed or will remain undeveloped are excluded from ADI. Areas on site which will be permanently protected as part of the project may be excluded from ADI and count towards the open space mitigation requirement. For Suburban Development Area Placetypes the mitigation ratio is one part open space to one part development (1:1). Mitigation in this Placetype may be provided via on-site or off-site protected land or a cash contribution (as calculated by the method described in the Open Space Technical Bulletin). According to the Applicant’s Civil Site Narrative, the Project will result in a net decrease of 12,408 square feet of currently vegetated areas on site (835 sf of forest and 11,573 sf of unmanaged lawn and shrub cover) As noted in the NRI, the vegetated areas on site were cleared at some point in the past and are currently occupied by a mixture of native and invasive species. Staff suggest that 12,408 sf is the maximum ADI applicable for this Project and full compliance with Objective OS3 would require an equivalent amount of open space mitigation.

Given the Applicant’s non-profit status, size and nature of the Project, surrounding context, and condition of the Site, staff suggest the Applicant may be eligible for flexibility or a waiver from the open space requirement as established in OS3. The Applicant should address each of the waiver criteria contained in Section 9 of the RPP for the Commission to consider.

### **Community Design**

The Community Design Goal of the RPP is *to protect and enhance the unique character of the region’s built and natural environment based on the local context.*

The following Objectives are applicable and material to the Project:

- **CD1**—promote context sensitive building and site design
- **CD2**—minimize the amount of newly disturbed land and impervious surfaces

**Objective CD1:** This Objective focuses on designing projects in a manner consistent with the scenic, aesthetic, historic, and environmental character of its surroundings and the broader Cape Cod region. Projects may evidence consistency with this Objective through use of regionally appropriate forms and materials, locating parking in areas where it does not have adverse visual impacts, and providing appropriate landscaping and pedestrian amenities. Buildings should incorporate variation in roof form, including gables to break up large masses, and use setbacks and projections to reduce the visual impact of long facades.



The proposed building has approximately 19,000 square feet of floor area but because it is two stories and has a basement, it will have an overall footprint of only 6,700 square feet. The scale of the proposed building is further broken down by setbacks in the facade and changes in roof form, which moderate its ridgeline height of 35 feet and help create a modest scale consistent with traditional forms in the region. The building includes two facades that are 112 feet long, where the Commission generally requires at least 10 feet of facade setback or projection for every 50 feet of facade length. The facade facing Route 6A almost meets this requirement, as it includes 20 feet of variation over its 112 feet. The facade facing the parking area is also short of the requirement, with 15 feet of variation over its 112 feet, but additional facade variation is created by stepping the second floor back another 8 feet over the entry area. Given the second-floor changes and the varied sloped roof forms, Staff believes the design fulfills the objective of the facade variation requirement. Further, the placement of parking to the rear of the building, and the varied window design and use of traditional clapboard and panel siding materials are context-sensitive details consistent with Objective CD1. Staff note that the Sandwich Old Kings Highway Historic District Committee will be reviewing the design and may require changes.

**Objective CD2:** This Objective may be met by clustering development, minimizing the amount of parking to no more than what is required by zoning, developing multi-story buildings where appropriate, and incorporating permeable or pervious materials. The proposed Site design includes several elements to minimize impervious surfaces, including the multi-story building design, use of a shared access driveway, and providing fewer parking spaces than required by zoning, all consistent with Objective CD2.

### ***Transportation***

The Transportation Goal of the RPP is *to provide and promote a safe, reliable, and multi-modal transportation system.*

The following Objectives are applicable and material to the Project:

- **TR1**—improve safety and eliminate hazards for all users of Cape Cod’s transportation system
- **TR2**—provide and promote a balanced and efficient transportation system that includes healthy transportation options and appropriate connections for all users
- **TR3**—provide an efficient and reliable transportation system that will serve the current and future needs of the region and its people

A Transportation Impact Assessment (“TIA”), dated July 2024, was prepared by the Applicant’s consultant Vanasse & Associates, Inc. (VAI) for the Project in accordance with relevant guidance from the Cape Cod Commission Transportation Technical Bulletin. The submittal provides an analysis of the operational and safety impacts of the proposed project and was prepared in a professional manner following standard industry practices.

The TIA included a safety review and capacity analysis during the weekday morning and weekday afternoon peak hours for both an average month and peak summer month at the following four (4) study area intersections and four (4) roadway links were identified in the TIA:

Intersections:

- Route 6A at the 85 Route 6A Driveway (Cape Cod 5)
- Tupper Road at the Cape Cod 5 Site Driveway
- Route 6A at Tupper Road (East)
- Route 6A at Main St (Route 130) and Tupper Road (West)

Roadway links:

- Route 6A between Tupper Road (East) and the 85 Route 6A Driveway
- Route 6A between the 85 Route 6A Driveway and Tupper Road (West)/Main Street
- Tupper Road (West) between Route 6A and the Cape Cod 5 Driveway
- Tupper Road (East) between the Cape Cod 5 Driveway and Route 6A

Trip generation estimates for the proposed Project were developed based on Institute of Transportation Engineers (ITE) data for Land Use Code (LUC) 630 Clinic applied to 16,275-sf and LUC 220 Multifamily Housing (Low Rise) applied to two units. Referenced from the TIA, the estimated trip generation for this site is shown below.

Time Period	Vehicle Trips		
	Entering	Exiting	Total
<i>Average Weekday:</i>	313	313	626
<i>Weekday Morning Peak Hour:</i>	34	23	57
<i>Weekday Evening Peak Hour:</i>	33	37	70

**Objective TR1:** To achieve consistency with this Objective, all projects must prepare an adequate Transportation Impact Study, provide safe pedestrian connections, apply good access management principles in site and driveway design, and locate driveways to provide acceptable sight distance while minimizing sight distance obstructions from signs, vegetation, and other fixed items. Projects must also analyze off-site safety impacts as detailed in the technical bulletins and implement appropriate safety improvements.

The Project meets Objective TR1 by improving safety at two high crash locations and incorporating access management strategies that eliminate any new curb cuts on the study area roadways. The proposed Project will not construct a new driveway on Route 6A or Tupper Road. Instead, access to the Site will be provided from the existing Cape Cod 5 driveways on Route 6A and Tupper Road. A new internal site driveway for the Health Center will be constructed to

connect to the Cape Cod 5 site. Limiting the number of access points on a roadway eliminates safety hazards for the region.

According to the TIA the following intersections were identified as high crash locations with 3 or more average crashes per year: Route 6A/Tupper Road (East) (3.4 average crashes/year) and Route 6A/Tupper Road (West)/Main Street (7.4 average crashes/year). To enhance safety, the Applicant has proposed the following improvements:

#### **Route 6A at Tupper Road (East)**

- Design and implement an optimal traffic signal timing and phasing plan to include updates to clearance intervals and the pedestrian phase.
- Review and upgrade/replace signs and pavement markings including the replacement of Stop lines, the installation of intersection ahead warning signs with supplemental street name plaque and installing tracking line pavement markings to improve motorist guidance.
- Selectively trim vegetation at and on the approaches.

#### **Route 6A at Tupper Road (West)/Main Street**

- Review and upgrade/replace signs and pavement markings including the replacement of Stop lines, the installation of intersection ahead warning signs with supplemental street name plaque and reflective yellow tape on the signpost.
- Selectively trim vegetation at and on the approaches.

Commission transportation staff encourage that the Applicant to consider a Road Safety Audit (RSA) for the intersection of Route 6A/Tupper Road (West)/Main Street as a priority safety mitigation measure. An RSA is a proven safety countermeasure that where a multidisciplinary team will assist in identifying appropriate short- and long-term safety enhancements.

**Objective TR2:** To meet this Objective, DRIs for housing or employment sites should implement Transportation Demand Management (“TDM”) best practices. Proposed development should also construct sidewalks, multi-use paths and other bicycle/pedestrian connections within the site and connected to existing off-site networks to the extent feasible.

The Applicant is proposing an appropriate TDM program to support healthy transportation options and assist in the reduction of single-occupancy vehicle trips to the Site. Additionally, an ADA-compliant sidewalk will be constructed internal to the Site. The TDM program includes establishing a transportation coordinator for the site, a rideshare matching program, posting information on public transportation services, and secure bicycle parking. The Applicant also offers telehealth services, and an alternative work schedule policy to promote work from home for non-patient facing positions. The Project includes a pharmacy within the proposed building which will serve to reduce additional trips created by patients traveling to an off-site pharmacy to fill prescriptions. Additionally, proposed amenities will be provided to discourage off-site trips including providing a breakroom equipped with a microwave and refrigerator; offering direct

deposit of paychecks; and coordinating with a dry-cleaning service for on-site pick-up and delivery.

Staff note that regularly scheduled public transportation services are provided within the study area on Route 6A by the Cape Cod Regional Transit Authority (CCRTA) via the Sandwich Line. The CCRTA also provides a daily public demand response service called Dial-a-Ride Transportation (DART), which is a door-to-door, ride-by-appointment transportation service, as well as SmartDART which is an app-based dial-a-ride system that can be utilized by site patrons. The nearest regularly scheduled bus stop is located at Stop and Shop, an approximate 0.4 mile (or 9 minute) walk west of the Project Site. Flag service is allowed along the bus route so transit riders can be dropped off or flag the bus at the Site driveway, however, there are currently no sidewalks provided within this section of Route 6A. Staff suggest that the Applicant engage the CCRTA about the possibility of adding an additional bus stop at the health center.

**Objective TR3:** This Objective deals primarily with managing vehicular congestion and maintaining adequate levels of service in the regional transportation network. A capacity analysis was conducted as part of the TIA for the four study area intersections and four study area roadway links. Based on the capacity analysis, the Project site driveway is anticipated to operate at an adequate level of service during average and peak periods. Additionally, it appears that vehicle delays are expected to change rather minimally and at acceptable operations at the study area intersections and roadway links. However, it is important to note that some of the movements at the Route 6A/Tupper Road (East) and Route 6A/Tupper Road (West)/Main Street intersections are currently operating over capacity (i.e., LOS "F"). Project-related impacts on these movements were identified to increase average motorist delay that resulted in a corresponding increase in vehicle queuing of an additional vehicle.

Consistent with Objective TR3, the Project is proposing a combination of trip reduction measures and physical improvements. Trip reductions measures such as the proposed TDM program and potential coordination with CCRTA are aimed at encouraging alternative transportation modes. The proposed optimal signal timing and phasing updates at the Route 6A at Tupper Road (East) intersection not only are intended to improve safety but will also meet the requirements of Objective TR3 to reduce traffic congestion at this location.

At the Route 6A and Main Street/Tupper Road (West) intersection, the Applicant is proposing signage and striping improvements as well as additional opportunities to improve traffic flow intersection that will also be explored to satisfy Objective TR3. Commission Transportation staff also encourage an RSA to be performed at this intersection which can further assist in identifying appropriate short-term and long-term traffic safety and operational measures for this intersection.

## ***Energy***

The Energy Goal of the RPP is *to ensure an adequate, reliable, and diverse supply of energy to serve the communities and economies of Cape Cod.*

The following Objectives are applicable and material to the Project:

- **EN1**—Support renewable energy development that is context-sensitive
- **EN2**—Increase resiliency of energy generation and delivery
- **EN3**—Minimize energy consumption through planning and design

**Objective EN1:** This Objective may be met when a Project incorporates on-site renewable energy generation or alternative energy use, including, but not limited to solar photovoltaic (“PV”), wind, solar thermal, geothermal, solar carport, fuel cells, or biofuels. Here, the Applicant proposes to incorporate a roof-mounted, solar PV system on the building. Rooftop panels are depicted on the Project Roof Plan (Sheet A1.3). Commission staff suggest the Project is consistent with EN1.

**Objective EN2:** This Objective supports an adequate and diverse supply of energy on Cape Cod by increasing the energy resiliency of development which should result in long-term energy savings, reduced environmental impacts, and less strain on the energy grid. Methods for supporting this goal include locating utilities underground and managing energy use for peak demand. Consumer-side demand management may be achieved through on-site energy storage technologies such as batteries, fuel cells, and emergency back-up generators. The Applicant proposes to locate utilities underground and install a standby emergency generator to increase the resiliency of energy delivery, consistent with Objective EN2.

**Objective EN3:** This Objective aims to increase the energy efficiency of developments through site planning and design. Projects may achieve consistency by meeting efficiency benchmarks such as LEED, Energy Star certification, or incorporating energy efficient design elements, including but not limited to green roofs, combined heat and power systems, energy efficient lighting, and electric vehicle (“EV”) charging stations. Applicants may propose alternative energy efficiency measures as appropriate for the type of project or as new technologies are developed and available.

The Project is being designed to be LEED silver certifiable, with energy efficient building design elements, low flow water fixtures, LED lights, and Energy Star mechanical equipment, among other Project components. The Project also includes 2 EV charging stations in the parking lot, as identified on Project Site Plans (Sheet C-5). Commission staff suggest the proposed energy efficiency measures are consistent with Objective EN3.

## ***Climate Mitigation***

The Climate Mitigation Goal of the RPP is *to support, advance, and contribute as a region to the Commonwealth's interim and long-term greenhouse gas reduction goals and initiatives, including a state-wide net zero carbon target by 2050.*

The following Objectives are applicable and material to the Project:

- **CM1**—promote low or no carbon transportation alternatives and technologies
- **CM2**—promote low or no carbon technologies for building energy use, including appliances, lighting, and heating, ventilation, and cooling (HVAC) systems
- **CM3**—promote carbon sequestration and other emissions removal practices and technologies as appropriate to context
- **CM4**—Promote low or no carbon energy generation technologies as appropriate to context

**Objective CM1:** This Objective focuses on reducing the carbon impact of transportation associated with the development through methods including but not limited to, providing pedestrian and bicycle infrastructure on site, connections to sidewalks and multi-use paths, and EV charging stations. Staff suggest the Project is generally consistent with this Objective based on the incorporation of EV charging spaces, pedestrian infrastructure, and other improvements cited in TR2 and EN3 above.

**Objective CM2:** This Objective may be met when a development incorporates energy efficiency measures such as optimized building design in accordance with Net Zero Energy building standards, and peak electricity demand reduction strategies. Commission staff suggest the Project is consistent with this Objective based on the energy-efficient design features cited in EN3 above.

**Objective CM3:** This Objective may be met when a project includes tree planting as part of a landscaping plan/stormwater Low Impact Development (“LID”) plan, or incorporates native vegetation, among other methods. Here, the proposed Project includes new tree planting, native vegetation in the landscaping plans, and LID stormwater infrastructure as described in WR4, WET2, and WPH1 above.

**Objective CM4:** Projects may achieve consistency with this Objective by including appropriate on-site renewable energy generation, the ability to install EV and/or PV infrastructure, and green power purchase agreements, among other strategies, may be consistent with this Objective. The Project proposes EV charging stations within the parking lot and rooftop solar PV consistent with Objective CM4.

### ***Cultural Heritage***

The Cultural Heritage Goal of the RPP is *to protect and preserve the significant cultural, historic, and archaeological values and resources of Cape Cod.*

The following Objectives are applicable and material to the Project:

- **CH1**—protect and preserve forms, layouts, scale, massing, and key character defining features of historic resources, including traditional development patterns of villages and neighborhoods
- **CH2**—protect and preserve archaeological resources and assets from alteration or relocation

**Objective CH1:** This Objective may be met by siting new development outside of cultural landscapes and generally preserving historic structures present in the proposed development area. The proposed Project would demolish an existing building that is included in the State's inventory of cultural resources (MACRIS) as part of an area inventory form covering the western portion of Route 6A (SDW.G). The inventory form, which was completed in 1993, lists the building as a stable built circa 1940 in the vernacular style. It is not described further in the inventory narrative, which implies it was not deemed to have historically or architecturally significant features. Other agricultural buildings in the inventory were called out as historically significant but none were thought to be eligible for listing on the National Register of Historic Places.

The Applicant filed a Project Notification Form (“PNF”), and Massachusetts Historical Commission (MHC) issued a comment letter dated August 23, 2024, noting that the building proposed for demolition is on the State Register of Historic Places and within the Old Kings Highway Historic District. MHC requested current photographs of the stable and comments from the Sandwich Historical Commission to assist in evaluating it.

Historic aerial photographs of the area reveal that the stable was built between 1952 and 1971 and that the area around it was cleared at that time. It appears to have been associated with the house immediately east of the site and was in active use until the early 2000s. Staff has not visited the stable, but the building's recent age and the lack of historic inventory detail suggest it has limited cultural significance. As such, staff suggest that demolition could be found consistent with Objective CH1. Staff note that the proposed Project is located within the Old Kings Highway Historic District and will require review and approval by the Sandwich Old Kings Highway Historic District Committee.

**Objective CH2:** This Objective may be met where a proposal sites new development away from significant archaeological sites. As noted above, the Applicant filed a PNF with MHC and received a response letter on August 23, 2024. Said response letter discussed the inventoried building on site, but did not otherwise highlight any archaeological resources likely to be present on the Site and impacted by development. Given that the property was previously cleared, Staff suggest the proposed Project is also unlikely to impact intact archaeological resources and is consistent with Objective CH2.

### ***Economy***

The Economy Goal of the RPP is *to promote a sustainable regional economy comprised of a broad range of businesses providing employment opportunities to a diverse workforce.*

The following Objectives are applicable and material to the Project:

- **EC1**—protect and build on the Cape’s competitive advantages
- **EC2**—use resources and infrastructure efficiently
- **EC3**—foster a balanced and diverse mix of business and industry
- **EC4**—encourage industries that provide living wage jobs to a diverse workforce

**Objective EC1:** This Objective focuses primarily on protecting natural, coastal, historic, agricultural and other valuable resources that contribute to Cape Cod’s economy. Developments may support this objective by clustering development areas to preserve open space and promoting walkability and multimodal forms of transportation. Here, the Project is located on a previously disturbed site, includes a two-story structure, and proposes a reduced number of parking spaces relative to zoning requirements, which will minimize the development impact area and loss of open space. Commission staff suggest the Project is consistent with Objective EC1.

**Objective EC2:** This Objective may be met through shared on-site infrastructure with proximate developments, placing new utilities underground, providing on-site renewable energy generation, avoiding infrastructure development in Natural Areas, and providing mixed-use buildings or a mix of uses on site. The Applicant proposes to install rooftop solar panels to generate renewable energy and will place all other new utilities underground. The Project Site lies outside of any Commission-mapped Natural Areas, so infrastructure development in those areas has been avoided. The Project will support a mixture of uses within the building including professional healthcare space and two residences. Based on the above, Commission staff suggest the Project is consistent with Objective EC2.

**Objective EC3:** This Objective may be met by providing employment opportunities in emerging industries and designing buildings to accommodate a range of uses. As noted above, the building includes spaces for different uses including varied medical services and residences, consistent with Objective EC3. The Project will provide employment opportunities for staff and as noted in the Application, respond to significant demand for affordable healthcare across the region.

**Objective EC4:** Development may support this objective by demonstrating how a project will provide high-quality employment opportunities. Specifically, projects are encouraged to create year-round jobs, pay above-average wages, provide career training, job benefits, and affordable housing for employees. The Application Executive Summary estimates that the Project will provide up to 27 full time employment opportunities in its first year of operation, and 40 staff when operating at full capacity. The proposed building will include facilities for primary care visits, dental operations, optometry exam, behavioral health consultation, among other services. Based on the above, Commission staff suggest the Project is likely to increase employment opportunities in a variety of high-quality occupations, consistent with Objective EC4.

## ***Housing***



The Housing Goal of the RPP is to promote the production of an adequate supply of ownership and rental housing that is safe, healthy, and attainable for people with different income levels and diverse needs.

The following Objectives are applicable and material to this Project:

- **HOU1**—promote an increase in housing diversity and choice

**Objective HOU1:** This Objective encourages projects to create new small-scale housing units, including year-round and workforce housing for a variety of life stages and social needs. Projects should pursue infill development where feasible, to utilize vacant and under-used parcels in developed areas for new housing. The Project is consistent with HOU1 as it proposes two new residential units within a mixed-use structure. As noted above, the Site has been previously disturbed and is located adjacent to existing commercial and residential development. The two units are each one bedroom, and approximately 550 square feet. The Applicant intends to use the units for workforce housing, including medical students, interns, entry-level staff or visiting staff, as needed. Commission Staff suggest the Project is consistent with HOU1.

### **Other DRI Standards of Review**

Prior to approval of any DRI application, the Commission must find that the proposed project's probable benefits outweigh its probable detriments, and that the proposed project is consistent with municipal development bylaws and any Commission-certified Local Comprehensive Plan ("LCP").

### ***Consistency with Local Zoning Bylaw & Sandwich's Local Comprehensive Plan***

The Town of Sandwich's current LCP was most recently updated and certified by the Cape Cod Commission on August 22, 2024. Please see attached correspondence from the Town of Sandwich regarding local zoning and LCP consistency.

To: Jordan Velozo

From: Ralph Vitacco, Sandwich Director of Planning & Economic Development

Date: 09/27/2024

RE: Sandwich Community Health Center DRI

Please accept this e-mail as the Sandwich Office of Planning & Economic Development's comments on the proposed construction and development of the Sandwich Community Health Center at 85 Route 6A, Sandwich Massachusetts.

85 Route 6A, Sandwich lies within the Town of Sandwich BL-1 zoning district, as such anyone seeking to develop medical offices within the district may do so by-right. The addition of residential apartments to the project will require a Special Permit issued by the Sandwich Zoning Board of Appeals.

On July 26, 2024, the Planning Office received an application from Community Health Center of Cape Cod to construct a two story federally qualified community health center of approximately 20,000 sq/ft with two apartments.

Town staff met with the applicants for a preliminary site plan review. We informed the applicant the proposed medical offices are considered a by-right use. The addition of the apartments would require a special permit pursuant to Sandwich Protective Zoning By-law section 2540 (c) Affordable Housing. Further review of the site plan yielded the potential need for a setback variance.

The project appears to align with the Community Systems goals identified in the Sandwich 2024 LCP. It meets the cultural heritage goal by putting forward a design that is respectful of the historic significance of Route 6A, Old Kings Highway. It contributes to the economy goal with the creation of up to 40 new well-paying jobs. The health care sector represents 32% of Sandwich employment. The inclusion of two workforce rental units contributes to the housing goals.

The project also meets the Built Systems energy goal through the construction of a LEED silver standard structure that includes roof mounted solar panels and EV parking spaces.