

September 13, 2024

VIA EMAIL AND HAND DELIVERY

Jeffrey Ribeiro, Regulatory Planner II
Cape Cod Commission
3225 Main Street, P.O. Box 226
Barnstable, Massachusetts 02630
Tel: (508) 362-3828
Email: Jeffrey.ribeiro@capecodcommission.org

RE: Development of Regional Impact Application – Wilkens Lane Properties LLC

Dear Jeffrey,

This Development of Regional Impact (“DRI”) application includes: i) a brief background of the subject property, the Cape Cod Commission (the “Commission”) review history to date, ii) a general description of the proposed project; and iii) all supporting application materials and attachments.

Background:

As you may know, Wilkens Lane Properties LLC (the “Applicant”) is the owner of approximately 21.4-acres of land located on Wilkens Lane in Hyannis, Massachusetts (the “Property”, described more particularly in Exhibit D attached hereto), which was formerly part of a 40-acre site owned by Cape Cod Hospital (the “Hospital”). In December 2022, the Hospital conveyed approximately 32 acres of land to the Applicant and retained an 8-acre site located at 35 Wilkens Lane Drive in Hyannis, Massachusetts (the “Hospital Property”). Following its acquisition of the 32 acres, the Applicant conveyed approximately 10.6-acres of land located at 99 Wilkens Lane in Hyannis, Massachusetts (the “Hanover Property” and, together with the Property and the Hospital Property, collectively, the “Development Property”) to the Hanover Company.

The Property, Hospital Property, and Hanover Property are all subject to the terms of an Amended and Restated Development Agreement, dated as of July 5, 2022, and recorded with the Barnstable County Registry of Deeds in Book 35351, Page 245 (as amended or modified, the “Amended and Restated Development Agreement”). Under the terms of the Amended and Restated Development Agreement, the Commission approved the existing 23,500 square foot existing outpatient medical facility on the Hospital Property, the recently completed 272-unit residential development on the Hanover Property, a yet to be constructed 25,000 SF expansion to the existing outpatient medical facility on the Hospital Property, and future phases of mixed-use development on the Property (the “Approved Project”).

Commission Review History:

On March 4, 2024, the Applicant held a kick-off meeting with the Commission to introduce the next phase of the Approved Project and a potential amendment to the Amended and Restated Development Agreement. Staff was generally supportive of the proposal and advised the Applicant to file a Notice of Intent (“NOI”) for a determination regarding whether the next phase of the Approved Project should proceed under an amendment to the Amended and Restated Development Agreement.

On March 27, 2024, the Applicant held a meeting with Commission design staff to review the architectural design of the proposed building(s) contemplated in the proposal.

On May 9, 2024, the Applicant received direction from the Commission to forego an NOI application and seek approval for the next phase of the Approved Project through a DRI Application. The Amended and Restated Development Agreement would simultaneously be amended, administratively, through a minor modification to remove the Property from the existing Approved Project.

Project Proposal:

The Applicant has partnered with Hanover Company to develop the next phase of the Approved Project on a 15.1-acre portion of the Property (the “Phase 2 Property”). The current proposal contemplates approximately 320-units (13% affordable) across five buildings set back from Wilkens Lane.

Attached hereto as Exhibit G is the Applicant’s Preliminary Site Plan which shows the Phase 2 Property (the “Proposed Project”) and a remaining 2.1-acre and 4.3-acre lot reserved for future commercial development (the “Future Development Parcel”).

Application Materials (Section II, Guidance Document, Cape Cod Commission Project Application Process and Requirements):

In support of the request to approve the DRI Application, the Applicant respectfully submits the enclosed application materials as outlined in Section II, Guidance Document, Cape Cod Commission Project Application Process and Requirements.

- i. DRI application form: the completed application form is attached hereto as Exhibit A.

- ii. Copy of Deed: A copy of the deed, evidencing the Applicant's interest in the property is attached hereto as Exhibit B.
- iii. Certified List of Abutters: The certified list of abutters is attached hereto as Exhibit C.
- iv. Massachusetts Historical Commission Notification Form: Not applicable for this site and application.
- v. Certification of Local Filing: A representative from the town will be copied on the electronic filing of this application.
- vi. Legal description and survey: the attached legal description and survey (which also display ownership information) is attached hereto as Exhibit D.
- vii. Description of public capital and private infrastructure facilities serving the development: Exhibit E attached hereto is a list of these facilities.
- viii. Description of all local development permits anticipated for the Proposed Project: Exhibit F attached hereto contains a list of anticipated development permits.
- ix. Preliminary Site Plan: Preliminary Site Plan is attached hereto as Exhibit G.
- x. Required Plans: As described above, an existing conditions plan is attached hereto as Exhibit D. A Proposed Plan Set, including site and architectural plans are included with this application under separate cover.
- xi. Written Design Narrative: Written Design Narrative, including how the Proposed Project addresses objectives CD1 and CD2 from the *Community Design Technical Bulletin* and EC1 and EC2 from the *Economy Technical Bulletin*, is attached hereto as Exhibit H.
- xii. Traffic Impact Analysis: A Traffic Impact Analysis report, including how the Proposed Project addresses objectives TR1, TR2, and TR3, in accordance with the *Transportation Technical Bulletin* is provided under separate cover.
- xiii. Nitrogen Loading Analysis: A Nitrogen Loading Analysis in accordance with Technical Bulletin 91-001, *Nitrogen Loading*, as amended, and *Water Resources Technical Bulletin* is included under separate cover as part of the Stormwater Report. The Stormwater Report also addresses objectives WR1, WR3 and WR4 in *Section 4.0, Cape Cod Commission's Water Resources Compliance*.
- xiv. Proposed Monitoring Well Plan: Not applicable for this application.

- xv. Copies of Groundwater Discharge Permits: Not applicable for this site and application.
- xvi. 21-E Ste Assessments: Not applicable for this site and application.
- xvii. Plant and Wildlife Habitat Assessment: A Plant and Wildlife Assessment, including objectives WPH1, WPH2, WPH4 and WPH5, in accordance with *Wildlife and Plant Habitat Technical Bulletin* is not applicable for this site and application as determined in previous phases.
- xviii. Fiscal Impact Report: A Fiscal Impact Report summarizing key financial metrics associated with the Proposed Project in accordance with the *Economy Technical Bulletin* is attached hereto as Exhibit I.
- xix. Affordable Housing Narrative: An Affordable Housing Narrative, including how the Proposed Project address objectives HOU1, HOU2, and HOU4, in accordance with the *Housing Technical Bulletin* is attached hereto as Exhibit J.
- xx. Natural Heritage and Endangered Species: Correspondence with the *Natural Heritage and Endangered Species Program* is not applicable for this site and application.
- xxi. Hazardous Materials: There will be no hazardous materials on site and therefore is not applicable.
- xxii. Open Space Narrative: Open Space requirement was satisfied by the previous owner of the site and is not applicable to this application.
- xxiii. Massachusetts Historic Structure: There are no structures on the site that are on the *National or State Register of Historic* places and therefore this is not applicable.
- xxiv. Exterior Lighting: All site lighting will be low energy use LED fixtures and will comply with dark sky initiatives. Information on exterior lighting in accordance with the *Energy Technical Bulletin* is attached hereto as Exhibit K.
- xxv. Sustainability and Energy Use Narrative: A Sustainability and Energy Use Narrative, including how the Proposed Project addresses objectives EN1, EN2, EN3, CM1, CM2, CM3, CM4, WM 1, and WM2 in accordance with the *Energy Technical Bulletin, Climate Mitigation Technical Bulletin, and Waste Management Bulletin*, is attached hereto as Exhibit L.
- xxvi. Wireless Communication Tower: There are no wireless communication towers as part of this phase and therefore this is not applicable.

- xxvii. Final Certificate of the Secretary of Energy and Environmental Affairs on the Environmental Notification form dated March 25, 2002 attached hereto as Exhibit M.

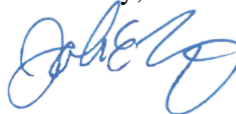
Conclusion:

The Applicant respectfully requests that the Commission approve the DRI Application for the Phase 2 Property as summarized above and detailed in the attached exhibits. In furtherance thereof, the Applicant respectfully submits the enclosed application materials in connection with this application.

If you need any additional information or materials during the course of review, please do not hesitate to contact us.

We look forward to reviewing these materials in further detail with the Commission.

Sincerely,



John E. Twohig
Executive Vice President

Enclosures

cc: Jim Kupfer
Michael Ford, Esq.
Timothy Sullivan, Esq.

EXHIBIT A

Development Agreement Application Form

[See attached]



CAPE COD
COMMISSION

Application Cover Sheet

Cape Cod Commission
3225 Main Street, PO Box 226
Barnstable, MA 02630
Tel: (508) 362-3828 • Fax: (508) 362-3136

For Commission Use Only

Date Received:
Fee (\$):
Check No:
File No:

A Type of Application (check all that apply)

Development of Regional Impact (DRI)
DRI Scoping

DRI Exemption
Hardship Exemption
Jurisdictional Determination

Request for Joint MEPA/DRI Review
Decision Extension
Decision Modification

B Project Information

Project Name: _____ Total Site Acreage: _____

Project/Property Location: _____ Zoning: _____

Brief Project Description:

Include total square footage of proposed and existing development, gross floor area, number of lots existing or to be created, specific uses, description of existing conditions, as applicable (attach additional sheets if necessary).

C Owner(s) of Record

List the following information for all involved parcels. Provide copies of each Deed and Purchase and Sale Agreement and/or evidence of leasehold interest, if applicable, for all involved parcels. Proof of ownership/legal rights for Applicant(s) to proceed with the proposed development must be documented prior to the Commission deeming any application complete. List the local, state, or federal agencies from which permits or other actions have been/will be filed (attach additional sheets if necessary).

Map/Parcel	Owner's Name	Lot & Plan	Land Court Certificate of Title #	Registry of Deeds Book/Page #
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

There **ARE/ARE NOT** (circle one) court claims, pending or completed, involving this property (if yes, please attach relevant information).

Is there an existing CCC Decision for the Property? yes no (if so, recording information for decision, please attach relevant information).

D Certification

I hereby certify that all information provided on this application form and in the required attachments is true and accurate to the best of my knowledge. I agree to notify the Cape Cod Commission of any changes on the information provided in this application, in writing, as soon as is practicable. I understand failure to provide the required information and any fees may result in a procedural denial of my project.

NOTE: For wireless communication facilities, a licensed carrier should be either an applicant or a co-applicant.

APPLICANT	Applicant(s) Name: _____ Tel: _____ Fax: _____
	Address: _____
	Signature: <u>John E. Twohig</u> By: _____ John E. Twohig, Hereunto Duly Authorized Date: 9.13.24

CO-APPLICANT	Co-Applicant(s) Name: _____ Tel: _____ Fax: _____
	Address: _____
	Signature: _____ Date: _____

CONTACT	Contact: _____ Tel: _____ Fax: _____
	Address: _____
	Signature: _____ Date: _____

PROPERTY OWNER	Property Owner: _____ Tel: _____ Fax: _____
	Address: _____
	Signature: _____ Date: _____

BILLABLE ENTITY	Name: _____ Tel: _____ Fax: _____
	Address: _____

EXHIBIT B

Quitclaim Deed

[See attached]

N O T
A N
O F F I C I A L
C O P Y

N O T
A N
O F F I C
C O P
MASSACHUSETTS STATE EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS
Date: 12-29-2021 @ 01:13pm
Ct1#: 592 Doc#: 84357
Fee: \$34,200.00 Cons: \$10,000,000.00

N O T
A N
O F F I C I A L
C O P Y

N O T
A N
O F F I C
C O P
BARNSTABLE COUNTY EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS
Date: 12-29-2021 @ 01:13pm
Ct1#: 592 Doc#: 84357
Fee: \$30,600.00 Cons: \$10,000,000.00

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that CAPE COD HOSPITAL, a Massachusetts not-for-profit corporation, having an address c/o Gleason House, 27 Park Street, Hyannis, Massachusetts 02601 ("Grantor"), for and in consideration of TEN MILLION and 00/100 Dollars (\$10,000,000.00) paid, grants to WILKENS LANE PROPERTIES LLC, a Massachusetts limited liability company, having an address c/o NED Management Co., Inc., 75 Park Plaza, Boston, Massachusetts 02116 ("Grantee"), with QUITCLAIM COVENANTS, the land located in the Town of Barnstable (Hyannis), Barnstable County, Massachusetts described in **Exhibit A** attached hereto (the "Property").

The Property is conveyed to Grantee subject to the following restriction, which restriction is appurtenant to Grantor's land located at 35 Wilkens Lane, Barnstable (Hyannis), Massachusetts and being shown as Lot 1 (and as containing 8.27 acres, more or less) on the 2021 ANR (defined on **Exhibit A**) ("Grantor's Land"): The principal use of the Property shall not be ambulatory medical care, including, without limitation, any type of medical or dental practice, any diagnostic medical imaging facility, outpatient physical therapy, and blood or specimen drawing/testing facility or laboratory, or a stand-alone pharmacy, including, without limitation, a CVS or Walgreens; provided that, notwithstanding the foregoing, the Property shall be permitted to have an accessory pharmacy, such as may be customarily located in a retail store. The foregoing restriction shall burden the Property and shall benefit and be appurtenant to Grantor's Land, and shall run with the land (however it may be hereafter divided), for a term expiring upon the earlier of (i) the date that the facility or facilities located Grantor's Land no longer include an outpatient medical complex (as evidenced by an affirmative act of the owner of Grantor's Land, such as the permanent closure of such facilities) and (ii) the date that is ninety-nine (99) years from the date hereof. To the extent that the foregoing restriction is subject to M.G.L. c. 184 §§ 26-30, as said statute may be amended or replaced (the "Restriction Statute"), the enforceability of such restriction may be extended beyond the first thirty (30) years of the term hereof for further periods of twenty (20) years at a time, or for such other maximum further periods as may be allowed by any amendments of the Restriction Statute or by any successor provisions, by the record owner of Grantor's Land at the time of recording of the extension, so long as the facility or facilities located on Grantor's Land still include an outpatient medical complex at the time of such extension. Any such extension shall be recorded with the Barnstable County Registry of Deeds and shall contain such information and include such signatures as is required by the

Property address: Wilkens Lane, Hyannis, MA

PLEASE RETURN TO:
FIDELITY NATIONAL TITLE INSURANCE COMPANY
139 FEDERAL STREET, 3RD FLOOR
BOSTON, MA 02110

4

Restriction Statute for such extension and shall otherwise comply with the requirements set forth in the Restriction Statute.

OFFICIAL OFFICIAL

This conveyance represents a sale in the ordinary course of business of Grantor and is not a sale of all or substantially all of the Grantor's assets in the Commonwealth of Massachusetts.

NOT NOT
AN AN

OFFICIAL SIGNATURE ON FOLLOWING PAGE OFFICIAL

COPY COPY

NOT AN OFFICIAL COPY WITNESS the execution hereof under seal as of the 22nd day of December, 2021. NOT AN OFFICIAL COPY

NOT AN OFFICIAL COPY

CAPE COD HOSPITAL, a Massachusetts not-for-profit corporation

OFFICIAL COPY

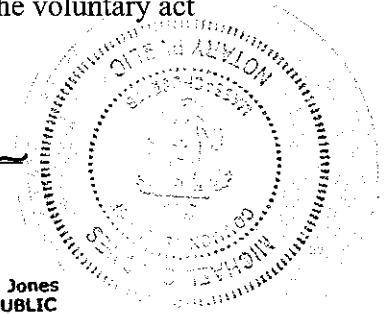
By: Michael K. Lauf, President and CEO

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this 22nd day of December, 2021, before me, the undersigned notary public, personally appeared Michael K. Lauf, President and CEO as aforesaid, proved to me through satisfactory evidence of identification, which was Mass. Drivers License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purposes, on behalf of Cape Cod Hospital, as the voluntary act of Cape Cod Hospital.

Michael G. Jones Notary Public My Commission Expires:

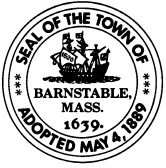


Michael G. Jones NOTARY PUBLIC Commonwealth of Massachusetts My Commission Expires 5/19/2028

EXHIBIT C

Certified List of Abutters

[See attached]



Town of Barnstable

Assessing Division

367 Main Street, Hyannis MA 02601

www.townofbarnstable.us

Office: 508-862-4022
FAX: 508-862-4722

John T. Curran, MAA
Director of Assessing

ABUTTERS LIST CERTIFICATION

DATE: August 23, 2024

RE: Abutters List
For Parcel(s): 296-039-001

As requested, I hereby certify the names and addresses as submitted on the attached sheet(s) as required under Chapter 40A, Section 11 of the Massachusetts General Laws for the above referenced parcel as they appear on the most recent tax list with mailing addresses supplied.

William J. Duff

Andy Michael

Melvin J. Parze

Board of Assessors
Town of Barnstable

Cape Cod Commission DRI Abutter List for Subject Parcel

Abutters within 300 feet of subject parcel

Parcel ID	Owner 1	Owner 2	Address Line 1	Address Line 2	City	State	Zip
274040001	FIRST HYANNIS REALTY LLC	C/O MOE TARKINOW	THE TARKINOW GROUP	105 FLAGLER PROMENADE N	WEST PALM BEACH	FL	33405
275060	BARNSTABLE, TOWN OF (CON)	CONSERVATION COMMISSION	230 SOUTH STREET		HYANNIS	MA	02601
275061	BARNSTABLE, TOWN OF (CON)	CONSERVATION COMMISSION	230 SOUTH STREET		HYANNIS	MA	02601
275062	BARNSTABLE, TOWN OF (CON)	CONSERVATION COMMISSION	230 SOUTH STREET		HYANNIS	MA	02601
275063	BARNSTABLE, TOWN OF (CON)	CONSERVATION COMMISSION	230 SOUTH STREET		HYANNIS	MA	02601
295004001	WILKENS LANE PROPERTIES LLC		C/O NED MANAGEMENT CO INC	75 PARK PLAZA	BOSTON	MA	02116
295011	SWITCH GEARS LP		297 NORTH STREET		HYANNIS	MA	02601
296039	CAPE COD HOSPITAL		GLEASON HOUSE	27 PARK ST	HYANNIS	MA	02601
296039001	WILKENS LANE PROPERTIES LLC		C/O NED MANAGEMENT CO INC	75 PARK PLAZA	BOSTON	MA	02116
296039002	CRP/THC HYANNIS OWNER LLC		1780 SOUTH POST OAK LANE		HOUSTON	TX	77056
296047	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE	MA	02630-0517

Property ID: 274040001
FIRST HYANNIS REALTY LLC
C/O MOE TARKINOW
THE TARKINOW GROUP
105 FLAGLER PROMENADE N
WEST PALM BEACH, FL 33405

Property ID: 275062
BARNSTABLE. TOWN OF (CON)
CONSERVATION COMMISSION
230 SOUTH STREET
HYANNIS. MA 02601

Property ID: 295011
SWITCH GEARS LP
297 NORTH STREET
HYANNIS. MA 02601

Property ID: 296039002
CRP/THC HYANNIS OWNER LLC
1780 SOUTH POST OAK LANE
HOUSTON. TX 77056

Property ID: 275060
BARNSTABLE. TOWN OF (CON)
CONSERVATION COMMISSION
230 SOUTH STREET
HYANNIS. MA 02601

Property ID: 275063
BARNSTABLE. TOWN OF (CON)
CONSERVATION COMMISSION
230 SOUTH STREET
HYANNIS. MA 02601

Property ID: 296039
CAPE COD HOSPITAL

GLEASON HOUSE
27 PARK ST
HYANNIS, MA 02601

Property ID: 296047
CAPE COD AGGREGATES CORP
P O BOX 517
1550 PHINNEY'S LANE
BARNSTABLE. MA 02630-0517

Property ID: 275061
BARNSTABLE. TOWN OF (CON)
CONSERVATION COMMISSION
230 SOUTH STREET
HYANNIS. MA 02601

Property ID: 295004001
WILKENS LANE PROPERTIES LLC
C/O NED MANAGEMENT CO INC
75 PARK PLAZA
BOSTON. MA 02116

Property ID: 296039001
WILKENS LANE PROPERTIES LLC

C/O NED MANAGEMENT CO INC
75 PARK PLAZA
BOSTON, MA 02116

EXHIBIT D

Legal Description and Survey

Lot 2 and Lot 3 shown on the plan entitled “APPROVAL NOT REQUIRED PLAN”, prepared by DiPrete Engineering Associates, Inc., dated September 9, 2022, recorded with the Barnstable County Registry of Deeds in Plan Book 697, Page 36 (the “2022 ANR Plan”).

[See also attached Survey]

697-36

697-36

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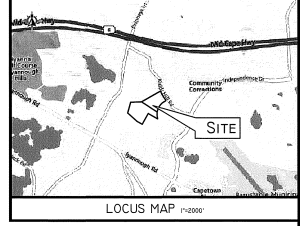
PLANNING BOARD APPROVAL UNDER THE SUBDIVISION CONTROL LAW IS REQUIRED

SPD

DATE: **9-13-2022**

OWNER:
PER DEED BOOK 34192, PAGE 233
RE WILKENS LANE PROPERTIES LLC

APR 296 LOT 47
W/F
CAPE COD AGGREGATES



LOT SHAPE FACTOR:

LOT 2	=	20.8
LOT 5	=	16.7

GENERAL NOTES

1. THE PARCELS ARE FOUND ON ASSESSORS PLAN 296 LOT 39 IN THE TOWN OF BARNSTABLE, BARNSTABLE COUNTY, MASSACHUSETTS.
2. THE OWNERS PER DEED BOOK 34192, PAGE 233 IS WILKENS LANE PROPERTIES LLC.
3. THIS SITE IS LOCATED IN FEMA FLOOD ZONE X. REFERENCE FEMA FLOOD INSURANCE RATE MAP 2503000A01, MAY REVISED JULY 16, 2016. THIS DESIGNATION MAY CHANGE BASED UPON REVIEW BY A FLOOD ZONE SPECIALIST OR BY THE RESULTS OF A COMPREHENSIVE FLOOD STUDY.
4. THERE WERE NO CEMETERIES, GRAVE SITES OR BURIAL GROUNDS OBSERVED WITHIN THE LIMITS OF THE SURVEY.
5. FIELD SURVEY PERFORMED BY DIPRETE ENGINEERING ON NOVEMBER 30, 2018. THIS PLAN REFLECTS ON THE GROUND CONDITIONS AS OF THAT DATE.
6. THE SITE IS LOCATED IN THE BARNSTABLE FIRE DISTRICT PER THE TOWN OF BARNSTABLE MASSACHUSETTS FIRE VILLAGE MAP.

PLAN REFERENCES

1. PLAN OF LAND PREPARED FOR CAPE COD AGGREGATES CORP. IN BARNSTABLE, HYANNIS, MA. SCALE 1" = 100'. DATED JUNE 18, 2003. PLAN BY HOLLIS AND HODGINS, INC.
2. SUBDIVISION PLAN OF LAND IN BARNSTABLE, HYANNIS, MA. SCALE 1" = 200'. DATED OCTOBER 21, 1974. PLAN BY EDWARD E. KELLEY, SURVEYOR.
3. PLAN OF LAND IN BARNSTABLE, HYANNIS, MA. SCALE 1" = 400'. DATED AUGUST 7, 1991. PLAN BY DOYLE ENGINEERING ASSOCIATES, INC., SURVEYORS.
4. PLAN OF LAND LOCATED IN BARNSTABLE, MA. SCALE 1" = 400'. DATED JULY 2, 2003. PLAN BY DOWN CAPE ENGINEERING, INC.
5. SUBDIVISION PLAN OF LAND IN BARNSTABLE, MASS FOR PARK LANDS PROPERTIES INC. SCALE 1" = 40'. DATED AUGUST 26, 1974. PLAN BY JOHN P. DOYLE, R.L.S.
6. TOWN OF BARNSTABLE PLAN SHOWING LAYOUT OF ARTUCUS LANE EXTENSION AS LAID OUT BY THE TOWN MANAGER ACTING UNDER CHAPTER 18A, ARTICLE VII, SECTION 4. GENERAL ORDINANCES, BARNSTABLE, MA. SHEET 2 AND 3 OF 3. SCALE 1" = 40'. DATED SEPTEMBER 18, 1997. PLAN BY PAUL A. LEVY.
7. PLAN OF LAND OF 35 WILKENS LANE, BARNSTABLE, MA, DATED NOVEMBER 22, 2021, PREPARED BY DOWN CAPE ENGINEERING, INC., RECORDED IN PLAN BOOK 344, PAGE 14.

ZONING NOTES

1. THE PARCEL IS ZONED RB, B & ND PER THE ASSESSOR'S ONLINE DATABASE.
2. THE ZONING ORDINANCE ARTICLE III LISTS THE DIMENSIONAL REGULATIONS AS FOLLOWS:

MINIMUM LOT AREA	RD	IND
MINIMUM LOT AREA	60,000 SF	N/A
MINIMUM FRONTAGE	30 FEET	20 FEET
MINIMUM LOT WIDTH	30 FEET	20 FEET
MINIMUM FRONT YARD	10 FEET	20 FEET
MINIMUM SIDE YARD	10 FEET	N/A
MINIMUM REAR YARD	10 FEET	N/A
MINIMUM BUILDING HEIGHT	10 FEET	30 FEET
MAXIMUM LOT COVERAGE	N/A	25 %

THE SITE IS ALSO LOCATED IN THE FOLLOWING OVERLAY DISTRICTS:

- MEDICAL SERVICES OVERLAY (MSO) DISTRICT
- ROAD USE SUBZONE OF THE MSO
- GROUND WATER PROTECTION (GWP) OVERLAY DISTRICT
- AQUIFER PROTECTION (AP) OVERLAY DISTRICT

THE ABOVE NOTES ARE BASED ON INFORMATION FROM THE TOWN OF BARNSTABLE ASSESSOR'S ONLINE DATABASE AND THEIR ZONING ORDINANCE ONLY. ANY SPECIAL PERMITS OR VARIANCES SPECIFIC TO THIS SITE ARE NOT TAKEN INTO CONSIDERATION. PLEASE CONTACT THE ZONING DEPARTMENT FOR ANY ADDITIONAL INFORMATION OR FOR A CERTIFICATE OF ZONING.

CERTIFICATION

I CERTIFY THAT THIS ACTUAL SURVEY WAS MADE ON THE GROUND IN ACCORDANCE WITH THE RULES AND REGULATIONS AS STATED IN OUR ORDINANCE SECTION 4.00.

I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS



Robert G. Barcock

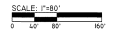
ROBERT G. BARCOCK, PLS #A2933

10/15

DATE

NO DETERMINATION OF COMPLIANCE WITH ZONING REQUIREMENTS HAS BEEN MADE OR INTENDED BY THE ENDORSEMENT ABOVE

FOR REGISTRY USE



Diprete Engineering

100 BUCKINGHAM SQUARE, SUITE 1115
MADEIRA HILLS ROAD, SUITE 1000
BOSTON, MA 02128

APPROVAL NOT REQUIRED PLAN

35 WILKENS LANE
BARNSTABLE, MA 02536

WILKENS LANE PROPERTIES LLC
REGISTERED PROFESSIONAL ENGINEER
TEL: 617-552-9246



SCHEDULE A DESCRIPTION

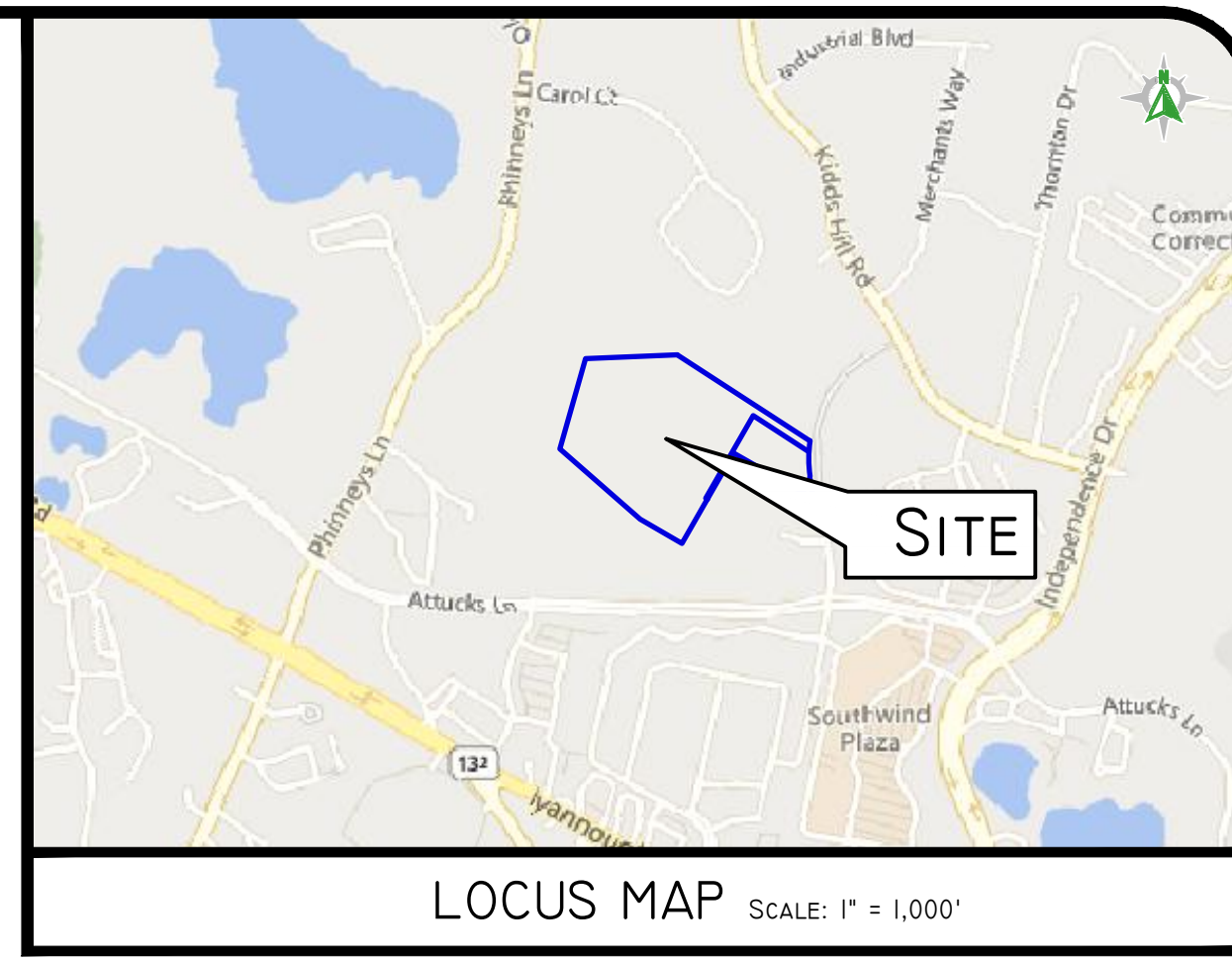
XXXXX

SCHEDULE B EXCEPTIONS

- ① XXXXXXXXXXXXXXXXXXXX
RESPONSE: XXXXXX
- ② XXXXXXXXXXXXXXXXXXXX
RESPONSE: XXXXXX

LEGEND

- W WATER LINE
- S SEWER LINE
- SFM SEWER FORCE MAIN
- G GAS LINE
- E ELECTRIC LINE
- OHV OVERHEAD WIRES
- D DRAINAGE LINE
- ML MINOR CONTOUR LINE
- MC MAJOR CONTOUR LINE
- PL PROPERTY LINE
- AL ASSESSOR'S LINE
- TR TREE LINE
- F FENCE
- RW RETAINING WALL
- SW STONE WALL
- 123/1234 DEED BOOK/PAGE
- AP ASSESSOR'S PLAT
- N/F NOW OR FORMERLY
- (R) RECORD
- (CA) CHORD ANGLE
- (N) NAIL/SPIKE FOUND/SET
- (D) DRILL HOLE FOUND/SET
- (I) IRON ROD/PIPE FOUND/SET
- (B) BOUND FOUND/SET
- HC HANDICAPPED
- LC LANDSCAPING
- SP SIGN POST
- SM SEWER MANHOLE
- SC SEWER CLEANOUT
- HY HYDRANT
- IV IRRIGATION VALVE
- UM UNKNOWN MANHOLE
- BOLLARD
- SOIL EVALUATION
- CATCH BASIN
- DOUBLE CATCH BASIN
- WATER VALVE
- GAS VALVE
- WETLAND FLAG
- DRAINAGE MANHOLE
- FLARED END SECTION
- GUY POLE
- ELECTRIC MANHOLE
- UTILITY/POWER POLE
- LIGHTPOST
- WELL
- MONITORING WELL
- BENCH MARK
- TREE



GENERAL NOTES

- THE PARCELS ARE FOUND ON ASSESSORS PLAT 296 LOT 39 IN THE TOWN OF BARNSTABLE, BARNSTABLE COUNTY, MASSACHUSETTS.
- THE OWNER PER DEED BOOK 34792, PAGE 233 IS WILKENS LANE PROPERTIES LLC.
- THIS SITE IS LOCATED IN FEMA FLOOD ZONE X. REFERENCE FEMA FLOOD INSURANCE RATE MAP 2500C0566J, MAP REVISED JULY 16, 2014. THIS DESIGNATION MAY CHANGE BASED UPON REVIEW BY A FLOOD ZONE SPECIALIST OR BY THE RESULTS OF A COMPREHENSIVE FLOOD STUDY.
- THE PARCEL IS ZONED RG, B, & ND BASED ON THE TOWN OF BARNSTABLE ONLINE GIS. ANY OVERLAY DISTRICTS, SPECIAL PERMITS OR VARIANCES SPECIFIC TO THIS SITE ARE NOT TAKEN INTO CONSIDERATION. PLEASE CONTACT THE ZONING DEPARTMENT FOR ANY ADDITIONAL INFORMATION OR FOR A CERTIFICATE OF ZONING.
- THERE WERE NO CEMETERIES, GRAVE SITES AND OR BURIAL GROUNDS OBSERVED WITHIN THE LIMITS OF THE SURVEY.
- FIELD SURVEY PERFORMED BY DIPRETE ENGINEERING ON NOVEMBER 30, 2018. THIS PLAN REFLECTS ON THE GROUND CONDITIONS AS OF THAT DATE.
- THE SITE IS LOCATED IN THE BARNSTABLE FIRE DISTRICT PER THE TOWN OF BARNSTABLE MASSACHUSETTS 8911 VILLAGE MAP.

PLAN REFERENCES

- PLAN OF LAND PREPARED FOR CAPE COD AGGREGATES CORP. IN BARNSTABLE, HYANNIS, MA., SCALE 1" = 100', DATED JUNE 19, 2003, PLAN BY HOLMES AND MCGRATH, INC.
- SUBDIVISION PLAN OF LAND IN BARNSTABLE, HYANNIS, MA, SCALE 1" = 200', DATED OCTOBER 21, 1974, PLAN BY EDWARD E. KELLEY, SURVEYOR.
- PLAN OF LAND IN BARNSTABLE, HYANNIS, MA, SCALE 1" = 400', DATED AUGUST 7, 1991, PLAN BY DOYLE ENGINEERING ASSOCIATES, INC., SURVEYORS.
- PLAN OF LAND LOCATED IN BARNSTABLE MA, SCALE 1" = 120', DATED JULY 2, 2003, PLAN BY DOWN CAPE ENGINEERING, INC.
- SUBDIVISION PLAN OF LAND IN BARNSTABLE - MASS FOR PARK LANDS PROPERTIES INC., SCALE 1" = 40', DATED AUGUST 24, 1974, PLAN BY JOHN P. DOYLE, R.L.S.
- TOWN OF BARNSTABLE PLAN SHOWING LAYOUT OF ATTUCKS LANE EXTENSION AS LAID OUT BY THE TOWN MANAGER ACTING UNDER CHAPTER II, ARTICLE VIII, SECTION 2 GENERAL ORDINANCES. BARNSTABLE, MA. SHEET 2 AND 3 OF 3. SCALE 1" = 40', DATED SEPTEMBER 18, 1997. PLAN BY PAUL A. LEVY.
- "PLAN OF LAND OF 35 WILKENS LANE, BARNSTABLE, MA", DATED NOVEMBER 22, 2021, PREPARED BY DOWN CAPE ENGINEERING, INC., RECORDED IN PLAN BOOK 394, PAGE 14.
- APPROVAL NOT REQUIRED PLAN, 35 WILKENS LANE, ASSESSOR'S MAP 296 LOT 39, HYANNIS, MASSACHUSETTS, PREPARED FOR: WILKENS LANE PROPERTIES LLC, SCALE 1" = 80', DATED SEPTEMBER 6, 2022. PLAN BY DIPRETE ENGINEERING, RECORDED IN PLAN BOOK 667, PAGE 36.

ALTA/NSPS LAND TITLE SURVEY NOTES

- THE ADDRESS OF PARCEL IS WILKENS LANE.
- THERE WERE NO PARKING SPACES OBSERVED AT THE TIME OF THE FIELD SURVEY.
- THE PARCEL HAS DIRECT ACCESS TO WILKENS LANE, A PRIVATE RIGHT OF WAY.
- THERE WAS NO OBSERVED EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION AT THE TIME OF THE FIELD SURVEY.
- RIGHT OF WAY LINES ADJACENT TO SUBJECT PARCEL ARE AS SHOWN.
- THERE WAS NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED AT THE TIME OF THE FIELD SURVEY.
- SURVEY BASED ON TITLE COMMITMENT #XXXXXXXX, EFFECTIVE DATE XXXXXXX BY XXXXXXXX

UTILITY NOTES

- ALL EXISTING UTILITIES DEPICTED ARE SHOWN ACCORDANCE WITH UTILITY QUALITY LEVEL C AS DEFINED IN CIVILAS STANDARD 38-02 (STANDARD BEST PRACTICES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA), LATEST REVISION.
- ALL EXISTING UNDERGROUND UTILITIES SHOWN WERE PROVIDED BY OTHERS AND ARE APPROXIMATE ONLY. LOCATIONS MUST BE DETERMINED IN THE FIELD BEFORE EXCAVATION, BLASTING, UTILITY INSTALLATION, BACKFILLING, GRADING, PAVEMENT RESTORATION, AND ALL OTHER SITE WORK. ALL UTILITY COMPANIES, PUBLIC AND PRIVATE, MUST BE CONTACTED INCLUDING THOSE IN CONTROL OF UTILITIES NOT SHOWN ON THESE DOCUMENTS. CONTACT DIG SAFE A MINIMUM OF 72 WORKING HOURS PRIOR TO ANY CONSTRUCTION AT 811. DIG SAFE IS RESPONSIBLE FOR CONTACTING MEMBER UTILITY COMPANIES. DIG SAFE MEMBER UTILITY COMPANIES ARE RESPONSIBLE TO MARK ONLY THE FACILITIES THAT THEY OWN OR MAINTAIN. NON DIG SAFE MEMBER COMPANIES ARE NOT NOTIFIED BY DIG SAFE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO INVESTIGATE AND NOTIFY IF ANY PRIVATELY OWNED OR NON DIG SAFE MEMBER UTILITIES ARE IN THE AREA.
- PER THE CODE OF FEDERAL REGULATIONS - TITLE 29, PART 1926 IT IS THE SITE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ACCURATE UNDERGROUND UTILITY LINE LOCATIONS FROM THE UTILITY COMPANIES, UTILITY OWNERS AND, OR VIA UNDERGROUND UTILITY LOCATION EQUIPMENT AS NEEDED TO ESTABLISH ACCURATE LOCATIONS PRIOR TO ANY EXCAVATION. THE USE OF PROFESSIONAL UTILITY LOCATING COMPANIES PRIOR TO ANY EXCAVATION IS RECOMMENDED.
- DIPRETE ENGINEERING IS NOT A PROFESSIONAL UTILITY LOCATION COMPANY, AND IS NOT RESPONSIBLE FOR UNDERGROUND UTILITIES, DEPICTED OR NOT, EITHER IN SERVICE OR ABANDONED, ANY SIZES, LOCATIONS, EXISTENCE, OR LACK OF EXISTENCE OF UTILITIES SHOWN ON THESE PLANS SHOULD BE CONSIDERED APPROXIMATE UNTIL VERIFIED BY A PROFESSIONAL UTILITY LOCATION COMPANY. DIPRETE ENGINEERING ASSUMES NO RESPONSIBILITY FOR DAMAGES INCURRED.
- UNDERGROUND WATER, SEWER, GAS, ELECTRIC AND DRAINAGE INFORMATION OBTAINED FROM AS-BUILT ROADWAY PLAN AND PROFILE, WILKENS LANE AS-ASBILT, HYANNIS, MA 02601, PLAN BY BAXRER, NYW ENGINEERING AND SURVEY, DATED MAY 22, 2015.

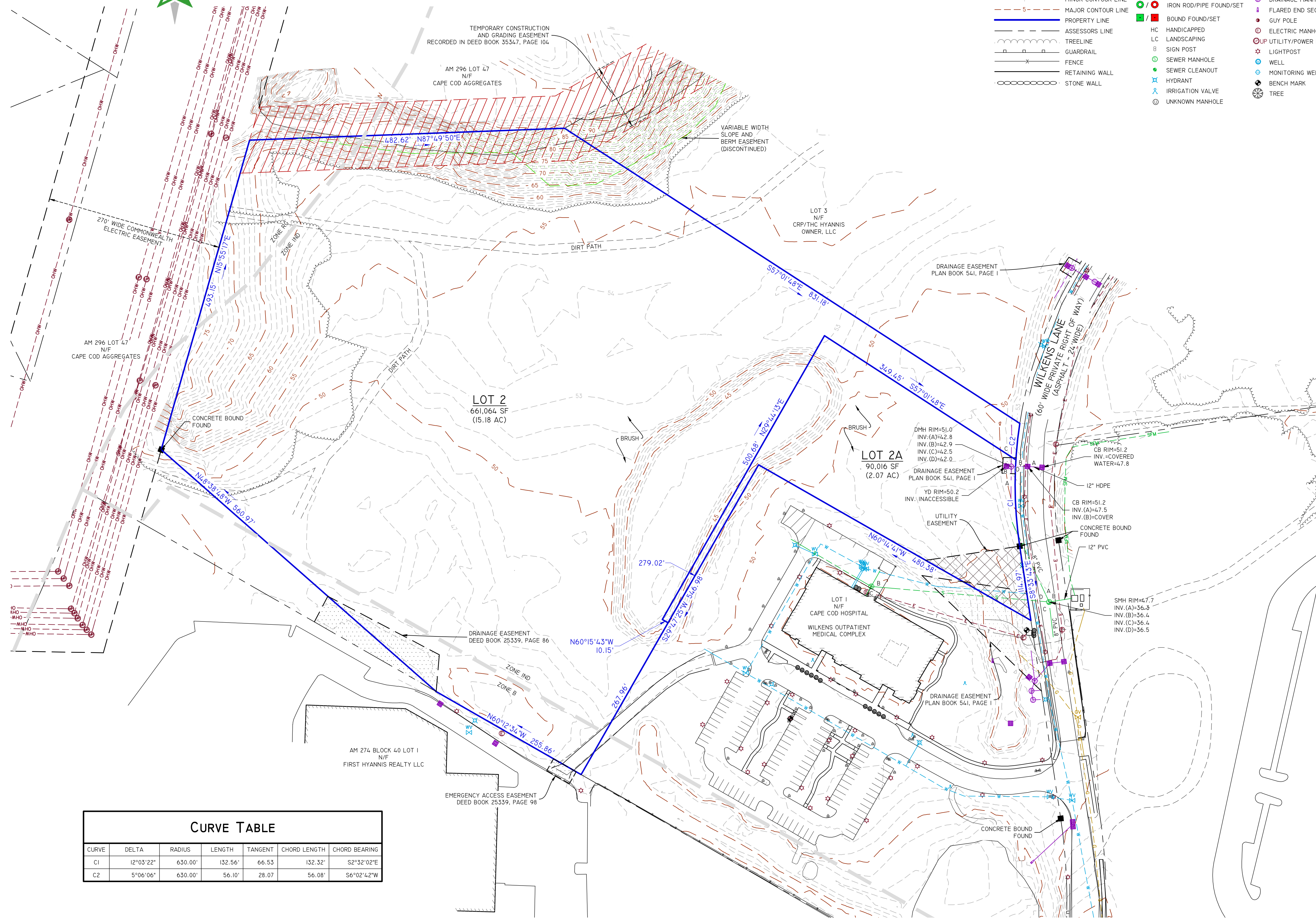
SURVEYOR'S CERTIFICATE

TO: NEW ENGLAND DEVELOPMENT

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 5, 6(A), 7(A), 7(B)(1), 7(C), 8, 9, 13, 14, 16, 8, 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON NOVEMBER 30, 2018.

DATE OF PLAT OR MAP: JUNE 12, 2024

I CERTIFY THAT THIS ACTUAL SURVEY WAS MADE ON THE GROUND IN ACCORDANCE WITH THE RULES AND REGULATIONS AS STATED IN CHR 250 SECTION 6.00.



CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	12°03'22"	650.00'	132.56'	66.53	132.32'	S2°32'02"E
C2	5°06'06"	650.00'	56.10'	28.07	56.08'	S6°02'42"W

Diprete Engineering

Two Station Court, Canton, RI 02920
tel: 401-943-1000 fax: 401-466-0006 www.diprete-eng.com

Boston • Providence • Newport

ALTA/NSPS LAND TITLE SURVEY

WILKENS LANE
ASSESSOR'S MAP 296 LOT 39
BARNSTABLE, MASSACHUSETTS

CLIENT: NEW ENGLAND DEVELOPMENT
76 PARK PLAZA
BOSTON, MASSACHUSETTS

DATE: 6/12/24
NO: 0
ALTA/NSPS LAND TITLE SURVEY
DESCRIPTION: ALTA/NSPS

6/12/2024

ALTA/NSPS LAND TITLE SURVEY

WILKENS LANE
ASSESSOR'S MAP 296 LOT 39
BARNSTABLE, MASSACHUSETTS

CLIENT: NEW ENGLAND DEVELOPMENT
76 PARK PLAZA
BOSTON, MASSACHUSETTS

DATE OF PLAT OR MAP: JUNE 12, 2024

I CERTIFY THAT THIS ACTUAL SURVEY WAS MADE ON THE GROUND IN ACCORDANCE WITH THE RULES AND REGULATIONS AS STATED IN CHR 250 SECTION 6.00.

SHEET 1 OF 1

z:\client\projects\2024\001_attucks_lane\subarea_drawing\2428-001-001_attucks_lane.dwg (Printed: 6/12/2024)

DE JOB NO: 2424-00 COPYRIGHT 2024 BY DIPRETE ENGINEERING ASSOCIATES, INC.

EXHIBIT E

Description of Public and Private Facilities

- **Project Site Access**
 - The Proposed Project's access points will be off Wilkens Lane, a private, previously constructed roadway. Additional publicly-funded traffic improvements have been constructed in the area including a new traffic signal at the intersection of Attucks Lane and Wilkens Lane.
 - Pedestrian and bicycle access to the site from existing adjacent networks will be integrated into the Proposed Project.

- **Project Site Utilities**
 - As part of a recent sewer extension project, a service stub to the Project Site was installed along Kidds Hill Road. This stub will service the Proposed Project. .
 - There is an existing public water main located in Wilkens Lane which will serve the Proposed Project.
 - Underground electric, telephone, gas and communications infrastructure are available in Wilkens Lane. Connection costs will be funded by the Proposed Project.
 - The Proposed Project will require private stormwater systems be constructed to manage and treat stormwater flows from the Proposed Project. These systems will be located within the Phase 2 Property and will be constructed and maintained by the Proposed Project.

EXHIBIT F

Description of Anticipated Development Permits

The Proposed Project currently anticipates the following required local development permits:

- Site Plan Approval from the Town of Barnstable Building Department
- Special Permit from the Town of Barnstable Zoning Board of Appeals
- Sewer connection permit from the Town of Barnstable
- Water connection permit from the Barnstable Water District

EXHIBIT G

Preliminary Site Plan

[See attached]



CAPE CODE
AGGREGATE
AP 296 LOT 47
17.48 ACRES

MULTI-FAMILY
PHASE 2
LOT 2B
15.10± ACRES

HANOVER
MULTI-FAMILY
PHASE I
LOT 3
AP 296 LOT 47
17.48 ACRES

FUTURE
DEVELOPMENT
LOT 3
4.3± ACRES

FUTURE
DEVELOPMENT
LOT 2A
2.10± ACRES

CAPE COD
HEALTHCARE
LOT 1
AP 296 LOT 39
8.27 ACRES

WILKENS LANE

KIDS HILL RD

WILKENS LANE

SCALE: 1"=100'
0 50' 100' 200'

CONCEPT PLAN RENDERING
LOCATED ON 35 WILKENS LANE
BARNSTABLE, MASSACHUSETTS



Two Stafford Court, Cranston, RI 02920
tel 401-943-1000 fax 401-464-6006 www.diprete-eng.com

DATE: 03/18/2024
DRAWN BY: KMR

DRAFT 4/18/2024

Z:\SERV\PROJECTS\2428-001 ATTICUS LANE\AUTOCAD DRAWINGS\2428-001-RDR\RESET-RETAIL-2.DWG PLOTTEE: 4/18/2024

EXHIBIT H

Written Design Narrative

[See attached]



HANOVER COMPANY

Project Narrative

Hanover Hyannis II

Introduction

Hanover Company (“Hanover”) is pleased to submit the following Project Narrative for the development of an approximately 15.1-acre parcel of land, previously disturbed by a sand and gravel operation, located on Wilkens Ln in the village of Hyannis, MA (the “Site”). Hanover intends to develop the Site as a 320-unit multifamily rental community consisting of five (5) four-story wood-framed residential buildings and one (1) single story clubhouse/amenity building, together served by a combination of surface parking and detached garages (the “Project”).

The clubhouse building will host amenities that include a demonstration kitchen, fitness center, conference rooms and seating areas, among other curated spaces for residents. The Project will include residential amenities such as a community pool, professionally landscaped courtyards, outdoor seating areas, grills for outdoor cooking, and a designated dog run area. The planned unit design and finishes will be similar to the recently completed Hanover Project also on Wilkens Ln (stainless appliances, laminate wood flooring, and natural stone countertops).

Hanover intends to work in partnership with the Cape Cod Commission throughout the Development of Regional Impact (DRI) process to ensure that the Project is, i) appropriately sited within the Mixed-Use Subzone of the Medical Services Overlay District, ii) consistent with Cape Cod’s distinctive regional character, and iii) a thoughtful representation of new development’s ability to both protect and enhance the region’s built and natural environment in accordance with the Community Design Technical Bulletin.

Objective CD1: Promote Context Sensitive Building and Site Design

The Site location within the Mixed-Use Subzone of the Medical Services Overlay District is adjacent to existing large scale commercial and residential developments including Hanover Hyannis (Phase I), Wilkens Outpatient Medical Complex, BJ’s, KAM Appliances, and Cape Cod Aggregates Corporation. The form and scale of the four-story residential buildings will not exceed a maximum height of 55’ and are duplicative in scale of Hanover Hyannis (Phase I). The Project will remain shielded by the adjacent multi-story commercial and residential developments. Pedestrian accommodations will connect the Project to the existing sidewalk system along Wilkens Lane, providing multimodal access to nearby retail and commercial amenities

The Project will be accessed via Wilkens Lane. To reduce the impacts along the Project entry, Hanover has strategically placed the single story clubhouse building at the front of the Project and oriented the residential buildings so that the narrower façade is facing the entry, allowing the residential buildings to maintain a building profile that is more consistent with the region’s traditional scale.

Long repetitive facades will be interrupted by various mass-breaking elements. These mass-breaking elements will be incorporated and will take the form of various vertical divisions consisting of varying façade materials, an enhanced color palette, and roof line variations. Each primary and secondary entry will utilize awnings and/or canopies to announce building entries to the pedestrian circulation systems. The heights of the awnings and/or canopies will be proportional to the height of



HANOVER COMPANY

the first floor of the building. These features are meant to be incorporated into the building form while simultaneously breaking the building façade.

The Project roof lines vary across the length of the residential buildings. As currently designed, the residential buildings incorporate a pitched roof combined with gable and hip roof design features meant to reduce roof masses into smaller elements and vary their relationship to the ground. The pitched roof will have a minimum pitch of no less than 4 inches in 12 inches and a maximum pitch of no more than 9 inches in 12 inches. To the maximum extent practical, all roof equipment and projections will be appropriately screened either by parapets or contained in a mechanical well within the roof.

As an alternative to siting the residential buildings along the Site access drive, a thoughtfully designed single-story clubhouse is sited at the Project entry to reduce the massing of the residential buildings behind. Additionally, single story detached parking garage buildings will be utilized to reduce the massing of the residential buildings, and to provide further screening from adjacent roadways. Positioned at the Site entry, the single-story clubhouse building will serve as the Project leasing office and will contain amenities such as a demonstration kitchen, fitness center, multiple conference rooms, and curated work-from-home spaces.

Building materials that are commonly used and that are compatible with the surrounding commercial and residential environment, such as fiber cement and vinyl, will be utilized. The Project façade is designed using a traditional New England/Cape Cod color palette and will be composed mostly of lap/clapboard and shingle siding having a matte finish and smooth texture. Windows shall be proportioned with the scale of the building mass and an approximate size of 6'-0" wide and 6'-0" tall.

The Project landscaping focuses on a drought tolerant, hardy New England planting palette that thrives in the local climate and allows for reduced watering requirements. Native, low impact selections, and Cape Cod specific cultivations have been incorporated based on local guidelines. Light-colored hardscape materials will be used to reduce urban heat island effects. All site lighting will be low energy use LED fixtures and will comply with dark sky initiatives.

Objective CD2: Minimize the Amount of Newly Disturbed Land and Impervious Surfaces

The Site, a former gravel pit, was previously disturbed and is generally void of mature vegetation, making it an ideal location for redevelopment.

To the western portion of the Site, the Project will be screened by an existing berm that is approximately 20' higher than the Project's proposed finished grade. To maintain the existing berm, Hanover has incorporated an approximately 120' buffer along the western property line so as to maintain the screening benefits granted by the berm and to not disturb the currently vegetated area.

The Project has been sited away from the existing berm to reduce cut/fill and the requirement for a large retaining wall.



HANOVER COMPANY

A majority of the Project parking is located on the sides and rear portions of the Site, while maintaining an effective parking distribution for future residents to access the residential buildings and the clubhouse. Landscape islands will be utilized in the surface parking lot to break up the continuity of the surface parking. Detached parking garages will also be incorporated to further reduce the scale of the residential buildings and break up the surface parking. The Project will be fully accessible through an intricately designed system of pedestrian walkways and crosswalks.

As required by the Groundwater Protection Regulations, the site design will maintain a 50% minimum pervious requirement. Multiple lawn areas, robust landscaping, and natural vegetation buffers will be incorporated into the Project's landscape design. Permeable pavers and other porous surfaces will be used where possible to reduce impervious areas. The residential condensing units will be housed on the roof rather than on the ground, further reducing impervious area and visual interruption of the Project's landscaping by mechanical equipment.

The pitched roof design will include a mechanical well, allowing for the residential condensing units to be housed on the roof instead of on the ground, further reducing impervious area and visual interruption of the Project's landscaping by mechanical equipment.

Objective EC1: Protect and build on the Cape's competitive advantages

The Project is preserving as much of the existing vegetation and previously disturbed land as feasible and will provide a minimum of 50% pervious area through thoughtfully designed parking and building layout. Internal sidewalks and pedestrian connectivity opportunities to adjacent sites and roadways will be provided to promote multiple modes of transportation.

Access to the Project will be off Wilkens Ln, a private roadway, but suggested mitigation improvements to local roadways and commercial corridors are outlined in the Transportation Impact Assessment attached under separate cover.

Objective EC2: Use resources and infrastructure efficiently

The Project, which is a redevelopment of an existing sand and gravel operation, includes new underground utilities and the required infrastructure in the roof to provide for future solar PV panels. The Project is also providing secured bike parking to EV chargers within the parking areas to promote alternate modes of transportation.

EXHIBIT I

Fiscal Impact Report

[See attached]

Fiscal Impact Analysis

**Wilkens Lane Residential Phase II
September 5,2024**

**Prepared For
New England Development**



FOUGERE PLANNING & DEVELOPMENT, Inc.
Mark J. Fougere, AICP

phone: 603-315-1288 email: Fougereplanning@comcast.net

Wilkens Lane Residential Phase II
Barnstable, MA
FISCAL IMPACT ANALYSIS

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I. Executive Summary

New England Development is partnering with Hanover Company to redevelop an existing 15.1-acre parcel located on Wilkens Lane in Hyannis, MA. The proposal includes a 320-unit multi-family community, with 13% of the units set aside as affordable (“the Project”). The following bullet points summarize the positive fiscal impact resulting from the proposed development:

- The Project is estimated to generate approximately **\$851,259** in new taxes resulting in an annual positive fiscal impact of **\$520,203** to the Town of Barnstable and Fire District.
- It is estimated that the Town of Barnstable will benefit from \$700,139 in gross tax revenue with an annual net positive fiscal impact of \$436,739. The Fire District will benefit from \$151,120 in gross tax revenue with an annual net positive fiscal impact of \$83,464.
- One-time building permit fees will generate approximately **\$630,000** in revenue.
- **Forty-two (42) affordable housing units** will be created through private investment and without public funding, addressing a critical need in the community and addressing local housing goals.
- Community and economic benefits associated with new housing in a market with significant housing demands.

II. Introduction

New England Development is partnering with the Hanover Company to redevelop an existing 15.1-acre parcel located on Wilkens Lane. The Project includes a 320-unit multi-family community, with 13% of the units set aside as affordable comprised of five (5) four-story buildings, an amenity clubhouse, surface parking and detached garages. Ten percent (10%) of the units will be set aside as affordable to those earning no more than 65% of the Area Median Income and three percent (3%) set aside to those earning more than 65% of the Area Median Income. Table 1 outlines the specific breakdown of one, two and three bedroom units, with 60% being one bedroom units.

Table 1
Apartment Unit Profile

One Bed Mkt.	166
One Bed Afford.	25
Two Bed. Mkt.	98
Two Bed Afford.	15
Three Bed Mkt.	14
Three Bed Afford.	2
	320

The recently completed 2022 Barnstable Housing Production Plan highlights the critical need for affordable housing in the community. Key Findings of the Housing Needs Assessment include:

- The need for a greater diversity of housing types.
- The need for year-round housing.
- The need for workforce housing.
- The need for deed restricted permanent affordable housing.

This Project will address these noted critical needs by setting aside 42 permanent affordable residences, as well as providing an alternative to detached single family homes.

In addition, the Town Council's Strategic Plan Housing Goal is to: "*Identify needs, and develop, promote, and monitor town-wide initiatives for income-equitable,*

affordable, workforce, senior, and rental housing to meet the needs of residents and **increase the overall quality and quantity of housing in Barnstable**". The Project targets these critical housing Goals¹ as well. Also, the Town Council's Strategic Plan Economic Development Goal notes "*Town Council and Town Manager to **support and grow a vibrant economy** with a diversity of businesses, both for-profit, and a strong labor force, taking into consideration promotion of sustainability.*" Without housing diversity, including affordable housing, economic growth in the community cannot occur, hindering vibrancy the Council seeks.

It should be noted that the Project will be operated privately and as such all proposed access ways will be maintained by the owner, as will trash disposal. Public water and sewer will service the site.

Hanover Hyannis Phase 1

Adjacent to the Project, Hanover recently began leasing a 272-unit building ("Hanover Hyannis Phase 1") which is currently 48% occupied² (130 units of 272) with 142 total leases signed. At this this time occupant demographics note a wide range of population, with an average age of 41. These residents are employed in a diverse range of local occupations including: the Coast Guard, Cape Cod Hospital, Cape Air, JetBlue, local outpatient practices, law firms, local contractors, car dealerships, restaurant managers, property management companies, and Cape and Islands school departments. Most of the current residents (over 60%) have moved from Cape Cod communities, including the immediate area.

III. Local Trends

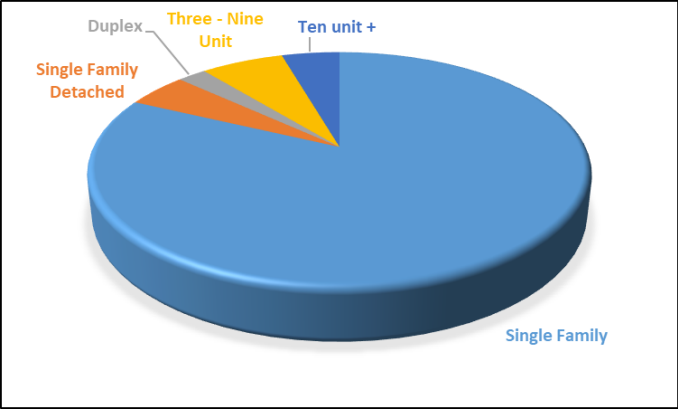
Census figures report that from 2000 to 2010 Barnstable's population decreased from 47,821 to 45,193, showing negative population growth over the 10-year time period. The most recent estimates from the US Census Bureau reflect an increase in population, noting 48,919 residents in 2020, an 8.2% increase since 2010, and an approximately 2% increase over the 2000 population.

¹ Highlighted words emphasize Goals that are met with this rental community.

² As of August 30, 2024.

A majority of Barnstable’s housing stock consists of single family homes, with recent US Census data³ reporting 21,713 single family homes out of a total housing stock of 27,040 units as detailed in Figure 1. The Census data also reports 19,5764 occupied housing units in Barnstable, 75.6% of which are owner occupied, and 24.4% renter occupied. The average renter household size is 2.6 persons per unit (which is higher than the average, 1.85 persons per unit, found in the current lease up of Hanover Hyannis Phase 1).

Figure 1
Housing Types

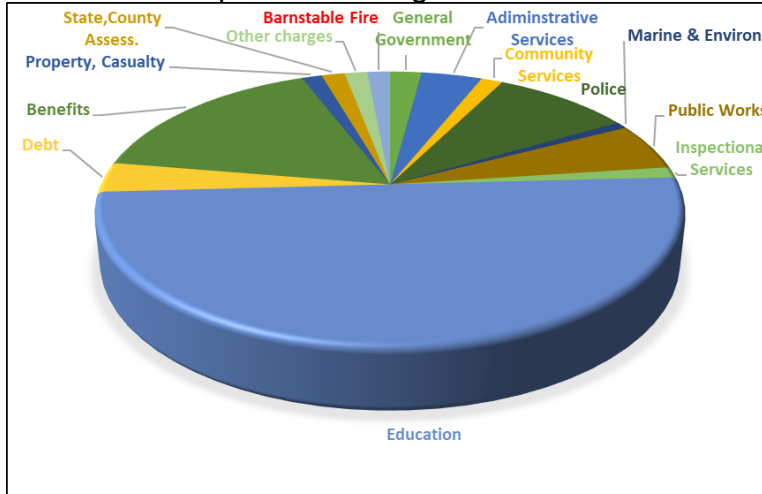


Budget History

Barnstable’s total General Fund operating budget for FY2025 is \$179,201,213. Public Safety and Education account for 58.3% of the total budget; Figure 2. The FY24 Budget for the Barnstable Fire District totals \$3,049,707. Public Safety, Education and Fire account for the largest number of personnel and have the most direct impact on municipal expenditures. Given the large budgetary impact these departments have on the community and the fact that they will experience the most direct measurable impact from the proposed development, they are the primary focus of this Analysis.

³ American County Survey 2018 – 2022.

Figure 2
Department Budget Allocation



IV. Methodology Approach

Fiscal Impact Analyses can have many connotations, this analysis will follow the classic definition of fiscal impact as follows “A projection of the direct, current public costs and revenues associated with residential or nonresidential growth to the local jurisdiction in which the growth is taking place⁴.”

There are a number of methodologies that are used to estimate fiscal impacts of proposed development projects. The Per Capita Multiplier Method is the most often used analysis to determine municipal cost allocation. This method is the classic “average” costing method for projecting the impact of population growth on local spending patterns and is used to establish the costs of existing services for a new development. The basic premise of this method is that current revenue/cost ratios per person and per unit are a potential indicator of future revenue/cost impacts occasioned by growth. New capital expenditures required for provision of services to a development are not added to current costs; instead, the present debt service for previous improvements is included to represent ongoing capital projects. The advantage of this approach is its simplicity of implementation and its wide acceptance by both consultants and local officials. The downside of this approach is that the methodology calculates the “average” cost as being the expected cost, which is often not the case, and costs are exaggerated - significantly in some

⁴ Burchell.

instances. (For example, if one student is added to a school system, limited cost impacts will occur; however, based on an “average” cost to educate one student the cost could be noted as \$18,000/year, which includes such costs as existing debt, building maintenance, administrative and other factors, all of which will be minimally impacted by the addition of one student. The “true cost” could be significantly less, especially in those communities with declining enrollment.)

The Marginal Cost Approach is a more realistic methodology that can be used to estimate and measure developmental impacts based on actual costs that occur in the community. At this time, a “level of service” exists in Barnstable to serve the community. This existing service level, for the most part, addresses the needs of the community through existing tax collections. As new development occurs, pressures are placed on some departments to address increased demands, while other departments experience negligible, if any impacts. In reviewing the potentially impacted town departments specifically, a truer picture of anticipated cost impacts can be determined. The Report will use this methodology unless discussions with Department heads lead to no definitive cost conclusion, in which case the Average Costing Method will be applied.

Given the nature of the Project, as will be shown by the analysis below, measurable impacts will be limited to a few Town departments. Any required off-site traffic and roadway improvements are expected to be addressed during the approval processes with the Town. Solid waste generated by the Project will be the responsibility of the Project owner. Sewer and water expenses associated with the Project will be offset through user fees, and the costs of any required municipal utility upgrades will be addressed during the approval process.

All on-site property improvements and maintenance expenses will be paid for by the Project owner. This report does not intend to imply that no costs will occur as a result of the Project. Impacts of the Project are expected to result in the School Department along with the Police and Fire Departments. Other Town agencies are projected to experience little or no measurable impacts.

V. Local Revenues from Development

A) Property Taxes

Local property taxes provide the bulk of municipal revenues for Barnstable, totaling 69.9% of all revenues to the General Fund⁵. Barnstable’s present tax rate is \$6.65 per \$1,000 valuation for residential uses and \$5.92 for commercial/industrial uses. In addition, the proposed project will be located within the Barnstable Fire District which has a residential tax rate of \$2.11, applied to all uses.

Reviewing local market conditions and construction costs, for this analysis we are estimating a project assessed value of \$72,000,000 generating \$478,800 in annual property tax revenue to the Town of Barnstable while the Barnstable Fire District revenue is estimated at \$151,920, totaling \$630,720 as detailed in Table 2.

Table 2
Estimated Yearly Apartment Property Taxes – Barnstable & Fire District

	# Units	Value/Unit	Total Value
Wilken Lane Apartments	320	\$225,000	\$72,000,000
Town Tax Rate	\$6.65	Est. Revenue	\$478,800
Barnstable Fire District	\$2.11	Est. Revenue	\$151,920
Total Property Taxes			\$630,720

Based upon the Project’s estimated value, the Project will become the 4th largest taxpayer in the community as shown in Table 3

Table 3
Top Taxpayers in Barnstable

Project Owner	Total Assessment
Eversource	\$195,568,020
Mayflower Cape Cod	\$157,394,200
National Grid	\$80,015,170
The Project	\$72,000,000

⁵ Fiscal Year 2025 Budget Summary.

B) Motor Vehicle Excise Tax

Another major revenue source for the community is motor vehicle excise taxes. In fiscal year 2025 the Town of Barnstable received a total of \$8,557,000⁶ from this revenue source. Based on an average vehicle value, Table 4 outlines a projected \$206,975 in vehicle excise tax revenue from the Project.

Table 4
Motor Vehicle Excise Tax

# Cars ⁷	Avg. Value	Total Value
487	\$17,000	\$8,279,000
\$25 x \$7,305		\$206,975

C) Community Preservation Surcharge

The Town of Barnstable has adopted the Community Preservation Act allowing the community to impose a 3% surcharge on the Town's property taxes. Based upon the projected Town taxes outlined in Table 2, an estimated CPA surcharge of \$14,364 was calculated as summarized in Table 5.

Table 5
Community Preservation Surcharge

Property Taxes	CPA Surcharge
\$478,800	\$14,364

D) Estimated Yearly Project Revenues

In summary, the Project is estimated to generate \$700,139 in yearly revenues to the Town of Barnstable from property taxes, excise taxes and CPA Surcharge as summarized in Table 6.

Table 6
Estimated Yearly Revenue - Barnstable

Residential Property Taxes	\$478,800
Vehicle Excise	\$206,975
CPA Surcharge	\$14,364
Total	\$700,139

⁶ FY2025 Operating Budget Summary.

⁷ 1.2 vehicles per one-bed unit; 2 vehicles per two and three-bed units.

The Barnstable Fire District tax rate is \$2.11 per \$1,000 and as such, the District will realize **\$151,120** in gross new yearly revenue from the Project.

Additional one-time payment revenues will also be realized as part of the Project, these will be detailed further below.

VI. Municipal & School Service Costs

Given the nature of the Project, as will be seen in the analysis below, measurable impacts will be limited to three key Town departments, the school, police and fire departments. All onsite maintenance will be the responsibility of the property owner, including maintenance of access drives and trash removal. It should also be noted that Wilkens Lane, a private road, will also be privately maintained.

Police & Fire

The Police and Fire Departments will experience increased demand for services from the Project. For fiscal year 2025 the Police Department's budget is \$18,709,328, and the Department responds to approximately 68,000 calls for service annually. The Fire District's budget⁸ is \$3,049,707, and they responded to approximately 1,781 calls in 2023, 64.2% being EMS.

To assess the degree of impact the Project would have on these departments, we initially reviewed comparable multi-family emergency call data from over 3,000 "off-cape" multi-family complexes, as "on-Cape" comparable projects do not exist⁹. In discussing this data source with both the Fire and Police Chiefs, the preference is to rely on local data to estimate emergency calls. Given this request, emergency call data was obtained from five local multi-family complexes (summarized in Table 7) with total yearly calls averaged to determine the annual number of calls per unit. These ratios were then totaled to derive an average call volume per unit, which was then used to generate projected emergency calls for each Department. It should be noted that 50% of Village Green's units are designated affordable and Everleigh

⁸ FY24 Budget.

⁹ Reviewing larger 100 + unit comparable apartment complexes in Barnstable indicate that they are either age restricted or 50% of the units are affordable.

Cape Cod is a 100% age-restricted facility; these conditions influence service demand differently as compared to the Project’s market rate residential use.

Extrapolating the comparable call data from the 456 local multi-family units, annual Police calls are projected to increase by 0.765 calls per unit or 245 calls per year (4.7 calls per week), and annual fire/EMS calls are projected to increase by 1.059 calls per unit or 339 calls per year (6.5 calls per week) as detailed in Table 7.

It is our professional opinion, the emergency calls ratios from the Carriage House-Harbor House and Residence at 850 are more reflective of potential increases in calls for service from the Project. If this combined data set is used, an estimated 152 police calls per year, and 101 fire/EMS calls per year may be generated by the Project.

To provide additional context, call data from “off Cape” apartment communities are noted in the Appendix. If this data source is applied to the Project, 125 new police calls per year are estimated and 60 fire/EMS calls per year are estimated.

Table 7
Projected Emergency Service Calls

Project	Town	Units	Avg. Police Calls Per Year	Avg. Call Per Unit
Village Green - 50% affordable	Barnstable	120	235	1.958
Everleigh Cape Cod - Senior	Barnstable	225	61	0.271
Carriage House	Barnstable	29	15	0.517
Harbor House	Barnstable	29	10	0.345
Residence at 850 ¹⁰	Barnstable	53	28	0.528
Totals		456	349	0.765
The Project’s Estimated Police Calls		320		245
<hr/>				
Project	Town	Units	Avg. Fire/EMS Calls Per Year	Avg. Call Per Unit
Village Green - 50% affordable	Barnstable	120	155	1.292
Everleigh Cape Cod - Senior	Barnstable	225	293	1.302
Carriage House	Barnstable	29	8	0.276
Harbor House	Barnstable	29	5	0.172
Residence at 850	Barnstable	53	22	0.415
Totals		456	483	1.059
The Project’s Estimated Fire/EMS Calls		320		339

¹⁰ New apartment complex, 6 months of call data was obtained and calculated into an estimated yearly figure.

Police Department

To gain an understanding of the impact of the Project on the Police Department, we discussed the Project with Police Chief Jean Challies. The Chief recognizes that the cost of housing is an issue in Barnstable and on the Cape and how that has affected the recruitment of new officers, who cost approximately \$130,000 annually including benefits. The department has seen increased occupancy levels of apartment units, which has led to increased calls for service to those locations. In order to provide operational details of the Project, a senior member of the Hanover Company (who will be managing the Project) met with the Chief to provide context on how their buildings are professionally leased and managed with on-site staff to help limit Public Safety calls. It is the goal of Hanover to create a positive working relationship with the police department and address issues immediately should they arise. To account for potential costs to the department from this new land use, we will allocate a cost of \$65,000 (1/2 police officer cost).

Fire Department

In discussions with Barnstable's Fire District Chief, Chris Beal, the Chief does not foresee issues in being able to respond to calls from the Project. Chief Beal believes the Project will be a positive addition to the community given the local housing crisis that exists on the Cape. Maintaining staffing levels, given the high cost of housing, continues to be a challenge. Given growth in Barnstable in recent years, a new fire station has been proposed and expected to be in place and open within three years. At this time staffing levels are adequate, but additional staff will be required as demand for service increases. Call volumes continue to grow each year, with EMS calls growing at a faster rate. The annual cost of a fire fighter, including benefits is approximately \$100,000.

The Fire District generates revenues from Ambulance activity and in 2023 collected \$712,037 in fees or an average of \$622 a call¹¹. With an estimated 52 annual ambulance calls generated by the Project¹², \$32,344 in EMS revenue is anticipated.

¹¹ 2023 1,144 EMS calls.

¹² Based upon EMS call data from Carriage House, Harbor House and Residence at 850.

The Cost of a new fire fighter has been taken into account, and with the additional EMS revenues as an offset, the Net Total cost of the new fire fighter is \$67,656 annually.

Building

Building Department costs were not included in this analysis because they are not permanent annual impacts and will be offset by building permit fees¹³. Building permit fees are estimated to generate approximately **\$630,000** in revenue.

Public Works

All roads within the Project will be private and maintained by the Project owner. Additionally, where Wilkens Lane is a private road, maintenance costs will not be borne by the town. Solid waste will also be the responsibility of the Project. Not included in this analysis are water and sewer connection fees that will be generated by the Project.

Other Departments

It is not anticipated that measurable impacts will occur within other town departments and therefore detailed cost impacts have not been estimated. However, to account for nominal impacts, a cost of \$120 per unit, or **\$38,400**, has been carried to offset any incidental municipal costs not specifically identified¹⁴.

¹³ Building permit \$9.10/\$1,000 est. const. cost.

¹⁴ Avg. \$120 per unit, increased demand for services impacting operations of other town departments is expected to be indistinguishable.

School Department

The Barnstable School District's 2023/24 enrollment is 4,355 students and is housed in 8 schools; five elementary, two middle, and one high school. The 2025 Barnstable Public School Department budget was \$89,375,780.

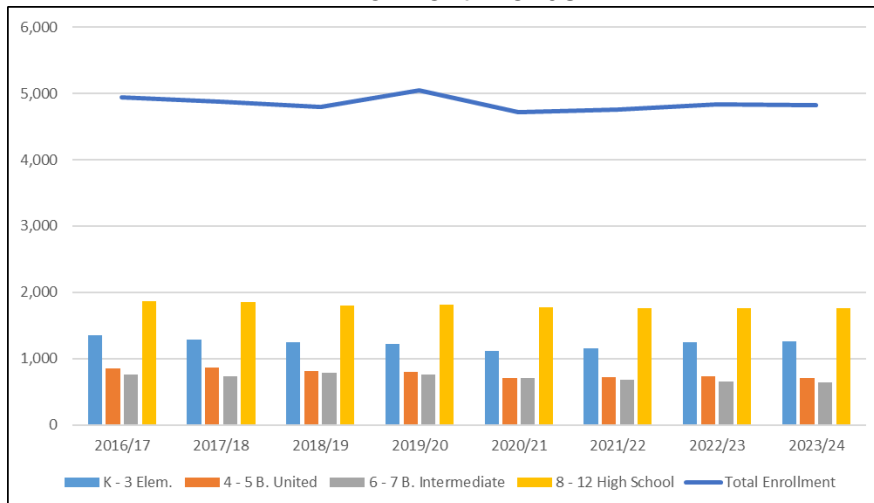
Enrollment History

Barnstable Public school enrollment has declined over the last eight years, decreasing 2.6% overall (131 fewer students) as detailed in Table 8 and Figure 3. Although Pre-Kindergarten ("PK") enrollment has increased since 2016, this trend has not continued in the elementary grades except for small increases seen in the Innovation School. Higher grade levels have all realized decreasing enrollments overall.

Table 8
Enrollment Trends 2016-2023

Grades	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	% Change
PK - Enoch Cobb	126	135	146	161	124	149	157	153	21.43%
K - 3 Elem.	1,350	1,284	1,252	1,221	1,114	1,154	1,242	1,254	-7.11%
4 - 5 B. United	852	857	810	804	705	712	735	706	-17.14%
6 - 7 B. Intermediate	754	737	781	756	708	682	651	639	-15.25%
8 - 12 High School	1,866	1,857	1,802	1,807	1,769	1,762	1,763	1,756	-5.89%
K - 3 Barn. Comm. Innovation	0	0	0	292	292	292	290	309	5.82%
Total Enrollment	4,948	4,870	4,791	5,041	4,712	4,751	4,838	4,817	-2.65%
W. Barnstable Elem.	260	260	258	245	221	241	264	253	-2.69%

Figure 3
Enrollment Trends



Projected School Enrollment Estimates

To gain an understanding of the Project’s potential school related fiscal impact, the anticipated number of school children that may be generated by the Project was analyzed. The Project contemplates a mix of one, two and three bedroom units with a majority (60%) being one bedroom units, as detailed in Table 9, which generate few school-aged children (“SAC”). Thirteen (13%) percent of the units will be designated as affordable.

Table 9
Bedroom Mix Breakdown

Bedroom Mix	# Units
One Bed Mkt.	166
One Bed Afford.	25
Two Bed. Mkt.	98
Two Bed Afford.	15
Three Bed Mkt.	14
Three Bed Afford.	2
	320

To estimate the number of potential SAC, a detailed database containing over 1,000 multi-family units¹⁵ where enrollment is documented based upon unit type (garden style: bedroom type/market rate) has been analyzed. Applying these ratios to the Project, 42 school-aged children are estimated to be generated by the Project, per Table 10. There is the potential that some of these students will already be enrolled in the school system, having relocated within Barnstable, or that some children will attend private schools, thus yielding fewer new students. To be conservative, this analysis has not taken that possibility into account.

¹⁵ Wilmington, Sharon, Hingham, Northborough, Randolph.

Table 10
Comparable School Enrollment Estimates

Bedroom Mix	# Units	Per Unit SAC Ratio	SAC
One Bed Mkt.	166	0.009	1.49
One Bed Afford.	25	0.021	0.53
Two Bed. Mkt.	98	0.18	17.64
Two Bed Afford.	15	0.57	8.55
Three Bed Mkt.	14	0.812	11.37
Three Bed Afford.	2	1.19	2.38
	320		42

Based upon typical grade profile data, breakdown of the 42 new students is anticipated to include 25 elementary age, 9 middle school, and 8 high school. It is also expected that the distribution of students will be uniform across all grade levels.

Table 11
Estimated Enrollment Breakdown

60% PK - Grade 6	25
20% Middle School	9
19% High School	8

School Costs

Given the continued decline in enrollment realized over the last seven years, it is unlikely that additional staff¹⁶ will be required as estimated new students will be replacing seats vacated by former students and therefore no added school costs are anticipated. However, in order to be conservative, additional expenses related to special education will be carried. The percentage of students that require special educational services generally averages from 16 to 20% of the total student population. Average costs can range from \$10,000 - \$20,000 per student. Conservatively, this analysis anticipates 20% of the estimated new student population (8 students) will require assistance at a per pupil cost of \$20,000. This generates an estimated total school cost of **\$160,000**.

The community annually receives Chapter 70 Aid and in FY2025 an estimated \$24,911,233 is anticipated, averaging \$4,694 per pupil. This aid, which is tied to

¹⁶ Efforts to discuss the proposed project with the School Superintendent were unsuccessful.

enrollments and other factors will assist in offsetting school related impacts. Based on the projected increased school enrollment, it is estimated that Chapter 70 Aid¹⁷ would increase by approximately \$197,000.

In summary, the Project is estimated to generate 42 new school-aged children, but given declining enrollment within the school district, the new students will not have any measurable cost impacts. In an effort to be conservative in this fiscal analysis, \$160,000 of annual costs associated with increased special education services have been included. However, further to the conservative approach of this analysis, an estimated \$197,000 of potential new Chapter 70 Aid has not been included.

¹⁷ Mass. Dept. of Rev. FY2025 Local Aid Estimate

VII. Fiscal Summary

As detailed in the preceding sections, annual gross revenues from the Project consist of real estate taxes, excise taxes and CPA fund which total \$700,139 in annual gross revenues¹⁸ to the Town of Barnstable and \$151,120 to the Barnstable Fire District (**\$851,259 total**).

New costs to the Town in connection with the Project total \$263,400 and consist of Police, Schools, and other municipal department expenses. **As summarized in Table 12 and Table 13, the Project provides a net positive gain in revenues of \$520,203 to the Town of Barnstable and Barnstable Fire District.**

Table 12
Barnstable Estimated Annual Fiscal Impact

Gross Rev. Property Taxes, Excise Taxes & CPA	\$700,139
<hr/>	
Estimated Municipal Costs	
Police	-\$65,000
Other Departments	-\$38,400
School Costs	-\$160,000
Total Costs	-\$263,400
<hr/>	
Net Annual Positive Fiscal Impact	+\$436,739

Table 13
Barnstable Fire District Estimated Annual Fiscal Impact

Gross Property Taxes	\$151,120
Fire Dept. Costs	-\$67,656
Net Annual Positive Fiscal Impact	+\$83,464

Fougere Planning is not suggesting that budgets should be increased to offset the noted costs, but these conservative findings should be viewed as potential costs and future budget increases will be addressed by Town officials through the standard budgetary process. These “costs” will not be incurred by the Town unless budgetary increases are approved.

¹⁸ Includes taxes from remaining vacant land.

VI. Conclusion

In summary, the Project will provide a positive fiscal impact by generating an estimated total of **\$520,203** of net new revenues annually to the Town of Barnstable and the Barnstable Fire Department.

Appendix

Off Cape Emergency Call Data Police

Project	Town	Units	Avg. Police Calls Per Year	Avg. Call Per Unit
Arlington 360	Arlington	274	62	0.226
Brigram Square	Arlington	119	24	0.202
The Lodge	Foxborough	250	74	0.296
Union Place	Franklin	297	73	0.246
Avalon - Shipyard Garden	Hingham	91	14	0.154
Fairfield Green	Mansfield	200	146	0.730
Pembroke Woods	Pembroke	240	92	0.383
Blue Hills	Randolph	274	148	0.540
Avalon Newton Highlands	Newton	294	153	0.520
Avalon Chestnut Hill	Newton	204	67	0.328
Arborpoint Woodland	Newton	180	22	0.122
Cloverleaf	Natick	183	82	0.448
Berry Farms	North Andover	196	91	0.464
Everly	Wakefield	186	117	0.629
Vista Apartments	Wakefield	114	48	0.421
Totals		3,102	1,213	0.391
Estimated Police Calls		320		125

Fire Department Call Data

Project	Town	Units	Avg. Fire Calls Per Year	Avg. Call Per Unit
Arlington 360	Arlington	274	12	0.044
Brigam Square	Arlington	119	6	0.050
The Lodge	Foxborough	250	26	0.104
Union Place	Franklin	297	19	0.064
Avalon - Shipyard Garden	Hingham	91	8	0.088
Fairfield Green	Mansfield	200	43	0.215
Pembroke Woods	Pembroke	240	9	0.038
Blue Hills	Randolph	274	10	0.036
Cloverleaf	Natick	183	7	0.038
Avalon Newton Highlands	Newton	294	26	0.088
Avalon Chestnut Hill	Newton	204	11	0.054
Arborpoint Woodland	Newton	180	12	0.067
Berry Farms	North Andover	196	20	0.102
Vista Apartments	Wakefield	114	4	0.035
Everly	Wakefield	186	18	0.097
Totals		3,102	231	0.074
Estimated Fire Calls		320		24
Project	Town	Units	Avg. EMS Calls Per Year	Avg. Call Per Unit
Arlington 360	Arlington	274	14	0.051
Brigam Square	Arlington	119	8	0.067
The Lodge	Foxborough	250	24	0.096
Union Place	Franklin	297	44	0.148
Avalon - Shipyard Garden	Hingham	91	21	0.231
Fairfield Green	Mansfield	200	25	0.125
Pembroke Woods	Pembroke	240	70	0.292
Blue Hills	Randolph	274	28	0.102
Cloverleaf	Natick	183	24	0.131
Avalon Newton Highlands	Newton	294	26	0.088
Avalon Chestnut Hill	Newton	204	9	0.044
Arborpoint Woodland	Newton	180	7	0.039
Berry Farms	North Andover	196	24	0.122
Vista Apartments	Wakefield	114	13	0.114
Everly	Wakefield	186	15	0.081
Totals		3,102	352	0.113
Estimated EMS Calls		320		36

EXHIBIT J

Affordable Housing Narrative

[See attached]



HANOVER COMPANY

Housing Narrative

Hanover Hyannis II

Housing Technical Bulletin:

Hanover intends to work in partnership with the Cape Cod Commission throughout the Development of Regional Impact (DRI) process to ensure that the Project, i) promotes an increase in housing diversity and choice, ii) promotes an increase in year-round housing supply, and iii) increases housing affordability in accordance with the Housing Technical Bulletin, as outlined below.

Project Description:

On an approximately 15.1-acre parcel of land, previously disturbed by a sand and gravel operation, located on Wilkens Ln in the village of Hyannis, MA (the “Site”), Hanover Company (“Hanover”) intends to develop the parcel as a high-quality multi-family rental community totaling 320 units, of which approximately 191 will be one-bedroom units, 113 will be two-bedroom units, and 16 will be three-bedroom units. Additionally, 10% (32 units) will be reserved at the 65% Area Median Income (“AMI”) limit in accordance with Barnstable’s Inclusionary Affordable Housing Ordinance, and an additional 3% (10 units) will be reserved at the 80% AMI limit in accordance with the affordable housing unit requirement of the Mixed-Use Subzone of Medical Services Overlay District (the “Project”). The Project will include five, four-story wood framed residential buildings and a single-story stand-alone clubhouse building, together served by a combination of surface and detached garage parking. Residential amenities consist of a professionally landscaped courtyard, resort-style pool, and clubhouse with a demonstration kitchen, fitness center, and conference rooms, among additional inclusions. The planned unit design and finishes are typical of recent Hanover product including, but not limited to, stainless appliances, laminate wood floors, and natural stone countertops.

Cape Cod – Housing Market:

Over the past decade, Cape Cod has experienced a significant surge in seasonal housing demand. The conversion of year-round units to seasonal units continues to apply upward pressure on home values, making it much more difficult for Cape Cod residents to find year-round housing at affordable prices. From 2016 to 2024, Barnstable County’s Zillow Home Value Index (ZHVI) has increased 53% to \$695,447. This rise in pricing coupled with limited housing supply growth has constricted the available units suitable for year-round residents.

In 2022, the Cape Cod Commission completed an update to the Cape’s Regional Housing Needs Assessment. The assessment estimated that, based on a comparison between standard and high year-round population growth projections, the region’s housing demand could outpace supply by 11,000 to nearly 22,000 housing units by 2035. As a result, the region’s limited housing options lead to potential renters being disproportionately displaced. With over 80% of homes in the region being detached, single-family homes, compared to just over 50% and 60% in the state and nation, respectively, multifamily rental housing is supply constrained and cost burdensome.



HANOVER COMPANY

Objective HOU1: Promote An Increase In Housing Diversity And Choice

The Project will be developed on a previously disturbed site and will contain 100% rental units. Approximately 60% of the units will be under 850 square feet, and the community will also offer both two- and three-bedroom unit types to address the needs of a range of life stages.

The Project will design 5% of the units to accessible, with an additional 2% of the units designed for the hearing impaired.

Objective HOU2: Promote An Increase In Year-Round Housing Supply

The Project will add 320 year-round housing units, including a mix of one-bedroom, two-bedroom, and three-bedroom units, to Cape Cod's year-round housing supply.

Objective HOU4: Increase Affordable Housing

The Project will reserve 10% of the units (32 units) as affordable at the 65% AMI limit in accordance with Barnstable's Inclusionary Affordable Housing Ordinance and an additional 3% (10) units will be reserved at the 80% AMI limit in accordance with the affordable housing units requirement of the Mixed-Use Subzone of Medical Services Overlay District. The affordable units will be proportionate to the market rate units in terms of unit mix and location within the Project. The affordable units will match the unit finishes of the market rate units and have access to all of the same amenities.

The affordable units will be restricted as Local Initiative Program Local Action Units, which will require a regulatory agreement be executed in a form acceptable to the Executive Office of Housing and Livable Communities to ensure long-term monitoring and compliance with State guidelines. The affordable units will be counted on Barnstable's Subsidized Housing Inventory. A third-party consultant will be used to market the affordable units and conduct the affordability housing lottery in compliance with the regulatory agreement.

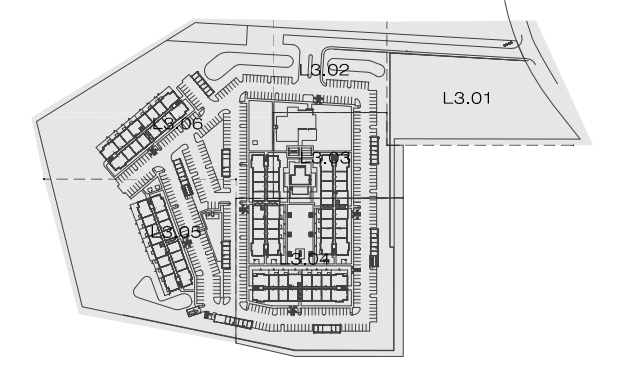
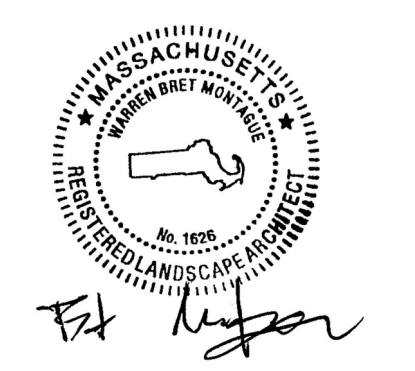
With the inclusion of forty-two (42) affordable units within this project, Hanover Hyannis II will provide a viable housing option for individuals making at or below the 65% AMI limit and the 80% AMI limit. The Fiscal Year 2024 Barnstable, MA 65% AMI limits range from \$55,656 for a one-person household to \$79,463 for a four person household. Similarly, the 80% AMI limits range from \$68,500 for a one-person household to \$97,800 for a four person household.

EXHIBIT K

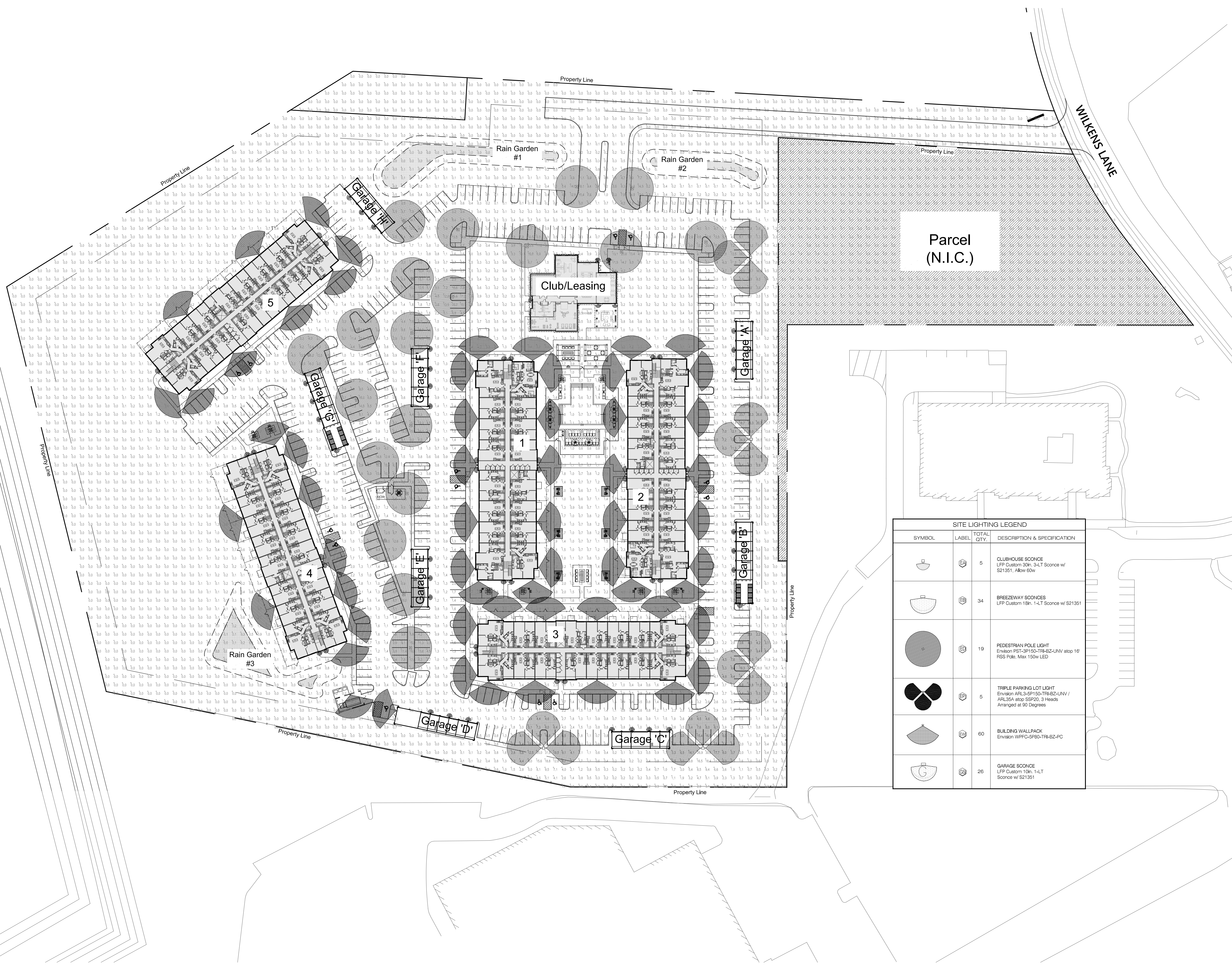
Exterior Lighting

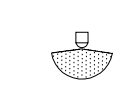
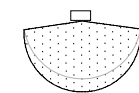
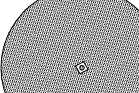

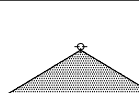
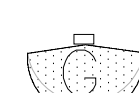
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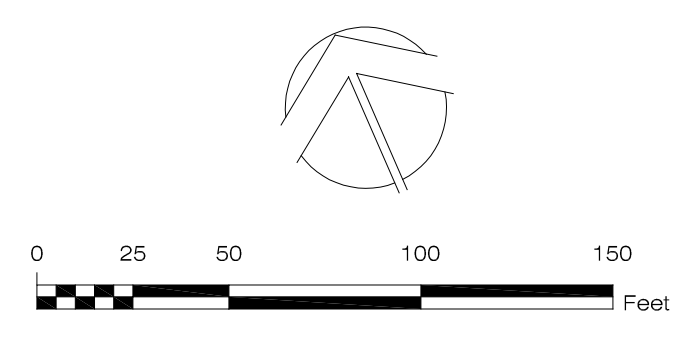
HANOVER
HYANNIS II
Wilkens Lane
Hyannis, MA 02630



ISSUES AND REVISIONS:



SITE LIGHTING LEGEND			
SYMBOL	LABEL	TOTAL QTY.	DESCRIPTION & SPECIFICATION
	EA	5	CLUBHOUSE SCENCE LFP Custom 30in. 3-1T Sconce w/ S21351, Allow 60w
	EB	34	BREEZEWAY SCENCES LFP Custom 18in. 1-1T Sconce w/ S21351
	ED	19	PEDESTRIAN POLE LIGHT Envision PST-3P150-TR-BZ-UNV atop 16' RSS Pole, Max 150w LED
	EE	5	TRIPLE PARKING LOT LIGHT Envision ARL3-SP150-TR-BZ-UNV / ARL304 atop SSP20, 3 Heads Arranged at 90 Degrees
	EF	60	BUILDING WALLPACK Envision WFFC-5P80-TR-BZ-PC
	EG	26	GARAGE SCENCE LFP Custom 18in. 1-1T Sconce w/ S21351



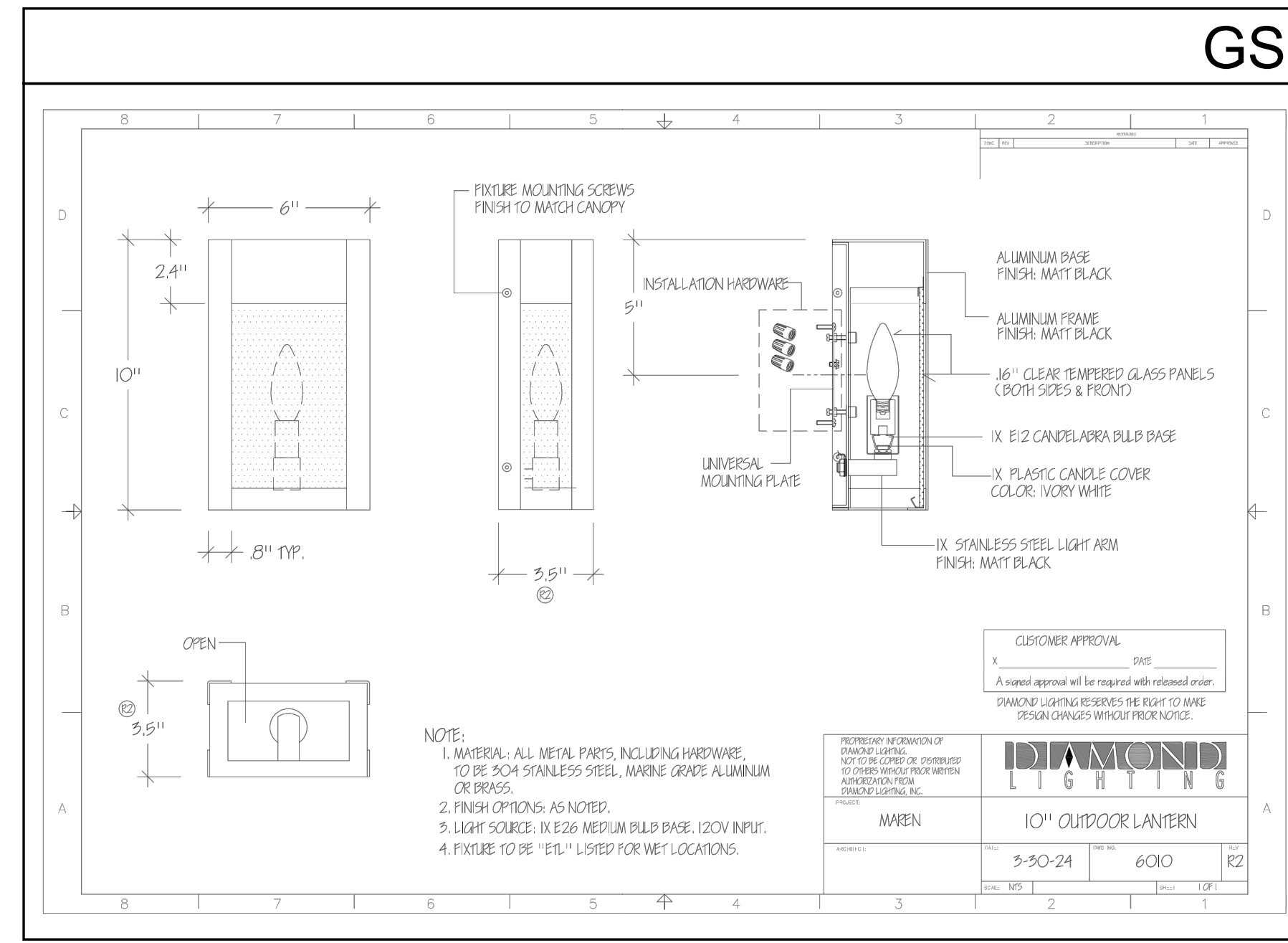
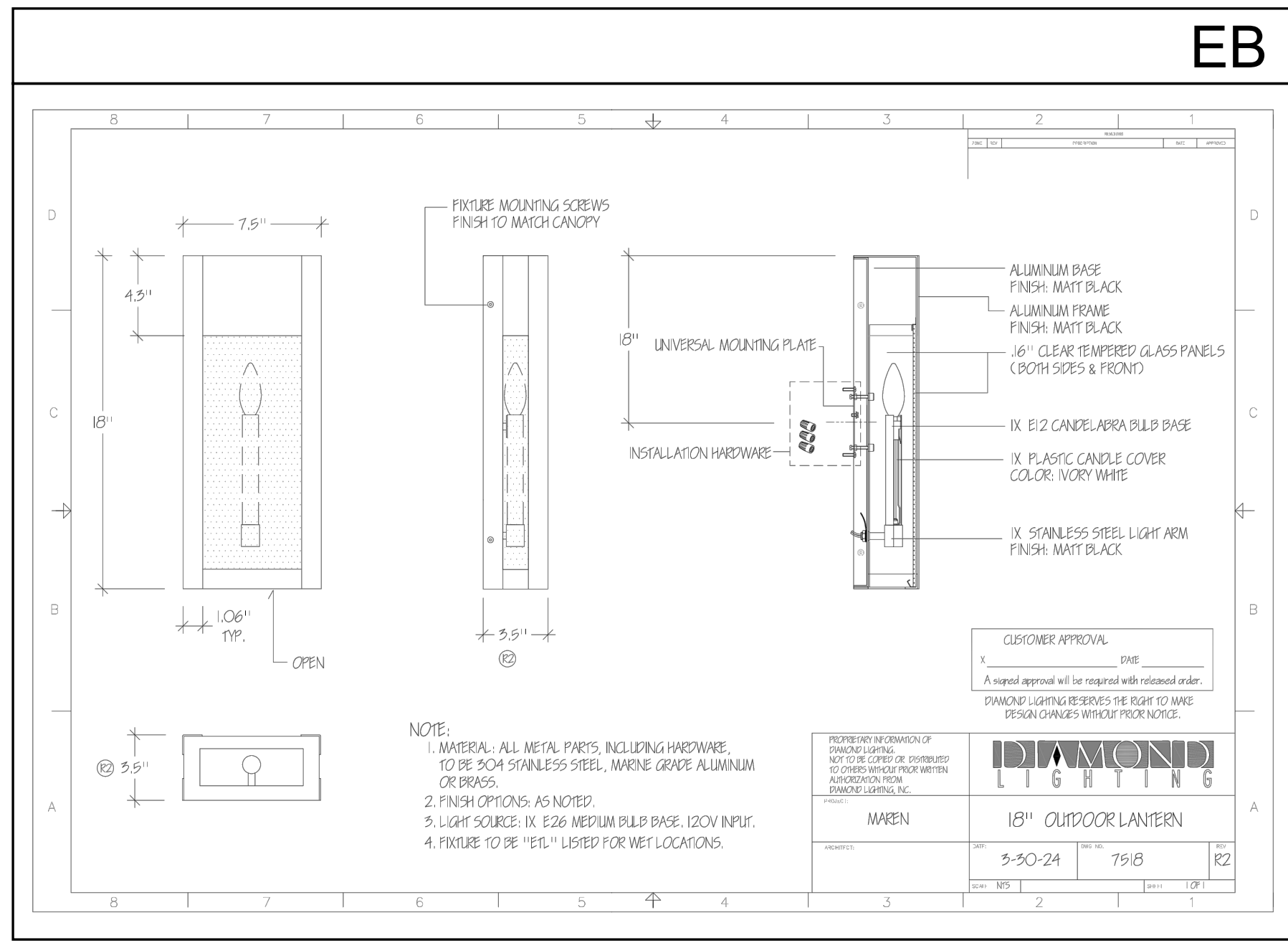
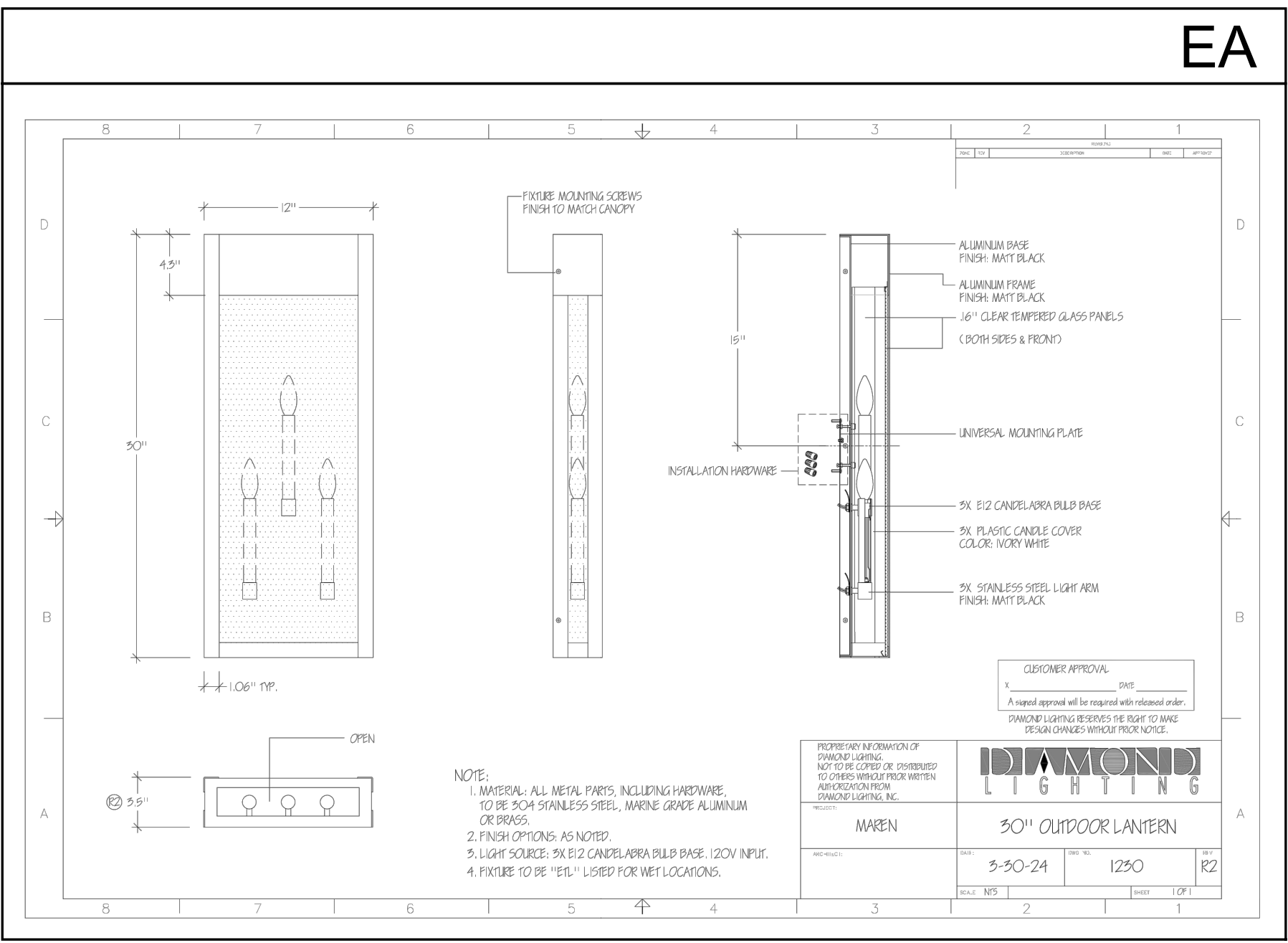
DRAWN: _____
PROJECT: _____
PLOT DATE: _____



HANOVER LANDSCAPE ARCHITECTURE

1780 S. POST OAK LANE HOUSTON, TX 77056 713.267.2100 www.HanoverCo.com

HANOVER HYANNIS II Wilkens Lane Hyannis, MA 02630



ED Bolt-Line: Post Top Fixtures. Includes product image, specifications, applications, and a configuration table for various options like wattage, color, and finish.

EP-A OPTIC-Line: Large Area Lights. Includes product images, specifications, applications, and a configuration table for various options like wattage, color, and finish.

EP-B OPTIC-Line: Large Area Lights. Includes product images, specifications, applications, and a configuration table for various options like wattage, color, and finish.

EW Wall Pack Full Cutoff. Includes product image, specifications, applications, and a configuration table for various options like wattage, color, and finish.

ISSUES AND REVISIONS:

DRAWN: _____ PROJECT: _____ PLOT DATE: _____

SHEET NUMBER: L3.01

EXHIBIT L

Sustainability and Energy Use Narrative

[See attached]



HANOVER COMPANY

Sustainability Narrative

Hanover Hyannis II

Project Description

On an approximately 15.1-acre parcel of land, previously disturbed by a sand and gravel operation, located on Wilkens Ln in the village of Hyannis, MA (the “Site”), Hanover Company (“Hanover”) intends to develop the Site as a high-quality multi-family rental community including 320 units, of which 10% (32 units) will be reserved at the 65% Area Median Income (“AMI”) limit in accordance with Barnstable’s Inclusionary Affordable Housing Ordinance and an additional 3% (10 units) will be reserved at the 80% AMI limit in accordance with the affordable housing units requirement of the Mixed-Use Subzone of Medical Services Overlay District (the “Project”). The Project is designed to include five, four-story wood framed residential buildings and a single-story stand-alone clubhouse building, together served by a combination of surface and detached garage parking, as shown on Exhibit A attached. Residential amenities consist of a professionally landscaped courtyard, resort-style pool, and clubhouse with a demonstration kitchen, fitness center, conference rooms, seating areas, and other highly appointed amenity spaces. The planned unit design and finishes are designed to include stainless appliances, laminate wood floors, and natural stone countertops. As a vertically integrated company specializing in development, construction, and management, of multifamily housing, Hanover is able to implement green initiatives throughout the development cycle.

The Project will achieve an NGBS Bronze certification by incorporating the sustainability initiatives outlined herein and will meet or exceed the Massachusetts Stretch Code.

The Site, a former gravel pit, was previously disturbed and is generally void of mature vegetation, making it an ideal redevelopment opportunity.

The Site is oriented around a continuous, inter-connected courtyard that provides tenants access to highly amenitized and functional open spaces. The inclusion of pet-friendly spaces, multiple lawn areas, and robust landscaping are designed to enhance the natural landscape and provide gathering spaces for residents and guests. The multiple residential buildings are configured so as to adequately distribute the surface and detached garage parking for residents to easily access their apartment homes. The Project incorporates ADA compliant pedestrian circulation within and around the development.

Landscaping and Site Lighting

The Project includes a vegetative buffer proposed along the entry drive/northern property line to enhance the prominent view of the Project from Wilkens Lane. Hanover recognizes significant value in the density of plantings across the site and proposes protective fencing and professional arboriculture services to ensure the longevity of this future vegetation. An onsite private well will be used for all irrigation, if feasible. Planting beds will utilize drip irrigation monitored by rain sensors to maximize water efficiency. Light colored hardscape materials will be used to reduce urban heat island effects. Permeable pavers and other porous surfaces will be used where possible to reduce impervious area. All site lighting will be low energy use LED fixtures and will comply with dark sky initiatives. Site lighting poles will be approximately 10’ tall in the pedestrian areas, and 20’ tall in the parking areas.



HANOVER COMPANY

Stormwater

The Stormwater Management system has been designed to exceed the requirements of the Massachusetts Department of Environmental Protection Stormwater Management Standards and manage all stormwater runoff on site. All stormwater runoff from paved areas will be collected in deep sump hooded catch basins and will pass through hydrodynamic water quality units prior to discharging to subsurface infiltration systems. The stormwater management system will remove over 80% of Total Suspended Solids (TSS). All impervious surfaces (paved areas, sidewalks and buildings rooves) will be directed to subsurface infiltration systems and recharged to groundwater. The infiltration systems are designed to completely infiltrate the 100-year storm event. Additionally, a long-term operation and maintenance plan has been developed and will be implemented once construction is complete. The long-term maintenance plan details routine maintenance to ensure proper functioning of the stormwater management system.

Sustainable Management and Operational Procedures

The onsite property management team will implement a long-term capital facilities maintenance plan in order to ensure proper functioning of the building systems. Quarterly preventative maintenance inspections will be conducted in all residential units and of all fire and life safety equipment. All cleaning will be done using environmentally conscious cleaning products from Spartan Chemical. All landscape treatment will be done using child and pet-friendly products. Snow melt products will be Calcium Magnesium Acetate (CMA) which is also environmentally and pet friendly. A member of the management team will be deputized as the Project's transportation coordinator, and the management office will include information on available public transportation in the area. The Project and Site will be non-smoking both during construction and upon completion.

Objective EN1: Support Renewable Energy Development That Is Context Sensitive

Areas of the flat roof not obstructed by condensing units or mechanical penetrations will be identified as solar ready roof areas so PV panels may be added in the future. Hanover is committed to running the electrical conduit and incorporating the structural requirements necessary for future addition of PV panels. At this time PV panels are not proposed to be added as the current PV infrastructure lacks the efficiency necessary to make any meaningful impact on the Project's greenhouse gas impacts.

Objective EN2: Increase Resiliency Of Energy Generation And Delivery

The residential units will be served by high efficiency heating and cooling systems utilizing air sealed ductwork, along with on demand hot water heaters and EnergyStar appliances. All residential units will have operable windows as a passive design strategy. Utilities will be individually metered to each residential unit.

Objective EN3: Minimize Energy Consumption Through Planning And Design (Including Energy Efficiency And Conservation Measures)

The Project will be designed with a high-performance building envelope. Smart control systems for heating and air conditioning will be implemented, with motion activated lighting in all public facilities. Low flow Water Sense Rated plumbing fixtures will be utilized in all units and public facilities. All apartment units will utilize LED lighting throughout as well as have EnergyStar compliant kitchen appliances.



HANOVER COMPANY

Objective CM1: Promote Low Or No Carbon Transportation Alternatives And Technologies

The Project is located in close proximity to adjacent retail at Festival at Hyannis, the Hyannis Mall, and the Christmas Tree Shops, and has been designed to allow for connectivity to the existing pedestrian and bicycle facilities nearby. The Site's adjacency to commercial and retail spaces provides the opportunity for multimodal transportation and reduces the generation of single occupancy vehicles. The Project provides for electrical vehicle charging in the surface parking lot and in select bays of the detached garages. Secure bicycle accommodations will be included in select detached garage buildings. The units and amenities will provide ample work from home spaces to help reduce the generation of vehicle trips. Additional methods for achieving Objective CM1 are included in the Transportation Impact Assessment, attached to the application under separate cover.

Objective CM2: Promote Low Or No Carbon Technologies For Building Energy Use, Including Appliances, Lighting, And Heating, Ventilation And Cooling Systems

In addition to the features detailed in Objective EN2, the residential units will be served by high-efficiency electrical heat pumps so as to eliminate the Project's use of fossil fuels.

Objective CM3: Promote Carbon Sequestration And Other emissions Removal Practices And Technologies As appropriate To Context

The Project landscaping focuses on a drought tolerant, hardy New England planting palette that thrives in the local climate and allows for reduced watering requirements. Native, low impact selections, and Cape Cod specific cultivations have been incorporated based on local guidelines, and trees planting will be included. Light-colored hardscape materials will be used to reduce urban heat island effects.

Objective CM4: Promote Low Or No Carbon Energy Generation Technologies As Appropriate To Context

Areas of the flat roof not obstructed by condensing units or mechanical penetrations will be identified as solar ready roof areas to accommodate PV panels in the future. Hanover will provide electrical conduit and incorporate the structural requirements necessary for potential future PV panels. The Project also provides for electrical vehicle charging in the surface parking areas and in select bays of the detached garages.

Objective WM1: To reduce waste and waste disposal by promoting waste diversion and other Zero Waste Initiatives

The Project's waste will be professionally managed to promote the separation of recyclable materials as well as provide potential opportunities for residents to compost applicable waste. The project will also provide tenant education regarding recycling availability.

Objective WM2: Support An Integrated Solid Waste Management System

Implementation of the Project will follow a detailed construction management plan that will be formed in coordination with the Barnstable Building Services Department and will include restrictions regarding vehicle idling times and dust control. Construction will include the use of locally sourced materials whenever possible, along with pre-finished wood flooring and cabinetry. Low VOC paints and coatings will be used throughout the interior of the building to reduce carbon-containing substances prone to vaporizing at room temperature. Efforts will be made to reduce construction waste where possible, and recycling of appropriate



HANOVER COMPANY

construction waste will be implemented. The Project will recycle 70% or more of all construction debris hauled off site.



HANOVER COMPANY

Exhibit A

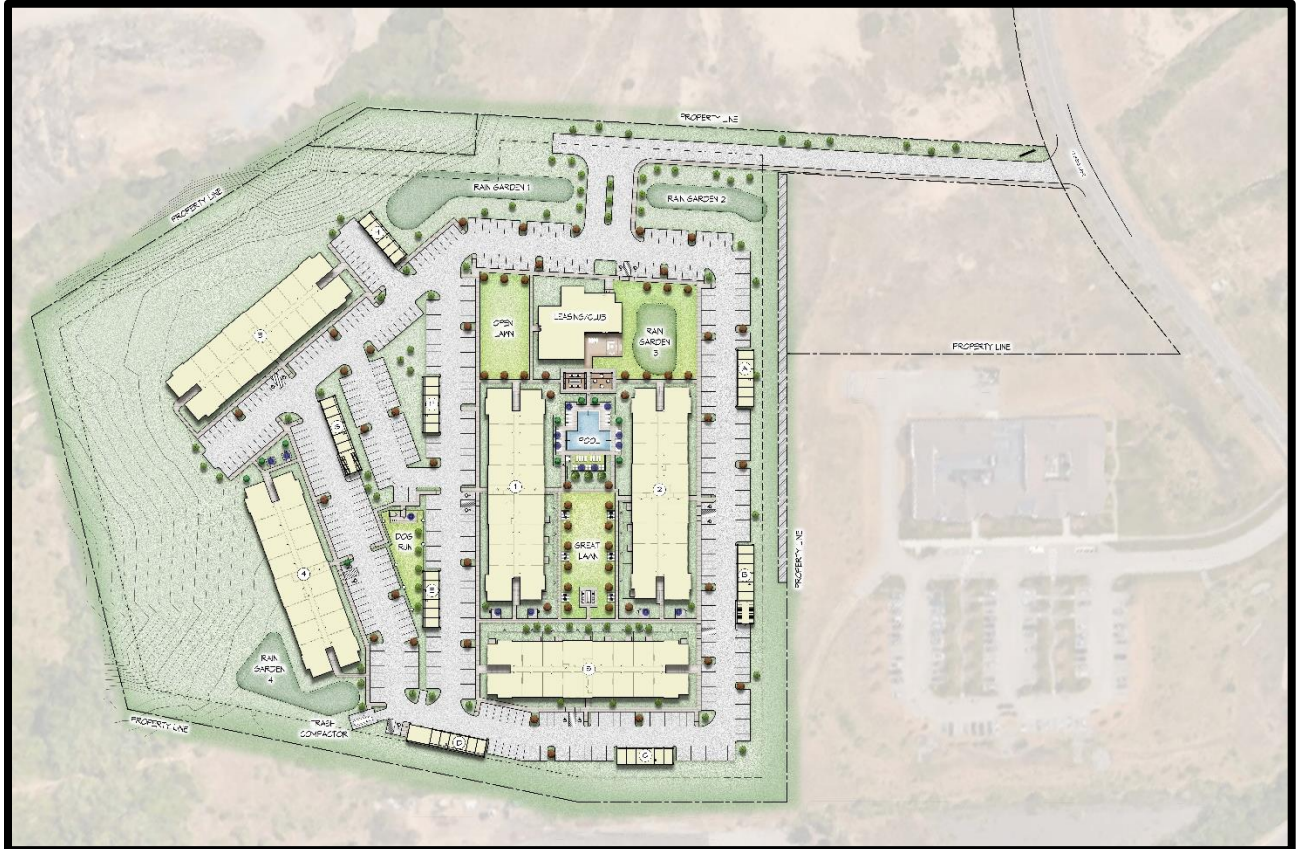


EXHIBIT M

**Final Certificate of the Secretary of Energy and Environmental Affairs on the Environmental
Notification form dated March 25, 2002**

[See attached]



The Commonwealth of Massachusetts
Executive Office of Environmental Affairs
251 Causeway Street, Suite 900
Boston, MA 02114-2119

JANE SWIFT
GOVERNOR

BOB DURAND
SECRETARY

Tel. (617) 626-1000
Fax (617) 626-1181
<http://www.magnet.state.ma.us/envir>

March 25, 2002

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Cape Cod Ambulatory Care Complex
PROJECT MUNICIPALITY : Barnstable
PROJECT WATERSHED : Cape & Islands
EOEA NUMBER : 12711
PROJECT PROPONENT : Cape Cod Healthcare, Inc.
DATE NOTICED IN MONITOR : February 23, 2002

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report.

As described in the Environmental Notification Form (ENF), the project involves development of a 263,100 square foot ambulatory care complex with associated infrastructure on a 40.6-acre site off Hadaway Road.

The project is undergoing review pursuant to Section 11.03 (1)(b)(2), because the project will create more than five acres of new impervious surfaces and the project requires a state permit. The project will require a Sewer Connection/Extension Permit from the Department of Environmental Protection (DEP). The project will not require any other state permits. Because the proponent is not seeking financial assistance from the Commonwealth for the project, MEPA jurisdiction extends to those aspects of the project that are within the subject matter of the the required state permit (i.e., wastewater impacts).

EOEA#12711

ENF Certificate

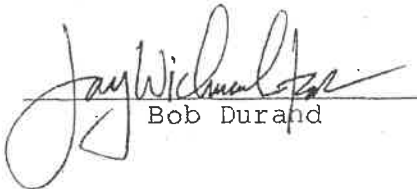
3/25/02

The impacts of the project that are within MEPA subject matter jurisdiction do not warrant further MEPA review. The proponent can address any issues related to wastewater during the DEP permitting process.

The Cape Cod Commission (CCC) will review the project either as a Development of Regional Impact or through a Development Agreement process. The review by the CCC can serve to address environmental issues such as traffic/air quality, water resources, open space preservation, and other issues within the jurisdiction of the CCC.

DEP has requested that the proponent perform a mesoscale air quality analysis for the project. As noted above, MEPA lacks subject matter jurisdiction over air quality. I ask that the Cape Cod Commission consider including a mesoscale analysis in its scope of review for the project.

March 25, 2002
Date


Bob Durand

Comments received:

03/12/02 Department of Environmental Protection Boston
03/15/02 Cape Cod Commission
03/15/02 Division of Marine Fisheries
03/15/02 Department of Environmental Protection SERO

BAD/ASP/asp



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

AP

JANE SWIFT
Governor

RECEIVED

MAR 12 2002

MEPA

BOB DURAND
Secretary

LAUREN A. LISS
Commissioner

MEMORANDUM

TO: Secretary Durand, Executive Office of Environmental Affairs

ATTN: Arthur Pugsley, MEPA Unit

FROM: Christine Kirby, DEP

DATE: March 11, 2002

SUBJECT: EOEA No. 12711 - Review of the Environmental Notification Form for the Cape Cod Hospital Ambulatory Care Complex in Barnstable

The Department of Environmental Protection (DEP) has reviewed the Environmental Notification Form submitted for the Cape Cod Hospital Ambulatory Care Complex in Barnstable. In exercising its responsibility to review projects for potential air quality impacts due to changes in traffic within the project area, the DEP offers the following comments.

Cape Cod Hospital Ambulatory Care, Inc. plans to build a 263,100 square foot medical complex on a 40.6 acre site north of Hadaway Road in Barnstable. The site, a former gravel pit, contains two parcels separated by a right of way known as Gonsalves Road. This roadway, near completion, will connect Kid's Hill Road (the project's north boundary) with Hadaway Road to the south. The proponents intend to use the complex as an adjunct to Cape Cod Hospital, located in Hyannis. No inpatient or acute emergency care will take place in this complex. The site will have 750 parking spaces to accommodate an average daily traffic of 4,610. Therefore, in order for this project to be consistent with the State Implementation Plan (SIP), it will be necessary for the project proponent to conduct an air quality mesoscale analysis to be presented in a Draft Environmental Impact Report.

A proposed indirect source project may have impacts on area traffic characteristics, such as volume and speed of roadway segments. An area which includes all of the project impacted roadway segments is defined as the mesoscale area. The analysis area should include the area within a 0.3 to 16 km radius and include the indirect source project; the exact geographical area depends on local conditions and the impact of a project on area travel patterns. The area should

This information is available in alternate format by calling our ADA Coordinator at (617) 574-6872.

DEP on the World Wide Web: <http://www.state.ma.us/dep>

Printed on Recycled Paper

be large enough to include all roadway links that will potentially experience an increase of 10% in traffic due to the project and currently operate at level of service (LOS) D or lower or will be degraded to LOS D or lower. A mesoscale analysis should be performed for volatile organic compounds (VOC). The total amount of the pollutant expected from each of the project alternatives, including "No Build" in the base and future years should be selected in consultation with the Massachusetts Environmental Policy Act (MEPA) staff and the DEP staff as well as the input parameters to the Mobile5ah emissions factor model.

VOC emissions for the base case can be calculated using existing characteristics on the roadway segments. Emissions for the estimated time of completion can be calculated by changing the traffic characteristics on the roadway segments to those that are expected to occur when the indirect source project is completed. VOC emissions for the build and no build cases for future years can be similarly calculated.

Once the analysis has been completed it can be determined if the project will result in an increase or decrease in emissions of VOC. Emissions will increase or decrease based upon the effects of traffic volumes and on speeds on the roadway segments in the project area as a result of the indirect source project. If the project is shown to result in an emissions increase, mitigation measures should be presented to offset the increase.

A project of this size will exacerbate the degree of traffic congestion in Barnstable and Cape Cod. The proponent should establish an aggressive and comprehensive transportation demand management (TDM) program as a means for mitigating this project's traffic and air quality impacts. The two most important TDM measures in developing an effective program consist of the appointment of an on-site transportation coordinator and preferential parking for high occupancy vehicles (HOV). From this point a TDM program should integrate other measures proven crucial for mitigating traffic. These measures include but are not limited to the following: a guaranteed ride home, flextime, telecommuting, bicycle and pedestrian amenities, signage, establishing a commuter information center, offering benefits from the Commuter Choice program, direct deposit and off peak deliveries.

In addition to the requirements for an air quality analysis, every facility located on this site which employs 250 or more daytime employees at any time over the course of one year will be required to comply with DEP's Ridesharing Regulation (310 CMR 7.16).

Should you have any questions regarding this memorandum please contact Keith Grillo of the DEP at 292-5773.

MEMORANDUM

TO: Arthur Pugsley, Environmental Reviewer, MEPA Unit

THROUGH: Robert P. Fagan, Regional Engineer, BRP
David Johnston, Deputy Regional Director
David DeLorenzo, Deputy Regional Director
John Viola, Deputy Regional Director
Paul L. Grady Jr., Service Center Director

CC: Elizabeth Kouloheras, Chief, Wetlands and
Team Leader, Cape Cod Watershed
Jeffrey Gould, Chief, Water Pollution Control
Lawrence Dayian, Chief, Water Supply
David Ellis, Chief, Solid Waste Management
Patti Kellogg, EOEAs Basin Team Leader, Cape and Islands Watershed
David Murphy, Commissioner's Office

FROM: Sharon Stone, SERO MEPA Coordinator

DATE: March 15, 2002

RE: ENF EOEAs # 12711 – BARNSTABLE – Cape Cod Hospital Ambulatory Care
Complex
Hadaway Rd., Gonsalves Rd. and
Perseverance Way

"For Use in Intra-Agency Policy Deliberations"

The Southeast Regional Office of the Department of Environmental Protection has reviewed the Environmental Notification Form (ENF) for the proposed Cape Cod Hospital Ambulatory Care Complex to be located at Hadaway Rd., Gonsalves Rd. and Perseverance Way, Barnstable, Massachusetts (EOEA # 12711). The project proponent provides the following information for the project:

"Cape Cod Healthcare, Inc. (the proponent) proposes to construct a 263,100-square foot (SF) ambulatory care complex, with parking and site improvements, on a 40.6-acre site off of Hadaway Road in Barnstable. Cape Cod Healthcare is a non-profit, charitable, tax-exempt organization that operates the Cape Cod Hospital, an acute care community hospital. The proposed new medical complex is designed to provide general ambulatory medical services, imaging, pre-admission testing, infusion therapy, oncology treatment, and ambulatory surgery, along with a wellness/fitness center and limited urgent care treatment for walk-in patients. The new complex will be an adjunct/complementary facility to the existing Cape Cod Hospital in downtown Hyannis. The proposed complex will not provide any inpatient or acute emergency care. The complex will accommodate up to 50 doctors along with medical technicians and support staff.

The project site was previously used as a gravel borrow pit by Cape Cod Aggregates. Mining and gravel borrowing activities no longer occur on the site, but Cape Cod Aggregates uses the site to stockpile gravel and crushed stone material that it processes on its adjacent property immediately to the north. The past use completely altered the surface conditions of the site, which has been scraped bare and is now devoid of vegetation. There are no regulated wetland resource areas on or directly adjacent to the site.

The proposed site development will include construction of a total of 263,100 SF of building floor area on the 36.6-acre parcel west of Gonsalves Road. The project will be implemented in several phases. The project will employ a campus-like approach to site development with the overall program contained in 5-6 buildings. The project will comply with applicable local and CCC open space standards.

The site development also will involve construction of new water, sewer, and utility service connections. The site is located within a local Groundwater Protection Overlay District and within a CCC Public Water Supply Wellhead Protection Area.

The project will generate over 3,000 daily vehicle trips and create more than 5 acres of impervious surface, which triggers the requirement to file this ENF pursuant to MEPA and its implementing regulations at 301 CMR 11.03.

Permits listed in the ENF to be sought for the project include the following:

Site Plan Review by Barnstable Site Plan Committee & Cape Cod Commission (CCC)
CCC review under proposed Development Agreement
NPDES General Permit for Construction
DEP Sewer Connection/Extension Permit"

The Cape Cod Watershed/Water Pollution Control Program staff indicates that the proposed project will generate approximately 25,000 gallons per day of wastewater which will be discharged to an existing sanitary sewer. The sewer connection will require DEP approval.

Based on the location information provided in the ENF, the Bureau of Waste Site Cleanup (BWSC) has searched its database for disposal sites and release notifications and not found any disposal site(s) in the vicinity of the proposed project.

The Project Proponent is advised, if oil and/or hazardous material pursuant to 310 CMR 40.0000; the Massachusetts Contingency Plan (MCP) is identified during the implementation of this project, a Licensed Site Professional (LSP) should be retained to determine if notification is required pursuant to 310 CMR 40.0300 and if necessary, render opinions as stated in 310 CMR 40.0000. In addition, an LSP may be engaged to evaluate whether risk reduction measures pursuant to 310 CMR 40.0400 are necessary or prudent. The BWSC may be contacted for guidance if questions regarding cleanup arise.

The DEP Southeast Regional Office appreciates the opportunity to comment on this proposed project. If you have any questions regarding these comments, please contact Sharon Stone at (508) 946-2846.



Paul J. Diodati
Director

Commonwealth of Massachusetts

Division of Marine Fisheries

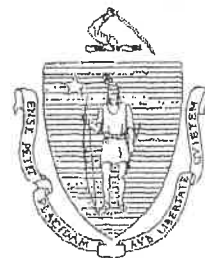
Southeast Marine Fisheries Station

50A Portside Drive

Pocasset, MA 02559

(508) 563-1779

Fax: (508) 563-5482



March 15, 2002

Bob Durand, Secretary
Executive Office of Environmental Affairs, Attention: MEPA Office
Arthur Pugsley, EOE #12711
251 Causeway Street, Suite 900
Boston, MA 02114-2150

Dear Secretary Durand:

The Division of Marine Fisheries has reviewed the Environmental Notification Form (EOEA #12711) for the Cape Cod Hospital Ambulatory Care Complex, Barnstable, with regards to potential impacts to marine fisheries resources. Based on the information provided, we have no recommendations regarding the proposed scope of work at this time.

If you have any questions about this review, please contact Vin Malkoski in our Pocasset office at (508) 563-1779, ext. 119.

Sincerely yours,

Paul J. Diodati
Director



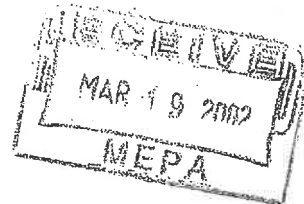


CAPE COD COMMISSION

AP

3225 MAIN STREET
P.O. BOX 226
BARNSTABLE, MA 02630
(508) 362-3828
FAX (508) 362-3136

E-mail: frontdesk@capecodcommission.org



March 15, 2002

Secretary Robert Durand
Massachusetts Executive Office of Environmental Affairs
100 Cambridge Street
Boston, MA 02202

Attn: Jay Wickersham, Director-MEPA Unit
EOEA# #12711



Dear Secretary Durand:

The Cape Cod Commission (the Commission) has received an Environmental Notification Form (ENF) for the Cape Cod Hospital Ambulatory Care Complex project in Barnstable, MA. The ENF was noticed in the Environmental Monitor on February 23, 2002. Comments are due March 15, 2002.

A member of the Cape Cod Commission subcommittee as well as staff attended a MEPA site visit on February 28, 2002 at which the project proponent, the MEPA representative and Cape Cod Commission representatives discussed the MEPA/DRI review process for the project. In addition, Cape Cod Commission staff met with representatives of the Town on March 12, 2002.

Although the town of Barnstable has a Memorandum of Understanding (MOU) for a joint review process with the Cape Cod Commission, due to an upcoming change in local staffing, the Town did not choose to hold a joint scoping session with the Commission at this time. Therefore, the Cape Cod Commission will hold a public hearing on Tuesday, March 26, 2002 at 7:00 PM at the Assembly of Delegates Chamber in the First District Courthouse, Barnstable, Massachusetts, which will serve as the Commission's first public hearing and scoping session for the project.

Because MEPA comments are due before the Commission will be able to hold the public hearing on March 26, this letter contains detailed Commission staff comments relative to Water Resources and Hazardous Materials, and a summary of other Commission staff concerns that are not under MEPA jurisdiction. More detailed staff comments about these other issues will be available for the March 26 public hearing.

Cape Cod Commission staff have reviewed the ENF and offer comments in the areas of Master Planning, Water Resources, Hazardous Materials,



Transportation, Economic Development, Open Space and Recreation, Solid Waste Management and Community Character.

Although Commission staff does not recommend the preparation of an EIR for this project, we appreciate the opportunity to comment.

PROJECT PROPOSAL

The applicant (Cape Cod Healthcare) proposes to construct and operate five or six buildings totaling approximately 265,000 square feet of new ambulatory medical facilities on approximately 40 acres of land located in Independence Park on Hadaway Road, Hyannis. Many of the services that would be provided at the new campus are currently being provided at Cape Cod Hospital. They include ambulatory surgery, imaging (Cat Scan, MRI, PT Scan, and x-ray), women's healthcare, rehabilitation and fitness (orthopedic, cardiovascular and neurological), medical offices for associated and ancillary specialists, pre-admission testing, infusion therapy and oncology treatment. The building complex will ultimately accommodate up to 50 doctors with associated medical technicians and support staff. The project is located within one of the Town of Barnstable's certified growth centers.

MASTER PLANNING

Many of the ambulatory care services that will be provided at the new facility currently exist at Cape Cod Hospital; their transfer from the existing campus to a new campus will create vacant space at Cape Cod Hospital. The re-use of the vacant space in the existing Cape Cod Hospital resulting from the relocation is a significant issue to the Cape Cod Commission.

The applicant should use this opportunity to coordinate the re-use of the vacant space in the existing Cape Cod Hospital with the development of the new ambulatory campus. In this context, Commission staff recommends that the applicant prepare a single master plan for both facilities.

WATER RESOURCES

The Cape Cod Healthcare parcel is located within both a Wellhead Protection Area to Hyannis water supply wells and the Marine Water Recharge Area to Lewis Bay. Wastewater from the site (approximately 25,000 gallons per day) is proposed to be treated at the Town of Barnstable municipal wastewater treatment facility, which discharges within the watershed to Lewis Bay. The proposed uses on the site require that the proposal adequately address nitrogen loading, hazardous materials, and stormwater Minimum Performance Standards, as well as raising the issue of impacts of additional wastewater discharge from the town treatment plant. Additional information is necessary to address these issues adequately. Staff believes that these issues can be resolved through the Commission's DRI review and, therefore, preparation of an EIR is not required for this project.

The town treatment plant is situated in an area of the Cape with relatively high groundwater fluctuations; town Department of Public Works (DPW) monitoring of water levels in the area have documented natural fluctuations of

approximately 7 feet. Monitoring completed during 1995 also documented that each 0.5 million gallons per day (MGD) of wastewater flow causes the water level within a half a mile of the plant to rise approximately 1.4 ft.

During 1996-97, natural groundwater levels throughout Cape Cod reached new record highs, causing some flooding of basements and inundation of pondfront properties. Concerns raised at that time included the additive impact of high wastewater discharge flows from the Barnstable Treatment Plant on the high water levels and the potential to impact nearby septic systems, basements, and stormwater structures. Analysis completed at that time indicated that the wastewater discharge at the plant should be limited to 1.0 MGD during high groundwater conditions and that discharge of 2.7 MGD during high groundwater conditions would cause the lowest basement to be flooded continuously. The Barnstable DPW has been collecting data since that time; preliminary analyses of the newer data indicate that the earlier analyses predicted greater impacts than have been observed.

The Barnstable DPW, beginning by using the older analysis, have been purchasing nearby low-lying properties and low elevation development rights in order to conservatively mitigate some potential impacts of combined high groundwater conditions and current flows. In addition, the DPW has been working to explore and acquire alternative discharge locations in order transfer some of the flows and their associated water level impacts away from the treatment plant site, as well as utilizing the full 4 MGD capacity of the plant to address areas of concern previously identified during the Barnstable Facilities Plan. The potential water level impacts of discharge have also been somewhat obviated by a rapid decline in groundwater levels during the past three years to the nearly record lows that the Cape is currently experiencing.

The cumulative impact of the additional sewer connections during the intervening years remains a concern, however. During the period of falling groundwater levels, the gradual addition of flows to the town treatment system has caused from maximum flows to grow from 2.2 MGD in 1997 to 2.8 MGD last year. Although the town has responded to the potential impacts of higher flows and has likely created more buffer from the impacts suggested in 1996-97, every additional flow connected to the plant raises concerns about how large the buffer is and what sort of impact will be created when high groundwater conditions return.

The obvious long-term solution to these high groundwater concerns and health and water quality issues in the areas of concern identified in the Barnstable Facilities Plan is to find alternative discharge locations and to utilize the full capacity of the plant. Without these alternative discharge locations on-line, the cumulative impact of each additional connection of wastewater flows to the treatment system, including those planned for Cape Cod Healthcare, is a concern. It may be appropriate to discuss a moratorium on additional sewer connections until additional discharge capacity is secured.

If a sewer connection is not available, it is unclear whether this project can meet the nitrogen loading minimum standards. Nitrogen loading from the project

with the nitrogen treatment offered by the town plant would result in a nitrogen load of approximately 1.8 ppm, which is less than the 5 ppm standard required in the RPP. If the wastewater must be treated on-site using a conventional septic system, the nitrogen load is 9.2 ppm. It is also unclear whether wastewater from the site could be treated using a Title 5 system, given the types of activities planned on the site and the prohibition of hospital connections to on-site septic systems contained in Title 5 regulations.

Nitrogen impacts from the project on Lewis Bay will also need to be addressed. The town has begun collecting water quality information in the Bay in coordination with the Town of Yarmouth and in anticipation of the Bay being addressed under the Massachusetts Estuaries Project. The RPP requires that all nitrogen loads within watersheds to coastal embayments with documented water quality problems must be offset with equivalent loading reductions, while systems without water quality information are addressed in different ways. The current water quality status of Lewis Bay and its associated status under the RPP standards will need to be adequately addressed during DRI review.

Since the project is located within a Wellhead Protection Area and Zone II, any additions of hazardous materials greater than household quantities is also a concern. Information to address this Minimum Performance Standard is not included in the ENF materials. Issues associated with this issue, including the amount of hazardous materials, their handling and disposal, and whether certain activities will require pre-treatment of wastewater prior to sewer discharge, will need to be adequately addressed.

Stormwater materials presented in the ENF are also inadequate to address the stormwater Minimum Performance Standards. Although the applicant states that the system will be designed with components to address the state stormwater policy and guidelines, the submitted information does not address all these standards. In addition, the parcel presents a number of opportunities to improve stormwater discharge quality through the use of vegetated swales as required by the RPP. During the DRI review, the applicant should submit overall stormwater design and details, TSS calculations, a maintenance plan, and discussion or options for the inclusion of vegetated swales.

HAZARDOUS MATERIALS/WASTES

According to information on file at the Cape Cod Commission, including maps produced for the 1996 Regional Policy Plan, the project site is located in a Wellhead Protection District/Zone II. This is recognized by the applicant in the Expanded ENF narrative.

Based on this, Minimum Performance Standard (MPS) 4.2.2.3 applies to the review of this project, and requires that "commercial and industrial development and redevelopment that involves the use, treatment, generation, storage or disposal of hazardous waste, or hazardous materials, with the exception of household quantities, shall not be allowed in Wellhead Protection Districts."

Because the project envisions the transfer of some operations from the main Cape Cod Hospital campus to this facility, Commission staff strongly suggests

that the proponents have a unique opportunity to take advantage of the Massachusetts Office of Technical Assistance for Toxic Use Reduction's environmentally preferable products network for healthcare facilities, the national *Healthcare Without Harm* coalition, or the federal Environmental Protection Agency's *Hospitals for a Healthy Environment* program.

All these are relatively new programs specifically targeted at reducing or eliminating the use of hazardous materials in the healthcare industry, including at the type of facility envisioned by this project.

Even so, given the project's location in a Wellhead Protection District, it is extremely important for the proponents to adequately characterize the existing and anticipated on-site use, treatment, generation, storage or disposal of hazardous waste, or hazardous materials to insure conformance with MPS 4.2.2.3. Detailed information is needed that describes, as much as possible, the anticipated types of procedures the ambulatory care complex will offer, and the types and quantities of infectious waste and hazardous materials and hazardous waste anticipated to be used or generated by the facility.

There are two other important hazardous materials/waste management standards in the Regional Policy Plan that the proposed project needs to address in detail. MPS 4.2.2.1 requires that "development and redevelopment shall make reasonable efforts to minimize their hazardous waste generation through source reduction, reuse, material substitution, employee education and recycling." MPS 4.2.2.2 requires that "development and redevelopment shall be in compliance with Massachusetts Hazardous Waste Regulations, 310 CMR 30.00."

MPS 4.2.2.1 provides an additional impetus for the project proponents to reduce the anticipated use of hazardous materials and generation of hazardous waste. And, given the Massachusetts Department of Environmental Protection's recent enforcement actions against laboratories over the past two years, it is important the project proponents give consideration to establishing a facility-wide, comprehensive hazardous waste management program during the project's preliminary design stages.

SOLID WASTE MANAGEMENT

The ENF does not address the issue of Solid Waste Management. Accordingly, future review by the Commission will require the applicant to address the Regional Policy Plan's minimum performance standards in this area, which will include recycling and/or composting, containment, storage and disposal of construction debris, and storage and disposal of products containing hazardous materials, such as fluorescent light tubes.

TRANSPORTATION

Based on the Environmental Notification Form (ENF), the proposed medical complex will generate 4,610 vehicle trips per day. This project will be required to submit a traffic study in conformance with the applicable Cape Cod

Commission Regional Policy Plan and the supporting technical bulletins for transportation.

ECONOMIC DEVELOPMENT

The proposed Cape Cod Healthcare project generally addresses Regional Policy Plan economic development goals in that it is redevelopment of an already disturbed site and is proposed to be located in an Industrial Growth Center. In addition, the Regional Policy Plan states that it is economically important for Cape Cod to maintain strong health services. These factors are all positive aspects of the proposed project.

During project review, the proponent will be required to address the economic development goals and Minimum Performance Standards, as well as Development Review Policies and Other Development Review Policies in the RPP. Addressing these policies, as appropriate, is an opportunity for the applicant to provide benefits of the project, which would be weighed in the benefits/detriments analysis by the Cape Cod Commission.

Commission staff will be requesting detailed information regarding employment, the service area, the types of services provided, and a fiscal analysis showing benefits to the Town and region.

NATURAL RESOURCES AND OPEN SPACE

The project is located within a Significant Natural Resources Area due to the presence of public water supply protection area. The site contains little or no vegetation, or any wetlands; consequently, the proposal is consistent with the wetlands and wildlife standards of the RPP. As a project subject to Cape Cod Commission review and approval, the project will be required to meet an open space requirement, which will be addressed during the Commission's review process.

COMMUNITY CHARACTER

The applicant has notified Massachusetts Historical Commission regarding possible impacts to archaeological or historic resources that may exist on the site in conformance with the DRI Application requirements.

Goal 6.2 of the RPP seeks to ensure that future development respects the traditions and character of historic village centers and outlying rural areas so as to protect and improve the visual character of Cape Cod, consistent with the Commission's design manual. Conformance with MPSs 6.2.1 – 6.2.11 is required to ensure that the design of the new campus respects the traditions and character of historic village centers.

The applicant has indicated that they will be seeking flexibility in the layout, massing and design of the campus and buildings in order to respond to fundraising efforts and patient needs. The applicant anticipates that the project would be constructed over a 10 year period of time.

Based on this, staff recommends that the applicant prepare design guidelines that address site and building layout, architectural design (including rooflines),

building materials, parking lot design, landscaping, lighting and signage. Sketches and photographs illustrating the application of the guidelines should be included in the manual. The guidelines should also include issues such as solid waste management and construction practices.

Thank you for the opportunity to comment on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Margo Fenn", with a long horizontal flourish extending to the left.

Margo Fenn
Executive Director

cc: Thomas Broadrick, DRI Liaison and Planning Director
John Klimm, Town Administrator
Tom Mullen, Director of DPW
Jon Erickson, Barnstable Fire District
Peter DiMatteo, Building Commissioner
Barnstable Town Council
Barnstable Board of Health
David Ansel, Barnstable Representative to the Cape Cod Commission
Susan Kadar, Cape Cod Commission Subcommittee Chair
Elizabeth Taylor, Cape Cod Commission
Catherine Frazer, Cape Cod Commission
Ian Aitchison, Cape Cod Commission
Thomas Broidrick, Cape Cod Commission
Robert Randolph, Cape Cod Commission