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CAPE COD
COMMISSION

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DRAFT
DEVELOPMENT OF REGIONAL IMPACT DECISION

Project: Cape Cod Hospital Cancer and Cardiology Expansion, Hyannis (Cape Cod Commission File No. 22003)

Property Owner/Applicant: Cape Cod Hospital
c/o Atty. Eliza Cox, P.O. Box 1630, Hyannis, MA 02601

Project Site/Location: 27 Park St, Hyannis, MA 02601
Assessors Map 342, Parcels 039, 001 (Town of Barnstable)
Assessors Map 28, Parcel 52.1 (Town of Yarmouth)

Title Reference: BCRD: 375/46; 375/46; 557/282; 1491/655; 786/448; 1462/656; 7837/141;
1346/609; 12772/227; 15787/336; 13156/81; and 3840/11
Recorded Plan: 604/62
Certificate of Title Nos: 4951; 127325
Land Court Plans: 16459-A; 23133-C Lot 8

Date: July 8, 2022

SUMMARY

The Cape Cod Commission grants Development of Regional Impact approval, with Conditions, for a proposed development on the existing Cape Cod Hospital Campus at 27 Park Street in Hyannis, specifically a four floor medical building, with associated parking, landscaping, and other supporting site improvements.

FINDINGS

The Cape Cod Commission ("Commission") hereby finds and determines as follows:

Project Description

- F1. Property Owner Cape Cod Hospital ("Applicant") proposes redevelopment and expansion on the southwest corner of the existing Cape Cod Hospital Campus at 27 Park Street in Hyannis ("Project Site"; "Property") consisting of:
- a. a four-story building with approximately 137,051 sq. ft. of gross floor area;
 - b. removal of approximately 76,753 sq. ft. of existing floor area; and

- c. infrastructure and site improvements, including without limitation: parking, stormwater management, and landscaping. (collectively, the "Project").
- F2. The Project is connected to the main hospital building by a ground floor infill area on the Northeast corner. The Western façade borders Lewis Bay Road and the Southern façade faces Willow Street. The Northern and Eastern sides of the new building face existing hospital structures.
- F3. The Project will result in a net increase of approximately 60,298 square feet of floor area on the campus, accounting for the floor area of both demolished buildings and proposed redevelopment.
- F4. The Project is located within the Community Activity Center ("CAC") Placetype and the Downtown Hyannis Growth Incentive Zone ("DHGIZ").

Jurisdiction/Procedural Background

- F5. The Project requires mandatory Development of Regional Impact ("DRI") review pursuant to Section 3 of the Commission's *Chapter A: Enabling Regulations Governing Review of Developments of Regional Impact ("Enabling Regulations")*, as revised November 2021.
 - a. The Commission, pursuant to Chapter G of the Code of Cape Cod Commission Regulations and by written decision (CCC File No. 05034), dated April 19, 2018, recognized and designated portions of Downtown Hyannis as a Growth Incentive Zone ("GIZ") and accordingly modified certain mandatory DRI review thresholds in this area at the request of the Town of Barnstable.
 - b. The DHGIZ decision provides that modification or revision to mandatory DRI review thresholds approved and recited hereunder shall not apply to proposed additions, expansion, or alterations to Cape Cod Hospital, which is located in the DHGIZ.
 - c. The Project is subject to mandatory DRI review pursuant to the Enabling Regulations because it proposes new private healthcare development involving demolition and replacement not resulting in a Change of Use that results in a net increase in Gross Floor Area greater than 10,000 square feet.
- F6. The Applicant submitted a DRI application to the Commission for the Project on January 20, 2022 (which included 24 exhibits, inclusive of site and architectural plan sets). The Applicant submitted supplemental materials in February, March, and June 2022.
- F7. A hearing officer opened the hearing period on the Project on May 2, 2022. Commission staff prepared a staff report on the Project, dated May 12, 2022. The Subcommittee held substantive public hearings on May 16, 2022, June 13, 2022, and June 27, 2022. The Subcommittee further continued the hearing to the Cape Cod Commission meeting of July 14, 2022.
- F8. The Subcommittee received oral and written testimony expressing concern about traffic impacts.
- F9. At its June 13, 2022 hearing, the Subcommittee concluded that the Project meets the criteria for DRI approval, subject to the imposition of certain conditions it had discussed through its hearings and meetings on the Project, and voted to recommend that the full Commission grant DRI approval for the Project, with Conditions. The Subcommittee directed Commission staff to prepare a draft written DRI Decision consistent with this recommendation to present to the full Commission to consider in its review and decision-making.
- F10. The Cape Cod Commission held a hearing on the Project at its meeting on July 14, 2022 where it took further public testimony and presentations, reviewed the draft DRI Decision dated July 8, 2022

reflecting the recommendation of the Subcommittee, and discussed the Project. The Cape Cod Commission deliberated on the Project at its meeting on July 14, 2022 and voted to adopt the draft of the written DRI decision dated July 8, 2022, subject to minor changes discussed at the meeting .

- F11. Section 7(c)(viii) of the Commission's *Enabling Regulations* contains the criteria for DRI approval, which include consistency with the Cape Cod Regional Policy Plan ("RPP"), and applicable District of Critical Planning Concern ("DCPC") implementing regulations, Municipal Development Bylaws, and Commission-certified Local Comprehensive Plans ("LCPs"). The Commission must also find that the probable benefit from the Project is greater than the probable detriment.

Municipal Development Bylaws, LCP, and DCPC Consistency Review

- F12. The Project is located almost entirely within the Town of Barnstable, with minor parking lot impacts in the Town of Yarmouth.
- F13. The Project parcel is not subject to a District of Critical Planning Concern ("DCPC") as designated pursuant to the Commission's *Chapter E: District of Critical Planning Concern (DCPC) Regulations*.
- F14. Under Barnstable zoning, the Project Site is located within a "Medical Services" zoning district. Zoning relief from the Barnstable Planning Board may be necessary for the expansion of a pre-existing non-conforming structure.
- F15. The Project will not require local permitting in the Town of Yarmouth.
- F16. The Project is consistent with land use strategies identified in Barnstable's 2010 Local Comprehensive Plan ("LCP") which encourages healthcare providers to locate offices and services within designated medical services districts in Downtown Hyannis.
- F17. The Town of Barnstable Planning and Development Department submitted comments on May 16, 2022 relative to the Project's consistency with the Town's LCP and Municipal Development Bylaws. Comments provided by the Town indicate that the proposed Project is consistent with the Town's LCP. Preliminary Town comments included the following:
- a. The proposed redevelopment is consistent with the LCP goals of encouraging healthcare development within medical services districts, taking advantage of existing infrastructure, and utilizing previously disturbed land.
 - b. The Project will contribute to Barnstable's year-round economy, consistent with Town economic development objectives, and will create new jobs close to downtown housing and transit options.
 - c. The Town will require the Applicant to apply for Site Plan Review to review the development in detail, analyze compliance with municipal development ordinances, and define the path to permitting.

Cape Cod Regional Policy Plan Consistency Review

- F18. The Commission reviewed the Project relative to the 2018 RPP, as amended in March 2021, and companion Technical Bulletins, which were those in effect at the time the Commission commenced substantive hearings on the Project.
- F19. Per Section 9 of the 2018 RPP, the Commission determines the Project's consistency with the RPP by determining whether the Project is consistent with the goals and objectives in Section 6 of the 2018 RPP, as particular goals and objectives are deemed applicable, material, and regionally significant relative to the Project. The companion Technical Bulletins elaborate on and interpret the RPP's goals and objectives.
- F20. Under the 2018 RPP, companion Technical Bulletins and maps, based on the Project's location and the surrounding development context, the Project's Placetype is Community Activity Center ("CAC"). This Placetype encompasses areas with a concentration of business activity, community activity, and a compact built environment.
- F21. The following goals and objectives from the 2018 RPP, as discussed below, are those applicable, material, and regionally significant relative to the Project and are thus subject to the Commission's RPP consistency review: Water Resources goal and objectives WR1, WR3, and WR4; Community Design goal and objectives CD1 and CD2; Coastal Resiliency goal and objectives CR1, CR2, and CR3; Transportation goal and objectives TR1, TR2, and TR3; Energy goal and objectives EN1, EN2, and EN3; Climate Mitigation goal and objectives CM1, CM2, and CM3; Cultural Heritage goal and objective CH1; and Economy goal and objectives EC1, EC2, and EC4.

Water Resources

- F22. The Water Resources goal of the RPP is to maintain a sustainable supply of high-quality untreated drinking water and protect, preserve, or restore the ecological integrity of Cape Cod's fresh and marine surface water resources. The Water Resources objectives that are applicable, material, and regionally significant relative to the Project are to: protect and preserve groundwater quality (WR1); protect, preserve, and restore marine water resources (WR3); and manage and treat stormwater to protect and preserve water quality (WR4).
- F23. The Project is not located within a Fresh Water Recharge Area or a Wellhead Protection Area under the Water Resources Technical Bulletin.
- F24. The Project will be connected to municipal sewer and water which serve the existing Cape Cod Hospital facilities. It does not require additional wastewater treatment capacity or result in wastewater discharge on site.
- F25. The Project will decrease paved areas by 17,642 square feet and decrease managed turf areas by 18,131 square feet. Stormwater runoff from impervious areas and fertilizer applied to managed turf areas are the only likely sources of nitrogen loading on-site.
- F26. The Project's site-wide nitrogen loading concentration is less than 5 ppm, consistent with guidance in the Water Resources Technical Bulletin. Net decreases in turf and paved areas will further decrease sitewide nitrogen loading to groundwater resources, consistent with WR1.

- F27. The Project is located within the Lewis Bay Marine Water Recharge Area, which is nitrogen impaired. As the Project will be connected to municipal sewer, no wastewater disposal will occur on-site. Other sources of nitrogen to Lewis Bay – in runoff from impervious surfaces and fertilizer from turfed areas – are expected to decrease by approximately 6kg annually compared to current conditions, consistent with WR3.
- F28. The Project’s stormwater management includes direct infiltration of runoff from new roof areas, bioretention islands to treat parking area runoff, and subsurface leaching facilities throughout the parking area. The stormwater system is designed to manage on-site runoff and infiltration from a 100-year storm event and adds new bioretention capacity to provide water quality treatment for a portion of the redevelopment area, consistent with WR4.

Community Design

- F29. The Community Design goal of the RPP is to protect and enhance the unique character of the region’s built and natural environment based on the local context. The Community Design objectives that are applicable, material, and regionally significant relative to the Project are to: promote context-sensitive building and site design (CD1) and minimize the amount of newly disturbed land and impervious surfaces (CD2).
- F30. The Project Site is surrounded by a variety of development types including residential homes, multi-story apartment buildings, commercial structures, and the multi-story Mugar wing of the hospital campus.
- F31. The proposed structure is consistent with the scale of existing hospital buildings and nearby multi-family residential buildings and is set back from the edge of the hospital property to allow the smaller Gleason House to remain prominent at the street edge. The proposed structure is also oriented so its narrower east and west facades face the smaller scale residential developments to the east and further west along South Street. Varied façade treatments and step-backs at the ground level and second floor visually break up the large building mass into smaller elements, consistent with CD1.
- F32. The proposed four-story building is contemporary in design, and the primary exterior materials are modern metal panels and glass, but the color palette consists of whites, grays, and beige tones that reference traditional painted clapboards of the adjacent Gleason House, and weathered shingles found throughout Cape Cod. The building is outside the boundaries of the Hyannis Main Street Waterfront Historic District and proximate to other structures of similar scale and contemporary form, so its modern design is consistent with CD1.
- F33. The project landscaping proposal provides pedestrian amenities within the site, particularly along a sidewalk on the east face of the building and in a new pedestrian park, as well as landscape plantings within the parking area to provide green space between areas of asphalt, and along Lewis Bay Road to help define the street edge, consistent with CD1.
- F34. The Project replaces existing buildings on an already developed site and limits the overall building footprint by constructing a multi-story structure, thereby minimizing the amount of newly disturbed land consistent with CD2.

Coastal Resiliency

- F35. The Coastal Resiliency Goal of the RPP is to prevent or minimize human suffering and loss of life, and property or environmental damage resulting from storms, flooding, erosion, and relative sea level rise. The Coastal Resiliency objectives that are applicable, material, and regionally significant relative to the Project are to: minimize development in the floodplain (CR1); plan for sea level rise, erosion, and floods (CR2); and reduce vulnerability of built environment to coastal hazards (CR3).
- F36. The Project proposes no new development within the Federal Emergency Management Agency ("FEMA") flood zone V. Redevelopment will remove existing structures within FEMA flood zone X. Only vehicle parking will be in flood zone A, and all new structures will be outside of flood zones X and A, consistent with CR1.
- F37. The Project will introduce fill to raise the building well above the 100-year base flood elevation. The two buildings closest to the coast with basements currently vulnerable to flooding will be removed, and their uses relocated to the main hospital building. All new mechanical systems will be sited near or above the first floor of the new building. The addition is designed to withstand high winds and debris impact with impact-resistant glazing and materials. The Project will reduce the vulnerability of the existing development to sea level rise and flooding, consistent with Objectives CR2 and CR3.

Transportation

- F38. The Transportation goal of the RPP is to provide and promote a safe, reliable, and multi-modal transportation system. The Transportation objectives that are applicable, material, and regionally significant relative to the Project are to: improve safety and eliminate hazards for all users of Cape Cod's transportation system (TR1); provide and promote a balanced and efficient transportation system that includes healthy transportation options and appropriate connections for all users (TR2); and provide an efficient and reliable transportation system that will serve the current and future needs of the region and its people (TR3).
- F39. The transportation-related materials submitted by the Applicant as part of the DRI application were prepared professionally and follow standard industry practices related to the study area, data collection, crash analysis, trip generation, and capacity analysis, consistent with TR1.
- F40. According to the Traffic Impact and Access Study ("TIAS") prepared in December 2021 by VHB, Inc. on behalf of the Applicant, in accordance with relevant guidance from the Cape Cod Commission Transportation Technical Bulletin, the Project is expected to generate approximately 640 weekday daily vehicle trips, with 51 vehicle trips during the weekday morning peak hour and 58 vehicle trips during the weekday evening peak hour.
- F41. The TIAS vehicle trip generation was developed based on estimates from *Institute of Transportation Engineers' (ITE) Trip Generation*, 10th Edition, for ITE Land Use Code (LUC) 610 (Hospital). The Project's vehicle trip generation is based on the estimated net floor area added to the hospital campus.
- F42. The TIAS safety analysis revealed the following intersections are above-average crash locations, experiencing 3 or more crashes per year, and require safety mitigation measures: Main Street &

Lewis Bay Road/Camp Street; Main Street & Old Colony Road/Center Street; and South Street & Old Colony Road/Ocean Street.

- F43. The Project includes transportation mitigation measures, including but not limited to the following safety improvements at the intersections of:
- a. Main Street & Lewis Bay Road/Camp Street (installation of dashed pavement markings along the taper length of the dedicated left-turn storage, installation of upgraded lane use signage on approaches with dedicated left-turn lanes, and installation of “signal ahead” signage and a signal head on the westbound approach mounted on the post of the mast arm);
 - b. Main Street & Old Colony Road/Center Street (installation of upgraded lane use signage (diagrammatic) on approaches with dedicated turn lanes and installation of “signal ahead” signage, and, as appropriate, trimming of vegetation on the northbound approach); and
 - c. South Street & Old Colony Road/Ocean Street (installation of “signal ahead” signage and diagrammatic lane use signage for the eastbound approach, analyze and (if appropriate) modify red clearance times and, pending Town of Barnstable approval, update the signal timing to provide a split phase for the northbound approach), consistent with TR1.
- F44. The Project also includes transportation mitigation measures to improve sidewalk connectivity, including but not limited to pedestrian improvements to portions of Lewis Bay Road (reconstruct the substandard eastside sidewalk from Gleason Street approximately 100 feet north) and Bayview Street (construct new sidewalk to address the sidewalk connectivity gap between the northside of the driveway at 26 Bayview Street to the southern side of the driveway at 10 Bayview Street), consistent with TR2 and TR3. Cape Cod Hospital further commits their support to the implementation of the Bayview Street Sidewalk Improvement Project that has been designed by the Towns of Barnstable and Yarmouth including donations of necessary easements within their properties associated with the construction of the proposed sidewalk improvements on Bayview Street.
- F45. As a contribution towards future transportation improvements anticipated to be completed by the Town of Barnstable, including but not limited to improvements at the intersection of Main Street & Lewis Bay Road/Camp Street, Main Street & Old Colony Road/Center Street, and South Street & Old Colony Road/Ocean Street, the Applicant will provide \$60,000 towards transportation improvements in the vicinity of the Cape Cod Hospital, consistent with TR2 and TR3.
- F46. The Cape Cod Hospital has an existing Transportation Demand Management (“TDM”) program to encourage healthy transportation initiatives.
- F47. The Project includes TDM Program enhancements, including but not limited to, physical and digital TDM posting areas, bicycle racks on building exterior, employee incentives for TDM participation, carpool spaces, and provision of on-site amenities, consistent with TR2 and TR3.
- F48. The Project will contain at least 2 Electric Vehicle (EV) charging stations in the surface parking lot adjacent to the new building, and installed conduit to support no fewer than 30 additional future EV charging stations in this same parking lot. The Applicant is also seeking, pending the approval of the Town of Yarmouth, to install solar canopies and conduit to support 21 EV charging stations in the existing paved employee lot off Bayview Street.
- F49. The Project is located close to the Hyannis Main Street area and existing Cape Cod Regional Transit Authority (“CCRTA”) transit services. Proximity to walkable neighborhoods and alternative transportation options may reduce motor vehicle reliance, consistent with TR2.

- F50. The Town of Barnstable Department of Public Works (“DPW”) submitted comments on June 9, 2022 relative to the transportation mitigation aspects of the Project. The comments included the following recommendations:
- a. Traffic signal improvements, including but not limited to new traffic signal controllers, video detection systems, and emergency preemption systems, at the intersection of Main Street & Lewis Bay Road/Camp Street; Main Street & Old Colony Road/Center Street in Hyannis; and South Street & Old Colony Road/Ocean Street in Hyannis.
 - b. Collaboration with the Cape Cod Regional Transit Authority (“CCRTA”) to improve and/or increase bus/trolley services between the Hyannis Transportation Center and key destinations in downtown Hyannis.
- F51. The Town of Yarmouth Town Planner submitted comments on May 12, 2022 relative to the transportation mitigation and pedestrian safety aspects of the Project. The comments included the following suggestions:
- a. The Hospital’s Transportation Demand Management (“TDM”) Program manager should analyze hospital traffic patterns at peak times and develop a traffic and parking mitigation plan during construction of the Project.
 - b. The TDM program manager should conduct analysis of the TDM program effectiveness once the expansion project has been fully operational for one year, and seek input from nearby residents as part of this analysis.
 - c. The Hospital should consider incorporating expansion of the pedestrian network around the hospital campus into the Project, including sidewalk improvements along Bayview Street.

Energy

- F52. The Energy goal of the RPP is to provide an adequate, reliable, and diverse supply of energy to serve the communities and economies of Cape Cod. The Energy objectives that are applicable, material, and regionally significant relative to the Project are to: support renewable energy development that is context-sensitive (EN1); increase resiliency of energy generation and delivery (EN2); and minimize energy consumption through planning and design (EN3).
- F53. The Applicant has power purchase agreements at five off-Cape solar installations, generating 8.76MW of power, as well as two pending agreements to secure an additional 7MW of renewable energy, consistent with EN1.
- F54. The Project will increase energy resiliency by locating utilities underground and through upgrades to the Hospital’s fuel oil tanks. A new energy generator plant, located above flood level, will allow for multiple methods of emergency power generation. These methods are consistent with EN2.
- F55. The Project is designed to meet LEED Silver certification and includes an efficient building envelope design, energy efficient lighting and mechanical equipment, electric vehicle charging stations, and shaded parking areas, consistent with EN3.
- F56. The Applicant proposes to track building energy performance using the Energy Star Benchmarking Tool.

Climate Mitigation

- F57. The Climate Mitigation Goal of the RPP is to support, advance, and contribute as a region to the Commonwealth's interim and long-term greenhouse gas reduction goals and initiatives, including a state-wide net zero carbon target by 2050. The Climate Mitigation objectives that are applicable, material, and regionally significant relative to the Project are to: promote low or no carbon transportation alternatives and technologies (CM1); promote low or no carbon technologies for building energy use, including appliances, lighting, and heating, ventilation, and cooling ("HVAC") systems (CM2); and promote low or no carbon energy generation technologies as appropriate to context (CM4).
- F58. Development in Community Activity Centers has many land use co-benefits, including with respect to climate change mitigation: denser, more walkable development in CACs involves more compact and efficient development patterns and fewer vehicle miles traveled (and thus fewer greenhouse gas emissions).
- F59. The Project incorporates at least 2 EV charging stations within parking facilities and conduit for no fewer than 30 additional future EV chargers, consistent with CM1. The Applicant is also seeking, pending the approval of the Town of Yarmouth, to install solar canopies and conduit to support 21 EV charging stations in the existing paved employee lot off Bayview Street.
- F60. The Project includes deep retrofits of HVAC systems, is designed to meet LEED Silver certification, and includes an efficient building envelope design, energy efficient lighting and mechanical equipment, consistent with CM2.
- F61. The Applicant commits to purchase of renewable energy, consistent with CM4. Specifically, the Applicant has power purchase agreements at five off-Cape solar installations, generating 8.76MW of power, as well as two pending agreements to secure an additional 7MW of renewable energy.

Cultural Heritage

- F62. The Cultural Heritage goal of the RPP is to protect and preserve the significant cultural, historic, and archeological values and resources of Cape Cod. The Cultural Heritage objective that is applicable, material, and regionally significant relative to the Project is to: protect and preserve forms, layouts, scale, massing, and key character-defining features of historic resources, including traditional development patterns of villages and neighborhoods (CH1).
- F63. The Applicant plans to preserve the Gleason House, an inventoried historic property on the Project Site which has been incorporated into the administrative operations of the hospital, consistent with CH1.
- F64. The Project is located one block away from the Hyannis Main Street Waterfront Historic District and the National Register Historic District that overlaps the local historic district. The new structure will be screened from the historic neighborhoods by other structures, thereby protecting and preserving historic resources, consistent with CH1.
- F65. The Applicant submitted a Project Notification Form ("PNF") to the Massachusetts Historical Commission ("MHC") on January 21, 2022.
- F66. On February 24, 2022 MHC issued a determination that the Project is unlikely to affect significant historic or archaeological resources.

F67. The Project is located on a previously disturbed site and staff does not anticipate concerns about archaeological sensitivity. The Project location and the MHC determination indicate that Objective CH2 (protect and preserve archaeological resources and assets from alteration or relocation) is not applicable and material to the Project.

Economy

- F68. The Economy goal of the RPP is to promote a sustainable regional economy comprised of a broad range of businesses providing employment opportunities to a diverse workforce. The Economy objectives that are applicable, material, and regionally significant relative to the Project are to: protect and build on the Cape's competitive advantages (EC1); use resources and infrastructure efficiently (EC2); and encourage industries that provide living wage jobs to a diverse workforce (EC4).
- F69. The Project proposes additional medical treatment capacity to keep pace with rising demand for oncology services on Cape Cod.
- F70. Healthcare contributes a significant portion of the region's economy and attracts other businesses and service providers to the region.
- F71. The Project is located at the existing Cape Cod Hospital within the Hyannis Growth Incentive Zone and within a designated Community Activity Center. The Applicant plans to preserve the historic structure known as the Gleason House, an inventoried historic property on the Project Site which has been incorporated into the administrative operations of the hospital. The Project also provides services to residents and visitors and will provide support for improvements to the surrounding pedestrian infrastructure, consistent with EC1.
- F72. The Project is a redevelopment of an existing site and will connect to existing infrastructure. The Applicant proposes to locate new utilities underground, including water, sewer, natural gas, telephone, cable TV, fiber optic communication, oxygen lines and electric service, consistent with EC2.
- F73. The Project will also expand the water main in the public right of way of, which will enhance water flow and pressure for the neighbors south of the hospital. This will improve water quality for abutting homes and will improve fire flow for several large buildings at Hyannis Marina. The Project is in an area served by public transportation, consistent with EC2.
- F74. Cape Cod Healthcare ("CCHC") is the region's largest employer with approximately 2,600 employees at the Cape Cod Hospital. The Project anticipates adding 15 new full-time jobs at Cape Cod Hospital including registered nurses and aides, facilities/environmental/engineering, security, food service, housekeeping, and other support staff, consistent with EC4.
- F75. The median annual wage at CCHC, excluding physicians, is \$84,000, which is higher than the 2020 median household income for Barnstable County.
- F76. The Project is anticipated to result in 250-300 construction-related jobs over the duration of Project development.

Probable Project Benefit/Detriment

F77. Probable Project benefits include:

- The Project is sited in an area that functions as a Community Activity Center; is served by appropriate infrastructure; and is designated by the Commission and Town as appropriate for additional economic growth and development, including for the type and at the scale proposed.
- The Project is redevelopment of a previously disturbed site and thus minimizes impacts to the region's undisturbed natural resource areas.
- The Project will relocate facilities on the hospital campus to locations that are less vulnerable to flooding, sea level rise, and storm impacts.
- The Project will add both short-term construction jobs and full-time hospital jobs paying above median wages as compared to Barnstable County.
- The proposed expansion to Cape Cod Hospital's oncology and cardiology facilities is expected to improve patient care, allowing residents to receive treatment without the need to travel off-Cape.
- The Project is designed to meet LEED Silver certification requirements, includes energy-efficient mechanical equipment, electric vehicle charging stations, and commitments to purchase renewable energy generated off-site.
- Redevelopment of the site will result in a net decrease in paved areas, a net decrease in nitrogen loading to water resources, and utilize nature-based stormwater controls.

F78. Probable Project detriments include:

- The Project proposes redevelopment in an already densely developed area which experiences traffic congestion during peak travel times, and during the peak summer season. The Project may contribute to traffic congestion around the Hospital campus and greater Downtown Hyannis area.
- The Project may impact neighborhoods adjacent to the Hospital campus, as traffic to and from the Hospital may utilize public roads running through primarily residential communities.

CONCLUSION

Based on the Findings above and subject to the Conditions below, the Commission further determines, finds, and concludes that: the Project is consistent with the 2018 Cape Cod Regional Policy Plan and corresponding Technical Bulletins, applicable Municipal Development Bylaws, and the Town of Barnstable's LCP; the probable benefit of the Project is greater than its probable detriment; and the Commission hereby grants DRI approval for the Project described herein.

CONDITIONS

- C1. This Decision shall be final when the appeal period set out in Section 17 of the Cape Cod Commission Act has elapsed without appeal (or if such an appeal has been filed, when the appeal has been finally settled, dismissed, adjudicated, or otherwise disposed of in favor of the Applicant).
- C2. When final and after a copy of this Decision has been recorded with the Barnstable County Registry of Deeds, this Decision shall be valid and in effect, and local development permits may be issued pursuant hereto, for a period of seven years from the date of this Decision.
- C3. This Decision shall be appurtenant to and run with the Property. The Decision shall bind and be enforceable against, and inure to the benefit of, the Applicant, its heirs, successors, and assigns.
- C4. The Applicant shall obtain all required federal, state, and local permits, licenses, and approvals for the Project. Consistency with Municipal Development Bylaws shall be ratified and confirmed by the Applicant obtaining all required local permits, licenses, and approvals. Prior to commencement of the Project, the Applicant shall provide the Commission with copies of all required permits, licenses, and approvals, and plans approved therein, for the Project.
- C5. The Project shall be constructed, operated, and maintained in accordance with the documents listed in Exhibit A ("Approved Project Plans"). Plans, protocols, and other documents required as Conditions of this Decision shall be treated as incorporated into the Approved Project Plans once received, reviewed, and determined consistent with this Decision by Commission staff, and the Project shall be similarly constructed, operated, and maintained.
 - a. The Applicant hereby authorizes Commission staff to make site visits as necessary, at reasonable times and upon reasonable notice to the Applicant, to confirm that the Project is implemented in accordance with this Decision.
- C6. The Applicant shall provide a copy of this Decision and the Approved Project Plans to the Project's general contractor prior to commencement of the Project. The Applicant shall maintain a copy of this Decision and the Approved Project Plans on the Project Site throughout Project construction.
- C7. Prior to and as a condition to issuance of a building permit/s for the Project from the Town of Barnstable Building Department, the Applicant shall request and obtain from the Commission a Preliminary Certificate of Compliance; the issuance of such Preliminary Certificate of Compliance evidences that the Applicant has satisfied all Conditions in this Decision required to have been satisfied prior to the issuance of a local building permit/s.
- C8. Prior to and as a condition to issuance of a Certificate/s of Use and Occupancy for the Project from the Town of Barnstable Building Department, the Applicant shall request and obtain from the Commission a Final Certificate of Compliance; the issuance of such Final Certificate of Compliance evidences that the Applicant has satisfied all Conditions in this Decision required to have been satisfied prior to the issuance of a local Certificate/s of Use and Occupancy, and shall confirm that the Project was constructed or implemented in accordance with this Decision.
- C9. One year after receiving a Final Certificate of Compliance for the Project, the Applicant shall provide a one-time informational report to the Commission. The report shall include:
 - a. Results of a traffic count conducted at on-site driveways during the morning and evening commuter peak hours, during peak summer season.

- b. Results of a parking count at the various parking facilities on the Hospital campus between the hours of 10:00 a.m. and 2:00 p.m. Counts shall be taken once an hour during the four-hour period, during peak summer season.
 - c. Summary of assessments conducted and findings.
- C10. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall prepare a traffic and parking mitigation plan setting protocols for the Project's construction phases. The mitigation plan shall:
- a. Require contractors and associated parties to use Main Street for access and egress to/from the Site.
 - b. Minimize illegal parking in the residential neighborhoods to the southeast of the Hospital campus.
- C11. Prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission, the Applicant shall provide the following transportation mitigation for the Project:
- a. Demonstrate that all the following Transportation Demand Management measures have been implemented:
 - i. Designate a TDM coordinator for the Project who will work with the existing onsite TDM coordinator to encourage participation in the TDM program and distribute information regarding trip reduction strategies in physical and digital display location.
 - ii. Continued provision of on-site amenities on the hospital campus including an on-site restaurant with full food and beverage services.
 - iii. Provide a guaranteed ride home program in the case of an emergency for registered employee ride-sharers.
 - iv. Provide preferential parking spots for employees who carpool to encourage carpooling.
 - v. Display public transit schedules and route information in common areas.
 - vi. Provide secure bicycle storage on the exterior of the building.
 - b. Bayview Street and Lewis Bay Road Sidewalk Improvements as detailed in F44.
 - c. Provide a transportation mitigation payment of \$60,000 to the Commission c/o the Barnstable County Treasurer to hold for the use and benefit of the Town of Barnstable for purposes of transportation improvements in the vicinity of the Cape Cod Hospital that are consistent with TR1, TR2, and/or TR3
 - d. Safety improvements at the 3 high crash intersections as detailed in F43.
 - e. Submit a letter to the Town of Barnstable and the Town of Yarmouth agreeing to the donation of, and if requested by the Town of Barnstable and the Town of Yarmouth granting, an easement of Cape Cod Hospital-owned property to allow for construction of the Bayview Street Sidewalk project.
- C12. Prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission, the Applicant shall install no fewer than 2 electric vehicle charging stations, and conduit capable of supporting no fewer than 30 additional electric vehicle charging stations in the new patient/guest parking field.

SIGNATURE PAGE FOLLOWS

SIGNATURE PAGE

Executed this _____ day of _____ 2022

For the Cape Cod Commission by:

Signature

Print Name and Title

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss _____, 2022

Before me, the undersigned notary public, personally appeared _____,
whose name is signed on the preceding or attached document, and such person acknowledged to
me that he/she signed such document voluntarily for its stated purpose in his/her capacity as
_____ of the Cape Cod Commission. The identity of such person was
proved to me through satisfactory evidence of identification, which was [] photographic
identification with signature issued by a federal or state governmental agency, [] oath or
affirmation of a credible witness, or [] personal knowledge of the undersigned.

Notary Public
My Commission Expires: _____

SEAL

EXHIBIT A
Cape Cod Hospital, Hyannis
Condition C5 – Approved Project Plans

- Site Plan Set titled “Cape Cod Hospital Cancer and Cardiology Expansion Site Construction Plans, 27 Park Street, Hyannis, MA 02601,” as prepared by Down Cape Engineering, Inc. (last revised 01/07/2022, except where otherwise noted), inclusive of:
 - C001 - Civil Cover Sheet /Legend
 - C100 - Site Layout
 - C101 - Site Layout (Campus Overview)
 - C102 - Existing Conditions/Demo
 - C103 - Existing Conditions (Campus)
 - C200 - Grading/Drainage Plan
 - C201 - Grading/Utilities North Section
 - C300 - Utilities Site Plan
 - C401 - Civil Detail Sheet 1 (last revised 12/04/2021)
 - C402 - Civil Detail Sheet 2 (last revised 12/04/2021)
 - C403 - Civil Detail Sheet 3

- Plan Set titled “Cape Cod Hospital Cancer and Cardiology Expansion, 27 Park Street Hyannis, MA 02601” as prepared by Smithgroup, inclusive of:
 - CCCS A2.1 – CCC Submission – Level 1 Overall Floor Plan
 - CCCS A2.2 – CCC Submission – Level 2 Overall Floor Plan
 - CCCS A2.3 – CCC Submission – Level 3 Overall Floor Plan
 - CCCS A2.4 – CCC Submission – Level 4 Overall Floor Plan
 - CCCS A2.5 – CCC Submission – Penthouse Overall Floor Plan
 - CCCS A2.6 – CCC Submission –Roof Overall Floor Plan
 - CCCS A4.1.1 –Exterior Building Elevations – East and North
 - CCCS A4.1.2 –Exterior Building Elevations – West and South

Site Plan titled “Civil SK1- Emergency Oxygen Pad, Minor Site Edit to Provide Concrete Pad Under Emergency (Portable) Ox. Tank and Portable Generator Area,” as prepared by Down Cape Engineering, Inc. (dated 06/04/2022)

- Construction Waste Management Plan for Cape Cod Hospital – Expansion, dated October 18, 2021, prepared by Suffolk, Northeast, 65 Allerton Street Boston, MA 02119
- Landscape Maintenance Narrative, Cape Cod Hospital, dated December 3, 2021, prepared for the Cape Cod Commission by Smithgroup, 101 Seaport Boulevard, Suite 700, Boston, MA 02210
- Landscape program, inclusive of:
 - Landscape Plan titled “Sheet L1 – Landscape Submittal Plan, 1174 Pitcher’s Way, Hyannis, MA” as prepared by Hawk Design, Inc., last revised 1/16/20
 - “Turf Management and Integrated Pest Management Plan – 1174 Pitcher’s Way, Hyannis, MA” as prepared by Hawk Design, Inc., dated 10/30/19 and included within Exhibit K of the DRI application

- “Landscape Maintenance Plan – 1174 Pitcher’s Way, Hyannis, MA” prepared by Hawk Design, Inc., dated 10/31/19 and included within Exhibit K of the DRI application
- Detail Sheet C401 of the Site Plan set, inclusive of the Shrub and Tree Planting Detail
- Lighting plan and specifications, inclusive of:
 - “Photometric Plot Plan – Cape Cod Hospital Expansion, 27 Park Street Hyannis, MA 02601,” prepared by Smithgroup, submitted 02/02/2022
 - Lighting specification sheet for “McGraw-Edison GPC Galleon Pedestrian Companion” prepared by Cooper Lighting Solutions, submitted 02/02/2022
 - Lighting specification sheet for “UCN-10247 Concord 2 Bollard” prepared by Ligman Lightning USA, submitted 02/02/2022
 - Lighting specification for McGraw-Edison GLEON Galleon” prepared by Cooper Lighting Solutions, submitted 02/02/2022
- Stormwater plans, inclusive of:
 - “Stormwater Operations and Maintenance Plan: Cape Cod Hospital” prepared by Down Cape Engineering, Inc., dated 1/7/2022 and included within Exhibit 12 of the DRI application
 - “Stormwater Pollution Prevention Plan (SWPPP)” prepared by Down Cape Engineering, Inc., dated 1/7/2022 and included within Exhibit 12 of the DRI application