

March 2, 2021

Martha's Vineyard Commission
Re: DRI 352-M4 MVRHS Athletic Fields

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The Cape Cod Commission webpage for the Cape Training Center project is available here:

<https://capecodcommission.org/our-work/cape-cod-training-center-barnstable-dri/>

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CAPE COD
COMMISSION

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DECISION OF THE CAPE COD COMMISSION

Date: August 3, 2017

Project Applicant: Total Athletics of Cape Cod, Inc./ CCTC, LLC
c/o Eliza Cox, Esq.
Nutter McClennen & Fish LLP
1471 Iyannough Rd, P.O. Box 1630
Hyannis, MA 02601

Property Owner: Cape Cod Aggregates Corp.

Re: Development of Regional Impact (DRI)/ Hardship Exemption

Project: Cape Cod Training Center
(Commission File No. 17015)

Project Site/
Property Location: 90, 110 & 130 Merchants Way & 20 Business Lane, Hyannis, MA

Title Reference: BCRD Book 6656 Page 147

Assessors ID: Map 296 Block 2 Parcels 1,2,3,4

SUMMARY

The Cape Cod Commission ("Commission") hereby approves the Development of Regional Impact (DRI)/ Hardship Exemption application by Total Athletics of Cape Cod, Inc./ CCTC, LLC for proposed construction of an approximately 91,885 square foot two-story athletic field house containing an indoor ice rink; indoor turf field; indoor swimming pool; locker rooms; batting cages; fitness, training and rehab areas; food and concessions; community meeting space; sports-related museum; accessory retail pro shop; office; and child care areas, together with ancillary site improvements including an outdoor sports field on the approximately 8.29 acre, industrially-zoned currently undeveloped Project Site. This decision is rendered pursuant to a vote of the Cape Cod Commission at its hearing on the Project held August 3, 2017.

FINDINGS

The Commission hereby finds and determines as follows:

GENERAL FINDINGS

GF1. The Applicant proposes to construct an athletic training and recreational sports complex consisting of:

- an approximately 91,885 square foot two-story athletic fieldhouse containing an indoor ice rink; indoor turf field; indoor swimming pool; locker rooms; batting cages; fitness, training and rehab areas; food and concessions; community meeting space; sports-related museum; accessory retail pro shop; office; and child care areas; and
- ancillary site improvements including an approximate 198' x 360' outdoor playing field with artificial turf ("Project").

GF2. The project site is approximately 8.29 acres of industrially-zoned, currently undeveloped land on Merchants Way and Business Lane in the Independence Park area of Hyannis, made up of four adjoining subdivision lots proposed to be combined into and used as a single development lot ("Project Site" or "Site").

GF3. The Applicant has a lease with the Property Owner for the Project Site, with a Notice of Lease dated May 19, 2017, which allows the Applicant to permit, develop, maintain, operate and use the Project.

GF4. The Project requires Development of Regional Impact (DRI) review and approval pursuant to Section 3(e) of the Commission's *Enabling Regulations Governing Review of Developments of Regional Impact* ("Enabling Regulations") because the Project proposes both net new commercial building development with a Gross Floor Area of 10,000 sq. ft. or more, and an Outdoor Use with a Total Project Area of 40,000 sq. ft. or more.

GF5. The Applicant submitted a DRI and Hardship Exemption application to the Commission for the Project on May 19, 2017, and submitted supplemental application information throughout May, June and July 2017. The applicant seeks Hardship Exemption relief from compliance with various Minimum Performance Standards under the areas of Open Space and Recreation, Transportation (Congestion Management), Affordable Housing, and Community Character in the Regional Policy Plan. The Town of Barnstable, through its Building Commissioner, referred the Project to the Commission as a mandatory DRI by written referral dated July 10, 2017. The Project is reviewed subject to the 2009 RPP, revised August 2012. The Commission held a public hearing on the Project August 3, 2017.

GF6. The DRI/ Hardship Exemption application consists of the following materials, according to which the Applicant proposes to develop, operate, use and maintain the Project:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN.

GF7. Upon request by an applicant, Section 9 of the *Enabling Regulations* authorizes the Commission to grant Hardship Exemption relief to the applicant from a Project's compliance with Minimum Performance Standards in the Regional Policy Plan where: 1) the relief granted relates directly to, and is the minimum relief necessary to address, the identified hardship; and 2) the relief does not nullify or substantially derogate from the intent and purposes of the Cape Cod Commission Act, and will not result in substantial detriment to the public good.

GF8. The Commission grants the Applicant's request for Hardship Exemption relief from those Regional Policy Plan (RPP) Minimum Performance Standards, discussed in more detail in the RPP Consistency Findings section of this decision. The relief granted relates directly to, and is the minimum relief necessary to address, the identified hardship; does not nullify or substantially derogate from the intent and purposes of the Cape Cod Commission Act; and will not result in substantial detriment to the public good.

GF8A. There is a public need and benefit to developing a sports and recreation center for the region, a first of its kind for Cape Cod, and on balance, the Project Site is an appropriate location for the use. The Site has good access to the regional transportation network and other existing infrastructure, but is located far enough from regional roadways so that its functional building and site design will not affect visual character along regional roadways. The Site is centrally-located in the region, and Hyannis serves as the principal commercial hub for the region. There are few mapped resource areas on the Site. The Site is designated for industrial and other uses, such as the large-scale use proposed, that would be inappropriate or less appropriate for location within village centers, down-town areas or mixed-use commercial centers. At the same time, the Project is located in vicinity to other uses and businesses in the Hyannis area that could benefit from and support the Project.

GF8B. The Project is proposed as quasi-public, a private- public partnership and akin to "capital facilities," defined in the Commission Act as public facilities, services or infrastructure necessary to support other development, with examples cited including schools, roads and sewers that are normally constructed and provided by municipalities.

GF8C. In its application, the Applicant has evidenced the benefit and need for the Project by a wide and varied collection of non-profit entities and public schools across Cape Cod, for which private action and investment is required in the absence of municipal construction and operation of such a Project.

GF8D. The Applicant submitted a study commissioned by the Cape Cod Chamber of Commerce regarding the benefits of, and impediments to, developing such a Project in the region. The Cape Cod Chamber of Commerce also submitted correspondence expressing its strong support for the Project, citing the study in the letter. The Chamber's letter and study suggests that the Project would be an economic development driver for the region, having positive effects on lodging, restaurant, retail and other industries. The Project would not only serve Cape Cod youth and their families, but support youth and families in the Cape Cod's vital visitor based economy. The Project serves the demands of a burgeoning youth sports industry that is growing locally and

nationally, adding variety to regional economy with opportunities to bring in new regional wealth and capital for Cape Cod businesses.

GF8E. The above-referenced Cape Cod Chamber of Commerce sports facilities study cites the need and benefits associated with developing such a facility for Cape Cod, and also notes some of the impediments to development of such a facility, including anticipated high project costs and availability of land appropriate for siting such a Project. The study suggests that municipalities typically develop such facilities, similar to the Town of Barnstable's development of the Hyannis Youth and Community Center (HYCC). The argument follows that, in the absence of municipal development of such a Project, accommodation and incentive is necessary to encourage private development to commit to such a singular Project, given the time, effort, cost, and uncertainties associated with permitting, constructing and operating such a facility.

GF8F. The Applicant faces several substantial hardships, financial and otherwise, in permitting, constructing and operating the Project, including those related to literal enforcement and application of certain Minimum Performance Standards (MPSs) in the RPP. Based on review of the financing pro forma the Applicant submitted, the Project is not uneconomic, and there is a reasonable return on investment anticipated. However, requiring significant up-front mitigation costs could frustrate or discourage development of the Project, and reduce the capital and revenues necessary to develop and operate the Project, especially given its business model where sufficient initial operating capital is critical to its potential for long-term success. Additionally, there are several operational- and design-related MPSs, the enforcement and application of which would interfere with the function, utility, nature and purpose of the Project as a sports and recreation facility.

GF9. The Project's proposed constituent uses are currently allowed in the town's Industrial zoning district in which the Project is located. In response to and in anticipation of the Project, the Town is currently pursuing a zoning amendment that would change required setback, height and lot coverage requirements in the subject district and Groundwater Protection Overlay districts. The zoning amendment would allow the Project to be permitted 'by right' dimensionally under zoning, subject to administrative Site Plan Review. The zoning amendment would also create a new, specifically defined use "sports and recreation facility," which would be allowed 'by right' in the district. The Town's Planning Board voted to recommend adoption of the amendment in July 2017. The Town Council is anticipated to take up the proposed amendment at its August 17, 2017 meeting. Subject to adoption of the zoning amendment, or the Applicant otherwise obtaining zoning relief, and obtaining all required local permits, licenses and approvals for the Project, the Project is consistent with Barnstable municipal development ordinances.

GF10. The Project is consistent with the Town of Barnstable's Local Comprehensive Plan. In its Local Comprehensive Plan (LCP), the Town of Barnstable directs new commercial and industrial development to be located appropriately. The Project is located in an Industrial zoning district also designated by the Town and Commission as an Industrial Service and Trade Area, off of congested highway corridors. As previously referenced herein, the Town is considering a zoning amendment to encourage the development of sports and recreational facilities in the project area. Because of its size and nature, it would not be appropriate to locate the Project in a village

center or downtown area. Youth recreation needs is cited as a Health and Human Services priority in the Plan, noting the growth of this segment of the population. An overarching Plan goal is to encourage private development that supports appropriate economic development. The support of recreational activities and facilities and the visitor based economy are cited as goals and actions in the Economic Development section of the LCP.

GF11. The Project is consistent with District of Critical Planning Concern (DCPC) implementing regulations applicable to the Project Site and the Project's constituent activities. Applicable DCPC implementing regulations are those adopted by the Town of Barnstable pursuant to the Cape-wide Fertilizer Management DCPC, which implementing regulations are in the form of a Fertilizer Nitrogen and Phosphorus Control Ordinance. This Ordinance regulates turf fertilizer applications within the Town. Most of the turf associated with the Project is artificial turf that does not require fertilization; for natural turf and other plantings, the Applicant has submitted a landscape maintenance protocol, which contains specific turf maintenance provisions that are consistent with Barnstable's Fertilizer Nitrogen and Phosphorus Control Ordinance. The Project is subject to local regulation through the Town's application of such Ordinance.

GF12. The Project furthers and is consistent with fundamental purposes of the Cape Cod Commission Act, articulated in Section 1 of the Act, related to provision of adequate capital facilities, balanced economic growth and preservation of recreational values.

GF13. The probable benefit of the Project is greater than the probable detriment of the Project.

Probable Project benefits include:

- A. The Project furthers fundamental economic development, capital facilities, and recreational values and purposes of the Commission Act;
- B. The Project is locally owned, and has used or will use a significant number of local contractors and service providers in its permitting and development;
- C. The Project adds economic variety to the region, addresses regional needs and demands, and is intended to serve both the local population and visitors;
- D. One of the Applicant's goals of the Project is the support of local non-profit sports groups and public schools, ranging from opportunities for needed field and facility use, to the housing of the proposed Cape Cod Baseball League and its Hall of Fame Museum.
- E. Through the Cape Cod Foundation, the Applicant has established a scholarship fund for local student athletes.
- F. The Project is likely to have positive economic effects on local and regional accommodations, restaurant and similar and companion industries.
- G. The Project supplements and enhances municipal interests and alliances, such as the Project's relationship with the Hyannis Youth and Community Center.
- H. The Project will reduce travel distances for hundreds of Cape Cod young athletes and families who are forced to travel long distances (including off-Cape) several times a week for access to similar facilities.
- I. The Project furthers the public health values and purposes of the Act by providing recreational and athletic opportunities to the community and, in particular to the youth population.

- J. The Project proposes innovative educational programs, including a “Coaches Symposium” to assist, mentor, and advance the professional training of coaches, including how to navigate collegiate and professional recruiting, as well as STEM classes and programs.

Probable Project detriments include:

- A. The Project requires clearing and disturbance of a naturally vegetated Site, a portion of which is mapped as a Zone II for its contribution to public drinking water supplies.

GF14. Subject to the Hardship Exemption relief granted herein and discussed more specifically in the following RPP Consistency Findings, and subject to satisfaction of the Conditions contained herein, the Project is consistent with the applicable and material Goals and Minimum Performance Standards of the Regional Policy Plan:

RPP CONSISTENCY FINDINGS

Land Use

LUF1. The Project meets applicable MPSs in the Land Use issue area because it involves a use and development scheme appropriately located within an Industrial Service and Trade Area (ISTA), and is so located within an ISTA on the Land Use Vision Map approved by the Town and the Commission. The Thornton Drive area surrounding the Site is heavily developed with industrial and commercial development, and utility corridors.

Economic Development

EDF1. The Project meets applicable MPSs in the Economic Development issue area because it involves a use and development scheme appropriately located within an Industrial Service and Trade Area (ISTA), and is so located within an ISTA on the Land Use Vision Map approved by the Town and the Commission.

Natural Resources

NRF1. As the Project involves a significant amount of site clearing and disturbance, and the Project Site is currently undeveloped, the Applicant was required to have a Natural Resources Inventory (NRI) of the Site prepared. The Applicant submitted an NRI that complies with RPP requirements. The NRI does not reveal the presence of specimen trees, invasive species, wetlands, vernal pools, mapped Priority Habitat for Rare or Endangered Species or such species themselves, or other unique natural resource conditions on the Project Site. Thus, the Project will not have any significant impact with respect to these resources, and is consistent with the RPPs Wetlands/ Wildlife and Plant Habitat issue area.

NRF2. Approximately 1.1 acres along the southern boundary of the Project Site is a Significant Natural Resource Area (SNRA) under the RPP because it is mapped as a Zone II for public

drinking water supply purposes. The remaining balance of the Project Site (approximately 7.19 acres) is not mapped as a Significant Natural Resources Area under the RPP.

NRF3. The RPP requires that new development permanently restrict land to mitigate such development. Such 'Open Space' land is to be restricted and held for conservation purposes, and provided in a 2:1 proportion of upland Open Space to site development area for sites or portions of sites located in SNRA, and in a proportion of 1:1 for sites or site areas not located in SNRA. So calculated, the Applicant would be required to permanently restrict approximately 9 acres of land as Open Space mitigation for the Project.

NRF4. The Commission grants the Applicant's request for Hardship Exemption relief from the RPPs Open Space mitigation requirement:

NRF4A. Given the size of the Project and land area necessary to undertake it, the Applicant's use of the Project Site is efficient. The proposed field-house is multi-level, and the Project allows many different sports or training activities to be undertaken on the same site, even simultaneously. Because of the Applicant's need to use the entirety of the Site for the Project, there is no area on the Site available for restriction. Every portion of the Project Site is at a premium; there is also little available land in the region where the Project would both be compatible and appropriate with surrounding land uses and development, and satisfy the programmatic needs and design of the Project.

NRF4B. The RPP allows, in the discretion of the Commission, payments in lieu or restriction of off-site land as an alternative to on-site Open Space restriction mitigation requirements. The acquisition or payment of such land in the Town of Barnstable is likely between \$1M and \$2M. According to the Applicant, and based on a review of the Applicant's pro forma, it is unlikely the Project could bear such costs, and such costs would likely prohibit financing for the Project, even with the pro forma evidencing a reasonable return on investment within a five year period.

NRF4C. The area around the Project Site is heavily developed with commercial and industrial uses, and any Site Open Space would not tie into a contiguous corridor of existing restricted open space off-site.

NRF4D. The Site is specially designated by the Town and the Commission as an Industrial Service and Trade Area (ISTA) on the Regional Land Use Vision Map. There is limited availability of industrially zoned land across the region, and especially industrial land with an ISTA designation. These specially and infrequently designated areas are primarily intended to be developed (not restricted for conservation purposes), and developed with uses such as the one proposed.

NRF4E. There is only one resource type on-site mapped by the Commission (Zone II), and the resource only affects a portion of the Site. The Project is designed to protect the underlying resource in several ways: the Project will connect to and be served municipal sewer; Site stormwater management is of a Low Impact Design type that treats and filters run-off; more environmentally friendly materials and practices will be used to

maintain the indoor pool and ice rink, and the Site building is located outside the portion of the Site mapped as a Zone II.

NRF4F. The 'Open Space' issue area of the RPP is more properly titled 'Open Space and Recreation.' Though the issue area does not have any MPSs that deal specifically with recreation, the Goals of the issue area reflect the Commission Act and encourage active recreational opportunities. The Project furthers recreational interests, opportunities, goals and values referenced in the Commission Act and RPP.

Water Resources

WRF1. The Site lies wholly within the Millway subembayment watershed, which is within the larger Barnstable Harbor embayment watershed. Though it is anticipated that a critical nitrogen loading threshold will be established for the watershed through the Massachusetts Estuaries Project (MEP), where there is a draft technical report currently underway, no nitrogen total maximum daily load or critical nitrogen loading threshold has been established for the watershed, and there are currently no documented nutrient water quality issues in the watershed according to the Barnstable Harbor watershed report, dated September 2016, included in the Area-wide, Section 208 Water Quality Plan Update.

WRF2. The Applicant submitted nitrogen loading calculations for the project, performed in accordance with the Commission's Nitrogen Loading Technical Bulletin. The Project has a site-wide nitrogen load of 2ppm, meeting the sitewide nitrogen loading standard of 5ppm under MPS WR1.1 for General Aquifer Protection and MPS WR2.1 for Drinking Water Quality, applicable to Wellhead Protection Areas.

WRF2A. The Project will be connected to and served by municipal sewer.

WRF3. A mapped Zone II drinking water supply area covers ~1.1 acres of the southeastern corner of the Project Site, which is also a resource area identified on the Cape Cod Commission's Water Classification Map 1, incorporated into the RPP. The Project Site also contains ~.25 acres mapped as a Groundwater Protection (GP) Overlay District and ~3.41 acres mapped as a Wellhead Protection (WP) Overlay District (which overlaps in part with the Zone II), designated under local zoning as areas contributing to Barnstable's public drinking water wells.

WRF4. No Hazardous Materials or Waste are proposed to be stored or generated on site within mapped Wellhead Protection Areas above Household Quantities, as these terms are defined in the RPP, consistent with MPS WR2.2. Additionally, the fieldhouse (containing among other things, the swimming pool and ice rink) is located outside the areas of the Site mapped as a Zone II. Approximately half of the field house and associated pavement lie within the GP zoning overlay district.

WRF4A. The "HazMat Waste Narrative" included in the DRI application identifies the specific waste streams anticipated to be generated on site. In addition to normal business and restaurant wastes to be generated, cleaning materials will be present in minor quantities and cooking oils will be recycled by licensed contractors.

WRF4B. The ice rink facility will utilize commercial grade chillers using Freon gas (rather than ammonia) and an ethylene glycol water solution for ice production. The rink ice is held in an indoor ice pit that contains a melting piping loop. The water is then discharged to the ground through a leaching pit type infiltrator. These practices should lower the risk of potential threat to groundwater relative to other commercially available alternatives.

WRF4C. In regards to swimming pool operation, the Applicant proposes to use a salt generator for the swimming pool treatment system, removing the need to provide chlorine chemicals. Though chlorine is a byproduct of the salt system, the chlorine levels are much lower than with a chlorine system. The pool backwash waste water is proposed to be held in a holding tank for approximately two weeks until the tested PH level is between 6.5 and 8.5, and is then proposed to be discharged to the ground through a leaching pit type infiltrator. Typical pH for ground water on Cape Cod is approximately 6 per USGS Water Resources Investigation 79-65. The proposal to infiltrate wastewater associated with the pool and ice rink maintenance on site will be reviewed for water quality protection in accordance w/ Condition C20 herein. These practices should lower the risk of potential threat to groundwater relative to other commercially available alternatives.

WRF4D. The outdoor sports field is located within Zone II Wellhead Protection Areas, mapped in the RPP, on the Site. However, the sports field is artificial and uses "Astro Turf" which does not require fertilization, eliminating the potential to leach nutrients to the Zone II area.

WRF5. The Site's proposed stormwater management system will manage and infiltrate stormwater on Site, and is generally designed according to the requirements in the RPP. The Site system exceeds TSS removal requirements, consistent with MPS WR7.2. Additionally, there will be no new direct discharges, consistent with MPS WR7.1.

WRF5A. The proposed stormwater management system specific to the parking/pavement areas is designed to accommodate the 25-year, 24-hour storm. This system directs runoff to rain garden forebays for pretreatment and filtration, with additional infiltration capacity provided by underground leaching chambers. All pavement drainage areas on-site, with the exception of Drainage Area #9 located in the rear of the building, provide bioinfiltration for the first inch of stormwater required by MPS WR7.4.

WRF5B. The artificial turf field is considered pervious, as the turf percolates at a rate of approximately 14inches/hr, meeting minimum guidelines established by the Synthetic Turf Council. An inverted sump will be constructed below the lowest field grade to capture runoff that may occur during high intensity storms. Infill material for the turf will be comprised of Zeolite, gravel, and sand, enabling filtration of stormwater. The infill material does not include rubber. "Zeolite" is a porous volcanic material that will retain about 10,000 – 12,000 gallons of water. According to the Applicant, infiltration cylinders could be included in the design, as needed.

WRF5C. Roof runoff is proposed to be managed separately and will be directed to dedicated leaching pits for roof runoff, consistent with MPS WR7.4.

WRF5D. Erosion controls specified on plans relate to stabilizing seeded slopes, but there are no other site-wide erosion control devices or strategies proposed to be implemented sitewide during construction.

Waste Management

WMF1. The Applicant submitted Construction Waste Management and Hazardous Waste/Materials Management protocols in its application materials that meet the MPSs of the RPP. Of note, the protocols propose use of more environmentally friendly materials and practices for maintenance and operations than available alternatives: ammonia products will not be used in rink maintenance activities, and saline rather than chlorine will be used for swimming pool operations.

Affordable Housing

AHF1. Affordable Housing Goal AH3 (Community Participation) requires commercial projects reviewed as DRIs to provide a payment based on the expected number of below-average-wage workers per square foot associated with a project, calculated in accordance with MPS AH3.1 (Mitigation Standard). Alternately, an applicant may choose to provide deed-restricted Affordable Housing units for 10% of the expected below-average-wage workers associated with the project as detailed by MPS AH3.4 (On-site Units Option).

AHF2. As calculated under MPS AH3.1, the expected number of below-average-wage workers associated with the Project is 49, requiring the provision of 5 Affordable Housing units under MPS AH3.4. The Applicant has provided a staffing plan showing the expected actual number of below-average-wage workers associated with the Project will be 24, which would require the provision of 2 Affordable Housing units.

AHF3. The Applicant has also detailed in the staffing plan submitted to the Commission that the majority of below-average-wage jobs associated with the Project will be filled by members of the resident Total Athletics Seahawks junior ice hockey team, who are required through their program to be housed and employed by the Applicant. As these players are aged 16-20, will be relatively short-term residents, and must be housed through home-stay programs, they would unlikely be eligible for deed-restricted Affordable Housing as required under MPS AH3.4. Requiring monetary mitigation, a "Commercial Contribution," would reduce operating capital and financing available for the Project, and thus bring into question the ability to develop and operate the Project, and misses the overall purpose and intent of the AH MPSs relative to the unique staffing program for the Project, which Project is unlikely to impact the need for Affordable Housing in the region given the nature of staffing proposed.

AHF4. The Commission grants the Applicant's request for Hardship Exemption relief from the literal application and enforcement of MPS AH3.4, which would involve substantial hardship for the Applicant, as the Seahawks hockey program, with its own requirements, is a central feature of the overall Project program. Further, the Applicant will house significantly more than the

required number of workers under a literal reading of MPS AH3.4, thus the home-stay program as an alternative to the provision of deed-restricted Affordable Housing units under MPS AH3.4 does not constitute a detriment to the public good and does not derogate from the intent of Affordable Housing Goal AH3, which is to require mitigation for anticipated impacts to the regional need for Affordable Housing. Through this housing arrangement, the Applicant is also helping support a mission of a local non-profit sports entity providing live-work opportunities for youth on Cape Cod.

Energy

EF1. The Project meets the MPSs of the Energy issue area, per MPS E1.7, by generating and satisfying a significant amount of the Project’s energy demands through the installation and operation of roof-mounted solar arrays on the field house (though the application references proposed car port solar arrays, the Applicant has withdrawn its request for them).

Transportation

TF1. As described in the Traffic Impact and Access Study (TIAS), prepared by VHB, dated April 2017, the Applicant is proposing to develop the Site, with the “*construction of an approximately 92,363 sf [square foot] building housing an indoor turf field, an ice skating rink, and various other indoor sports activities as well as an outdoor sports field and an approximately 946 sf snack bar.*” The TIAS, along with a follow-up memorandum from VHB, dated July 12, 2017, characterizes the existing condition of the roadways in the vicinity of the proposed project, presents potential impacts of the Project, and details transportation mitigation measures proposed by the Applicant.

TF2. As presented in the TIAS, empirical traffic count data was collected at four sports complex facilities in eastern Massachusetts with similar characteristics to the proposed facility. This data was used to establish a trip generation rates that was then applied to the proposed sports complex. Commission transportation staff agrees with trip generation estimates as summarized in Table 1.

Table 1: Estimated Project Trip Generation

Time Period	Site-Generated Trips¹	25% Trip Reduction Requirements²	Net New Trips
Weekday Daily	1,150	-288	892
Weekday Evening Peak Hour	190	-47	143
Saturday Daily	1,040	-260	780
Saturday Peak Hour	203	-51	152

Note:

¹ Based on trip generation rates from empirical count data applied to a 92, 363 sf facility

² In accordance with the RPP

TF3. Based on discussions with Commission staff, study area locations identified for analysis in the TIAS include the following intersections and roadway links:

Intersections:

- Route 132 at Route 6 Westbound Ramps
- Route 132 at Route 6 Eastbound Ramps
- Route 132 at Shootflying Hill Road
- Route 132 at Attucks Lane
- Route 132 at Independence Drive/Enterprise Road
- Phinneys Lane at Attucks Lane
- Phinneys Lane at Kidd's Hill Road
- Independence Drive at Attucks Lane
- Independence Drive at Kidd's Hill Road
- Willow Street at Route 6 Westbound Ramps
- Kidds Hill Road at Industrial Boulevard
- Kidds Hill Road at Merchants Boulevard
- Merchants Way at Site Driveway

Roadway Links:

- Route 132 between Route 6 Westbound Ramps and Route 6 Eastbound Ramps
- Route 132 between Route 6 Eastbound Ramps and Shootflying Hill Road
- Route 132 between Shootflying Hill Road and Attucks Lane
- Route 132 between Attucks Lane and Independence Drive
- Attucks Lane between Route 132 and Phinneys Lane
- Attucks Lane between Phinneys Lane
- Phinney's Lane between Attucks Lane and Kidd's Hill Road
- Independence Drive between Route 132 and Attucks Lane
- Independence Drive between Attucks Lane and Kidd's Hill Road
- Kidd's Hill Road between Phinney's Lane and Independence Drive

TF4. The TIAS presents a crash analysis of all study area locations* and identifies the following five locations as high-crash locations (three or more crashes per year):

- Route 132 at Route 6 Westbound Ramps
- Route 132 at Route 6 Eastbound Ramps
- Route 132 at Shootflying Hill Road
- Route 132 at Attucks Lane
- Route 132 at Independence Drive/Enterprise Road

**Note: The intersection of Attucks Lane at Independence Drive was included as a high-crash location in the TIAS, but upon further investigation of crash data by VHB it was determined*

that many of the crashes occurring in a nearby parking lot. With the removal of these crashes from the intersection, this location is no longer considered a high-crash location.

TF5. The crash analysis presented in the TIAS presented no major safety deficiencies at these locations with crash rates well below the regional average when considering the volume of traffic through the intersections. Potential minor safety improvements at these high-crash locations have or will be made implemented by other projects in the area in the near future. Given the relatively low crash rates at study area intersections and the improvement already planned, Commission staff requested the Applicant focus on potential safety impacts at unsignalized intersection in close proximity to the Project Site.

TF6. At the request of Commission staff, VHB conducted *“field inspections of existing geometry, signage, and pavement markings at three key intersections near the site that patrons of the proposed facility will travel through getting to and from the proposed facility.”* This included the unsignalized intersection of Industrial Boulevard at Kidds Hill Road, Merchants Way at Kidds Hill Road, and Kidds Hill Road at Independence Drive. While none of these locations exhibit substantial crash history, the Applicant has committed to making safety improvements at these locations for benefits of patrons of the facility and the public.

TF7. As presented in the TIAS and the follow-up memo, the Applicant has committed to implementation of the following safety mitigation actions, which satisfy RPP motorist safety requirements:

- Industrial Boulevard at Kidds Hill Road
 - “Add Lane striping, STOP Bar/Stop Sign along the Industrial Boulevard Approach to the intersection.”
 - “Add STOP AHEAD sign (MUTCD W3-1) to Merchants Way approach”
 - “Add Intersection Ahead warnings signs to the Kidd’s Hill northbound and southbound approaches to the intersection MUTCD W2-7.”
- Merchants Way at Kidds Hill Road
 - “Add Lane striping, and a STOP Sign/STOP Bar along the Merchants Way approach to the intersection.”
 - “Add STOP AHEAD sign (MUTCD W3-1) to Merchants Way approach”
 - “Add Intersection Ahead warnings sign to the Kidd’s Hill southbound approach to the intersection MUTCD W2-7.”
- Kidds Hill Road at Independence Drive
 - “Install New STOP sign/Stop Bar along the Kidd’s Hill Road approach to the intersection. The location of both will be optimized, within the MUTCD placement requirements to optimize visibility.”
 - “Add Intersection Ahead warnings sign to the Kidd’s Hill southbound approach to the intersection MUTCD W2-7.”
 - “Add supplemental plaques (MUTCD R1-3P) to each STOP sign at the intersection.”
 - “Trim vegetation along each approach to the intersection to optimize visibility to signage to the extent possible within the existing Right of Way. Since Independence Drive is a private roadway, it is assumed that the owners will allow this improvement to be done since it is in the public interest.”

TF8. To address and satisfy the RPP's non-motorist safety requirements, and provide non-motorist connectivity to the regional pedestrian and bicycle pedestrian network, the Applicant has committed to constructing approximately 900 feet of sidewalk along portions of Merchants Way and Kidds Hill Road, including a crosswalk across Kidds Hill Road. The new sidewalk, with appropriate crosswalks and curb ramps, will provide a safe connection between the project side and the sidewalk that currently existing on Wilkens Lane all the way to Attucks Lane. This concept is presented as "Potential Sidewalk Route A" in the July 12, 2017 VHB memo.

TF9. As noted in the July 12, 2017 VHB memo, "*Wilkens Lane is a private road owned by Cape Cod Healthcare and development along Wilkens Lane is only partially completed and therefore the sidewalk is gated and not currently accessible to the public.*" Allowing public access for pedestrians along Wilkens Lane is key to ensuring that patrons of the proposed sports complex can access the regional sidewalk network along with the numerous nearby destinations and transit service.

TF10. Once complete, the new sidewalk will also link the proposed project with future Cape Cod Rail Trail extension that is envisioned to follow a route that runs along Kidds Hill Road.

TF11. The RPP requires that the Site must be designed to safely accommodate all road users, including pedestrians and bicyclists. The current site plans will need to be revised to provide safe connections between the proposed new sidewalk and buildings and other attractions on Site. The current site plans will also need to be revised to ensure pedestrians can move safely around the Site, including from the parking spaces in the rear of the building.

TF12. The Applicant has proposed a Travel Demand Management (TDM) program to meet the 25-percent trip reduction requirement under Goal TR2. This TDM program is detailed in the TIAS and includes measures aimed at promoting carpooling/ridesharing, encouraging use of public transit, utilizing local shuttles/buses to and from schools and hotel facilities, facilitating bicycle and pedestrian access to and within the Site, and providing a host of on-site amenities. In addition, or more specifically, activities on the Site as part of the TDM program include:

- *Preferred/reserved parking for employees/patrons who rideshare/carpool*
- *On-site restaurant with full food and beverage service*
- *Lunch and break rooms equipped with refrigerators and microwaves, etc. for employees who may wish to prepare their own food*
- *On site fitness center*
- *Locker Rooms – with changing rooms and showers*
- *Bicycle storage – exterior bike racks plus a secure interior storage room*

TF13. Furthermore, the Applicant will "*designate and employ (or employees) that will be responsible for managing the TDM program. The designates coordinator will encourage participation in the program and will distribute information to employees and patrons regarding all available trip reduction strategies.*" This TDM coordinator shall consult with MassRIDES staff as part of their TDM plan implementation. All TDM program materials, including current bus schedules, shall be posted on a bulletin board in the facility viewable by employees and patrons.

TF14. With the construction of the new sidewalk proposed by the Applicant and a revised site plan that more safely accommodates pedestrians, implementation of the TDM program satisfies the RPP's trip reduction requirements.

TF15. The Applicant proposes 210 paved parking spaces on Site, based on a calculation of one space for every three occupants with 630 occupants assumed. This calculation is consistent with the requirements of local zoning; however, given the unique nature of this Site and use, the Applicant might consider undertaking a parking demand analysis to determine the appropriate number of spaces. An area of approximately 3,500 sq ft of parking area to the northwest of the filedhouse is pervious pavement. The Applicant is also encouraged to consider the further use of unpaved or pervious parking areas and the use of existing off-site parking areas for overflow parking where appropriate to minimize the total number of paved/impervious areas on the Site.

TF16. The TIAS presents a detailed analysis of potential congestion impacts on study area intersections and roadway segments. The overall congestion impact on the roadway network within the study area is relatively minor and future congestion benefits from the provision of the non-motorist facilities (sidewalk and related infrastructure) within the study area offset these impacts within the study area.

TF17. Where there are anticipated trips and effects beyond the study area, such as with the Project and its proposed constituent uses, the Commission analyzes congestion impacts beyond the study area established in the TIAS. Based on a vehicle miles traveled transit equivalency approach, as presented in the TIAS, a monetary contribution of \$532,100 would be required to offset these congestion impacts. Commission staff suggests that this calculation was performed in accordance with the procedure detailed in Technical Bulletin 96-003 and suggests that a monetary contribution of \$532,100 would offset the congestion impacts of the Project beyond the study area.

TF18. Commission staff suggests that beyond the study area, the Project will have quantifiable congestion impacts, but these impacts are not likely to have a significant impact on the operations of the roadway network except during special events. As such, granting the Applicant's request for Hardship Exemption relief, in the amount of \$532,100 for congestion impacts outside of the study area, would not nullify or substantially derogate from the intent and purposes of the Act, and would not result in a substantial detriment to the public good. The requirement for such mitigation payment would reduce operating capital and financing available for the Project, and thus bring into question the ability to develop and operate the Project.

TF19. As special events at the Project Site may have congestion impacts within and beyond the study area, a Traffic Management Plan should be developed in consultation with Town of Barnstable staff and emergency personal to effectively manage the traffic from these events.

Heritage Preservation/ Community Character

HPCCF1. The Applicant filed a Project Notification Form with the Massachusetts Historical Commission (MHC) regarding the potential for archaeological resources in the Project area. Verbal confirmation was received from MHC that MHC had no comments on the Project.

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Though the Site is undeveloped, the area surrounding the Site is heavily developed with commercial and industrial uses and development. There are no known archaeological resources, or historic structures, resources or districts on or within close proximity to the Project Site.

HPCCF2. All proposed building and parking area exterior lighting fixtures meet the requirements of MPS HPCC2.11 (Exterior Lighting) in that they provide full-cutoff at 90-degrees from vertical, do not light areas beyond the property bounds, and result in fewer than 8 foot-candles of light at grade. Lighting for the playing field does not meet these requirements, but a literal enforcement and application of this MPS would involve substantial hardship for the Applicant in that 8 foot-candles is significantly below recommended lighting levels for playing fields of the type proposed, and would interfere with the utility, nature and purpose of the Project. The Applicant submitted industry best management practices for sports field lighting. The Project utilizes modern LED field lighting fixtures with significantly greater optical control than traditional flood lighting and proposed lighting levels are consistent with recommended lighting levels for facilities of this type. Based on the Project utilizing industry best practices for lighting of this type, the Project does not constitute a detriment to the public good and does not derogate from the intent of MPS HPCC2.11, which is to reduce unnecessary site lighting.

HPCCF3. Given the proposed location within the Hyannis industrial area, the Project will not be visible from any regional roadways or distinctive neighborhoods, giving it more flexibility in building design, site design, and building materials. MPS HPCC 2.7 allows non-traditional materials, forms and site designs in industrial parks or areas not visible from regional roadways. The proposed building is large (approx. 72,000 sf footprint) and ranges in height from 28 to 44 feet, but due to existing topography it will be sited approximately 25-40 feet below the grade at the north and east portions of the site, reducing its visibility. Specifications for the proposed exterior building materials (insulated metal sandwich panels and standing seam metal roof) have been provided. The site and building design of the Project and building materials to be used are functional in nature and appropriate to location in the subject mapped ISTA, where the Project is not visible from regional roadways. Parking is not located to the front of the fieldhouse, but to the sides and rear of the fieldhouse. To the extent necessary, the Commission grants Hardship Exemption relief from MPS HPCC 2.7, where the Project will require clearing a majority of the currently wooded Site, and new plantings are not proposed to screen the Project from public view. Such screening would interfere with the function, nature and purpose of the proposed use, especially where the outdoor field occupies a good deal of the frontage of the Project Site and the Project is not visible from a regional roadway or distinctive area.

HPCCF4. The Applicant provided a functional landscape plan and maintenance protocol/contract that meets RPP requirements, appropriate to the nature of the Project. Such plan provides some planting along Merchants Way and Business Way, along the perimeter of the Site, and within and adjacent to internal parking islands. The Applicant has articulated in its narrative that additional plantings will be installed in the stormwater biofiltration areas; the current plans show the stormwater biofiltration areas as grassed swales. The Applicant shall submit revised landscaping and stormwater plans depicting additional plantings in stormwater biofiltration areas.

CONCLUSION

Based on the above Findings, the Commission hereby approves the Cape Cod Training Center Project described herein as a Development of Regional Impact/ Hardship Exemption, subject to the Conditions, below.

CONDITIONS

C1. When final, this decision shall be valid and in effect for a period of 7 years, and local development permits may be issued pursuant hereto for a period of 7 years from the date of this written decision. 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), and a copy of this decision has been recorded with the Barnstable Registry of Deeds, and registered with the Barnstable Land Court, as applicable. The Applicant shall bear the costs of recording or registering this decision.

C2. This decision shall be appurtenant to and run with the property which is the subject Project Site. The decision shall bind and be enforceable against, and inure to the benefit of, the Applicant, its successors, and assigns.

C3. The Applicant shall obtain all necessary federal, state, and municipal permits, licenses, and approvals for the Project, including but not limited to those from the Town of Barnstable and from the Massachusetts Department of Transportation for roadwork and work in road layout, and provide copies of the same to the Commission, prior to commencement of any Project building construction.

GC3(a). The Project's consistency with municipal development by-laws, regulations or ordinances shall be evidenced and confirmed by the Applicant obtaining all said necessary municipal permits, licenses and approvals.

C4. The Project shall be undertaken, constructed, operated, and maintained in accordance with the Findings and Conditions set out herein, including the plans and documents referenced below ("Approved Project Plans.") When and as supplemental or revised plans and documents required to be submitted as Conditions of this decision are reviewed and approved by Commission staff, such plans and documents shall be deemed incorporated into the Approved Project Plans to supplement or substitute for those plans and documents approved herein, as the case may be, and the Project shall similarly be undertaken, constructed, operated, and maintained in accordance with the same. Failure to comply, and remain in compliance, with all findings and conditions stated herein may be deemed cause to revoke or require modification to this decision. This decision does not permit any other work or development at the Project Site, including tree and vegetation clearing and removal, except as authorized herein.

See Exhibit B attached hereto and incorporated herein

C5. Pursuant to section 9(b)(iv)(3) of the *Enabling Regulations*, upon considering any Modification to this decision, the Commission may in its discretion as part of such Modification request require additional or full compliance with the Minimum Performance Standards for which relief is granted hereunder if the Commission finds that the basis for the original Hardship Exemption has changed.

C6. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall:

- a. submit final project plans as approved by state, federal, and municipal authorities for review by Commission staff who will determine their consistency with this decision. If Commission staff determines that the final plans are not substantially consistent with the Approved Project Plans, the Commission requires that the Applicant seek a modification to this decision for further review and approval of the Project changes in accordance with the "*Modification*" section of the Commission's *Enabling Regulations* in effect at the time the modification is sought;
- b. provide evidence to the Commission that a copy of this decision has been provided to and received by the general contractor for the Project. Copies of this decision and Approved Project Plans shall be maintained on-site during Project construction.
- c. Provide the Commission a recorded copy of a perimeter plan for the Site eliminating existing interior lot lines of its constituent parcels.

C7. Prior to and as a condition to issuance of a Building Permit by the Town, the Applicant shall obtain a Preliminary Certificate of Compliance from the Commission that evidences that all conditions in this decision required to have been satisfied prior to the issuance of a Preliminary Certificate of Compliance have been satisfied, and that the Project is in compliance with this decision.

C8. Prior to and as a condition to issuance of a Certificate of Use/Occupancy for the Project by the Town, the Applicant shall obtain a Final Certificate of Compliance from the Commission that evidences that all conditions in this decision required to have been satisfied prior to issuance of a Final Certificate of Compliance have been satisfied and that the Project is in compliance with this decision.

C9. Commission staff will undertake a review of the Project's compliance with this decision, including the applicable conditions hereof, upon the Applicant's request to the Commission for issuance of any Certificate of Compliance. At the time the Applicant requests such a Certificate, it shall provide Commission staff a list of key project contact(s), along with their telephone numbers, mailing addresses, and email addresses, in the event questions arise during the Commission's compliance review. As part of its compliance review, Commission staff may make, and the Applicant hereby authorizes, site inspections upon reasonable notice to the Applicant, as

such visits are needed. Upon review, the Commission shall either prepare and issue the requested Certificate, or inform the Applicant in writing of any compliance deficiencies and the remedial action required for the issuance of the requested Certificate.

C10. The Applicant shall connect the Project to the municipal sewer system, and the Project shall be served by municipal sewer.

C11. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall provide for Commission staff review and approval final construction plans and details about Site stormwater and drainage facilities consistent with the Stormwater standards contained under Goal 7 of the Water Resources RPP issue area, including:

- A. more detailed Erosion Control plan with best management practices for erosion and sedimentation control during construction, including a sequencing plan for construction activities and location for stockpiling of soils and other materials, consistent with MPS WR7.9;
- B. final construction design of the artificial field turf stormwater system, sufficient to infiltrate the 25-year, 24-hour storm, and stormwater operations and maintenance provisions for the artificial turf field, including consideration for infiltration cylinders;
- C. details/ cross-section about proposed plantings in biofiltration areas, and installation, operation and maintenance practices for such biofiltration plantings.

When and as approved by Commission staff, the foregoing shall be part of the “Approved Project Plans,” and the Project shall be constructed, maintained, used and operated according to such plans and documents.

C12. One year after completion of the Project’s stormwater system, a qualified engineer shall provide written certification to the Commission that the Project’s stormwater system is functioning as designed and approved, according to MPS WR7.10

C13. The Applicant shall not install signs, vegetation, or other visual obstructions in a manner that would create an obstruction to safe sight distance at the Site drives. Cape Cod Commission staff will conduct a site visit to confirm that no signs, vegetation, or other visual obstructions have been placed in a manner that would create an obstruction to safe sight distance at the Site drives, prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission.

C14. The Applicant shall prepare a revised site plan addressing pedestrian safety concerns detailed in finding TF11 herein for review and approval by Commission staff, prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission. When and as approved by Commission staff, the foregoing shall be part of the “Approved Project Plans,” and the Project shall be constructed, maintained, used and operated according to such plan.

C15. The Applicant shall implement the safety mitigation measures detailed in Finding TF7 herein at the intersections of Industrial Boulevard at Kidds Hill Road, Merchants Way at Kidds Hill Road, and Kidds Hill Road at Independence Drive, prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission.

C16. The Applicant shall install the off-Site sidewalks, crosswalks and related infrastructure, and on-Site connections to these sidewalks, presented as "Potential Sidewalk Route A" in the July 12, 2017 VHB memo, and discussed in Findings TF8, TF9, and TF10 herein. Prior to and as a condition to issuance of Preliminary Certificate of Compliance by the Commission, the Applicant shall provide for Commission staff review and approval final construction plans and details for the same, including details about ADA compliance for sidewalks and curb ramps. Where the sufficient right-of-way exists and where additional tree removal and grading would not be required, the proposed sidewalk should be offset from roadway to improve pedestrian safety and level of comfort. The Applicant shall install said infrastructure prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission.

C17. The Applicant shall implement and maintain its proposed Travel Demand Management (TDM) Program for the Project as detailed in Finding TF12 and TF 13 herein. Cape Cod Commission staff will conduct a site visit to confirm that on-site elements of the TDM program have been implemented, prior to and as a condition to issuance of a Final Certificate of Compliance by the Commission.

C18. As discussed in Finding TF19 herein, the Applicant shall prepare and implement a Traffic Management Plan, in consultation with Town of Barnstable staff and emergency personal, designed to effectively manage the traffic from special events at the Project Site. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall provide a copy of such Plan to Commission staff for review and approval, as reviewed and approved by Town officials.

C19. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall submit for Commission staff review and approval a revised landscaping plan, and corresponding revised landscape maintenance protocol/ contract, with appropriate plantings in stormwater biofiltration areas. When and as approved by Commission staff, the foregoing shall be part of the "Approved Project Plans," and the Project shall be constructed, maintained, used and operated according to such revised plan.

C20. Prior to and as a condition to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall submit for Commission staff review and approval an operations and maintenance protocol for the pool and ice rink, including appropriate storage protocols for maintenance materials and products, and provisions for appropriate storage and disposal of wastewater from the pool and ice rink, which may be required off-site. When and as approved by Commission staff, the foregoing shall be part of the "Approved Project Plans," and the Project shall be constructed, maintained, used and operated according to such revised protocol.

(SIGNATURE PAGE FOLLOWS)

Cape Cod Training Center, Hyannis
DRI/ Hardship Exemption Decision

August 2017

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SIGNATURE(S)

Executed this 3rd day of August 2017.

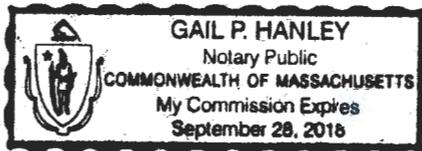
Harold W Mitchell
Signature

Chairman CC Commission
Print Name and Title

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss _____ August 3, 2017

Before me, the undersigned notary public, personally appeared Harold W. Mitchell, in his/her capacity as Chairman of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he/she signed such document voluntarily for its stated purpose. 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.



SEAL

Gail P. Hanley
Notary Public
My Commission Expires: 9-28-18

Exhibit A – Cape Cod Training Center
DRI/ HDEX Application and Review Materials

Application to the Cape Cod Commission dated May, 2017, consisting of 23 tabs, including:

- Property and Project Description (Tab 2)
- Community Partners / Community Benefits (Tab 3)
- RPP Compliance and Hardship Relief (Tab 4)
- Memorandum of Lease dated May 19, 2017 (Tab 6(B))
- List of Anticipated Project Land Use Permits / Approvals (Tab 8)
- Design Narrative, dated November 29, 2016 (Tab 10)
- Natural Resources Inventory dated March 2017 (Tab 11)
- Nitrogen Loading Calculations dated November 25, 2016 (Tab 12)
- Storm-water Drainage Calculations dated November 27, 2016 and Drainage Operation and Maintenance Plan dated March 27, 2017 (Tab 13)
- Traffic Impact and Access Study dated April 2017 (Tab 14)
- FAA Determinations (6 total) of No Hazard to Air Navigation for building dated October 19, 2016 (Tab 16)
- Hazardous Material Narrative dated November 18, 2016 (Tab 18)
- Construction Waste Management Plan dated November 18, 2016 (Tab 19)
- Photo Simulation / Rendering of Project (Tab 22(A))
- Email communications (2) from Attorney Eliza Cox of Nutter McClennen & Fish, LLP dated May 31, 2017 and June 2, 2017 to Attorney Jon Idman re: community character details, including building materials/colors, roof slope, and solar panels.
- Energy Consumption / Generation Report prepared by Science Wares, Inc., dated May 31, 2017 re: roof mounted solar panels
- Correspondence dated June 9, 2017 from Attorney Eliza Cox of Nutter McClennen & Fish, LLP with Exhibits A-E with Project pro forma, letters from St. John Paul II High School and Sturgis Charter Public Schools, describing anticipated school usage of Project, further describing relationship with HYCC, anticipated employment, and letters of support from Cape Cod Chamber of Commerce and Trinity Christian Academy
- (Updated) FAA Determination of No Hazard to Air Navigation dated June 20, 2017 for proposed field lighting.
- Turf and Landscape Maintenance Contract, dated June 21, 2017
- Correspondence dated June 28, 2017 with staffing and employment data and information on the ice hockey billet program
- Updated and supplemental transportation memorandum (with attachments) from VHB, dated July 12, 2017
- Stormwater & Drainage Report, Appendix F, dated 2017-07-26, prepared by Baxter Nye
- NCAA Best Lighting Standards, Football (2011)
- Lighting Standards of the US Soccer Foundation (2007)
- Youth and Amateur Sports Tourism Opportunity on Cape Cod, Summary Level Strategy Report, prepared for the Cape Cod Convention and Visitor's Bureau by SFA LLC, April 2015

Civil Site Plans

- “Comprehensive Plan Cover Sheet Cape Cod Training Center” prepared by Falmouth Engineering dated November 25, 2016 consisting of 4 sheets, as follows:
 - Cover Sheet
 - Existing Conditions Plan (Sheet 2 of 4)
 - Site Plan (Sheet 3 of 4) revised 7/27/17
 - Standard Details Plan (Sheet 4 of 4)

Architectural Plans

- Colored Architectural Plans prepared by Pando Associates Architects (plans not dated, but included in Tab 22(B) of the Application Materials):
 - Exterior Elevations, Sheet SK-4D
 - First Floor Plan, Sheet A-1.0
 - Mezzanine Plan Overall, Sheet A-1.3
- “Exterior Elevations” prepared by Pando Associates Architects, Inc., Sheet A-2.0, dated “Progress 27 Sept. 2016”
- “Roof Plan” prepared by Pando Associates Architects, Inc., Sheet A-1.6, dated “Progress 27 Sept. 2016”
- Insulated Metal Wall Panel Specifications, MetlSpan (CF Light Mesa)
- Standing Seam Roof Specifications, Metallic Building Company

Landscape Plan

- “Site Planting and Landscape Plan” prepared by Desley Landscape Consulting & Design dated December 30, 2016.

Photometric Plans

- Sheet SL1, entitled “Lighting Plan, Schedules and Specifications” prepared by SK & Associates dated September 13, 2016 (Parking Lot Photometrics)
- Sheet SL2, entitled “Lighting Plan, Schedules and Specifications” prepared by SK & Associates dated September 13, 2016 (Field Photometrics)
- Sheet SL3, entitled “Lighting Pole and Fixture Info, Specifications” prepared by SK & Associates dated September 13, 2016

Exhibit B – Cape Cod Training Center
DRI/ HDEX Approved Project Plans

- Nitrogen Loading Calculations dated November 25, 2016
- Storm-water Drainage Calculations dated November 27, 2016 and Drainage Operation and Maintenance Plan dated March 27, 2017
- Traffic Impact and Access Study dated April 2017
- Hazardous Material Narrative dated November 18, 2016
- Construction Waste Management Plan dated November 18, 2016
- Energy Consumption / Generation Report prepared by Science Wares, Inc., dated May 31, 2017 re: roof mounted solar panels
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 - Mezzanine Plan Overall, Sheet A-1.3
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- “Roof Plan” prepared by Pando Associates Architects, Inc., Sheet A-1.6, dated “Progress 27 Sept. 2016”
- Insulated Metal Wall Panel Specifications, MetlSpan (CF Light Mesa)
- Standing Seam Roof Specifications, Metallic Building Company

Landscape Plan

- “Site Planting and Landscape Plan” prepared by Desley Landscape Consulting & Design dated December 30, 2016. *(Note- to be revised, including removal of ‘concessions building’)*

Photometric Plans

- Sheet SL1, entitled “Lighting Plan, Schedules and Specifications” prepared by SK & Associates dated September 13, 2016 (Parking Lot Photometrics)
- Sheet SL2, entitled “Lighting Plan, Schedules and Specifications” prepared by SK & Associates dated September 13, 2016 (Field Photometrics)
- Sheet SL3, entitled “Lighting Pole and Fixture Info, Specifications” prepared by SK & Associates dated September 13, 2016

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) Hardship Exemption Limited DRI Determination for Change of Use
 Jurisdictional Determination DRI Exemption Request for Joint MEPA/DRI Review

B. Project Information

Project Name: Cape Cod Training Center Fee Waiver Request? yes/no
 Project/Property Location: 90, 110 & 130 Merchants Way & 20 Business Lane, Barnstable Total Site Acreage: 8.29 acres
 Zoning: Industrial (IND)

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). Applicant proposes to construct a 91,885 square foot, 2 story athletic field house containing an indoor ice rink, indoor turf field, locker rooms, indoor swimming pool, batting cages, fitness, training and rehabilitation areas, food and concessions, community meeting space, sports-related museum, accessory retail pro shop, office and child care areas, together with associated storage and building infrastructure areas. Project also includes 180 foot by 330 foot outdoor lighted turf field and small accessory comfort structure (snack bar/restroom), together with 210 parking spaces, access/egress, landscaping, lighting, signage, storm-water system, utilities, roof-mounted solar panels and open air solar mounting carports, and other related site improvements on an approximately 8.29 acre vacant, industrially-zoned, parcel of land.

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 right for Applicant(s) to proceed with the proposed development must be documented prior to the Commission deeming any application complete (attach additional sheets if necessary).

Map/Parcel	Owner's Name	Lot & Plan	Land Court Certificate of Title #	Reg. of Deeds: Book/Page #
<u>Map 296</u>	<u>Cape Cod Aggregates Corp.</u>	<u>Lots 6, 7, 8 & 9</u>		<u>Deed 6656/147</u>
<u>Block 2</u>		<u>Plan Book 443, Pages 94, 95 & 98</u>		<u>Notice of Lease dated May 19, 2017</u>
<u>Lots 1, 2, 3 & 4</u>				

There **ARE/ARE NOT** (circle one) court claims, pending or completed, involving this property (If yes, 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 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 co-applicant.

Applicant	Applicant(s) Name: <u>Total Athletics of Cape Cod, Inc.</u>	Tel: _____	Fax: _____
	Address: <u>129 Airport Road, Hyannis, MA 02601</u>		
	Signature: <u>[Signature]</u>	Date: <u>5/19/17</u>	

Co-Applicant	Co-Applicant(s) Name: <u>CCTC, LLC</u>	Tel: _____	Fax: _____
	Address: <u>129 Airport Road, Hyannis, MA 02601</u>		
	Signature: <u>[Signature]</u>	Date: <u>5/19/17</u>	

Contact	Contact: <u>Eliza Cox, Esq.</u>	Tel: <u>508-790-5431</u>	Fax: <u>508-771-8079</u>
	Address: <u>Nutter, P.O. Box 1630, Hyannis, MA 02601</u>		
	Signature: <u>[Signature]</u>	Date: <u>5/19/17</u>	

Property Owner	Property Owner: <u>Cape Cod Aggregates Corp.</u>	Tel: _____	Fax: _____
	Address: <u>1550 Phinney's Lane, Barnstable, MA 02630</u>		
	Signature: _____	Date: _____	

Billable Entity	Name: <u>Eliza Cox, Esq.</u>	Tel: <u>508-790-5431</u>	Fax: <u>508-771-8079</u>
	Address: <u>Nutter, P.O. Box 1630, Hyannis, MA 02601</u>		

REQUIRED FILING MATERIALS

The following must be attached to the Application Form at the time of its filing:

- Certified List of Abutters (required for all application types except Attachment 5, Jurisdictional Determination.
A list of abutting property owners within 300 feet of the boundaries of the development site and their addresses. Include both local and off-Cape addresses when applicable.
 - This list must be formatted in three columns consistent with the Standard Label Format designed to print on Avery Labels #5160.
 - List must be certified by the Town Assessor's office. Note: Assessor's offices may take up to 10 days to certify an abutter's list.
 - If there are more than 50 abutters, applicants must provide **three sets** of the certified list on self-adhesive labels.

- Required Filing Fee. Please calculate according to the Schedule of Fees (see Enabling Regulations, Section 14). Please make check payable to **BARNSTABLE COUNTY TREASURER**.

- An 8 ½" x 11" copy of the U.S.G.S. quadrangle map of the area, containing sufficient information for the Commission to locate the site of the proposed development.

- Development Plans. File as required for each application type you are making. See list of Attachment(s) below for specific instructions.

- Permits or Actions. List of local, state, or federal agencies or boards from which a permit or other actions have, will, or may need to be sought. Include agency/board name, type of permit, date filed, and file number. If one of the listed permits or actions requires the filing of an Environmental Notification Form under the Massachusetts Environmental Policy Act (MEPA), please contact the Commission's Chief Regulatory Officer to discuss the potential for joint Commission and MEPA review. For information on MEPA regulations contact the Executive Office of Environmental Affairs, MEPA Unit, ant (617) 626-1020. Please attach all relevant MEPA documents and describe the status of the MEPA filing.

Applicants must also submit the necessary attachment(s) based on the type of application(s) being made:

Attachment 1: DRI Application Filing Procedures & Requirements

Attachment 2: DRI Exemption Application Filing Procedures & Requirements

Attachment 3: Hardship Exemption Application Filing Procedures & Requirements

Attachment 4: Limited DRI Determination for Change of Use Application Filing Procedures & Requirements

Attachment 5: Jurisdictional Determination Application Filing Procedures & Requirements

Attachment 6: Joint MEPA/DRI Review Application

**TOTAL ATHLETICS OF CAPE COD, INC.
CAPE COD TRAINING CENTER**

Anticipated Land Use Permits / Approvals

1. Town of Barnstable – Site Plan Review Approval
2. Town of Barnstable – Zoning Board of Appeals variances (building height, setback relief for accessory structure, natural state requirements, and special screening requirements) or zoning change
3. Town of Barnstable – Planning Board – Approval Not Required (ANR) Plan endorsement
4. Town of Barnstable – Building Permit
5. US EPA – NOI for NPDES Storm-Water Construction General Permit

**TOTAL ATHLETICS OF CAPE COD, INC.
CAPE COD TRAINING CENTER**

Filing Fee Calculation

Full DRI Fee:

Section 16(a)(i)[1](b): $\$0.54 \times 91,885 \text{ sf} = \$49,617.90$

POCB Hardship Exemption Filing Fee (50% of DRI Fee)

Section 16(a)(i)[3] = $\$49,617.90 \times 50\% = \mathbf{\$24,808.95}$

3543494.1



Town of Barnstable

Assessing Division

367 Main Street, Hyannis MA 02601

www.town.barnstable.ma.us

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

Jeffery A. Rudziak, MAA
Director of Assessing

ABUTTERS LIST CERTIFICATION

March 16, 2017

RE: Adjacent Abutters List
For Parcel(s) : 296-002-001
20 Business Lane
Barnstable, MA 02630

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 parcels as they appear on the most recent tax list with mailing addresses supplied.

William J. Janoff

Gregory Marshall

Board of Assessors
Town of Barnstable

Zoning Board of Appeals (ZBA) Abutter List for Map & Parcel(s): '296002001'

Parties of interest are those directly opposite subject lot on any public or private street or way and abutters to abutters. Notification of all properties within 300 feet ring of the subject lot.

Total Count: 41



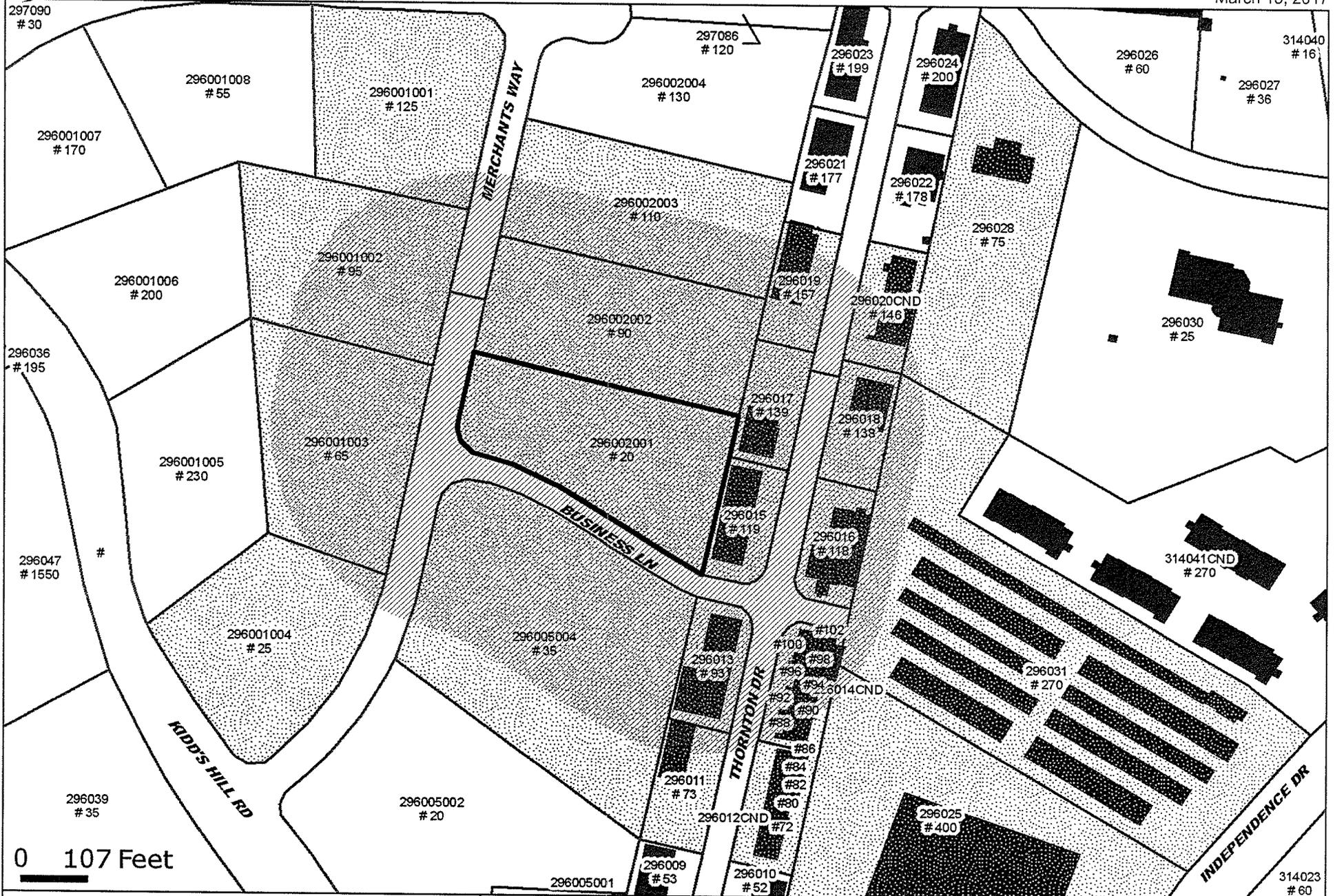
Close

Map & Parcel	Owner1	Owner2	Address1	Address 2	Mailing CityStateZip	Country Deed
296001001	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	6656/147
296001002	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	6656/147
296001003	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	6656/147
296001004	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	6656/147
296002001	CAPE COD AGGREGATES CORP		PO BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-017	3546/211
296002002	CAPE COD AGGREGATES CORP		PO BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	3546/211
296002003	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	3546/211
296005004	VICTORY CHAPEL CHRIST FELLOW CHURCH CC		20 MERCHANTS WAY		HYANNIS, MA 02601	25830/280
296011	LUFF, JEFFREY P TR	CTL4 REAL ESTATE TRUST	PO BOX 181		CUMMAQUID, MA 02637-0181	27596/251
29601200A	SUNSET VALLEY REALTY LLC		5 WINSTON'S PATH		SOUTH DENNIS, MA 02660	26056/44
29601200B	SUNSET VALLEY REALTY LLC		5 WINSTON'S PATH		SOUTH DENNIS, MA 02660	26056/44
29601200C	MORRISON, SUSAN		179 LOCUST STREET		HYANNIS, MA 02601	28469/308
29601200D	MORRISON, SUSAN		179 LOCUST STREET		HYANNIS, MA 02601	28469/308
29601200E	LUFF, JEFFREY P		PO BOX 398		CUMMAQUID, MA 02637	10202/54
29601200F	LUFF, JEFFREY P TR	CTL 3 REAL ESTATE TRUST	PO BOX 181		CUMMAQUID, MA 02637	23195/68
29601200G	HULTEN, MARC R		2B MAGNOLIA RD		YARMOUTH PORT, MA 02675	20600/324
29601200H	HULTEN, MARC R		2B MAGNOLIA RD		YARMOUTH PORT, MA 02675	16245/198
29601200I	HULTEN, MARC R		2B MAGNOLIA RD		YARMOUTH PORT, MA 02675	16245/198
296013	MOLINARI, LIBERO & NANCY		11 SHEEP PASTURE WAY		EAST SANDWICH, MA 02537	8057/6
29601400A	HILL, GEORGE J JR TR	LORAN REALTY TRUST	P O BOX 322		BARNSTABLE, MA 02630	9134/245
29601400B	HILL, GEORGE J JR TR	LORAN REALTY TRUST	P O BOX 322		BARNSTABLE, MA 02630	9134/245
29601400C	SABATINELLI, BRUCE		867 STRAWBERRY HILL RD		CENTERVILLE, MA 02632	12481/115
29601400D	SABATINELLI, BRUCE		867 STRAWBERRY HILL RD		CENTERVILLE, MA 02632	12481/115
29601400E	AMSTER, GARY TR	AMSCARS NOMINEE TRUST	100 THORNTON DRIVE		HYANNIS, MA 02601	22900/284
29601400F	AMSTER, GARY TR	AMSCARS NOMINEE TRUST	100 THORNTON DRIVE		HYANNIS, MA 02601	22900/300
29601400G	AMSTER, GARY TR	AMSCARS NOMINEE TRUST	100 THORNTON DRIVE		HYANNIS, MA 02601	22900/300

29601400H	CLARK, S PAULA TOBEY	THORNTON CLASSIC REALTY TRUST	65 ACRE HILL RD	BARNSTABLE, MA 02630	29693/73
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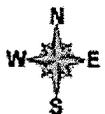
296015	CLARK, S PAUL TOBEY TR	217 THORNTON DRIVE REV TR	65 ACRE HILL ROAD	BARNSTABLE, MA 02630	29693/76
296016	TROTTO, CAROL M TR	FB REALTY TRUST	478 W MAIN ST	HYANNIS, MA 02601	18648/118
296017	GALVIN, PAUL & PADRAIG		139 THORNTON DRIVE	HYANNIS, MA 02601	28289/58
296018	CANNING, ROBERT G		PO BOX 929	BARNSTABLE, MA 02630	22165/301
296019	SAUCIER, HARRY & MARY		16 OLD HYANNIS ROAD	YARMOUTH PORT, MA 02675	30147/247
29602000A	DONCROFT LLC		16 OLD HYANNIS RD	YARMOUTH PORT, MA 02675	18634/30
29602000B	DONCROFT LLC		16 OLD HYANNIS RD	YARMOUTH PORT, MA 02675	18634/30
29602000C	DONCROFT LLC		16 OLD HYANNIS RD	YARMOUTH PORT, MA 02675	13838/161
29602000D	DONCROFT LLC		16 OLD HYANNIS RD	YARMOUTH PORT, MA 02675	13838/161
29602000E	FAJAO, ANTONE		144 COTTONWOOD LN	CENTERVILLE, MA 02632	22284/35
29602000F	FAJAO, ANTONE		144 COTTONWOOD LN	CENTERVILLE, MA 02632	22284/35
296025	ONE CENTER PLACE LP		297 NORTH STREET	HYANNIS, MA 02601	15305/77
296028	SHEPLEY, LORRAINE E TR	MARASPIN CREEK REALTY TRUST	216 THORNTON DR	HYANNIS, MA 02601	13888/342
296031	COASTAL SUN LP		270 COMMUNICATION WAY, 7-B	HYANNIS, MA 02601	9751/115

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Map: 296 Parcel: 002001 Zoning Board of Appeals (ZBA)
 Abutter List Type - Parties of interest are those directly opposite subject lot on any public or private street or way and abutters to abutters. Notification of all properties within 300 feet ring of the subject lot.

Selected Parcel		
Abutters		
Buffer		

Zoning Board of Appeals (ZBA) Abutter List for Map & Parcel(s): '296002001'

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Total Count: 41



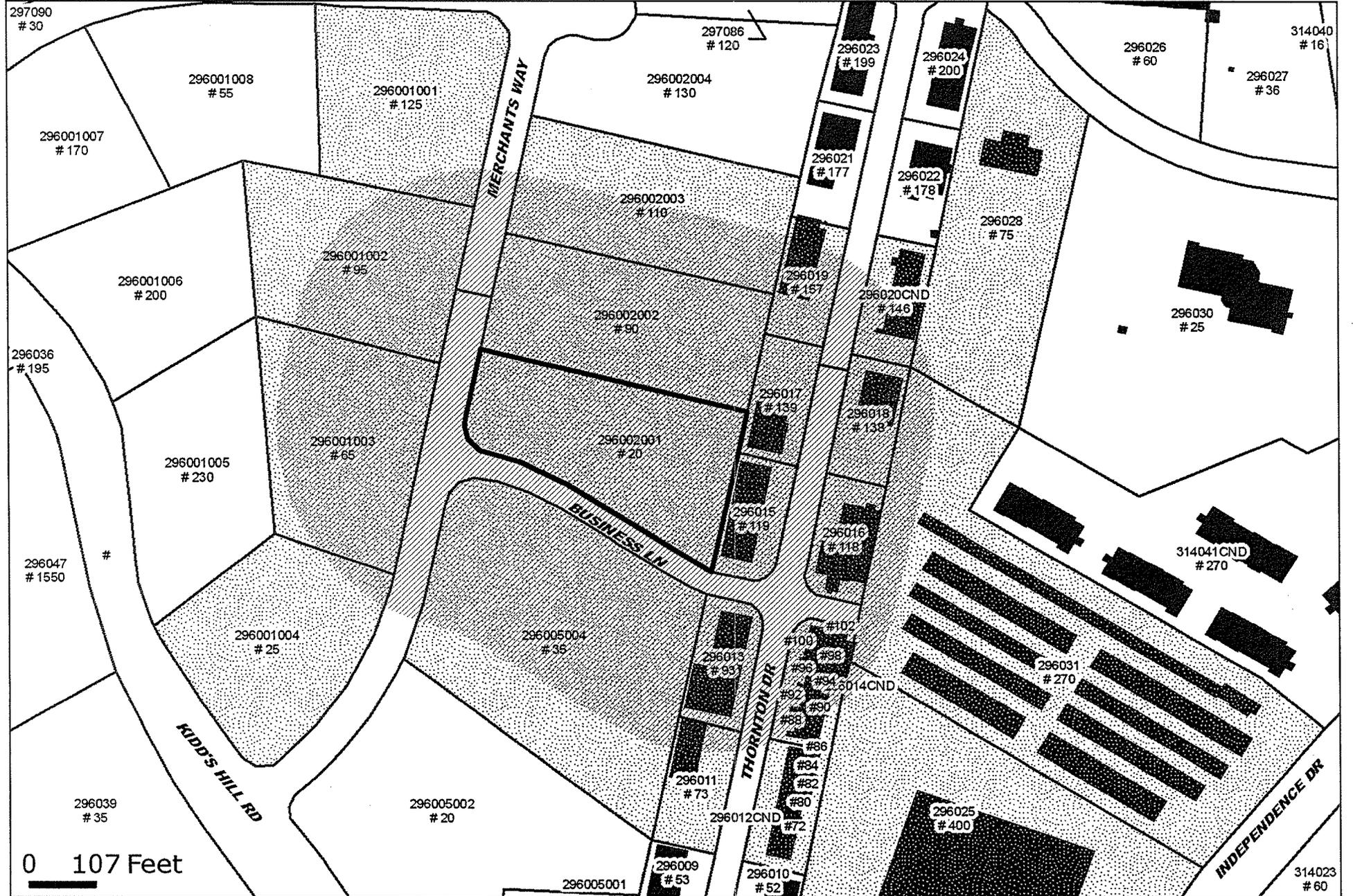
Close

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296001004	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	6656/147
296002001	CAPE COD AGGREGATES CORP		PO BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-017	3546/211
296002002	CAPE COD AGGREGATES CORP		PO BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	3546/211
296002003	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	3546/211
296005004	VICTORY CHAPEL CHRIST FELLOW CHURCH CC		20 MERCHANTS WAY		HYANNIS, MA 02601	25830/280
296011	LUFF, JEFFREY P TR	CTL4 REAL ESTATE TRUST	PO BOX 181		CUMMAQUID, MA 02637-0181	27596/251
29601200A	SUNSET VALLEY REALTY LLC		5 WINSTON'S PATH		SOUTH DENNIS, MA 02660	26056/44
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29601200H	HULTEN, MARC R		2B MAGNOLIA RD		YARMOUTH PORT, MA 02675	16245/198
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296015	CLARK, S PAUL TOBEY TR	217 THORNTON DRIVE REV TR	65 ACRE HILL ROAD	BARNSTABLE, MA 02630	29693/76
296016	TROTTO, CAROL M TR	FB REALTY TRUST	478 W MAIN ST	HYANNIS, MA 02601	18648/118
296017	GALVIN, PAUL & PADRAIG		139 THORNTON DRIVE	HYANNIS, MA 02601	28289/58
296018	CANNING, ROBERT G		PO BOX 929	BARNSTABLE, MA 02630	22165/301
296019	SAUCIER, HARRY & MARY		16 OLD HYANNIS ROAD	YARMOUTH PORT, MA 02675	30147/247
29602000A	DONCROFT LLC		16 OLD HYANNIS RD	YARMOUTH PORT, MA 02675	18634/30
29602000B	DONCROFT LLC		16 OLD HYANNIS RD	YARMOUTH PORT, MA 02675	18634/30
29602000C	DONCROFT LLC		16 OLD HYANNIS RD	YARMOUTH PORT, MA 02675	13838/161
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296025	ONE CENTER PLACE LP		297 NORTH STREET	HYANNIS, MA 02601	15305/77
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296031	COASTAL SUN LP		270 COMMUNICATION WAY, 7-B	HYANNIS, MA 02601	9751/115

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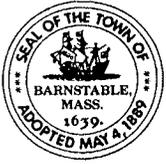


0 107 Feet

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Map: 296 Parcel: 002001 Zoning Board of Appeals (ZBA)
 Abutter List Type - Parties of interest are those directly opposite subject lot on any public or private street or way and abutters to abutters. Notification of all properties within 300 feet ring of the subject lot.

Selected Parcel		
Abutters		
Buffer		



Town of Barnstable

Assessing Division

367 Main Street, Hyannis MA 02601

www.town.barnstable.ma.us

Office: 508-862-4022

FAX: 508-862-4722

Jeffery A. Rudziak, MAA

Director of Assessing

ABUTTERS LIST CERTIFICATION

March 16, 2017

RE: Adjacent Abutters List
For Parcel(s) : 296-002-002
90 Merchants Way
Barnstable, MA 02630

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 parcels as they appear on the most recent tax list with mailing addresses supplied.

William J. Dineff

Randy M. ...

Board of Assessors
Town of Barnstable

Zoning Board of Appeals (ZBA) Abutter List for Map & Parcel(s): '296002002'

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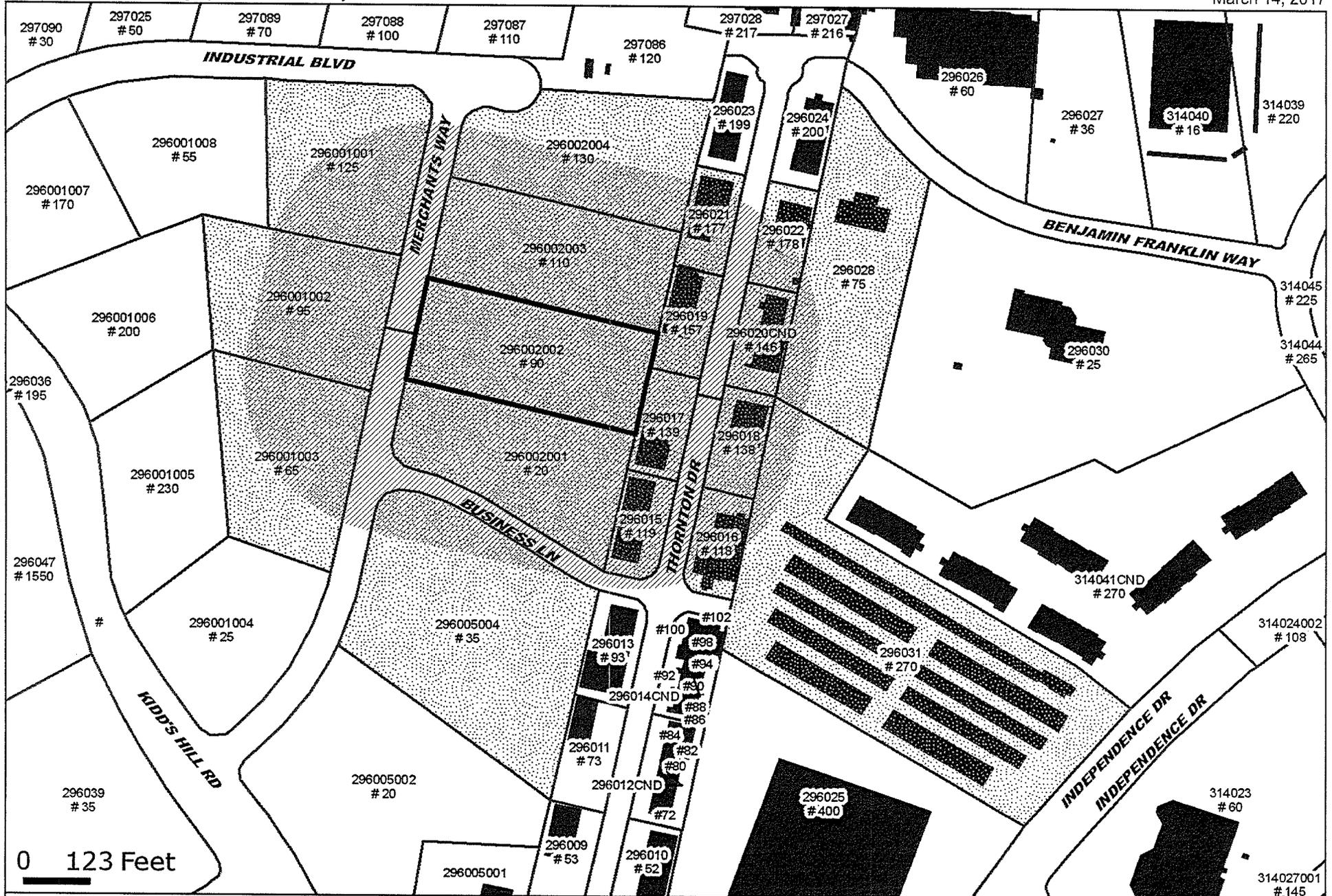
Total Count: 23



Close

Map & Parcel	Owner1	Owner2	Address1	Address 2	Mailing CityStateZip	Country Deed
296001001	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	6656/147
296001002	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	6656/147
296001003	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	6656/147
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296015	CLARK, S PAUL TOBEY TR	217 THORNTON DRIVE REV TR	65 ACRE HILL ROAD		BARNSTABLE, MA 02630	29693/76
296016	TROTTO, CAROL M TR	FB REALTY TRUST	478 W MAIN ST		HYANNIS, MA 02601	18648/118
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296018	CANNING, ROBERT G		PO BOX 929		BARNSTABLE, MA 02630	22165/301
296019	SAUCIER, HARRY & MARY		16 OLD HYANNIS ROAD		YARMOUTH PORT, MA 02675	30147/247
29602000A	DONCROFT LLC		16 OLD HYANNIS RD		YARMOUTH PORT, MA 02675	18634/30
29602000B	DONCROFT LLC		16 OLD HYANNIS RD		YARMOUTH PORT, MA 02675	18634/30
29602000C	DONCROFT LLC		16 OLD HYANNIS RD		YARMOUTH PORT, MA 02675	13838/161
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29602000E	FAJAO, ANTONE		144 COTTONWOOD LN		CENTERVILLE, MA 02632	22284/35
29602000F	FAJAO, ANTONE		144 COTTONWOOD LN		CENTERVILLE, MA 02632	22284/35
296021	CREAM COW LLC		177 THORNTON DRIVE		HYANNIS, MA 02601	25788/97
296022	RODOALPH, BRIAN W TR	BRIMAR REALTY TRUST	7 FIELD ISLAND POINT		SOUTH SANDWICH, MA 02563	13151/275
296028	SHEPLEY, LORRAINE E TR	MARASPIN CREEK REALTY TRUST	216 THORNTON DR		HYANNIS, MA 02601	13888/342
296031	COASTAL SUN LP		270 COMMUNICATION WAY, 7-B		HYANNIS, MA 02601	9751/115

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Abutters		
Buffer		

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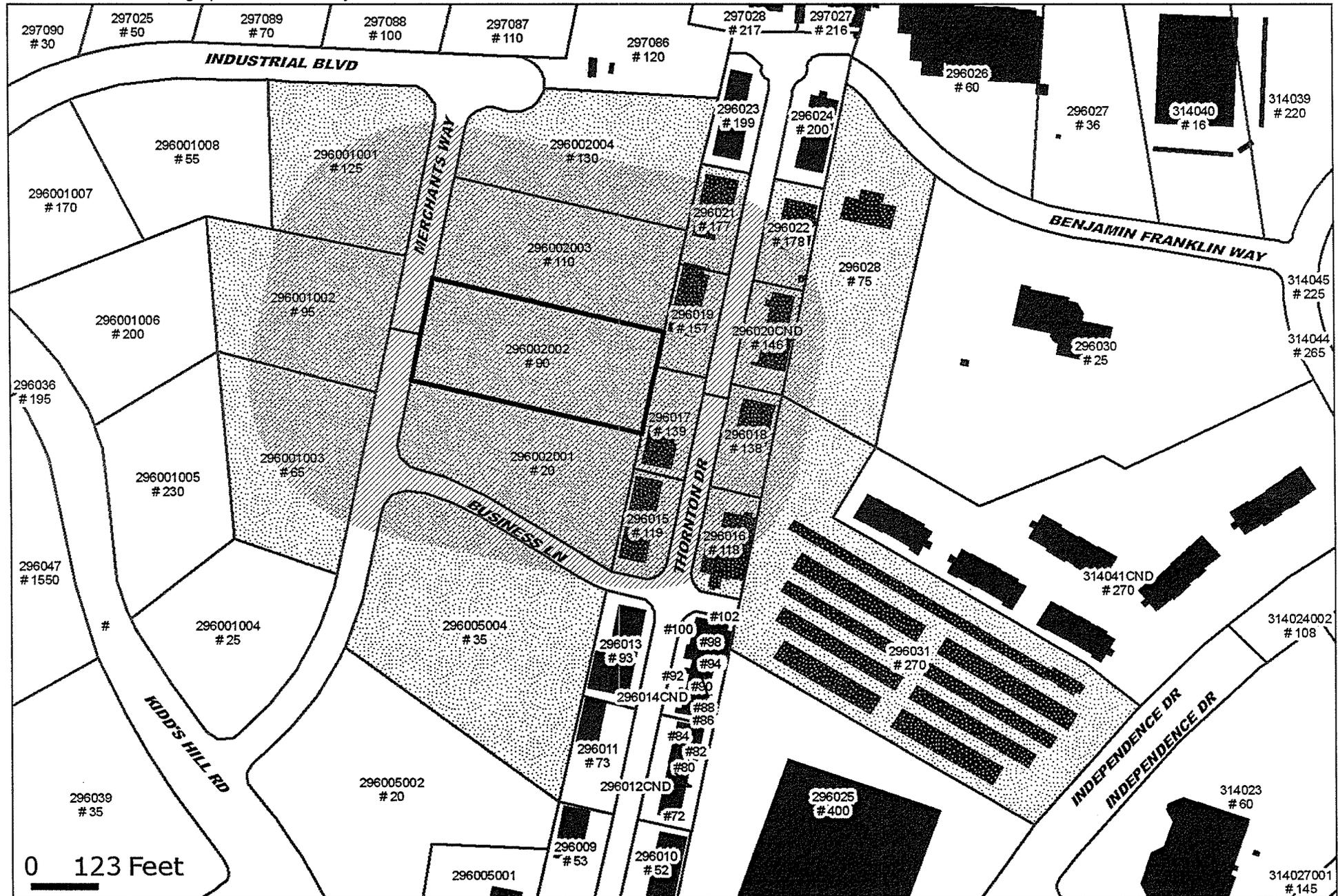
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296022	RODOALPH, BRIAN W TR	BRIMAR REALTY TRUST	7 FIELD ISLAND POINT		SOUTH SANDWICH, MA 02563	13151/275
296028	SHEPLEY, LORRAINE E TR	MARASPIN CREEK REALTY TRUST	216 THORNTON DR		HYANNIS, MA 02601	13888/342
296031	COASTAL SUN LP		270 COMMUNICATION WAY, 7-B		HYANNIS, MA 02601	9751/115

This list by itself does NOT constitute a certified list of abutters and is provided only as an aid to the determination of abutters. If a certified list of abutters is required, contact the Assessing Division to have this list certified. The owner and address data on this list is from the Town of Barnstable Assessor's database as of 3/14/2017 .

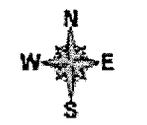


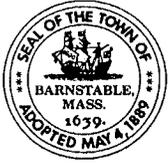
0 123 Feet

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Map: 296 Parcel: 002002 Zoning Board of Appeals (ZBA)
 Abutter List Type - Parties of interest are those directly opposite subject lot on any public or private street or way and abutters to abutters. Notification of all properties within 300 feet ring of the subject lot.

Selected Parcel 
 Abutters 
 Buffer 





Town of Barnstable

Assessing Division

367 Main Street, Hyannis MA 02601

www.town.barnstable.ma.us

Office: 508-862-4022

FAX: 508-862-4722

Jeffery A. Rudziak, MAA
Director of Assessing

ABUTTERS LIST CERTIFICATION

March 17, 2017

RE: Adjacent Abutters List
For Parcel(s) : 296-002-003
110 Merchants Way
Barnstable, MA 02630

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 parcels as they appear on the most recent tax list with mailing addresses supplied.

William J. Janoff

Andrew M. ...

Board of Assessors
Town of Barnstable

Zoning Board of Appeals (ZBA) Abutter List for Map & Parcel(s): '296002003'

Parties of interest are those directly opposite subject lot on any public or private street or way and abutters to abutters. Notification of all properties within 300 feet ring of the subject lot.

Total Count: 26



Close

Map & Parcel	Owner1	Owner2	Address1	Address 2	Mailing CityStateZip	Country Deed
296001001	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	6656/147
296001002	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	6656/147
296001003	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	6656/147
296002001	CAPE COD AGGREGATES CORP		PO BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-017	3546/211
296002002	CAPE COD AGGREGATES CORP		PO BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	3546/211
296002003	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	3546/211
296002004	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	3546/211
296015	CLARK, S PAUL TOBEY TR	217 THORNTON DRIVE REV TR	65 ACRE HILL ROAD		BARNSTABLE, MA 02630	29693/76
296017	GALVIN, PAUL & PADRAIG		139 THORNTON DRIVE		HYANNIS, MA 02601	28289/58
296018	CANNING, ROBERT G		PO BOX 929		BARNSTABLE, MA 02630	22165/301
296019	SAUCIER, HARRY & MARY		16 OLD HYANNIS ROAD		YARMOUTH PORT, MA 02675	30147/247
29602000A	DONCROFT LLC		16 OLD HYANNIS RD		YARMOUTH PORT, MA 02675	18634/30
29602000B	DONCROFT LLC		16 OLD HYANNIS RD		YARMOUTH PORT, MA 02675	18634/30
29602000C	DONCROFT LLC		16 OLD HYANNIS RD		YARMOUTH PORT, MA 02675	13838/161
29602000D	DONCROFT LLC		16 OLD HYANNIS RD		YARMOUTH PORT, MA 02675	13838/161
29602000E	FAJAO, ANTONE		144 COTTONWOOD LN		CENTERVILLE, MA 02632	22284/35
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296023	PIANTES, SPERO H TR	SHP REAL ESTATE TRUST	P O BOX 8		COTUIT, MA 02635	20154/259
296024	SHEPLEY, HAMILTON N	C/O SHEPLEY, LORRAINE E TR	216 THORNTON DR		HYANNIS, MA 02601	2825/133
296028	SHEPLEY, LORRAINE E TR	MARASPIN CREEK REALTY TRUST	216 THORNTON DR		HYANNIS, MA 02601	13888/342
296031	COASTAL SUN LP		270 COMMUNICATION WAY, 7-B		HYANNIS, MA 02601	9751/115
297086	NANTUCKET ELECTRIC COMPANY		PROPERTY TAX DEPT	40 SYLVAN RD	WALTHAM, MA 02451-2286	18371/244
297087	CAPE COD AGGREGATES CORP		PO BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	3546/211
297088	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	6656/147

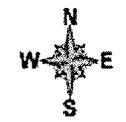


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Map: 296 Parcel: 002003 Zoning Board of Appeals (ZBA)

Abutter List Type - Parties of interest are those directly opposite subject lot on any public or private street or way and abutters to abutters. Notification of all properties within 300 feet ring of the subject lot.

- Selected Parcel 
- Abutters 
- Buffer 



Zoning Board of Appeals (ZBA) Abutter List for Map & Parcel(s): '296002003'

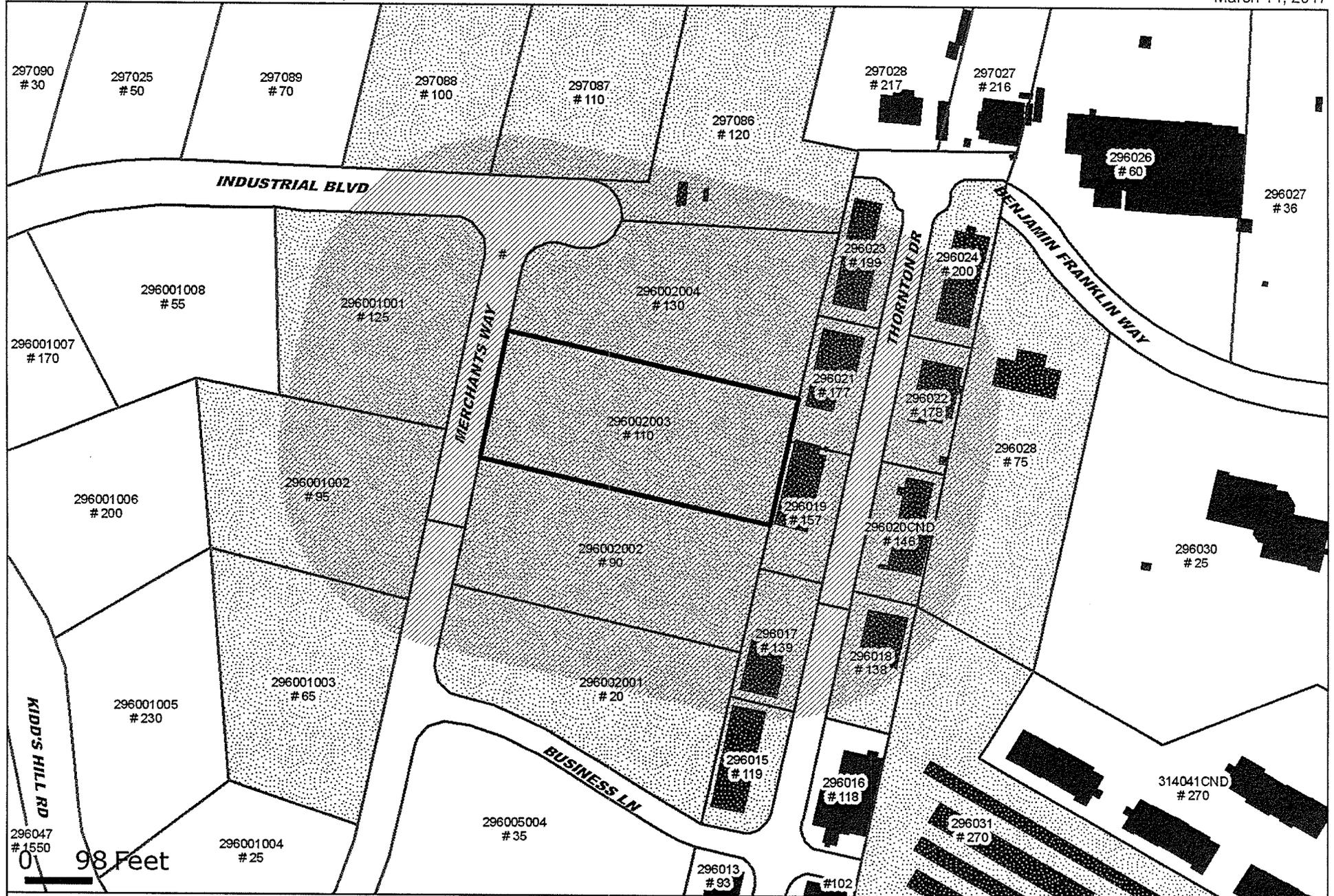
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Total Count: 26



Close

Map & Parcel	Owner1	Owner2	Address1	Address 2	Mailing CityStateZip	Country Deed
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296022	RODOALPH, BRIAN W TR	BRIMAR REALTY TRUST	7 FIELD ISLAND POINT		SOUTH SANDWICH, MA 02563	13151/275
296023	PIANTES, SPERO H TR	SHP REAL ESTATE TRUST	P O BOX 8		COTUIT, MA 02635	20154/259
296024	SHEPLEY, HAMILTON N	C/O SHEPLEY, LORRAINE E TR	216 THORNTON DR		HYANNIS, MA 02601	2825/133
296028	SHEPLEY, LORRAINE E TR	MARASPIN CREEK REALTY TRUST	216 THORNTON DR		HYANNIS, MA 02601	13888/342
296031	COASTAL SUN LP		270 COMMUNICATION WAY, 7-B		HYANNIS, MA 02601	9751/115
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297087	CAPE COD AGGREGATES CORP		PO BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	3546/211
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Map: 296 Parcel: 002003 **Zoning Board of Appeals (ZBA)**
 Abutter List Type - Parties of interest are those directly opposite subject lot on any public or private street or way and abutters to abutters. Notification of all properties within 300 feet ring of the subject lot.

Selected Parcel		
Abutters		
Buffer		



Town of Barnstable

Assessing Division

367 Main Street, Hyannis MA 02601

www.town.barnstable.ma.us

Office: 508-862-4022

FAX: 508-862-4722

Jeffery A. Rudziak, MAA

Director of Assessing

ABUTTERS LIST CERTIFICATION

March 17, 2017

RE: Adjacent Abutters List
For Parcel(s) : 296-002-004
130 Merchants Way
Barnstable, MA 02630

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 parcels as they appear on the most recent tax list with mailing addresses supplied.

William J. Janoff

David M. ...

Board of Assessors
Town of Barnstable

Zoning Board of Appeals (ZBA) Abutter List for Map & Parcel(s): '296002004'

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Total Count: 24



Close

Map & Parcel	Owner1	Owner2	Address1	Address 2	Mailing CityStateZip	Country Deed
296001001	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	6656/147
296001002	CAPE COD AGGREGATES CORP		P O BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	6656/147
296002002	CAPE COD AGGREGATES CORP		PO BOX 517	1550 PHINNEY'S LANE	BARNSTABLE, MA 02630-0517	3546/211
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296023	PIANTES, SPERO H TR	SHP REAL ESTATE TRUST	P O BOX 8		COTUIT, MA 02635	20154/259
296024	SHEPLEY, HAMILTON N	C/O SHEPLEY, LORRAINE E TR	216 THORNTON DR		HYANNIS, MA 02601	2825/133
296026	SHEPLEY, LORRAINE E TR	C/O MARASPIN CREEK REALTY TRUST	216 THORNTON DRIVE		HYANNIS, MA 02601	6206/84
296028	SHEPLEY, LORRAINE E TR	MARASPIN CREEK REALTY TRUST	216 THORNTON DR		HYANNIS, MA 02601	13888/342
297027	SHEPLEY, LORRAINE E TR	C/O MARASPIN CREEK REALTY TRUST	216 THORNTON DRIVE		HYANNIS, MA 02601	21511/93
297028	CLARK, S PAULA TOBEY TR	R & P REALTY TRUST	65 ACRE HILL ROAD		BARNSTABLE, MA 02630	28808/188
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Map: 296 Parcel: 002004 **Zoning Board of Appeals (ZBA)**
 Abutter List Type - Parties of interest are those directly opposite subject lot on any public or private street or way and abutters to abutters. Notification of all properties within 300 feet ring of the subject lot.

- Selected Parcel 
- Abutters 
- Buffer 



Zoning Board of Appeals (ZBA) Abutter List for Map & Parcel(s): '296002004'

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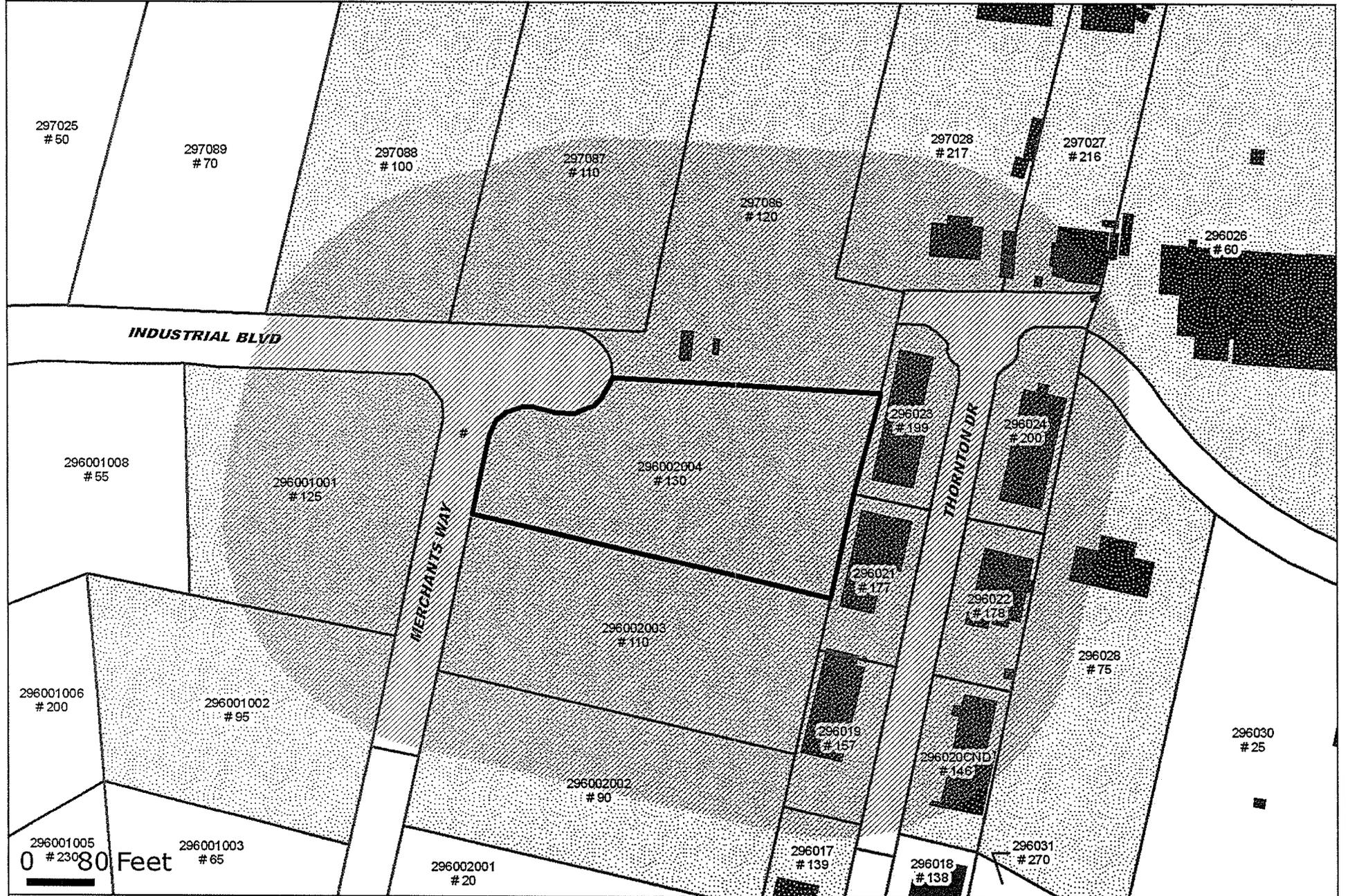
Total Count: 24



Close

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Map: 296 Parcel: 002004 **Zoning Board of Appeals (ZBA)**
 Abutter List Type - Parties of interest are those directly opposite subject lot on any public or private street or way and abutters to abutters. Notification of all properties within 300 feet ring of the subject lot.

Selected Parcel		
Abutters		
Buffer		

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TOTAL ATHLETICS OF CAPE COD, INC. & CCTC, LLC CAPE COD TRAINING CENTER

Project of Community Benefit (POCB) Hardship Exemption Filing - Table of Contents

1. CCC Application for POCB Hardship Exemption
2. Property and Project Description
3. Community Partners / Community Benefits
4. RPP Compliance and Hardship Relief
5. USGS Quadrangle Map
6. Title Materials
 - A. Property Deed
 - B. Memorandum of Lease
 - C. Record Plans
7. Aerial Image
8. List of Project Land Use Permits / Approvals
9. Massachusetts Historical Commission – Project Notification Form
10. Design Narrative

11. Natural Resources Inventory
12. Nitrogen Loading Calculations
13. Storm-water Drainage Calculations and Storm Water Operation and Maintenance Plan
14. Traffic Impact and Access Study (w/o Appendix, submitted under separate cover)
15. Exterior Lighting Specifications and Photometric Plan
16. FAA Determinations of No Hazard to Air Navigation

17. Energy / Sustainability Measures

18. Hazardous Materials and Waste Narrative

19. Construction Waste Narrative

20. Filing Fee

21. Certified Abutters List

22. Project Plans

A. Colored Rendering

B. Architectural Plans

C. Landscape Plan

D. Civil Site Plans

23. Press Coverage

3539578.1

TOTAL ATHLETICS OF CAPE COD, INC. & CCTC, LLC CAPE COD TRAINING CENTER

Project Description

The Subject Property

The subject properties, addressed 90, 110 and 130 Merchants Way and 20 Business Lane, Barnstable (collectively, the "Property"), collectively consist of approximately 8.29 acres of land. The Property has frontage on Merchants Way to the west and Business Lane to the south. Merchants Way and Business Lane are constructed privately owned subdivision roads. The Property and the two private roadways were approved by the Town of Barnstable as part of a larger definitive subdivision in December of 1987. Copies of the definitive subdivision plans are included in Tab 6C of the application materials and the subject Property is shown as lots 6, 7, 8 and 9 thereon. The Property is owned by Cape Cod Aggregates Corp. CCTC, LLC, one of the co-applicants, has entered into a long-term ground lease with Cape Cod Aggregates Corp. for the Property. A copy of the current deed is included in Tab 6A of the application materials and a copy of the executed Memorandum of Lease is included in Tab 6B.

The Property is situated within the Industrial (IND) zoning district as designated by the Town of Barnstable. The southeasterly corner of the Property (approximately 11,063 square feet) is located within the Town's Wellhead Protection (WP) overlay district and the westerly portion of the Property (approximately 148,627 square feet) is located within the Town's Groundwater Protection (GP) overlay district. The middle portion of the Property is within the Town's Aquifer Protection (AP) overlay district. There are no wetlands on the site. In addition, the site is not mapped by the Natural Heritage or Endangered Species Program.

The subject Property and surrounding area are mapped by the Cape Cod Commission's Land Use Vision Map as an Industrial and Service Trade Area. With the exception of the southwesterly portion which is mapped as a Zone II, the significant majority of the site is not mapped as a Significant Natural Resources Area by the 2009 Regional Policy Plan Maps currently in effect.

Surrounding land uses are industrial in nature. The Property abuts an electric utility facility to the north and it abuts heavily commercial and industrial development immediately to the east (Thornton Drive). The Property is approximately 900 feet south of eastbound lanes of Route 6.

A Natural Resources Inventory ("NRI"), prepared by Horsley Witten Group, dated March 2017, is enclosed in Tab 11 of these application materials. As indicated therein, the parcel contains vegetation typical of a Cape Cod pine/oak forest habitat. The NRI confirms that there are no vernal pools in proximity to the Property and during the course of the field investigations, no specimen trees were found on the Property.

The Proposed Project

Total Athletics of Cape Cod, Inc. (hereafter, "TACC"), the other co-applicant together with CCTC, LLC, is proposing to develop the Property with an athletic training and recreational sports complex which will be owned and operated by TACC. With the belief that access to sporting and recreational opportunities will improve the quality of life across the community, TACC's mission is to become the leader in sport and related-services on Cape Cod and to provide an unparalleled athletic and family recreational facility.

As detailed in the accompanying plans (Tab 22) and supporting application materials, the proposed project (hereafter, the "Project") involves the construction of an approximately 91,885 square foot, 2-story athletic field house containing an indoor ice rink, indoor turf field, indoor swimming pool, locker rooms, batting cages, fitness, training and rehabilitation areas, food and concession areas, community meeting spaces, the Cape Cod Baseball League's Hall of Fame, accessory sports-related retail and pro shop, offices and child care areas. In addition, an outdoor 180 foot x 330 foot lighted turf field is proposed, together with an approximately 912 square foot comfort structure (concessions/restroom) proximate to the field. Roof mounted solar panels and open air solar mounting carports are also proposed (see Tab 17) which are anticipated to generate on-site between 62-93% of the facility's anticipated energy consumption. The Project proposes 210 parking spaces (some of which, as noted, will have open air solar mounting carports overhead), the minimum required under zoning. Due to the topographic conditions of the Property, retaining walls are proposed which will be designed to multi-purpose as outdoor recreational climbing walls.

Vehicular access/egress to and from the Project is proposed by a single driveway off of Merchants Way. A secondary, emergency-only access is provided off of Business Lane adjacent to the outdoor fields. A detailed traffic impact assessment is included in Tab 14 of the application materials.

The Project proposes to connect to the municipal sewer system via the existing sewer main in Thornton Drive. As a result, the anticipated nitrogen load is only 2.02 ppm, well below the Cape Cod Commission's requirements. The Project will also be served by town water. Bio-infiltration swales are proposed throughout the site in combination with leach pits to accommodate the Project's storm-water run-off. Further information regarding the Project's storm-water management is contained in Tab 13 of the application materials.

A Building and Design Narrative is included in Tab 10 of the application materials which describes the proposed buildings (main training center and detached accessory structure), the functionality of the design, the proposed exterior lighting, and how the Project will not be visible from any of the nearby regional or public roadways. The Project also proposes landscaping within the parking areas and along the roadways.

TOTAL ATHLETICS OF CAPE COD, INC. & CCTC, LLC CAPE COD TRAINING CENTER

RPP Compliance and Hardship Relief

CCTC and TACC are requesting POCB hardship relief as part of this Project application. As discussed in Tab 3 of these materials, the community benefit and economic challenges of a sports facility development on Cape Cod were reviewed in a report commissioned by the Cape Cod Chamber of Commerce. This report recognizes the significant development challenges of constructing sports facilities and suggests one way to incentivize these types of developments (and their associated significant community benefits¹) is through public-private partnerships to help combat the cost of development factors which otherwise make these types of projects non-viable.² Put simply, due to the economics of these types of sports facilities, and the associated development costs, the Project cannot afford full compliance with the Regional Policy Plan's significant mitigation requirements. As such, without relief, the Project will not be constructed and the potential for significant community benefit that comes with the Project will not be realized. Recognizing that that RPP's standards are also important, the co-Applicants have designed, to the greatest extent possible, the Project to meet and/or exceed all applicable minimum performance standards ("MPS") of the 2009 Regional Policy Plan ("RPP") and are seeking the minimum relief necessary, primarily as it relates to the payment of cash mitigation, as discussed herein below.

Each applicable Resource Area of the RPP is generally discussed below:

Land Use

The Property is located within an Industrial and Service Trade Area as identified on the Regional Land Use Vision Map. Similarly, the land is located within the Industrial zoning district under the Town of Barnstable's zoning map. The proposed use is allowed by right within the Industrial zone. Consistent with the RPP's definition of an "Industrial and Service Trade Area" (hereafter, an "ISTA"), the proposed use, because of the size and form of the building (which is necessary to its functionality), is one that would be considered "incompatible with a residential and village setting" and, consistent with the definition, has a high square footage to employee ratio and is therefore appropriately sited within an ISTA. The proposed building is multi-story to minimize the development footprint and the Project proposes a robust travel demand management program, including shuttle/transit services, to reduce parking. Further, the programmatic design (both inside and outside) is purposefully designed for multi-purpose athletic use so that the same field/space can accommodate multiple different sporting needs. This multi-purpose design allows for a much more efficient layout and, therefore, fewer land impacts.

¹ See Tab 3.

² See The Sports Facility Advisory, LLC's report entitled "Summary Level Strategy Report" dated April 2015 (the "SFA Report"), page 21.

Economic Development

First, notwithstanding the RPP's economic development MPS which relate more to project siting and design, this Project will have a recognized positive economic impact on the region. As discussed in Tab 3 hereof, this use was identified, well before this Project was proposed, by the Cape Cod Chamber of Commerce through studies that it commissioned to have a significantly positive economic impact, particularly in the shoulder seasons and the off-season, on the Cape's seasonal economy. Indeed, the SFA Report indicated that "the economic impact generated by...[such a facility]...is expected to be significant, filling thousands of room nights throughout the year and creating incremental tax revenue generation for Cape Cod..."³ Specific to the MPS in this issue area, the Project is located within an ISTA and it complies with many of waiver criteria set forth in ED1.3, including: Variety, Shared Infrastructure, Emerging Industry Clusters (cultural partnership with the CCBL and its Hall of Fame Museum, and the Project includes an education/knowledge based industry with its state-of-the-art physical therapy and rehabilitation facility), and Distributed Energy Generation. The Project is also consistent with many of the economic development best development practices.

Water Resources

According to the applicable CCC maps, only a small portion of the Property, in its southwest corner, is located within a Wellhead Protection Area. The significant majority of the Property is not mapped. The Project is proposed to be connected to municipal sewer and the resulting nitrogen load is just 2.02ppm (see Tab 12), well below the RPP's 5ppm limit. The Project does not propose to use any hazardous materials beyond household quantities, nor will it generate any hazardous wastes (see Tab 18). Information on the Project's storm water drainage system is included within Tab 13 of the application materials, together with a draft Operation and Maintenance Plan.

Wildlife and Plant Habitat

A Natural Resources Inventory (NRI) is included in Tab 11 of the application materials. As indicated therein, the Property is not mapped as Estimated or Priority Habitat, there are no wetlands on the Property, no specimen trees were identified, and the vegetation is described as typical Cape Cod pine/oak forest habitat. The NRI also notes the abutting heavily industrial and commercial uses.

Open Space and Recreation

Literal compliance with the RPP's open space requirements would require dedication of approximately 8.6+ acres of open space as an off-set to develop the subject Property. Because the applicants are not able to restrict open space on-site and still proceed with the Project, the provision of off-site open space or an equivalent cash contribution is another development cost that the Project cannot absorb. The goal of the Open Space section of the RPP (OS1) is to

³ See SFA Report, p. 19.

“preserve and enhance the availability of open space that provides wildlife habitat and recreational opportunities, and protects the region’s natural resources and character...”

Relief is requested from the RPP’s open space requirements and we respectfully suggest that the relief may be properly granted in that the Project is consistent with this Goal. First, the open space habitat value of this industrially zoned land is relatively minimal. The Property is not mapped by the Natural Heritage and Endangered Species Program as priority or estimated habitat for any rare or endangered species. Further, the NRI (Tab 11) concluded, after noting the industrial location of the Property and that it abuts Thornton Drive (heavily developed industrial area) and an electric utility facility together with its proximity to powerlines, that the vegetation and habitat value of the site is not unique and consists of “typical Cape Cod pine/oak forest habitat.” Similarly, Horsley Witten Group found no wetlands and no specimen trees on the Property during its field investigations. And, only a small part of the Property is within a Significant Natural Resources Area.

Secondly, the use of the Property – as a sports and athletic venue – together with TACC’s initiatives to provide access to schools as well as scholarships and reduced participant fees is consistent with the RPP’s goal of enhancing the availability of recreational opportunities to the community.

Finally, the design of the Project, including keeping the field house building and parking outside of the Zone II, together with its location and proximity to industrial uses, the Project will not detrimentally affect the region’s natural resources or character. Rather, it will provide numerous benefits to the community (see Tab 3) and to the Town of Barnstable, in particular.

Transportation

Based on pre-application discussions with Cape Cod Commission Staff, VHB has prepared a Traffic Impact and Access Study for the Project which is included (without its appendix) in Tab 14 of the application materials (the “TIAS”), and which is partially summarized below:

- a) The Project is expected to generate 862 weekday daily trips and 143 PM peak hour trips, as well as 780 Saturday daily trips and 153 Saturday peak hour trips.
- b) The Project’s study area consists of 13 intersections and 10 roadway links.
- c) All 8 of the signalized study area intersections are expected to remain at the same overall level of service (LOS) between 2024 No-Build and 2024 Build conditions during both the weekday PM and Saturday peak hours.
- d) All of the un-signalized study area intersections are expected to operate at a LOS C or better under 2024 Build conditions during both peak hours (PM and Saturday), except for the westbound approach at the intersection of Phinney’s Lane and Kidds Hill Road which is expected to operate at a LOS D during the weekday PM peak hour.

- e) All roadway segments within the study area will operate at a LOS C or better under 2024 Build conditions during both peak hours.

As is described in more detail in the TIAS, the Project proposes the following as it relates to compliance with the RPP's three primary areas of traffic review:

- i. *Travel Demand Management (TDM)*. The applicants are proposing a robust plan to meet the CCC's TDM requirements of reducing the number of trips by 25% using local shuttles/buses for schools, providing on-site amenities and other incentives to reduce the number of single occupancy trips. As such, no relief is requested from this requirement. It is also noted that the applicants are continuing to explore the use of shuttle services with area hotels during tournament weekends to further reduce single occupancy trips to the facility.
- ii. *Safety*. There are 6 intersections within the study area that qualify as safety deficient under the RPP. The applicants are proposing mitigation measures at each of these intersections in accordance with CCC requirements. The estimated cost of these proposed improvements is \$30,000. No relief is requested from this requirement.
- iii. *Congestion Mitigation and Fair Share Payments*. The RPP contains different requirements for project impacts within the study area versus outside the study area. As noted above, within the study area, the westbound approach at the intersection of Phinney's Lane and Kidd's Hill Road is expected to operate at a LOS D during the weekday PM peak hour. As such, the TIAS calculates the Project's fair share payment for this intersection at \$17,765. The applicants are proposing to pay this fair share payment at this intersection since it will experience demonstrable Project-related impacts.

For the remaining intersections and road links within the Project's study area, eight of the signalized intersections are expected to experience very minor increases in delay as a result of the Project; however at each of these eight intersections there are no changes to the overall LOS under the 2024 Build and No-Build conditions. As detailed in Table 10 and the immediately following paragraph, the Project's effect on these eight intersections is de minimus. Indeed, the overall delay at all eight intersections *combined* is just 8 additional seconds of delay in the PM Peak Hour and only 3 additional seconds of delay during the Saturday midday peak hour. This impact will be imperceptible. At the most impacted intersection, the overall delay is just 3 seconds. And yet, despite this minimal impact, the RPP would require payment of \$80,000 of mitigation. The cost of compliance for this Project (\$80,000) significantly impacts the viability of the Project and, particularly when compared to the insignificant impact and the insignificant effect of the mitigation on the intersections, the applicants are requesting relief from this payment/requirement. In support, the applicants suggest that the granting of this relief will not substantially derogate from the purpose of the Act, nor will it be a substantial detriment to the public good.

Rather, the impacts are so minimal, that the additional seconds of delay are unlikely to be noticed by the traveling public.

Finally, outside of the Project's study area, payment is based on anticipated vehicle miles traveled (VMT) and a per mile transit equivalency payment formula. For this Project, the TIAS calculates the payment at \$532,100. The applicants are also requesting relief from this payment. This is a development cost that the Project simply cannot support or afford. And, since the actual intersections are not studied, the calculation (and payment) has no direct bearing on the Project's impacts at the intersections outside of the study area or how those intersections are actually operating. Moreover, an additional significant aspect that may be factored into this request is that many of the league participants, in particular, are already traveling throughout the Cape's roadway network. Some of these existing trips are just on the local road network and many of them start locally and include driving over the bridges with relative frequency for lack of access to comparable facilities on the Cape. The TIAS does not quantify those trips for the purposes of mitigation credit purposes, but they are significant and further support the relief being requested. See Tab 3 for more information regarding these Clubs.

Waste Management

Proposed waste management information is contained in Tabs 18 and 19 of the application materials. Only a small portion of the Property is located within a Zone II. Portions of the outdoor field and the small detached comfort structure (restrooms/snack bar) are within the Zone II. The main field house structure is located outside of the Zone II.

Energy

As detailed in Tab 17 of the application materials, the Project proposes to generate 62-93% of its expected energy consumption on-site with roof and carport mounted solar panels. The Project therefore meets MPS E1.6 and, therefore, is deemed compliant with MPS E1.1-1.5.

Affordable Housing

The applicants are requesting hardship relief from MPS AH3.1 and its requirement for cash payment. As an "other" use per AH3.1, Technical Bulletin 10-001, refers to the Commercial Building Energy Consumption Survey (CBECS) to assist in the required calculation. However, as is detailed in the enclosed energy narrative (Tab 17) by the Project's energy consultant, the CBECS does not address this particular type of building type/use.

Notwithstanding the calculation methodology, as described in the Project application materials, an affordable housing payment is one of the development factors⁴ that would make the Project non-viable. Accordingly, the applicants are requesting hardship relief from the one-time

⁴ As discussed herein above (see Footnote 2), the SFA Report recognizes that development costs constrains the ability to construct these types of facilities.

affordable housing payment pursuant to AH3.1. However, as detailed in the Community Partners / Community Benefits section of this application (Tab 3), the applicants are proposing to provide *annual and ongoing* scholarships and reduced camp and program participant fees which will benefit the same low-income eligible families albeit in a different, but still important, manner with improved access to athletic competition, training and recreational opportunities.

Heritage Preservation and Community Character

A Design Narrative which describes the design, materials, form and functionality of the proposed field house building is contained in Tab 10 of the application materials. Consistent with MPS HPCC2.7, as the Property is located within an industrially zoned area and within an ISTA under the Land Use Vision Map, use of non-traditional forms and materials are both appropriate and also a critical function of the field house. The Design Narrative also documents how the Project will not be visible from any regional roadways.

Information regarding the Project's lighting is contained in Tab 15 of the materials. The intention is for the parking lot lighting to comply with the RPP requirements, but to the extent that the RPP lighting standards even apply to field lighting, relief is requested. As described in the Design Narrative (Tab 10), the proposed field lighting is the most modern and efficient available in the industry and will be used only when necessitated by activities on the field.

Project signage is not yet designed, but the applicants will agree to a condition of Cape Cod Commission staff pre-approval for consistency with the RPP.

TOTAL ATHLETICS OF CAPE COD, INC. & CCTC, LLC CAPE COD TRAINING CENTER

Community Benefits

Section 1(c) of the Cape Cod Commission's Enabling Regulations defines a "Project of Community Benefit" as "*a project determined by the Commission to confer upon or result in distinct benefits to the community and the citizens of Barnstable County, consistent with Sections 1(a) and 1(c) of the Act.*" Section 1 of the Act identifies certain values for Cape Cod and various purposes of the Cape Cod Commission, including:

- Cultural and recreational values
- Furthering balanced economic growth
- Promotion of public health, safety and general welfare
- The provision of adequate capital facilities
- Preservation of cultural and recreational values
- Implementation of a balanced and sustainable economic development strategy for Cape Cod capable of absorbing the effects of seasonal fluctuations in economic activity

TACC's proposed Cape Cod Training Center (hereafter, the "Project") will confer significant and substantial distinct benefits to the community consistent with the values and purposes of the Act, including:

- ✓ *Home Fields for Barnstable Schools.* Section 2(c) of the Act defines "capital facilities" to include schools and the Project will serve as the athletic "home" for several public and private schools in the Town of Barnstable which currently struggle to obtain access to athletic venues. The provision of recreational activities and involvement in school sports yields numerous benefits to the community's youth including, without limitation, a healthier young population, keeping children busy with athletic endeavors as opposed to less healthy life choices, improved academics, mind-body balance, and the value of teamwork and sportsmanship. Presently, the Project is proposed as the athletic home for the following Barnstable schools:
 - *Pope John Paul II High School* – Soccer (girls and boys), football, softball and lacrosse (girls and boys). See communication from Mark Santos, Director of Athletics, attached as Exhibit A to this Tab.
 - *Sturgis Charter Public Schools, East and West Campuses* – Boys basketball (JV and Varsity), Girls basketball (JV and varsity), possibly cheerleading, and other field sports such as baseball, softball, lacrosse and soccer. See communication from Brij Anand, Sturgis West Athletic Director, and Emily Sherman, Sturgis East Athletic Director, attached as Exhibit B to this Tab.

- *Trinity Academy*. TACC is in the process of discussing collaborative possibilities now with Trinity Academy.
- ✓ *Cape Cod Community College*. TACC is in discussion with the college to host and run its intramural, club and fitness programs.
- ✓ *Club Sports*. The Project will also serve as the “home” to numerous teams participating in club sports. For many of these teams, it is exceptionally challenging finding access to practice and game facilities, and they are forced to travel long distances (including off-Cape Cod) and/or practice at inconvenient hours. It is anticipated that this list will grow, but at present, the Project will serve as the home for:
 - Total Athletic Penguins (ice hockey) – formerly known as the Cape Cod Penguins
 - Total Athletic Seahawks (ice hockey) – formerly known as the NE Hurricanes
 - Cape Cod Youth Field Hockey Club – The Club has over 250 active players (with a mailing list of over 500). They will be a strategic partner and the Project will be the Club’s home. Presently, the Club members are scattered all over the state, including kids traveling to Worcester on weekends for skills.
 - Barnstable Curling Club
 - Liverpool Soccer Club – With this Project will serve as the Regional Training Center for over 400 youth soccer players.
 - Synchro Skating Club – This Club has 75-100 figure skaters who travel from Cape Cod to Kingston multiple times a week to practice. In conjunction with the HYCC, the Project will have three sheets of ice to accommodate this Club on Cape Cod.
 - Flagman – Barnstable Flag Football
 - Cape Cod Wrestling Club
 - Cape Cod Power Lifting Club
- ✓ *Cape Cod Baseball League*. The Project will serve as the home to the Cape Cod Baseball League (“CCBL”) and its Hall of Fame Museum, which was formerly located in the lower level of the John F. Kennedy Museum in Hyannis. This partnership will provide the CCBL with space on the 2nd floor of the Project for the Museum where the CCBL hopes to provide interactive displays together with its plaques, cases, and memorabilia. In addition, it is anticipated that the Project would be able to accommodate CCBL baseball camps and could serve as a training facility for CCBL players, which could enhance CCBL recruitment efforts. CCBL apparel is proposed to be sold at the Project’s sports shop and a percentage of the sales of CCBL gear will go to the Total Athletics of Cape

Cod Fund, a fund that is being established through the Cape Cod Foundation to support student-athletes. Additional information regarding this exciting collaboration is included in the *Barnstable Patriot's* March 17, 2017 newspaper article included in Tab 23 of the application materials.

- ✓ *Other Community Organizations.* TACC is also proposing partnerships and joint programming at the Project with other community organizations. Although youth sports are an important component of the Project, all too frequently, sports facilities are geared only toward the youth marketplace. Therefore, TACC is also committed to working with local councils on aging and senior-focused organizations to also create programming for senior populations. The list of community organizations with which TACC is proposing to collaborate is extensive, and growing, and includes, to name a few:
 - Special Olympics
 - Gosnold on Cape Cod – Recovery through recreation programming
 - AA/NA support groups
 - Alzheimer support groups
 - Boy Scouts of America
 - Girl Scouts of America
 - Cape Cod Young Professionals
 - Community Leadership Institute
 - Local Councils on Aging
- ✓ *Local Scholarships / Reduced Participant Fees.* As alluded to above, working with the Cape Cod Foundation, TACC has created a scholarship fund known as the Total Athletics of Cape Cod Fund which will provide yearly scholarships to youth from the Town of Barnstable as well as other areas on the Cape. A TACC scholarship board of directors will evaluate scholarship requests. The scholarship fund will be established through a percentage of sales of CCBL apparel as well as partnerships with other local and Cape-based businesses. The scholarships are anticipated to help youth attend a sports or academic related camp as well as to contribute to college education. In addition to the scholarship, TACC is also proposing to offer reduced camp and TACC program-participant fees for Barnstable low-income, eligible families. The camp and TACC program-participant fees will be discounted by at least 25% for all low-income, eligible Town of Barnstable families with the possibility of free tuitions if eligibility criteria are met.
- ✓ *Year Round Economic Driver.* With its experienced and professional management, the Project is positioned to serve as a regional economic driver that will benefit the Cape's economy, particularly in the off-season, when there are many empty hotel rooms. By way

of background, the Cape Cod Chamber of Commerce commissioned several studies in the past few years evaluating what types of uses would benefit the economy, particularly in the slower shoulder and off-seasons. An initial study identified a sport and recreational facility as an economic driver and a subsequent study prepared by The Sports Facility Advisory (“SFA”), entitled “Summary Level Strategy” dated April 2015 (the “SFA Study”), evaluated the feasibility and benefits associated with a sports and recreational facility of Cape Cod. The SFA Report assessed numerous factors including market considerations, business models and contributions and challenges to success. The Project incorporates many of the recommendations contained in the SFA Report, including a combination of employing both a local business model (i.e., a hub with the intention of serving as community sports, recreation, youth development and educational services), as well as a sports tourism model (attracting teams, players and tournaments). Also consistent with the SFA Report, the Project is designed to accommodate multiple sports, thereby allowing for maximum flexibility to respond to new opportunities. This diverse mix of offering, the ability to adapt, and TACC’s commitment to serve the local community needs, together with its ability attract and retain regional sporting events is, according to the SFA Report, critical to the success of this type of facility. See SFA Report p.16. Finally, the SFA Report also acknowledges the financial operational challenges for sports facilities, including the potential need for public support of development costs to incentivize private developments. In return, the SFA Report notes “the economic impact generated by...[such a facility]...is expected to be significant, filling thousands of room nights throughout the year and creating incremental tax revenue generation for Cape Cod...” See SFA Report, p. 19.

- ✓ *Year-Round Economic Driver – Tournaments/Programming.* As a result of TACC’s unparalleled connections within the professional and amateur sports world, the Project is positioned to immediately draw large tournaments to the region. By way of example, once opened, TACC is expecting to immediately host four multi-day ice hockey tournaments per year in the off-season (February, October, November and December) in partnership with the Town of Barnstable’s Hyannis Youth and Community Center (the “HYCC”) (see also below). This will result in substantial revenue to the Town of Barnstable and its business community, which is particularly important in the off-season as tournament attendees will stay in local area hotels, eat in local restaurants, and shop at local businesses. Working with the Cape Cod Chamber of Commerce sports marketing staff, these four tournaments, alone, are expected to generate over 2,800 individuals to the area, an additional \$152,000 in hotel revenue over these 4 tournament weekends, and an estimated participant spending over the course of these tournaments totaling approximately \$180,996. This translates directly to additional meals and rooms taxes to the Town of Barnstable. In addition to these four identified ice hockey tournaments, TACC is also seeking to bring other tournaments to the facility. TACC programs are also anticipated to yield significant hotel revenue, meals taxes and benefit local businesses. Once constructed TACC is immediately proposing the following programs at the facility: Distinguished Speaker Series, Cape Cod Baseball League Winter Meetings, NFL Officials Camp, Coaches Symposiums, Quarterback Academy, Scouting Combines for high school students seeking a college and a team scholarship for admittance, soccer clinics, and other events. Collectively, TACC estimates that these events will bring 1700 individuals to the facility and generate an additional \$48,250 in hotel revenues and

participant spending of approximately \$109,000. TACC is also working on securing a major soccer tournament and lacrosse tournaments and given that the Project only proposes one field, it will look to collaborate with the Town of Barnstable Recreation Department on other field usage thereby creating additional revenue for the Town. These are not intended to be exhaustive lists as TACC continues with its programming, event networking, and to find the right tournaments to bring to the community.

- ✓ *Hyannis Youth and Community Center (the "HYCC").* TACC is already one of the largest tenants at the HYCC with its acquisition of the Total Athletics Seahawks, and the construction of the Project will enable even more collaboration with the HYCC. By way of example, the Project will allow TACC and the HYCC to attract far more and larger ice hockey tournaments to the region. Access to at least three sheets of ice is a crucial factor in securing these larger and more lucrative tournaments. See letters from Boston Advantage Hockey and Eastern Hockey Federation, both attached as Exhibit C to this Tab. With the Project's proposed single sheet of ice combined with the two sheets at the HYCC, it is anticipated that more frequent and larger revenue generating tournaments will be possible in the Town of Barnstable, thereby benefitting the HYCC, the Town of Barnstable, and area businesses. It is also expected that the Project and HYCC can collaborate on other activities including, basketball tournaments. By way of example, the 4 off-season ice hockey tournaments that TACC proposes, which are referenced above in the immediately preceding bullet point, are anticipated to generate an additional \$67,575 to the HYCC for ice rink revenue and \$20,000 to the HYCC in food and beverage.
- ✓ *Real Estate Taxes.* At present, the subject properties are vacant. Collectively, the four lots which comprise the subject parcel are assessed at \$1,007,800. The 2016 total taxes for the four parcels amounted to just \$11,773.43. TACC will be investing over \$12 million, including approximately \$9.5 million for the cost of the building, to construct and develop this facility on the property. This will significantly increase the Town's tax yearly revenue generated by these commercially zoned and underutilized properties. In addition, the Project is likely to serve as the catalyst for additional development in the vicinity most of which, like the subject property, is under-utilized.
- ✓ *Employment Opportunities.* It is anticipated that TACC will employ 32 individuals in full-time, part-time, seasonal and temporary positions.
- ✓ *Local Ownership.* TACC is a locally-owned, Massachusetts-based corporation. The two principals of the corporation are Warren Nighan, a Cotuit resident, and Mike Sherman, a Harwich resident. Numerous studies exist documenting the added value to the community of local ownership. As Cape residents, Mr. Nighan and Coach Sherman are personally involved in the community, they welcome community-input, they are accessible to reach, and are always open expanding potential collaborations. In addition, TACC is committed to using locally-based professional service providers, suppliers and contractors when available and qualified on this unique type of development. By way of example, the following Cape Cod based professionals have been retained to date to assist with the project: Michael Borselli, civil engineer (Borselli Engineering, Falmouth), Sia Karplus, energy consultant (Science Wares, Inc., Falmouth), Amy Ball, environmental consultant (Horsley Witten Group, Sandwich), Eliza Cox, attorney (Nutter McClennen & Fish,

Hyannis), Randy Hart, traffic engineer (VHB, Hyannis), Chuck Giachetto (By Design Construction, Mashpee), Peter Giovanni (Giovanni Tree Clearing), Cape Cod Aggregates (Barnstable), and Shepley Wood Products (Barnstable).

Collectively, these are significant and, for the most part, yearly and on-going, qualitative and quantitative benefits to the community. And, by no means is the above intended to be an exhaustive list of the community value of this Project. Other benefits include, without limitation: (i.) the Project can serve as an additional marketing initiative/amenity to incentivize residents and businesses to locate to the Town of Barnstable; (ii.) TACC will provide a one-stop sports, wellness and academic location for student athletes; (iii.) TACC provides the Cape's youth with a healthy, recreational based year-round destination; and (iv.) the Project will be the only full size training facility on Cape Cod. Although unique for Cape Cod, similar facilities exist throughout the country and become community gathering places. The Project will serve a hub for community sports, recreation, physical fitness, training, youth development, and education. It will serve as a healthy and positive destination for the Cape's young adults to come play, exercise and compete in organized leagues.

3554520.1

EXHIBIT A

Eliza Cox

From: william collett <bill@tacapecod.com>
Sent: Friday, March 24, 2017 1:14 PM
To: Eliza Cox
Subject: Fwd: Total Athletics CC

----- Forwarded message -----

From: **Mark Santos** <msantos@jp.dfrcs.org>
Date: Fri, Mar 24, 2017 at 12:20 PM
Subject: Total Athletics CC
To: william collett <bill@tacapecod.com>

Hi Bill,

Thank you for all of your time and energy you have given to me and St. John Paul II High School. We are very excited to enter into a long-term relationship with Total Athletic Cape Cod.

As you are well aware, facilities on Cape Cod are hard to come by, especially for a small private school like we have. We have access to some fields, but the challenges to secure these fields are increasing with several other organizations looking for time as well. It is a constant battle to secure fields due to overuse issues and safety concerns for participants. Over the last few years, we have been notified that we will not be able to use certain facilities for various reason just before the start of a season. This puts a tremendous amount of strain and pressure on us to search for options at the last minute. Transportation to various fields and towns can also cause budget problems.

Further complicating the matter, is that we take our athletics very seriously at St. John Paul II High school and we want to provide our families and student-athletes with first class facilities whenever possible. We feel as though TACC will more than fulfill that desire and we are very thankful to have the opportunity to call TACC "home" to St. John Paul II High School athletics.

Again, Thank you for all of your help and we are looking forward to a long and healthy relationship.

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Regards,

Mark A. Santos
Director of Athletics
Head Baseball Coach
St. John Paul II High School
120 High School Road
Hyannis, MA 02601
(Tel) 508-862-6336
(Fax) 508-862-6339
(email) msantos@jp.dfrcs.org

EXHIBIT B



STURGIS CHARTER PUBLIC SCHOOL

427 MAIN STREET, HYANNIS, MA02601

Total Athletics Cape Cod,

Please see below the challenges East and West athletic programs face:

A. Outdoor facilities: soccer, tennis, field hockey, cross country, baseball, softball, lacrosse, track & field

1. Fields being well maintained – fields need to be "rolled out", level, & divots free.
2. Fields being painted/chalked/lined by the owned park or facility that is sport specific (i.e. Boys LAX vs. Girls LAX).
3. Facility or park providing their own outdoor equipment – goals, bases, field markers, balls, etc.
4. Storage of team equipment.
5. Number of outdoor fields available in the towns of Barnstable/Hyannis/Yarmouth – this is especially true for sand fields in the sports of baseball and softball. Keeping blue stone out of softball fields.
6. Indoor practice space available for inclement weather.
7. One consistent practice and game field facility.
8. In game score, book, and clock keepers – game management is typically hired by the AD but it is a struggle to get consistent workers who know the sport. This could be job opportunities for your facility.

B. Indoor facilities: basketball, volleyball, cheer

1. Gym space and availability.
2. Controlling access to outsiders.
3. Traction on courts, slipperiness.
4. Game clock access during practice.
5. Basketball backboard fiberglass being cleaned weekly.
6. Access to on court equipment - volleyball net set up or access to facility's nets to set up, access to mats for cheerleading, use of your basketballs and volleyballs.
7. Storage of team equipment.
8. Clean & safe courts – water leaks, cracks in the floor, floors being swept or having a broom there for coaches/mangers to sweep in practice.
9. One consistent practice and game court facility.
10. In game score, book, and clock keepers – game management is typically hired by the AD but it is a struggle to get consistent workers who know the sport. This could be job opportunities for your facility.

As you can see both schools face similar problems all related to quality, safety, and access to fields and courts. Please do not hesitate to ask if you have any questions. Thank you for your help and time.

Sincerely,

Emily Sherman

Sturgis East Athletic Director

Esherman@sturgischarterpublicschool.org

774-212-9399

Brij Anand

Sturgis West Athletic Director

Banand@sturgischarterpublicschool.org

774-327-8131

EXHIBIT C



September 12, 2016

Total Athletics,

It was great to see you today at our Facility- New England Sports Village. Total Athletics sounds like an exciting project and as you know we have watched our own facility expand due to the demand in youth sports training and tournaments. Today we have 6 full-size ice rinks and 1 studio rink, hockey pro shop, function rooms, full-service restaurant, snack bar, 30 spacious team rooms, and 218,000 square foot facility. Furthermore, we are currently building a Field house and two more Ice facilities to be ready for the 2018 season.

As we discussed; securing more than two sheets of ice is critical to any successful tournament which in returns generates revenue for the surrounding communities and your own facility.

Thank you for taking the time to meet with our group about new projects that we can collaborate on in the future when your facility is complete. We look forward to the opportunities that lie ahead.

Best of Luck

Wes Tuttle



Boston Advantage Hockey



September 7, 2016

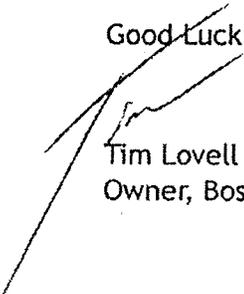
Dear Total Athletics,

Thank you for taking the time to meet with our group about new projects that we can collaborate on in the future when your facility is complete. We look forward to the opportunities that lie ahead.

The main factor in securing teams for tournaments is the use of more ice facilities. Once you are able to secure 3 sheets of ice, we can begin to promote sizable events on the cape. Please keep us posted as you look to secure more rinks space.

Again, congratulations on the Total Athletics Training facility and we look forward to our partnership.

Good Luck!



Tim Lovell
Owner, Boston Advantage Hockey



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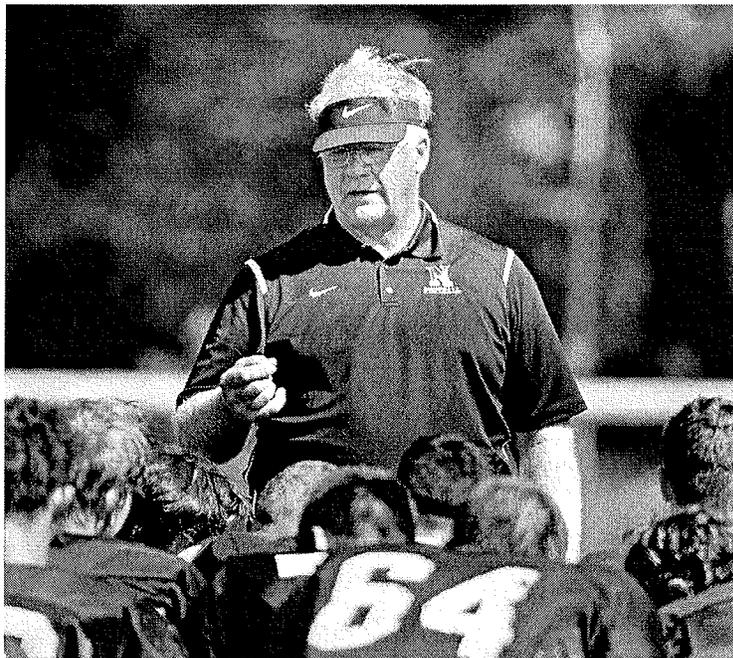
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BREAKING AG URGES SUFFOLK UNIVERSITY TO END BITTER BATTLE



Borges: Mike Sherman joins fight against drugs on Cape

Ron Borges Friday, May 20, 2016



Credit: Herald File

Mike Sherman

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HYANNIS — Cape Cod would seem an unlikely setting for such a story as this, but even the Garden of Eden had its evil snake. So it is here, where the sand meets the sea but darkness lurks.

According to the Cape Cod Times, Barnstable County last year had the highest per capita opiate-related overdose death rate in the state, 30.33 per 100,000 people. In nine of the past 16 years, the Cape's opiate-related death rate placed it among the top five counties in Massachusetts, a state in which 1,379 opiate-related overdose deaths were recorded last year, and that did not include Boston, Worcester or Springfield, which means the number surely was higher. That's a 7.5 percent increase from a year earlier.

More than half those victims were found to have traces of Fentanyl in their system, a synthetic opiate 80-100 times more powerful than morphine and 40-50 times stronger than pure heroin. It is often found in prescription pain-killers but also is sold illegally on the street. It is believed as many as 80 percent of opiate abusers begin their descent into this growing epidemic through the misuse of pain-killers following an accident or surgery. So it was with Ryan Loughlin.

Loughlin was a 32-year-old attorney who struggled with addiction but put himself through the New England School of Law and embarked on a personal injury career in Lawrence. Sometime after staying late at his sister's house on Halloween to watch a movie with her family two years ago, he went to his office instead of going home. He must have made a stop first.

According to his uncle, former Green Bay Packers coach Mike Sherman, he was flush, having just won a big case. By sunrise, he was dead from a heroin overdose. The local paper said he "passed away suddenly."

That's how Sherman came to be standing in an open field across from Cape Cod Community College with his partner, Warren Nighan, holding a dream wrapped in tears. In his hands were plans for a massive new sports complex, but that was only part of the idea.

The dream is to build a \$12 million sports facility in an empty industrial park that would service not only the needs of the Barnstable's kids and families but become a magnet for Cape kids aged 18-25 for whom there is too little to do in the winter and too many empty hours to fill.

Sherman's hope is such a facility will "build champions," which in a sense has been his life's work, but not just as athletes. He wants the center called Total Athletics Cape Cod to do for young men like his nephew what wasn't done for Ryan Loughlin in time.

"When my wife and I moved to the Cape two years ago, I thought it might be a one-year deal," Sherman said this week. "I hadn't totally bought into the fact it might be the end of my NFL (coaching) career.

"I hadn't been in the area for more than a week or two of vacation for a long time. You get so wrapped up with coaching, I hadn't seen my family much. You lose touch with things that are happening."

One of those things was the downward spiral of his nephew and godson, who had gotten hooked on oxycontin. From that root grew an addiction he could not shake, try as he might.

"I used to see him here on vacation," Sherman said. "The last year I saw him was my last year coaching with the Dolphins. He didn't look good. I knew Narcan (an opiate antidote) had already saved his life once. I guess I hadn't been a real great godfather.

"When we moved here, he seemed to be doing well. . . . He told me he really felt like he had a handle on it. He said he couldn't keep doing this to his mother. He was really trying. He was a great kid. But drugs don't discriminate. Nov. 1, 2014. That day made me realize even a mother's tears can't protect a kid from addiction.

"After that I started paying more attention to opiate addiction, especially on Cape Cod. I saw those OD death numbers accumulating. They were exceeding gun violence. It was shocking."

Sherman got wind of an effort in Sandwich. When it began to falter because of the usual political and environmental red tape, he began seeking other options.

One day, out of the blue, he got a call from Nighan, a Northeastern-trained nurse and former hockey player who'd become an executive in the pharmaceutical and medical device industry before moving back to the Cape from Minnesota. Nighan had an idea to build a similar complex centered around a hockey rink. Soon they joined forces.

"I see all these kids leaving the Cape to find places to play," Nighan explained.

"Everyone's going over the bridge. I saw there was only one men's (hockey) league on Cape Cod because of lack of ice time. There just aren't many structured programs or adequate facilities, so I started to think about a business model.

"Nine of the 10 points that interested (Mike) were the same as mine. A project like this has to make enough money to stay open, but it can also serve another purpose. We hope it will give kids and their families a place to go and something constructive to do."

Such an ambitious effort needs a home, of course, and through the philanthropic efforts of successful Cape businessman Sam Lorusso and his family, they have it. It's an 8.6-acre parcel of land they not only can lease but which was long-ago zoned for a hockey rink. If Sherman and Nighan can successfully navigate the permitting process, they're hoping to have shovels in the ground by November and an opening date sometime in 2017.

"We have a good idea and a good business plan, but we could never buy the land to do this," Sherman said. "Without the Lorusso family, this couldn't happen. They've done so many charitable things all over the Cape."

The master plan includes a hockey rink; a full-size, lighted, outdoor turf field for football, baseball, lacrosse and soccer; a fieldhouse with an indoor track and smaller turf field; a training facility; food services; a rock wall and an arcade. The outdoor field would be covered by a bubble 180 days a year, making it operational even in the coldest winter.

It's an ambitious effort born not only out of a sporting need but also a larger one. A human need that will use sports and families to fight what has become an epidemic so prevalent HBO recently aired a documentary entitled "Heroin: Cape Cod, USA."

That's not what Sherman expected to find on the Cape, and fighting it isn't like preparing a NFL team for a playoff run.

"The Cape desperately needs a facility like this," he said. "We want to provide a place for young athletes to train and play, and for their families to come and relax and watch or work out themselves. Our hope is it could be a place where young adults, the ones 18-24 who are kind of unmoored after high school, come and play in organized leagues and get connected to something that helps them avoid some of the pot holes that lead to bad choices. Our concept is to build champions on and off the field.

"This is pretty much it for me. I'm more accepting of that now. I'm going out to the Hall of Fame for (Brett) Favre's induction, and I'm sure that will be a little itch I'll have to scratch, but this is my work now."

More On: Mike Sherman

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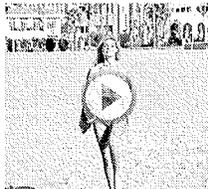
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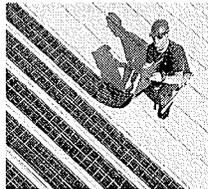
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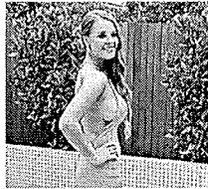
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The Barnstable Patriot

Cape League Baseball Hall of Fame finds new home

Friday

Posted Mar 17, 2017 at 10:58 AM

Updated Mar 17, 2017 at 10:58 AM

By Mike Richard news@barnstablepatriot.com

In the game of baseball, the goal is to make it home.

The Cape Cod Baseball League Hall of Fame will soon also find its way to a new home – in the soon-to-be built Total Athletics of Cape Cod facility in Hyannis.

After the Hall of Fame moved out of the basement of the John F. Kennedy Museum on Main Street in Hyannis at the end of January, its future destination seemed somewhat in doubt.

However, a deal was struck with Total Athletics where the hall of fame will flourish in some exciting new digs when the facility– which will be built in Hyannis' Independence Park and include a hockey rink, indoor turf facility and outdoor athletic field and training center – is slated to open in the spring of 2018.

The partnership between the Cape Cod Baseball League and the new athletic facility seemed to be a natural for Warren Nighan, co-partner in Total Athletics Cape Cod with former Green Bay Packers head coach Mike Sherman.

"During our feasibility study, when we were looking at which sport would be number one on the Cape, obviously baseball is one of the most watched sports all through the summer," said Nighan. "It was as simple as, wouldn't it be great to have an affiliation with the Cape Baseball League."

Cape Cod League president Chuck Sturtevant, as well as league officials Paul Gallop, Jim Higgins and Peter Ford, along with Sherman and Nighan, met recently to firm things up.

"We're joining in a partnership with them to rent space in their facility for the Hall of Fame," said Sturtevant. "Our hope is that we can also develop interactive displays so that the younger generation will make their experience at the hall of fame that much more enjoyable."

The Hall of Fame plaques and cases of memorabilia are planned as a focal point of the athletic facility's experience, and the interactive displays would be similar to those at the National Baseball Hall of Fame in Cooperstown.

"We want to create an interactive part of baseball; hitting instructions, pitching instructions, Cape League guys, TV everywhere," said Nighan. "We'll be littered with batting cages in our place. How great would it be to have a Cape (League baseball) coach helping with your tutorial?"

Nighan also noted that the new facility would be able to accommodate many of the Cape Cod League baseball camps which in the past were held at local baseball diamonds.

The Cape Cod Baseball League has been a great stepping stone in producing future major league baseball talent.

"If you look at the last World Series, I think there were 16 or 17 players who had played in the Cape League," said Sherman. "There were something like 14 or 15 first-round draft choices that had played in the Cape League. Our (camp) kids will be able to be around some of the best players in the world."

The partners noted that Total Athletics would be the first official address the Cape League has ever had, when it comes to corporate activities. In addition, there are other things at the facility that would benefit players and league officials.

"We are still negotiating a meeting room and possibly office space," said Sturtevant. "Our hope is to have a place where our mail can be sent, and we'll go from there. The amount of people going through this facility once it's developed will be phenomenal. I think the exposure it gives to us as a league is going to be great."

Sherman also noted that the Cape Cod Rehabilitation Center, which will be located there, will also be helpful to Cape League players.

"They'll now have a place where the players can come for rehab," said Sherman of the rehab center, which will also include a fitness facility, physical therapy workshop, aquatic pool, heated therapy pool and aqua therapy.

"It will be a great recruiting tool for the local Cape League coaches to say, 'You come to Cape Cod, you'll be able to train in a state-of-the-art facility, as well as play at these local ballparks that embrace great baseball,'" Sherman added.

Total Athletics also plans to have official Cape Cod League Baseball and Hall of Fame logo apparel available for sale. These items are now fully stocked at the Hyannis Youth and Community Center Pro Shop, which is also run by Sherman and Nighan.

"In the past, teams sold items only at their games," Nighan explained. "Now we will have one central location to buy these things."

The men are also developing a Total Athletic Foundation Scholarship Fund, which will provide money for student-athletes to attend college, camps and "whatever our scholarship board feels the money should go toward," said Sherman. A percentage of sales of Cape Cod League and Total Athletic Cape Cod gear will also go toward that fund.

At the present time, the Cape Cod Hall of Fame induction ceremonies will continue to be held at the Chatham Bars Inn, which has had a longtime connection with the league.

"We hope to be creating a baseball atmosphere that is like nothing else on the Cape," said Nighan, "and we're hoping to add a Cooperstown feel to it."

Mike Richard can be contacted by email at

The Barnstable Patriot

Partnership leads to Total Athletics Cape Cod in Hyannis

Friday

Posted Jan 27, 2017 at 9:33 AM

Updated Jan 27, 2017 at 9:33 AM

By Mike Richard news@barnstablepatriot.com

When Mike Sherman ended his association as offensive coordinator with the Miami Dolphins three years ago and realized his days in the NFL were over, it was time to refocus on other things to occupy his time.

The former head coach of the Green Bay Packers from 2000 to 2005 frequently returned to Cape Cod during the summers to visit his parents, who lived in Yarmouth. Eventually he and his wife, Karen, decided to relocate here permanently after living the life of nomads during his 37-year coaching career.

"When the Miami thing was over, my wife and I had moved 11 times," said Sherman. "She has been gracious enough, but she had had enough of that lifestyle and I owed her. We would always come to the Cape three or four times a year."

After leaving Green Bay in 2005, he purchased a two-bedroom house near Bass River, had it knocked down and put up a larger house there where his five children and grandchildren have visited over the years. They moved here permanently in 2014.

However, Sherman was far from ready to become a retiree.

For the past two seasons he has been the head football coach at Nauset Regional High School, but he began to develop another, bigger plan -- for the development of Total Athletics of Cape Cod, a sports complex that will be located on eight-and-a-half acres on Merchants Way between Business Lane and Industrial Boulevard in Hyannis.

This \$12 million complex will feature everything from ice rink, basketball courts, indoor baseball facility and workout rooms to a food court, study areas for students and a banquet facility to hold social events.

Outdoors will be athletic fields for football, soccer and lacrosse, with the St. John Paul II football team calling the soon-to-be-built stadium their home field beginning in the fall.

The idea for Total Athletics grew out of a similar plan for an athletic complex that had been discussed for the Golden Triangle off Quaker Meetinghouse and Cotuit roads in Sandwich.

Sherman's preliminary conversations about developing a sports complex eventually resulted in his partnership with Brockton native Warren Nighan. Nighan had been a youth hockey coach in the Brockton area and was looking for a local facility that would also suit the needs of the local hockey community.

"When the Sandwich thing (Golden Triangle) was happening, I watched that from the outside and I talked to them," Sherman said. "They didn't have a football component or a track, and then Warren (approached them) from a hockey side," Sherman added.

"There is no field house on Cape Cod," said Nighan. "There's no winter sport training unless you're in a gym or renting out a bay in some storage facility. Our vision really looks into the business aspect – does this work and will this work?"

Through a series of different meetings, Sherman and Nighan discussed their own particular visions and found a lot of similarities.

"We thought, let's try to do this thing together," said Sherman. "We came with the opinion that, in order for this thing to work, it has to be a destination place - with restaurants, with hotels."

Nighan's career as a nurse practitioner as well as career senior executive with Tyco-Covidien has provided the project with a wealth of business knowledge.

"I was looking for someone who was a businessman and he was looking for a sports guy," said Sherman. "This isn't something I would entertain on my own, but he's done this at a high level as a very successful career businessman and needed someone who was involved with sports."

With Sherman's experience as an NFL head coach and the general manager and vice president

of the Green Bay Packers, it became a unique partnership that has fallen nicely into place.

In addition, the two men have some personal reasons for such an undertaking.

Sherman lost a godson to substance abuse and began to pay close attention to the deadly epidemic which has plagued parts of Cape Cod.

"I wanted to figure out a way that we could help kids to have better options and make better choices with their lives," he said. "We want to give families and kids things to do. We're trying to find something that could benefit the Cape, the South Shore and the Islands."

Nighan brought up the blight of childhood obesity and sees the athletic complex as a way to also address this issue.

"I've studied a lot about childhood obesity and have seen my share of it from a clinical side," said Nighan.

The facility is currently at about 70 percent occupancy, even before initial construction begins.

"I think it will help the overall community, as well as the business people of Cape Cod, so it serves a lot of purposes that way," said Sherman. "[Nighan] and I got together; we started putting together our programming and what we wanted to do."

Sherman stressed the fact that the new complex was not coming into town to replace the Hyannis Youth and Community Center. Actually, it's quite the contrary.

"(HYCC) supplies a tremendous benefit to the community. It's run by Joe Izzo, who does a phenomenal job, and we want to be partners with them," said Sherman.

Total Athletics has purchased the Cape Cod Penguins and will begin a franchise, which is part of the Elite 9 Boston Hockey League for ages five, six and seven.

"Kids from Plymouth or Duxbury who are heading into Boston can come this way now," said Nighan, who estimated that 81 families leave the Cape every day [to play] hockey somewhere with off-Cape leagues.

"It's revenue that the Cape loses because we don't have something like this to offer," he noted.

Total Athletics has engaged former NHL star Tom Poti to work with coaches to get the program going. In addition, the TACC Seahawks, a junior hockey team, will headquarter out of the Youth and Community Center.

"We're thinking the players could possibly go to Cape Cod Community College, take classes, play hockey from 10 to 12 in the morning and then become a travel team from Cape Cod," Sherman said.

Total Athletics has also agreed to a partnership with Cape Cod Youth Field Hockey as well as Cape Cod Rehab, which will operate a fitness center, physical therapy workshop, aquatic pool, heated therapy pool and aqua therapy there. In addition, it will house a men's indoor softball league and the Barnstable Curling Club.

With camps, clinics and competition tournaments planned for the summertime, similar activities will be scheduled for the winter months, including indoor soccer clinics, field hockey camps and hockey competitions.

"People recognize Cape Cod for the iconic beaches and the bike paths, and I want them to also recognize it for Total Athletics of Cape Cod," said Sherman. "We want to be a benefit to the community and maybe give kids choices that they may not already have on the Cape."

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The Barnstable Patriot

Athletic center proposal moves forward in Hyannis

Thursday

Posted Jan 26, 2017 at 5:23 PM

Updated Jan 26, 2017 at 5:23 PM

By Rachael Devaney news@barnstablepatriot.com

As plans for a new athletic training center in Hyannis continue to gain momentum, a recent meeting indicates partnership possibilities, and town officials appear impressed.

The proposed 65,000-square-foot indoor sports facility, Total Athletics Training Center Cape Cod, is planned for Independence Park in Hyannis. Recently, project owners Mike Sherman and Warren Nighan welcomed state and town officials to their offices to discuss how the multi-phase facility will impact both Cape Cod residents and local institutions like the Hyannis Youth and Community Center and Cape Cod Community College.

Sherman, former head coach of the Green Bay Packers and current football coach at Nauset Regional High School in Eastham, and Nighan, a medical device and pharma QARA consultant, gave attendees updates on what the \$12 million world class sports complex will include, like its recent acquisition of the Cape Cod Penguins. Attendees included Lt. Gov. Karyn Polito; state Rep. Timothy Whelan; state Rep. and Barnstable Town Councilor Will Crocker; town Councilor John Flores; Town Manager Mark Ells and Cape Cod Community College President John Cox. Sherman and Nighan also focused on creating local partnerships.

Ells gave a summary of the meeting to the town council on Thursday, Jan. 19, and said that after hearing the presentation for the multi-phase facility, he hopes to continue working with the owners as they move through planning phases. He said Total Athletics is interested in working with Barnstable to enhance town facilities, specifically the Hyannis Youth and Community Center, and they are also developing programs across the Cape to service youth.

"This is a very positive opportunity and interesting proposal if they are able to bring this to the point of actually development," Ells said. "Right up through the state level."

Ells said Cape Cod Community College also sees potential in the facility, and that Cox may use Massasoit Community College as a model for future sports programs because of its experience with athletics at the community college level.

"They want to see where the college is going in the future and if there is an opportunity for dorms, which can house athletic camps in the summer," Ells said. "This is a very interesting discussion going on (in regards) to what can happen in Barnstable."

In addition to potential partnerships, Nighan said later that he is looking forward to being a leader in sports services on Cape Cod. He not only wants to give families a local, state-of-the-art sports and recreational facility, but also multi-sports classes and programs, sports camps and clinics and tournaments.

"A lot of times families need to travel off Cape to find elite year-round coaching and training services," he said. "Soon we will be able to provide that here."

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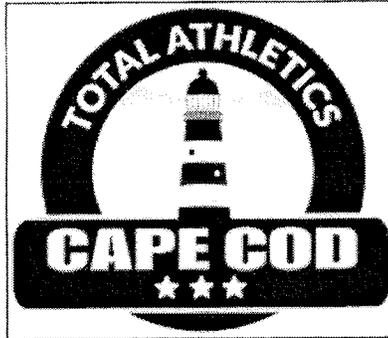
capecodbaseball.org

Cape League teams up with Total Athletics of Cape Cod, Inc.

By: Sean Gonsalves - Regan Communications
02/09/2017 6:32 PM -

Cape Cod Baseball League Hall of Fame
on the Move
Cape League teams up with Total Athletics
of Cape Cod, Inc.

(HYANNIS, Ma – February 10, 2017) –
The Cape Cod Baseball League Hall of
Fame has found a new home.



In announcing the move, **Cape League** officials also announced a **strategic alliance** with **Total Athletics Cape Cod, Inc.** (TACC), which is on schedule to open a state-of-the-art athletic and training facility in the heart of Cape Cod by the spring of **2018**.

The facility – which will be built in Hyannis' Independence Park and will include a hockey rink, indoor turf facility, and outdoor athletic field, and training center – will be the new home of the Cape League Hall of Fame.

"This alliance opens a new chapter in the long history of the Cape Cod Baseball League. Not only will it provide us dedicated space for our Hall of Fame, but will also be a home for the League's future events, meetings, and central office," said Cape Cod Baseball League President Chuck Sturtevant.

TACC President and co-owner **Mike Sherman, former Green Bay Packers Head Coach and GM**, said the new partnership will be a boon for the new sports facility, Cape League fans, and athletes alike.

"We are committed to bringing the best of the best to the Cape Cod community and this alliance helps us achieve that goal. The Cape League is recognized as the best collegiate summer baseball league in the country," Sherman said.

"When you combine what the Cape Cod Baseball League offers with the superior sports and recreational facilities we are creating at TACC, this partnership makes total sense," Sherman added.

Sturtevant said that in addition to housing the Cape League's storied Hall of Fame, the new partnership will also allow for Cape League players to use the facility as a training site.

Beyond that, League officials and TACC will collaborate on a wide range of business initiatives, partnering on marketing and promotional initiatives as well as joint instructional program offerings supported by the latest technology

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platforms.

"Not only will fans and young baseball players be able come and learn about the history of the League as a proving ground for future Hall-of-Famers such as Craig Biggio, Frank Thomas and Jeff Bagwell," Sturtevant said, "young players will also be able to put the inspiration the Hall of Fame provides to immediate use, developing their own skills at a state-of-the-art training facility. This is an exciting new era for the Cape League."

Contact:

Sean Gonsalves, Regan Communications
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sgonsalves@regancomm.com

About Cape Cod Baseball League:

The premier collegiate summer league in the nation, the Cape Cod Baseball League attracts players from across the country, representing all college divisions to play in the 10-team loop. Tracing its roots back to 1885, the Cape League embarks this June on one of its most exciting slates to date, featuring a 44-game regular-season schedule and an action-packed postseason. Among the highlights will be the 2017 Cape League All-Star Game on Saturday, July 22 at Spillane Field, home of the Wareham Gatemen. As the league celebrates its 132st year, it counts more than 1,100 all-time alumni performing at all levels of professional baseball with a record number (292) former Cape Leaguers on Major League rosters. For more information visit www.capecodbaseball.org

About Total Athletics of Cape Cod, Inc.:

Total Athletics' mission is to become the leader in sports and services on Cape Cod, providing an unparalleled sports and recreational facility; being the only indoor/ outdoor multi sports complex on Cape Cod. TACC will be breaking ground in March with its outdoor turf field opening July 1, 2017. It is TACC's goal to immerse the facility in the region and provide the ability to run both specialized elite training and numerous non team sport activities. The design of Total Athletics is not limited to serving only young athletes or individual sports. Total Athletics will have a multitude of offerings from an ice rink, field house, sports strength and conditioning, Kids zone, batting cages, rock wall, babysitting area, state of the art golf and batting cages/simulators, college fairs, study carols, food services, hot water therapy pool, pro shop, offices and premium viewing for spectators. For more detailed information visit www.tacapecod.com

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TOTAL ATHLETICS OF CAPE COD, INC – ANTICIPATED EMPLOYMENT INFORMATION

Total Athletics of Cape Cod, Inc. (TACC) anticipates creating the following positions with the Cape Cod Training Center:

Full-Time / Salaried Positions with Salary Ranges (7 Positions):

- Executive VP - \$80,000 - \$100,000
- Facilities Manager - \$40,000 - \$60,000
- Administrative Assistant - \$40,000 - \$45,000
- Marketing Director - \$40,000 - \$50,000
- Operations Managers (2 positions) - \$40,000 – \$50,000
- Food Service Manager - \$80,000 - \$95,000

Of these full-time/salaried positions, only the Administrative Assistant position has an anticipated average wage (\$42,500) just slightly less than the County's average of \$43,316.¹ The average wages of the other six full-time/salaried positions are all above the County's average wage.

Part-Time / Hourly Employees (25 Positions)

- Finance Director
- Facilities and Grounds Staff
- Coaches
- Pro Shop Staff
- Referees / Scorekeepers
- Childcare Staff
- Food Service Staff
- Gym Staff

¹ Based on the US Bureau of Labor Statistics, New England Office, County Employment and Wages in Massachusetts – Second Quarter 2016. See: https://www.bls.gov/regions/new-england/new-release/countyemploymentandwages_machusetts.htm

- Arcade Staff

Of these part-time/hourly positions, only the Finance Director whose salary is projected between \$35-\$50/hour will have a wage higher than the County's average hourly wage.

However, a significant majority of these part-time positions will be filled by the Total Athletics Seahawk junior ice hockey players who are provided housing. As described in more detail below, these 26 teenagers/young adults (ages 16-20) are required to billet (reside) with host families while they play on the Seahawk team, complete their studies and work part-time. TACC's housing coordinator finds housing for these young athletes and works with Billet families throughout the season.

GENERAL INFORMATION ON SEAHAWK JUNIOR ICE HOCKEY PLAYERS:

Hosting, or "billeting", a player is a hockey tradition. From youth players in Canada, to junior players in the United States, to the AHL, and the NHL, the billeting tradition has helped many young athletes get acclimated to their new cities, schools and teams. Host families from the local community, by opening up their homes to young athletes, provide these players the opportunity to pursue their dreams in a supportive and nurturing environment.

Players will arrive on Cape Cod in mid-late August and will stay through the end of the hockey season. The season will typically end by mid-late March or early April. High School age players will likely stay through the end of the school year, so that they can continue their education and off-season training. Total Athletics will find 26 players housing for the upcoming season and will have a housing coordinator on staff for all Billett families. TACC's housing coordinator will also ensure that its Billet-program complies with USA Hockey guidelines.

Host families will receive a monthly monetary stipend to offset expenses incurred by hosting, but the real benefit to host families is the lasting relationships formed with these young players and their families.

The role of a host family is instrumental to providing a complete junior hockey experience for these young athletes. TACC's young players are here in search of their dream to play hockey at the collegiate or professional level. Host families provide structure, authority and become an extended family for these young players, thus providing an ideal environment for them to remain focused and compelled to achieve. A flyer describing this program and actively searching for Billet Families is attached as **Exhibit A**.

USA Hockey guidelines require these junior league players to obtain part-time employment and/or to take high school or college courses. Thus, for at least 7-8 months of the year, it is expected that these junior hockey players will be hired for many of the part-time employment positions at the Cape Cod Training Center.

During the summer season when the junior hockey players are less likely to be on Cape Cod, TACC is working with the Cape Cod Baseball League, which is leasing space at the facility, and will be seeking to hire CCBL summer players, who also live with host families, for part-time positions. Similarly, TACC expects to hire other camp and league participants throughout the

year for part-time employment as well as year-round high school students and college kids who are home for the summer.

This hiring model for part-time employment works well at other similar sports and training facilities and, as it relates to the Commission's Regional Policy Plan, it has minimal impact on affordable housing. The young athletes participating in leagues and programs throughout the year are able to work, study, train and play at the facility and live with local families in housing that is pre-arranged by TACC. And, when they are not competing or training, these young athletes enjoy the benefits of part-time employment in this environment where they can help coach, train, and mentor other athletes and community sports participants.

3615541.1

EXHIBIT A

BILLET FAMILIES NEEDED!



The Total Athletic Seahawks are searching for billet families for the upcoming 2017-2018 EHL season.

Each season the TA Seahawks recruit talented junior hockey players who show great potential to play at the college level, and beyond, who do not live within a reasonable driving distance of the Hyannis Youth and Community Center in Hyannis, MA. To take advantage of this great opportunity, the players need families willing to share their homes, and become a "home away from home" for them. The importance of the billet families to the Seahawks organization is immeasurable. The players ages range from 16-20, players will be required to take classes in local colleges, or hold part time jobs while pursuing their hockey opportunities and dreams. In most cases, very strong bonds are made between the player and the billet family as well as with the player's family. These relationships will often carry on for many years after the player has left the team. Often billet families can be seen following the player during their college career. Our players have proven to be great role models for younger children in the billet family, as they demonstrate hard work and determination to achieve tough goals.

What is expected of the host family?

The player needs a room of their own, or can share with a team member. They will need a bed, bureau and closet space. While players are expected to provide bed and bath linens, personal care items, cell phones, media equipment and take care of their own transportation needs (most have their own vehicle). The family is not required to cook for the players each day but would be asked to welcome the players to meals being cooked by the family when available. Players will be required to eat on their own when meals are not available. Simply put, the players must be able to be self-sufficient and able to cook and clean up for themselves.

What is expected of the players?

The players must adhere to all team and house rules and show respect and consideration toward all family members. Your generosity will not be taken for granted.

How long is a host family's commitment?

This varies depending on the player. Some are with the family during the hockey season only. Others need to complete the school year. Some players go home for the weekend as often as the game schedule permits. All players go home over the holiday break, unless they are from a different country and are unable to make it home.

Families receive a monthly billeting payment for each player. Some have found it easier to house two players as they then travel together and are company for each other. Host families have included traditional 2-parent families, single-parent families and "empty-nesters" too. All that's really needed is a willingness to help a player pursue their dream by providing a "home away from home".

If you are interested in being a billet, please contact Erika at erika@tacapecod.com . Your willingness to share your home and family is all it takes, and you will truly make a difference in a player's life.

Eliza Cox

Direct Line: (508) 790-5431

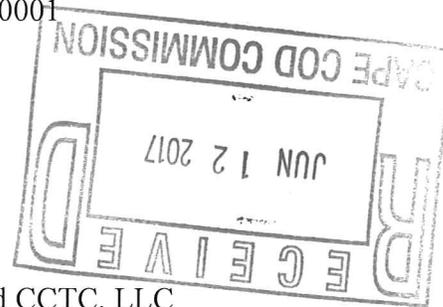
Fax: (508) 771-8079

E-mail: ecox@nutter.com

June 9, 2017

0116654-00001

Jon Idman, Esq., Chief Regulatory Officer
Cape Cod Commission
3225 Main Street
Barnstable, MA 02630



Re: Total Athletics of Cape Cod, Inc. and CCTC, LLC
Cape Cod Training Center

Dear Jon:

Thank you for your preliminary comments regarding the PO CB hardship application filed for the above-referenced project. In response, we offer the following to supplement the application materials:

1. Project Pro Forma. A three-year pro forma for the project is attached as Exhibit A. As the project is in the permitting phase, the applicants have incorporated certain assumptions in the pro forma with respect to the Gross Rental Income based on on-going conversations and expressions of intent. As you will see, the Pro Forma carries approximately \$80,000 for the Cape Cod Commission representing the filing fee already paid, together with the proposed traffic mitigation. Although the applicants are exploring grants, there are no other sources of revenue or grants secured. The project principals, both Cape Cod residents, are pledging and backing the project with their own resources. There will be two loans from an institutional lender with an annual debt service of approximately \$824,000 for the next 25 years. In the event that full Cape Cod Commission mitigation were assessed, the project would not be financially viable or financeable.
2. Educational and Non-Profit Collaborations. The PO CB application materials included communication from the Director of Athletics for St. John Paul II High School indicating that the school is "very excited to enter into a long-term relationship" with Total Athletics of Cape Cod (TACC) and that it is "very thankful to have the opportunity to call TACC 'home' to St. John Paul II High School athletics." Similarly, I attach a letter as Exhibit B from the Director of Athletics at Cape Cod Academy dated June 7, 2017, expressing the Academy's intention to utilize the facility. I also attach correspondence as Exhibit C dated June 7, 2017 from the Executive Director of Sturgis Charter Public Schools indicating that both its East and West campuses are interested in using the facility. Similarly, the applicants have reached out to other Cape schools to serve as their

athletic home. These include the schools referenced in Tab 3 of the application materials, and others. The POCB application materials also references the alliance with the Cape Cod Baseball League. A copy of the joint press release describing this strategic collaboration is also included as Exhibit D. My clients are in the process of requesting similar communications from other schools and non-profit organizations which we will submit under separate cover.

3. Facility Usage. In response to your inquiry, it is anticipated that for the eight months from September through May, the facility will be very heavily concentrated toward use by local schools and the Total Athletics (local) hockey teams. In the summer months, when school is not in session, the facility will host athletic camps which are anticipated to be used by both local and off-Cape residents. In addition, tourists visiting the Cape in the summer months are anticipated to access and use the facility. Throughout the year, the facility will host events – both alone and in partnership with the HYCC and the Cape Cod Chamber of Commerce. In this respect, it will serve as a year-round economic driver to the Town and local businesses.

4. Relationship with HYCC. Tab 3 of the application materials discusses ways in which the project will collaborate with the HYCC for the benefit of both facilities. Further examples of collaboration relative to ice hockey include that TACC presently rents approximately 700 hours a year of ice time from the HYCC which it proposes to continue to do following construction of TACC's facility. In addition, TACC is developing a junior men's ice hockey program and is working on bringing a girls hockey team back to Cape Cod (presently this girls team travels to Worcester). As such, it is anticipated that ice demand will only increase. And, since TACC's facility is only a single sheet of ice without the viewing stands/space comparable to HYCC, its rink is not intended to compete with the HYCC. In addition to ice hockey, TACC proposes to collaborate with the HYCC in other areas. By way of example, TACC presently rents space in the HYCC for its pro shop. Having an on-going presence and relationship with HYCC is very important and so TACC seeks to maintain this lease arrangement following construction of its facility. In addition, TACC and the HYCC are in discussions to utilize the Cape Cod Chamber of Commerce Sports Marketing Staff in jointly preparing and responding to RFP's for court sports and field house tournaments and events where the two facilities can collectively offer their space. The ability to partner together on these RFP's and offer both locations will increase the likelihood of securing additional events. Maintaining and growing its relationship

with the HYCC, for the benefit of both facilities, is of significant importance to the applicants.

5. Anticipated Employment Information. Once constructed, TACC anticipates hiring 7 full-time employees, 10 part-time employees, 5 seasonal employees and 10 temporary employees (for a total of approximately 32 individuals). Relative to the part-time, seasonal and temporary employees, TACC expects that many of these positions will be filled by high-school and college age students who already live here and/or are home for the summer, as well as retirees, with an interest in and passion for sports and youth development (coaches, referees, score-keepers, pro-shop, etc.). As the programming evolves, additional employees may be needed.
6. Letters of Support. Finally, I attach as Exhibit E two letters of support, both dated May 30, 2017 for the Commission's review and file. One of the letters is from the Headmaster of Trinity Christian Academy in Barnstable, one of the schools that TACC is meeting with to discuss ways in which the school and facility may collaborate. As indicated therein, the Mr. Haskell, the School's Headmaster, reiterates many of the benefits that the project will provide to the community and, in particular, to the youth population. The second letter is from Wendy Northcross, CEO of the Cape Cod Chamber of Commerce, confirming that the Chamber commissioned a study in 2015 to explore sports tourism opportunities, challenges and benefits. The letter also confirms the Chamber's "full support" for favorable review of the project while also referencing its benefit to the regional economy and to the Cape's youth community.

Jon Idman, Esq., Chief Regulatory Officer
June 9, 2017
Page 4

Please do not hesitate to contact me with any questions, comments or should you require any additional information or clarifications. Thank you very much.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Eliza', followed by a horizontal line extending to the right.

Eliza Cox

EZC:
Enclosures

cc: Elizabeth Jenkins, Director, Planning & Development Department (w/ encls.)
Total Athletics of Cape Cod, Inc. (w/ encls.)

3600093.2

PROJECT: TACC 2018 -sept opening
 ANALYSIS: DEVELOPMENT PROFORMA
 BY: BY DESIGN CONSTRUCTION, INC
 UPDATED: 08-Jun-17

2018 Sept-December
ASSUMPTIONS:
 68,485 FIRST FLOOR
 23,170 SECOND FLOOR
 0 THIRD FLOOR
91,655 TOTAL SQUARE FEET

year 2019
ASSUMPTIONS:
 68,485 FIRST FLOOR
 23,170 SECOND FLOOR
 0 THIRD FLOOR
91,655 TOTAL SQUARE FEET

year 2020
ASSUMPTIONS:
 68,485 FIRST FLOOR
 23,170 SECOND FLOOR
 0 THIRD FLOOR
91,655 TOTAL SQUARE FEET

			PER SQ FT	ORIGINAL BUDGET				
HARD COSTS:								
> LAND ACQUISITION LEASE			0.82	78,585				
> CONSTRUCTION BUILDING	\$94	92,000	93.56	8,607,208				
> SITEWORK			17.38	761,560				
>			0.00	0				
>			0.00	0				
> FIXED CONTRACT SITE & BUILDING			110.82	9,358,788				
>			0.00	0				
> TOWN FEES-building permil-water, sewer			1.20	110,000				
> SPECIALTY EQUIPMENT (zamboni, netting, etc)			2.47	226,495				
> FURNITURE & KITCHEN EQUIPMENT			2.48	235,000				
> CONTINGENCY	2.00%		3.08	198,605				
> DEVELOPMENT FEE - (evacuation of site, gra	3.00%		3.88	335,679				
TOTAL HARD COSTS			115.00	10,540,032				
SOFT COSTS:								
> ACQUISITION - LEGAL			1.28	117,000				
> APPROVAL PROCESS			2.18	200,000				
> FINANCING COSTS - LEGAL			0.22	20,000				
> FINANCING COSTS - APPRAISAL			0.08	7,500				
> FINANCING COSTS - BANK FEE			0.52	47,500				
> BUILDING ENGINEERING (Pando Assoc)			3.25	297,500				
> CONSTRUCTION PERIOD INTEREST			3.40	312,000				
> COMMISSION - FILING FEES AND MITIGATION				80,000				
> PURCHASE HURRICANE HOCKEY PROGRAM				334,000				
> CONTINGENCY	10.00%		1.18	108,150				
> TOTAL ATHLETICS BUSINESS START UP COSTS				100,000				
TOTAL SOFT COSTS			17.71	1,623,850				
TOTAL DEVELOPMENT COSTS			132.71	12,163,882				
> CASH INVESTMENT	16%		21.82	2,000,000				
> MORTGAGE	84%		110.83	10,167,798				
GROSS RENTAL INCOME (INC TAXES & CAM'S):								
> Ice Rental Income Booked	Hours	877	\$285.00	249,945	\$285.00	3,608	999,780	\$285.00
> Fieldhouse Rentals/Programs	Hours	860	\$175.00	160,500	\$175.00	3,442	602,350	\$175.00
> Field Rental/Programs	Hours	310	\$175.00	54,250	\$175.00	1,248	218,400	\$175.00
> Space Leasing	Sq Ft	15,500	\$21.00	31,053	\$21.00		324,000	\$21.00
> Banquets	Units	4,800	\$25.00	0	\$25.00		0	\$25.00
> Camps/Clinic/Tournaments				41,000			100,000	
> Gymnastics Meets	Hours	0	\$175.00	0	\$175.00		0	\$175.00
> Skate Sharpening	UNITS	1,950	\$7.00	13,650	\$7.00	7,800	54,600	\$7.00
> Family Entertainment Entities				15,000			75,000	
> Pro Shop	WEEKS	12		18,800		50	70,000	
> Sponsorships				20,000			75,000	
> Concessions, restaurant, vending	Units	1	\$0.00	119,331	\$0.00		334,127	\$0.00
> MISC INCOME; FITNESS, RM RENTAL, VIDEO				0			0	
GROSS RENTAL INCOME		0		761,539			2,853,257	
OPERATING EXPENSES								
> REAL ESTATE TAXES				25,000			100,000	
> ANNUAL OPERATING EXPENSES				422,540			1,480,159	
NET INCOME BEFORE DEBT SERVICE			3.43	313,999	13.78	1,283,088	17.18	1,874,211
AMORTIZATION:								
> Salem 5 loan	AMT	RATE	AMORT					
>		4.61%	25	1.99	182,772	7.98	731,088	7.98
>		4.69%	25	0.25	23,271	1.02	93,084	1.02
> Taxes				1.01	92,948	4.06	371,783	4.06
NET ANNUAL INCOME			0.16	15,010	0.73	87,163	4.13	379,282
ANNUAL RETURN ON CASH				0.8%		3.4%		18.9%
DEBT SERVICE COVERAGE RATIO				1.52		1.83		1.91



Wednesday June 7, 2017

To Whom it may concern:

We at Cape Cod Academy feel that the facility and program at Total Athletic Cape Cod will fill a valuable need in the community for indoor and field athletic space. We intend to utilize the facility at times when appropriate.

All the best,

Jeffrey Conlon
Director of Athletics

Sturgis Charter Public School



An International Baccalaureate Diploma School

June 7, 2017

To Whom it May Concern:

We at Sturgis East and Sturgis West Charter Public Schools – located in Hyannis, Massachusetts – are looking forward to continued discussions with Total Athletics of Cape Cod about developing a business relationship that would serve our student-athletes. Being a public charter school, we have limited facilities and thus have definite needs for the following athletic teams:

1. volleyball (G)
2. field hockey (G)
3. soccer (B/G)
4. cross country (B/G)
5. cheerleading (B/G)
6. basketball (B/G)
7. lacrosse (B/G)
8. baseball (B)
9. softball (G)

Although this in itself is not a financial agreement, we look forward to ongoing discussions concerning Total Athletics of Cape Cod Inc. programming and how it will effect our student athletes.

Sincerely,

A handwritten signature in cursive script that reads "Paul Marble".

Paul Marble
Executive Director



Total Athletics of Cape Cod, Inc. and Cape Cod Baseball League Strike a Strategic Alliance Deal

The Cape Cod Baseball League (CCBL) and Total Athletics of Cape Cod, Inc., (TACC) are excited to announce a strategic alliance to better serve baseball fans across Cape Cod and the Islands.

An agreement in principle has been reached between the CCBL and TACC to form a Strategic Alliance combining what is nationally recognized as the best summer baseball league in the country with what will be an unparalleled sports and recreational facility located right here on Cape Cod. This alliance will also include moving the CCBL Hall of Fame from its current location on Main Street in Hyannis to the TACC facility (Merchants Way, Hyannis), creating a "new home" for the CCBL. The alliance will include a wide range of business initiatives including collaborative marketing and promotional activities, merchandising, and instructional programs supported by the latest technology platforms. It is believed that by making this alliance the CCBL and TACC will enhance their respective competitive positions, gain new markets and audiences and share in the development and implementation of future products designed to supplement critical skills related to player instruction and development.

Coach Mike Sherman, President and Co-Owner of TACC stated

"We are committed to bringing the best of the best to the Cape Cod community and this alliance helps us to achieve that goal. The CCBL is recognized as the best collegiate summer baseball league in the country by both collegiate and professional scouts. When you combine what the Cape Cod Baseball League offers with the superior sports and recreational facilities we are creating at TACC, this alliance makes total sense. Additionally, we intend to leverage resources in order to create a new and improved social media presence, to increase and expand our merchandise offerings, and, most importantly, to increase our programs involving baseball youth camps and instructional coaching. TACC will provide year round access to virtual batting cages, indoor pitching lanes and a turf practice facility to facilitate the development of baseball players of all ages. This alliance between TACC and CCBL is fundamentally aligned with the mission Warren and I have created for Total Athletics."

Chuck Sturtevant, President of the CCBL, also shared his enthusiastic support for this Strategic Alliance—

"This alliance opens a new chapter in the long history of the CCBL. Not only will it provide us dedicated space for our Hall of Fame, but in many respects this venue will provide a "Home" for the League where we can host future events such as player information sessions, league meetings/conferences and off season community events in support of youth baseball. The indoor/outdoor facilities that TACC have planned for at this site will also provide the CCBL with additional opportunities in the areas of player instruction and skill development, further enhancing our ability to attract the very best players and strengthening our position as the best summer baseball program in the country."



May 30, 2017

Mike Sherman
Total Athletics of Cape Cod

To Whom it may concern:

I am excited to write this letter on behalf of Mike Sherman and Total Athletics of Cape Cod (TACC). As I have learned more about the vision of TACC, I have become increasingly aware of the many benefits TACC would provide the residents of Cape Cod, particularly to its youth.

The programs would range from a wide variety sports, physical fitness and training, art, day care, and community space. All of these provide great community benefit for young people and adults. I believe that Cape Cod is in need of these type of activities and programs for they develop self-discipline and encourage people to make positive choices for their lives.

I wish Mr. Sherman and Total Athletics of Cape Cod great success as they bring this vision to a reality on Cape Cod.

On behalf of Cape Cod's youth,

Ben Haskell
Headmaster



May 30, 2017

Paul Niedzwiecki
Executive Director
Cape Cod Commission
3195 Main Street
Barnstable, MA 02630

Dear Paul,

On behalf of our 1,333 members, I am writing to lend our full support for favorable review of Total Athletics Cape Cod, Inc.'s sports complex in Barnstable. As you know, Total Athletics is seeking approval for a multi-sport athletic complex in Independence Park. We believe this proposal represents a compelling benefit to the regional economy as well as a community benefit to Barnstable and its neighboring towns.

In 2015, the Cape Cod Chamber commissioned a study to explore youth and amateur sports tourism opportunities for Cape Cod. This report analyzed the local and regional market, reviewed existing facility inventory, researched regional facilities and regional tournaments, identify factors that will impact the opportunity to attract and host youth and amateur sports participants throughout the year, and created a set of strategic recommendations necessary to develop a more robust sports tourism program on Cape Cod. Among the assets listed that make the Cape a desirable destination for sports tourism are: its brand and reputation as a vacation destination, capacity to host large number of visitors with dining and lodging, and its affordability.

The report identifies the potential for a multi-use complex featuring indoor courts, outdoor diamond fields, or outdoor multi-purpose fields. It further identifies its need to feature a diverse product/service mix focused on the ability to serve the sports and recreation needs of the local community and the ability to attract and retain regional sports events.

We feel strongly that with their proposal, Total Athletics will meet the goals of serving the growing community need for diverse youth activities while also providing economic development by bringing sporting events, tournaments and other activities to the area, especially during the shoulder and off seasons.

Sincerely,

Wendy K. Northcross, CCE
Chief Executive Officer

The Barnstable Patriot

Cape Cod Commission approves Total Athletics Training Center in Hyannis

By Mike Richard news@barnstablepatriot.com

Posted Aug 11, 2017 at 8:16 AM

Updated Aug 11, 2017 at 8:16 AM

The Total Athletics Cape Cod Training Center project is one step closer to becoming a reality.

Last week, the Cape Cod Commission gave a thumbs-up to the project, which was referred as a Development of Regional Impact.

Construction for the \$12 million project is slated to get underway next month at Merchants Way and Business Lane in Hyannis.

The 91,885-square-foot, two-story athletic field house will include an indoor ice rink, indoor turf field and indoor swimming pool, as well as locker rooms; batting cages; fitness, training and rehab areas; food and concessions; community meeting space; and the Cape Cod Baseball League Hall of Fame Museum.

Space is also planned for an accessory retail pro shop, plus office and child care areas, while site improvements will be made on an approximately 8.29-acre lot for athletic fields.

Of the project's \$12 million cost, \$2 million will come from TACC partners Mike Sherman and Warren Nighan, while the other \$10 million will be financed through the Salem 5 Bank.

Attorney Eliza Cox of Nutter McClennen & Fish outlined the project, and stressed the importance of beginning the construction in September to prepare the facility for use by several local high schools.

Both Sturgis East and West charter schools and St. John Paul II High School plan to use the facility, as none of the schools has their own gymnasiums or playing fields. St. John Paul also plans to move its football facility there from the

Massachusetts Maritime Academy in Buzzards Bay, where it currently plays home games.

Sherman and Nighan also made presentations on behalf of the project.

“Our motto has been ‘Keep ‘em on the Cape, and bring those not on the Cape to the Cape,” Sherman told the large crowd in the Assembly of Delegates chambers last Thursday.

In providing further evidence that such a facility is needed, Nighan noted that there was no place on the entire Cape with a field house, nor places for multiple soccer or lacrosse facilities.

“Many families have to leave Cape Cod for this,” he said. “We will have the only dual complex on the Cape – with a rink on one side and a field house on the other.”

The hockey rink there will also allow Hyannis to host larger tournaments, as three sheets of ice are needed for such a venture. Their collaboration with the Hyannis Youth and Community Center (which has two indoor ice surfaces) will create the opportunity.

Cox also pointed out the need for the project, citing lack of space for high school and club sports at several Hyannis schools, while also stressing that the new facility’s central location makes it a natural.

During a public comment session, several individuals spoke favorably about the project.

Former State Sen. Marty Reilly called it “a great legacy project for Cape Cod, with half of the energy coming from solar.” He also read a letter from state Rep. Will Crocker, who endorsed the project.

Elizabeth Jenkins, the planning and development director of the town of Barnstable, acknowledged that the land use was consistent with the comprehensive plan for the town.

Chris Adams, the chief of staff for the Cape Cod Chamber of Commerce, discussed the benefits of the project to Cape Cod’s off-season population. The

jolt it can contribute to the economy through the hotel and restaurant business community “would greatly benefit the people and the local economy,” he said.

Both Nighan and Sherman fielded questions from the commission concerning the possibility of public transportation to the facility. While nothing is in place at this time, sidewalk access will create a direct route there from downtown Hyannis.

Following the public response, the Cape Cod Commission overwhelmingly approved the project with all but one member voting in favor of it, with one abstention.