

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



CAPE COD
COMMISSION

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

Via Electronic Mail

October 15, 2020

To: Falmouth Zoning Board of Appeals
Noreen Stockman, Zoning Administrator
Thomas Bott, Town Planner

Re: Cape Cod Commission Staff Comments
*Village at Brick Kiln Comprehensive Permit Application, 511 Brick Kiln Road, Falmouth
Village at Brick Kiln, LLC/Paul C. Glynn*

cc: Charles McCaffrey, Falmouth Representative, Cape Cod Commission
Harold Mitchell, Chair, Cape Cod Commission
Elizabeth Taylor, Chair, Cape Cod Commission Committee on Planning and Regulation

Pursuant to Section 13(j) of the Cape Cod Commission Act, the Cape Cod Commission (herein, “Commission” or “CCC”) is considered a “Local Board” for purposes of MGL Ch. 40B, ss. 20-23. Accordingly, the Commission provides, through its staff and in its capacity as a Local Board, the following comments to the ZBA on the above-referenced matter, arranged by the relevant, substantive issue areas from the Cape Cod Regional Policy Plan.

HOUSING

The Cape Cod Commission Act and Cape Cod Regional Policy Plan look to preserve the social diversity of the region by promoting the development of affordable housing for low- and moderate- income families.

There continues to be a shortage of housing throughout our region, with a particularly acute need for affordable housing to retain working families. Only 6.7% of Falmouth’s existing housing stock is currently restricted as affordable. This project helps meet our regional housing concerns by providing 32 new homes, 8 of which will be restricted in perpetuity as affordable.

COMMUNITY DESIGN

Though CCC staff recognizes that the applicant has clustered proposed development on the site, it supports Town staff's comments suggesting that the applicant consider proposing as feasible two-family or multi-family homes as an alternative to proposing all detached single family homes. This has the potential to reduce the amount of proposed tree clearing and the proposed development footprint, including with respect to proposed driveways and access roads.

CCC staff notes that some of the proposed driveways and associated garages are configured so that garage doors do not face the street. Staff suggests that this significantly improves the visual character of the development and recommends that this approach be used more broadly throughout the proposed development as circumstances warrant and allow.

CULTURAL HERITAGE

Given that the site is undeveloped, Commission staff recommends that the applicant consult with the Massachusetts Historical Commission to determine whether there are site areas known or likely to have archaeological sensitivity that should be avoided or otherwise addressed in the site layout and design.

TRANSPORTATION

The proposed project is not expected to be a significant traffic generator.

It appears that acceptable sight distance is available at the proposed site driveway, however, the sight distance should be confirmed in the field based on the prevailing speeds of the subject roadway. No signs, vegetation, or other visual obstructions should be placed in a manner that would create an obstruction to safe sight distance at the site drive. Furthermore, acceptable sight distance should be maintained through ongoing vegetation management as necessary.

Commission staff encourage that an ADA-compliant sidewalk be installed on Brick Kiln Road to provide a safe connection for pedestrians from the proposed development to nearby destinations, such as Falmouth High School and local shopping. Such a sidewalk would ideally connect from the proposed site driveway to the existing sidewalk on the north side of Brick Kiln Road (approx. 400 feet east of the site).

WATER RESOURCES

The project is located within the Long Pond watershed, the only surface drinking water supply on Cape Cod, providing roughly 80% of the Town's drinking water. The Long Pond watershed is mapped by the Town under its zoning as a Water Resource Protection District (WRPD) as well as by Massachusetts Department of Environmental Protection as a Surface Water Supply Zone B (Long Pond). Additionally, the site is mapped by the Commission as within a Marine Water Recharge Area (Little Sippewissett Marsh) and a Freshwater Recharge area (Long Pond).

Given its location within these resource areas, Commission staff agrees with the Town staff's recommendation for the project to connect to the nearby sewer system instead of using onsite septic systems. If sewer service is not feasible, CCC staff recommends that onsite septic systems

have enhanced phosphorus and nitrogen treatment and be designed to avoid adversely impacting downgradient public drinking water supplies and freshwater resources.

Commission staff supports the Town staff's recommendation to reduce to the greatest extent practicable impervious surfaces associated with the project. Decreasing the amount of impervious surface, or using permeable surface materials, better allows stormwater to be infiltrated and re-charged to groundwater.

CCC staff recommendations regarding stormwater management design:

- Roof runoff should be directly infiltrated via drywells or infiltration trenches, separately from site stormwater management facilities. This would allow stormwater management facilities to be sized smaller, reserved exclusively for site stormwater runoff;
- Employ "Green" or "Low Impact Design (LID)"-type stormwater infrastructure for the project to the greatest extent practicable. Examples of such stormwater best management practices (BMPs) include roadside swales, rain gardens and vegetated bioretention basins. A benefit of this type of stormwater management is that it can provide both water quality treatment and infiltration, and be incorporated into a project's landscaping and planting features; and
- Provide a stormwater management treatment operation and maintenance plan.

CCC staff recommendations regarding erosion/ sedimentation control during construction:

- Minimize the quantity and duration of exposed soil;
- Appropriately redirect and reduce velocity of runoff;
- Stabilize disturbed areas if exposed for greater than one month by planting temporary native grasses or other erosion prevention BMPs;
- Establish permanent vegetation as soon as practicable following final grading; and
- Install, inspect, and maintain controls throughout and after construction until final stabilization is achieved and final inspections are completed.

NATURAL RESOURCES

There are no natural resource areas of special significance mapped on the site such as wetlands, vernal pools, NHESP Priority Habitat, BioMap2 Core Habitat, or BioMap2 Critical Natural Landscape. The project site plans indicate that the site is within the Wildlife Migration Area 1 Zoning Overlay District.

The parcel is adjacent to several large open space areas, including conservation land and Town water supply lands. These woodlands likely provide important wildlife and plant habitat. Especially considering the proximity and relationship to these open space and conservation areas, site clearing and grading should be minimized and existing trees, vegetation, and soils should be retained on-site to the greatest extent practicable for their wildlife habitat and other natural resource functions. CCC staff notes that the Board might find it helpful for the applicant to provide more detailed site plans regarding existing site conditions and proposed site clearing/grading.