

TO: The Cape Cod Commission and Members of the Subcommittee
FROM: Felicia Penn, Hyannis, MA
Re: Comments re: Staff Report of July 27, 2022
Date: July 27, 2022

I offer these comments to balance the staff report you recently received.

HOU1 in the RPP instructs applicants to : ...”create small scale housing units.” Ask yourself how this project satisfies this number one goal. If you are being fair and discerning, you have to arrive at the conclusion that the proposed project does not consist of small-scale housing units.

The scale of this project is NOT consistent with surrounding development. Surrounding development of the immediate area consists of single-family homes, and some commercial development that does not exceed 2 stories.

Three Cape Cod employers submitted comments in favor of this project. According to DataCapeCod, there were 5,314 businesses in the County in 2020. If 50% of these are located in the mid-Cape area, the submissions are still immeasurable, as a representative percentage.

The Planning and Development department did not solicit any input from those they represent before sending their letter. It was too early in the process to know if this project actually serves the people of Hyannis and the Town of Barnstable.

There is no market study cited that indicates there is a need in Hyannis for 271 more market rate rental units, especially since you have no way of knowing who these will be rented to. There is no restriction on these units that dedicates them to residents of Barnstable County or even the mid-Cape towns of Barnstable, Yarmouth and Dennis. If the proposed project does not serve the local market, then it is NOT consistent with the RPP.

Nitrogen loading: Could staff please cite your resources for the statements made in the report.

Page 3, second paragraph: WR4: it appears you need much more information. Before proceeding, these plans need to be filed and reviewed before a development agreement is created, not after.

WET1: a public benefit outweighs destruction to wetlands? It was always my understanding that our environment is our economy. How can you say this?

There IS a feasible alternative to the proposed entranceway: the applicant could secure an easement from the hotel owner to use the existing entrances/exits/curb cuts. The creation of a new curb cut, destruction of wetlands, and impact of additional excessive traffic on Scudder Ave and the West End rotary is not a public benefit. If this project were going through a DRI review, this would be a clear detriment.

Page 4: the phrase “substantial segment” of the population. This project does not serve a substantial segment of the town’s year-round population (44,500), the mid-Cape’s population (81,700) or the entire County’s population (213, 505). There are 164,064 housing units in the County. How does staff conclude that this project serves a substantial segment of the population?

The mitigation proposed for the intrusion on the wetlands does not mitigate for the wetlands destroyed, but is elsewhere on the property, which would have had to be mitigated anyway.

Page 5: The only reason the Cape Cod Commission is reviewing this project is not because its use is regional in nature, but because it involves 30 or more acres of land, which automatically triggers referral from the municipality to the CCC. This is not a retail, medical or entertainment venue. This is not a destination for those living in the Upper or Lower/Outer Cape area. It will only be a destination for those who live there, as it is a gated community.

How is this consistent with the RPP Coastal Resiliency objectives?

How is this consistent with the Economic objectives?

WPH1: How does clear-cutting over 600 mature trees minimize the clearing of vegetation?

How can you state that the topography will not be altered?

What is your justification for stating that existing plant and wildlife will be maintained?

OS1: What is the validation for saying that the development footprint is minimized, when over 13 acres will be covered by impervious surfaces on this filtrating piece of land?

Your statement about condominiums not resulting in the subdivision of land, is very confusing. If this is so, then how could the hotel owner, who created the two condominiums (which includes the land) close the sale on the hotel?

I have major concerns that staff has cherry-picked items from the RPP in order to get this project to the next stage. I hope the subcommittee does due diligence on this proposal BEFORE the development agreement is drafted, as once it is drafted the horse is out of the barn. At this point, there are too many missing pieces to allow this project to go forward.

My last question: how come no public comment allowed at this important hearing?

Sincerely,

