



# CAPE COD COMMISSION

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TR # 95009

DATE: July 21, 1997

TO: Verbon Trust, Mr. Daniel Striar, Trustee  
P.O. Box 271  
225 Plymouth Street  
Middleboro, MA 02346

Carl W. Oaks  
P.O. Box 1094  
East Dennis, MA 02641

FROM: Cape Cod Commission

RE: Modifications of a Development of Regional Impact Decision,  
Section 7, (d), (ii), Cape Cod Commission Administrative  
Regulations, 4/14/97

PROJECT: Round Hill Estates, Definitive Subdivision  
302 Quaker Meetinghouse Road, Sandwich

BOOK/PAGE: Deed Book 5364 Page 68  
Deed Book 5067 Page 281  
Deed Book 6317 Page 183  
Deed Book 4575 Page 120, Parcel 1, Lot 2  
Deed Book 4575 Page 120, Parcel 1, Lot 3  
Deed Book 4575 Page 120, Parcel 2  
Deed Book 4575 Page 120, Parcel 3, 1st piece  
Deed Book 4575 Page 120, Parcel 3 2nd piece  
Deed Book 6028 Page 203  
Deed Book 4756 Page 111  
Deed Book 5393 Page 081  
Deed Book 5504 Page 233  
Deed Book 5338 Page 018 and  
Deed Book 5135 Page 269

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## MODIFICATION OF DEVELOPMENT OF REGIONAL IMPACT DECISION

The January 4, 1996 DRI Decision issued for Round Hill Estates, pursuant to Section 12 of the Cape Cod Commission Act is hereby modified by a vote of the Cape Cod

Commission's Regulatory Committee on July 21, 1997 in order to allow the substitution of a parcel of off-site open space for portions of the previously approved open space as follows:

Finding #18 is amended to read: "The Regional Policy Plan provides that required open space may be provided on site or off-site within the same Town. The proposed development will provide 196.68 acres of open space consisting of 151.65 acres on site and 45.03 acres off-site and adjacent to the proposed subdivision. This is 6.41 acres more than is required for the proposed development and up to 6.41 acres may be removed from permanent restriction, consistent with the open space restriction approved by Commission counsel. A portion of the proposed open space will be used for golf course purposes associated with the existing 18-hole Round Hill Country Club."

Finding #19 is amended to read: The proposed 196.68 acre open space fulfills the 60% open space requirement for the entire 326 acre property shown on the Project Area Plan referenced above (although not otherwise included in the review or decision). If any new use of any of the project area is proposed in the future which requires Commission review or approval, the open space dedication required by this decision shall be deemed to satisfy the open space requirement for any new use in the project area.

Condition #11 is amended to read: The applicant shall submit a plan depicting the 196.68 acres to be permanently restricted as open space in compliance with the Regional Policy Plan prior to issuance of a Certificate of Compliance. Such open space shall be substantially the same as that shown on a plan "Conservation Restriction Plan, Property of Verbon Trust in Sandwich, Massachusetts," dated 12/18/95, last revised 4/14/97. Future activities within this area shall be governed by the terms of the conservation restriction required by condition #12.

Condition #12 is amended to read: The applicant shall provide the Cape Cod Commission with a conservation restriction to be approved by Commission counsel and recorded at the Registry of Deeds which provides that all of the open space areas shown on the site plan noted in condition #11 shall remain as permanent open space. Said restriction shall provide for the removal of up to 6.41 acres of land from the terms of the restriction subject to review and verification by the Cape Cod Commission. Such restriction shall be substantially similar in form and content to a draft restriction "Draft 5" dated January 4, 1996 and the associated Conservation Restriction Plan, Property of Verbon Trust in Sandwich, Massachusetts, dated 12/18/95, revised 4/14/97, prepared by Youngquist, James and Associates, Inc. The restriction and site plans shall be recorded prior to issuance of a Certificate of Compliance from the Commission.

This modification was determined by the Regulatory Committee at their meeting on July 21, 1997 to be a Minor Modification #2 pursuant to the Cape Cod Commission's Administrative Regulations, adopted 10/10/91, revised 5/12/97.

Madeline Bebout  
Madeleine Bebout, Chair

August 7, 1997  
Date

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss.

Subscribed and sworn to before me this 7<sup>th</sup> day of Aug 1997

Katharine G. Peters  
NAME, Notary

My Commission expires: ~~My~~ Commission Expires December 5, 1997