



# CAPE COD COMMISSION

3225 MAIN STREET  
P.O. BOX 226  
BARNSTABLE, MA 02630  
(508) 362-3828  
FAX (508) 362-3136  
E-mail: 74260.3152@compuserve.com

DATE: March 9, 1998

TO: Douglas J. Pfeffer  
Cape Cod National Golf Club, LLC

FROM: Cape Cod Commission

RE: Modification of Development of Regional Impact Decision dated May 9, 1996 and modified November 14, 1996  
Cape Cod Commission Act, Sections 12 and 13

APPLICANT: John Pfeffer  
Cape Cod National Golf Club, LLC  
P.O. Box 686  
Chatham, MA 02633

PROJECT: Cape Cod National Golf

PROJECT #: TR95022

BOOK/PAGE: Book 9884, Page 195  
Book 9862, Pages 195 & 284  
Book 2843, Page 237, parcels 1 & 2  
Book 2172, Page 001  
Book 3260, Page 304, parcel 4  
Book 6267, Page 214  
Book 9941, Page 345  
Book 3260, Page 302, parcels II & III  
Book 3260, Page 302, parcel I  
Book 9442, Pages 47 & 51  
Book 9862, Page 197, parcels 1 & 2

CERTIFICATES: #138410  
#76712  
#84958  
#137395  
#135528

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## **MODIFICATION TO DEVELOPMENT OF REGIONAL IMPACT DECISION**

The Development of Regional Impact decision dated May 9, 1996 and modified November 14, 1996 for the Cape Cod National Golf project is hereby amended by a vote of the Regulatory Committee on March 9, 1998. All conditions attached to the original decision dated May 9, 1996 and modification dated November 14, 1996 continue to apply except as modified herein.

CONDITIONS

G2. The Applicant shall obtain a partial Certificate of Compliance from the Cape Cod Commission or its designee before the local official responsible for issuing Certificates of Occupancy may issue a permanent or temporary Certificate of Occupancy for any portion of the proposed project. The project shall not be opened to the public until issuance of a partial Certificate of Compliance from the Commission. All conditions attached to this decision, unless otherwise indicated, must be met prior to the issuance of a partial Certificate of Compliance from the Cape Cod Commission. All other conditions shall be met prior to issuance of a final Certificate of Compliance from the Cape Cod Commission.

WR6. Flow measurements shall be observed and a water quality sample shall be taken from the underdrain coming from the 14th green during a rainfall event to ensure the integrity of the liner. The Applicant shall also conduct groundwater level monitoring and water quality analysis for the upgradient well, all six (6) shallow and deep cluster wells, water quality analysis for all private wells, and the underdrain according to the following schedule:

a. Monitoring Well Sampling Schedule

<u>Time</u>	<u>Private Wells</u>	<u>Upgradient and Cluster Wells</u>	<u>Underdrain</u>
Year 0	1x/year	1x/year	1x/year during rainfall event
Years 1+2	1x/year	2x/year	1x/year during rainfall event
Years 3-5	1x/year	1x/year	1x/year during rainfall event

Well sampling shall be completed in September of each year for wells required to be sampled 1x/year, and May and September for wells required to be sampled 2x/year.

Starting from the date of issuance of a partial or final Certificate of Compliance from the Commission, the results of the monitoring and turf management report shall be submitted for review to the Towns of Brewster and Harwich and Commission staff by September 30 of each year.

Years 5+      Subsequent requirements for sampling will be based on a review of data and based on agreement among the Towns of Harwich and Brewster and the Cape Cod Commission.

WR7. The Applicant shall monitor water withdrawals and surface water levels as follows:

a. Total daily withdrawal rates shall be recorded from the irrigation well. Water withdrawal shall be reported to the Cape Cod Commission annually. Total annual water withdrawal may not exceed 19.9 million gallons and no more than 8.55 million gallons over the three-month summer period. In the event total summer and/or annual water withdrawals exceed these restrictions, the applicant shall be required to apply for a permit under the Massachusetts Water Management Act, M.G.L.Chap. 21, Section G, prior to issuance of a partial Certificate of Compliance from the Commission. The applicant shall provide the Commission with a copy of the permit issued under the Water Management Act within thirty (30) days of receipt. The Commission reserves the right to require additional conditions concerning water withdrawal after receipt of the Water Management Act permit.

b. Surface water levels shall be monitored at sites downgradient of the irrigation well. Stages established at FES 1, FES 2 and FES 3 may be used. Surface water level measurements shall be recorded monthly as long as the irrigation well is in operation. Surface water levels data shall be included in the annual report to the Cape Cod Commission. Additionally, existing groundwater monitoring wells in the vicinity of the irrigation well shall be measured during the months of June through August to supplement information on potential water level impacts from groundwater withdrawal.

WR9. The Applicant shall provide documentation of an alternative source of water supply for irrigation prior to issuance of a partial Certificate of Compliance.

HM4. The Applicant shall:

- a.) designate an area on site for the composting of landscaping wastes (leaves and grass clippings). The area designated for composting shall be outside of any wetland buffer areas or buffer areas to adjacent homes.
- b.) perform all composting operations in accordance with the proposed state regulations governing composting activities (310 CMR 20.00).

TR4. Prior to issuance of a final Certificate of Compliance by the Commission, the Applicant shall submit a concept plan (or narrative) demonstrating that adequate sight distance, based on AASHTO standards, has been met at the site drive with Route 39.

HP5. Prior to issuance of a final Certificate of Compliance, all site/landscape improvements for the clubhouse and turf management center shall be in all material respects completed according to the final landscape plan as described in condition #HP4 above. Any substantial deviations from the approved landscape plan shall require approval by the Regulatory Committee of the Cape Cod Commission.

HP6. If all required site and/or landscape improvements are not completed at the time a partial Certificate of Compliance is sought from the Commission, any work related to site and/or landscape improvements which is incomplete shall be subject to a performance guarantee of form and content satisfactory to Commission counsel. The amount of the performance guarantee shall equal 110% of that portion of the work, including labor and materials, which remains incomplete with the amount approved by Commission staff. The guarantee shall be payable to the Cape Cod Commission with the work approved by Commission staff prior to the release of the performance guarantee. Upon acceptance of the performance guarantee by the Commission, the Cape Cod Commission shall issue a partial Certificate of Compliance authorizing the Building Inspector(s) to issue a temporary occupancy permit. Documentation of a performance guarantee held by the Town of Brewster in a form, content and monetary value satisfactory to Commission counsel for incomplete work as described above shall satisfy this requirement.

Madeleine A. Bebout  
Madeleine Bebout, Chair

March 14, 1998  
Date

Commonwealth of Massachusetts

Barnstable, ss.

Subscribed and sworn to before me this 14<sup>th</sup> day of March 1998

Katharine L. Peters  
Name, Notary Public

My Commission expires:

