



CAPE COD COMMISSION

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Date April 20, 1999

To Mark and Peter Fantoni, Trustees
P.M. Realty Trust

From Cape Cod Commission

Re Modification of a Development of Regional Impact Decision, Cape Cod Commission Act,
Section 12

Project Megansett Ridge DRI, TR97028
Bournedale, MA

Applicant Mark and Peter Fantoni, Trustees
P.M. Realty Trust
16 Rogers Drive
Marion, MA 02738

Land Court Certificate:
Book 1850, Pg 136

MODIFICATION OF DEVELOPMENT OF REGIONAL IMPACT DECISION

In accordance with a decision of the Regulatory Committee of the Cape Cod Commission on April 20, 1999, the May 7, 1998 Development of Regional Impact (DRI) Decision issued for Megansett Ridge DRI, pursuant to Section 12 of the Cape Cod Commission Act, is hereby modified as follows:

1. By replacing Condition G1 with the following language:

“The approval of this project is conditioned in two phases. Prior to receipt of a Partial Certificate of Compliance from the Commission, the applicant shall comply with all conditions of this decision, with the exception of Condition NR5. In addition, prior to receipt of a Partial Certificate of Compliance the applicant shall provide the Commission with a copy of a recorded Covenant over Lot #15 to secure completion of Condition NR5 which Covenant shall be in form and content satisfactory to Commission

Megansett Ridge DRI, TR97028
Modification of DRI Decision
April 20, 1999



Counsel. The applicant shall obtain a Partial Certificate of Compliance prior to the conveyance of, or construction on, any lots.

A Final Certificate of Compliance shall be issued upon completion of site work required by Condition NR5. The Commission, and by agreement the Bourne Planning Board, shall hold a covenant over Lot #15 within the Megansett Ridge Subdivision in order to secure the completion of Condition NR5 of this decision. The covenant shall not be released, the lot shall not be conveyed, and no temporary or permanent foundation or building permit shall be issued for Lot #15 until the Commission issues a Final Certificate of Compliance.”

2. By adding Condition NR5:

“Where specimen trees cannot be preserved through construction siting and site design, the applicant may remove trees upon approval by Commission staff. Each specimen tree removed shall be replaced with evergreen tree stock at a rate of a total new stock diameter at breast height (dbh) which is 1.5 times the dbh of the specimen tree to be removed (eg a 24 inches dbh tree shall be replaced with stock totaling 36 inches dbh, or eighteen two-inch dbh trees, or twelve three-inch dbh trees). Evergreen tree stock shall have a dbh of two inches for a six/seven foot tree, two-and-one-quarter inches for a seven/eight foot tree, and three-and-one-quarter inches for a ten/twelve foot tree. Replacement stock shall be maintained and replaced with an equivalent tree if or when the replacement stock dies.

In addition, the applicant shall complete the final loaming and seeding within the subdivision road right-of-way, as detailed in the landscaping plan approved by Commission staff.

The applicant shall comply with the requirements of this condition prior to receipt of a Final Certificate of Compliance.”

3. By replacing “Phase 1” with “Partial” in Conditions T1 and CC2.

4. By replacing “Phase 2” with “Partial” in Conditions W1, NR1, NR2, O1, O2, and T2.

The Commission hereby grants this Modification to the Development of Regional Impact Decision dated May 7, 1998.

Robert Deane
Robert Deane, Chair

April 20, 1999
Date

Commonwealth of Massachusetts
Barnstable, ss.

Subscribed and sworn to before me this 20th day of April 1999

Katharine L. Peters
Name, Notary Public

My commission expires:

