



CAPE COD COMMISSION

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DATE: December 6, 1999 TR# 98046
TO: William Spence, Vallejo Street Realty Trust
FROM: Cape Cod Commission
RE: Development of Regional Impact
Chapter A, Section 3 (c),
Barnstable County Ordinance 94-10
PROJECT: Harlow Farms Estates on Old Plymouth Road, Bourne.
BOOK/PAGE: Book 11358, Page(s) 006, 007

MODIFIED DECISION OF THE CAPE COD COMMISSION

INTRODUCTION

The Regulatory Committee of the Cape Cod Commission in a meeting on November 29, 1999 voted unanimously to modify the Harlow Farms Estates Development of Regional Impact Decision, which was approved by the Cape Cod Commission on June 17, 1999. General Condition #1 and Open Space Condition #1 contained within the original Decision are deleted and replaced with the Conditions described herein.

CONDITIONS

G1. The applicant shall obtain a phase one Certificate of Compliance prior to the release of lots 6, 8, 10, 16, 17, 19, 20, 21, and 23, or the issuance of any related permanent or temporary foundation or building permit within the Harlow Farms Estates subdivision. The applicant shall obtain a phase two Certificate of Compliance from the Cape Cod Commission or its designee prior to the conveyance or release of lots 1, 2, 3, 4, 5, 7, 9, 11, 12, 13 14, 15, 18, 22, 24, or the issuance of any related permanent or temporary foundation or building permit within the Harlow Farms Estates subdivision. All conditions shall be met prior to the issuance of a phase two Certificate of Compliance with the exception of the provision of the third affordable housing unit. Release of lot 25 requires the provision of the third affordable housing unit in addition to meeting all other conditions of the Decision. Notwithstanding Chapter 41 of the General Laws, including Section 81P, lot lines on the property shall not be altered without the approval of the Cape Cod Commission or its designee.

O1. Prior to receipt of a phase two Certificate of Compliance, or release or conveyance of lots 1, 2, 3, 4, 5, 7, 9, 11, 12, 13 14, 15, 18, 22, 24, 25, within

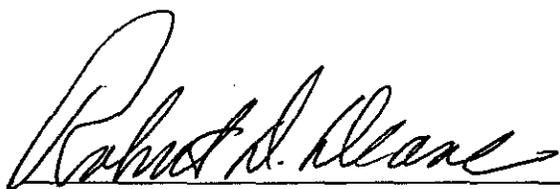


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the Harlow Farms Estates subdivision, the applicant shall donate the offsite open space parcel identified on Town of Bourne Assessors Map 16, Parcel 5, including 26 acres to the Town of Bourne Conservation Commission to be held for permanent conservation purposes. The form and content of the donation shall be approved by Cape Cod Commission counsel. The applicant shall obtain a phase one Certificate of Compliance allowing for the release of lots 6, 8, 10, 16, 17, 19, 20, 21, and 23 provided that all other conditions related to the phase one Certificate of Compliance contained within this Decision are met.

Modification allowing for the release of the nine lots described above is based upon, the applicant's purchase of the aforementioned parcel for the express purpose of donation to a qualified conservation agency or organization, the Town of Bourne Conservation Commission's willingness to accept the property described above as permanently protected open space, and the applicant's good faith effort to donate the parcel to a qualified conservation agency or organization.

The Commission hereby approves this modification by a vote of the Regulatory Committee.

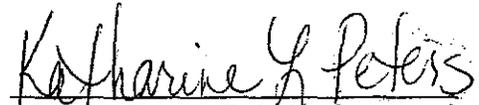

Robert Deane, Regulatory Committee Chair

12/7/99
Date

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

Subscribed and sworn to before me this 7th day of December 1999


Name, Notary Public



My Commission Expires