



CAPE COD COMMISSION

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Date: January 18, 2000

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

Applicant: Convention Data Services, Inc.
P.O. Box 1837
Hyannis, MA 02601

Project #: TR98048

Project Name: Convention Data Services
107 Waterhouse Road
Bourne, MA

Book/Page #s: Book #9759
Page #336

Modification of Development of Regional Impact Decision

The Development of Regional Impact (DRI) decision dated March 4, 1999 and modified on July 29, 1999 for the Convention Data Services project is hereby amended by a vote of the Regulatory Committee on January 18, 2000, pursuant to the Cape Cod Commission Administrative Regulations. All conditions attached to the original decision and July 29, 1999 modification continue to apply except as modified herein.

General Conditions:

Add the following conditions:

G5. If all required site work and/or landscape improvements are not completed at the time the proponent seeks to occupy the building, the proponent shall be required to meet conditions associated with a Second Partial Certificate of Compliance, as specified in this modification decision. Prior to receiving a Temporary Certificate of Occupancy from the Bourne Building Inspector, the applicant shall obtain a Second Partial Certificate of Compliance from the Cape Cod Commission.

Convention Data Services
Bourne, MA

January 18, 2000 Modification Decision - #TR98048



G6. Prior to issuance of a Final Certificate of Compliance, staff shall verify that the proponent has properly complied with all conditions attached to this decision unless otherwise specified.

G7. The proponent agrees to allow Cape Cod Commission staff to enter onto the property that is the subject of this decision for the purpose of determining whether the conditions contained in the decision have been met.

Community Character Conditions:

Modify the following conditions to read:

CC3. Prior to the issuance of a Second Partial Certificate of Compliance, the applicant shall provide written documentation addressing how the plantings shall be maintained for the first two growing seasons for staff approval. This shall include the person/persons responsible and their qualifications, what the maintenance will consist of, and the maintenance schedule, as well as a signed affidavit from the person(s) responsible for such maintenance verifying receipt of the document outlining the landscape maintenance plans.

CC6. Prior to issuance of a Second Partial Certificate of Compliance, an in-the-field verification of exterior light levels shall be conducted by Commission staff to verify conformance with the requirements of the Technical Bulletin 95-001 and MPS 6.2.7. If any of the light fixtures and light levels is not in compliance with the Technical Bulletin 95-001, staff will notify the applicant of any deficiencies and recommend measures to correct them. Prior to issuance of a Final Certificate of Compliance, all exterior lighting shall be in compliance with Technical Bulletin 95-001.

Add the following conditions:

CC7. If all required site work and/or landscape improvements are not complete at the time the proponent seeks to occupy the building, the proponent shall provide payment for 100% of that portion of the incomplete work, including labor and materials, or \$43,959.00. Of this sum, \$24,000 shall be provided to Joyce Landscaping for site preparation work in two installments: the first installment of \$16,000 shall be disbursed on or before January 25, 2000; the second installment of \$8,000 shall be disbursed on or before February 15, 2000. Documentation of these two installment payments shall be provided to Commission staff. The remaining funding for incomplete site work and/or landscape improvements, \$19,959, shall be subject to an escrow agreement of form and content satisfactory to Commission counsel. The escrow agreement may allow for partial release of escrow funds upon partial completion of work. The escrow agreement shall be payable to the Cape Cod Commission with the work approved by Commission staff prior to release of the escrow agreement. Unexpended escrow funds shall be returned to the applicant, with interest, upon completion of the required work.

CC8. Plant materials specified by this decision may be substituted with prior written approval of Commission staff.

Pursuant to Section 7 of the Cape Cod Commission Administrative Regulations, the Regulatory Committee has made a determination that the modification, as proposed, constitutes a Minor Modification #2. The Commission hereby grants this Modification to the Development of Regional Impact Decision dated March 4, 1999, and modified on July 29, 1999.

Robert D. Deane

Robert D. Deane, Chairman of Regulatory Committee

January 24, 2000

Date

Commonwealth of Massachusetts
Barnstable, ss.

Subscribed and sworn to before me this 24th day of Jan 2000

Katharine L. Peters

Name, Notary Public

My commission expires:

