

CAPE COD COMMISSION

3225 MAIN STREET
P.O. BOX 226
BARNSTABLE, MA 02630
(508) 362-3828
FAX (508) 362-3136

E-mail: frontdesk@capecodcommission.org

Date: August 9, 2001
To: Diane C. Thompson
P.O. Box 900
West Falmouth, MA 02574
From: Cape Cod Commission
Re: Development of Regional Impact
Cape Cod Commission Act, Sections 12 and 13
Applicant: CLSV Associates Limited Partnership
P.O. Box 1049
North Falmouth, MA 02556
Project #: TR20018
Project: Ballymeade/Wyldewood
Off Route 151, Hatchville (Falmouth), Massachusetts
Book/Page: Book 8944 Page 170
Book 10602 Page 167

DECISION OF THE CAPE COD COMMISSION

SUMMARY

The Cape Cod Commission (Commission) hereby **approves with conditions** the application of CLSV Associates Limited Partnership as a Development of Regional Impact (DRI) pursuant to Sections 12 and 13 of the Cape Cod Commission Act (Act), c. 716 of the Acts of 1989, as amended, for the proposed Ballymeade/Wyldewood project. The decision is rendered pursuant to a vote of the Commission on August 9, 2001.

PROJECT DESCRIPTION

The proposed project consists of the subdivision of approximately 145.23 acres of land into two parcels of approximately 29.53 acres and 115.70 acres. The 29.53 acre parcel is proposed to be further subdivided into a 15-lot Planned Residential Development under the Town of Falmouth by-laws. The town of Falmouth voted to purchase the 115.70 acre parcel for protection as dedicated open space.

The site is located in the Agricultural District AA (AGAA) which requires 80,000 square feet per lot, however, the proposal is designed as a Planned Residential

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Development (cluster subdivision) under the Falmouth Zoning By-law. As such, proposed lot sizes vary from 22,320 square foot (Lot 12) to 1.45 acres (Lot 15).

The parcels are located within a Falmouth Wildlife Overlay District as identified in the Falmouth Zoning By-law. In addition, the site is located within a Potential Public Water Supply Area.

The Falmouth Local Comprehensive Plan does not certify this area as a growth or activity center. The project is not located within a historic district and is not adjacent to individual historic structures. Massachusetts Historical Commission has determined that the project is unlikely to affect significant historic or archaeological resources.

JURISDICTION

The proposed Ballymeade/Wyldewood project qualifies as a Development of Regional Impact (DRI) under the Cape Cod Commission Enabling Regulations Governing Review of Developments of Regional Impact, Chapter A, Section 3 (c), Barnstable County Ordinance 90-12, as amended, which requires review of "any development which proposes to divide, combine or develop any parcel of land totaling 30 acres or more." The Commission received the referral from the Falmouth Planning Board on May 11, 2000.

PROCEDURAL HISTORY

CLSV Associates Limited Partnership originally proposed to develop three land parcels located along Route 151 in Falmouth, MA. The three parcels, called Ballymeade Estates, were identified in an Environmental Notification Form (ENF) filed with the Massachusetts Environmental Policy Act (MEPA) in August 1999 as a single project. The project consisted of three phases: a planned single family residential development to be called Wyldewood Phase I, an 18-hole golf course to be called Ballymeade GII as Phase II, and a resort hotel with a conference center as Phase III. The three phases were filed as a joint DRI/MEPA review. A site visit and a joint scoping session/public hearing with a representative of the MEPA unit and the Commission were held on August 23, 1999 to discuss the scope of the Draft EIR for the three phases. On August 26, 1999 the Subcommittee met to discuss the draft scoping letter to MEPA.

In April 2000, MEPA approved a Notice of Project Change allowing the proponent to eliminate Phase III (the resort hotel) and pursue Phases I and II. MEPA determined that the Wyldewood subdivision was no longer subject to MEPA review. However, MEPA retained jurisdiction over the golf course, and it remained in joint MEPA/DRI review. The Commission began reviewing Wyldewood Phase I and the 18-hole golf course (Phase GII) concurrently as separate projects.

The applicant and the Commission signed extension agreements dated August 25, 2000 and January 30, 2001 to allow the applicant to develop project plans. A duly noticed public hearing for the Ballymeade/Wyldewood project was held on July 6, 2000. At this time the project consisted of approximately 155 acres with 72 single family residential lots. The public hearing was continued to September 12, 2000 and

the record was left open for the submission of written materials. At the September 12, 2000 public hearing, a hearing officer closed the public hearing.

A duly noticed public hearing was held on July 19, 2001 to review revised project plans. The public hearing was continued to the full Cape Cod Commission meeting of August 9, 2001 and the record was left open for the submission of written materials.

The Subcommittee met to discuss the project on July 26, 2001 and voted to recommend approval of the project to full Commission and give the Subcommittee Chairman the authority to approve the draft decision.

The Subcommittee met on August 6, 2001 and voted to approve the changes to the draft decision as discussed.

A final public hearing was held before the full Commission on August 9, 2001. The public hearing and record were closed. At this hearing, the Cape Cod Commission voted unanimously to approve the project as a DRI, subject to conditions.

MATERIALS SUBMITTED FOR THE RECORD

From the Proponent:

1. Erosion and Sediment Control Plan prepared for CLSV Limited Partnership, sheets 1 through 5, dated 12/3/99.
2. Notice of Project Change, Environmental Notification Form.
3. Plan and Profile prepared for CLSV Limited Partnership, sheets 1 through 15, dated 1/26/00.
4. Subdivision Plans prepared for CLSV Limited Partnership, sheets 1 through 8, dated 4/25/00.
5. Plan and Profile prepared for CLSV Limited Partnership, sheets 1 through 15, dated 4/25/00.
6. Natural Resources Inventory by LEC Environmental Consultants, Inc., 6/9/00.
7. DRI Application and Addendum for Wyldewood, dated 6/12/00.
8. Traffic Impact Assessment, Wyldewood Residential Development by Carlson Consulting Associates, 6/00, received 6/12/00.
9. Letter from Diane C. Thompson, Zoning Consultant, to Ed Allard, dated 6/23/00.
10. Grid Alternative prepared for CLSV Limited Partnership, sheet 1 of 1, dated 6/26/00.
11. Study Plan prepared for CLSV Limited Partnership, sheet 1 of 1, dated 7/00.
12. Plan to Accompany Open Space Calculations for CLSV Limited Partnerships, sheet 1 of 1, dated 7/3/00.
13. Subdivision Plans prepared for CLSV Limited Partnership, sheets 1 through 8, dated 4/25/00, revised 7/5/00.
14. Subdivision Plans prepared for CLSV Limited Partnership, sheet 8, dated 4/25/00, revised 7/28/00.
15. Exhibits prepared by David Jacobsen for Michael McGrath, dated 7/6/00.
16. Cape Cod Commission DRI Application Response to Staff Report, dated 6/30/00 and 7/6/00.
17. Plan of Equipment Storage prepared for CLSV Limited Partnership, sheet 1 of 1, dated 7/6/00.
18. Alternative Plan prepared for CLSV Limited Partnership, dated 7/20/00.

19. Affordable Housing Option B prepared for CLSV Limited Partnership, dated 7/20/00.
20. Revised Subdivision Plan prepared for CLSV Limited Partnership, sheet 8 of 8, dated 4/25/00, revised 7/28/00.
21. Revised Subdivision Plans, sheets 1 through 8, dated 4/25/00, revised 8/2/00.
22. Ballymeade (Drainage Calculations) by Nikone Soupharath, received 8/10/00.
23. Proportionate Share of Regional Transit worksheet, received 9/26/00.
24. Extension Agreement dated 8/25/00.
25. Letter and attachments from Michael B. McGrath, P.E. to Tana Watt, dated 9/27/00.
26. Visual Shoreline Impacts, Job #99401, dated 9/29/00.
27. Plan of Adjoining Wells prepared for CLSV Limited Partnership, dated 10/6/00.
28. Revised Exhibit Plan prepared for CLSV Limited Partnership, dated 7/6/00, last revised 10/11/00.
29. Subdivision Plan prepared for CLSV Limited Partnership, sheet 8, dated 4/25/00, last revised 12/16/00.
30. Subdivision Plan prepared for CLSV Limited Partnership, sheets 1 through 8, dated 4/25/00, last revised 1/19/01.
31. Plan and Profile prepared for CLSV Limited Partnership, sheets 1 through 15, dated 4/25/00, last revised 1/19/01.
32. Extension Agreement dated 1/30/01.
33. Submittals re: open space calculations, plan revisions, visual impacts, drainage design, preliminary Zone II for Parcel A, affordable housing, nitrogen loading, and construction equipment operation plan for East Ridge Road, all dated 1/31/01.
34. Falmouth Woods at Ballymeade Amended and Restated Declaration of Covenants, Easements and Restrictions, received 2/1/01.
35. Plan of Safety Improvements prepared for CLSV Limited Partnership, sheet 2 of 2, dated 2/13/01.
36. Exhibit Plan prepared for CLSV Limited Partnership, sheet 1 of 1, dated 7/6/00, last revised 2/20/01.
37. Subdivision Plan prepared for CLSV Limited Partnership, sheets 1 and 2, dated 4/6/01.
38. Plan of Land of Conveyance to Town of Falmouth prepared for CLSV in Falmouth, dated 4/10/01.
39. Letter from Michael B. McGrath, P.E. to David Ansel, dated 4/24/01.
40. Plan and Profile prepared for CLSV Limited Partnership, sheets 1 through 4, dated 4/24/01.
41. Drainage Calculations dated April 24, 2001 and attached Subdivision Plan prepared for CLSV Limited Partnership, sheet 2 of 2, dated 4/6/01.
42. Letter from Diane C. Thompson to Tana Watt, dated 5/16/01.
43. Letter from Diane C. Thompson to David Ansel, dated 7/19/01.
44. Copy of Falmouth Woods at Ballymeade Amended and Restated Declaration of Covenants, Easements and Restrictions.

From Cape Cod Commission staff:

1. Letter from Madeleine Bebout to Secretary Robert Durand, dated 8/26/99.

2. Project Notification Form from Massachusetts Historical Commission, signed 9/28/99.
3. Memorandum from Scott Michaud to Michael McGrath and Diane Thompson, dated 8/3/00.
4. Memo from Tana Watt to Diane Thompson, dated 8/28/00.
5. Memo from Tana Watt to Diane Thompson and Mike McGrath, dated 10/05/00.
6. Planning Board referral dated 5/10/00.
7. Letter from Tana Watt to Ken Foreman, Falmouth 300 Committee, dated 2/1/01.
8. Colored plan showing site topography.

From state/local officials:

1. Notice of Project Change Certificate from MEPA, dated 4/21/00.
2. Letter from Christine Dolen, Administrator, 300 Committee, dated July 7, 2000, and a copy of The Moraine Trail Guide.
3. Letter from Peter F. Boyer, Town Administrator, to David Ansel, dated August 15, 2000.
4. Letter from Mary Pat Flynn to Diane Thompson, dated May 29, 2001.
5. Letter from Brian A. Currie, Town Planner, on behalf of the Falmouth Planning Board, dated July 13, 2001.
6. Letter from Brian A. Currie, Town Planner, to Dorr Fox, dated July 19, 2001.
7. Letter from Mary Pat Flynn, Chairman, Falmouth Board of Selectmen, dated July 19, 2001.
8. Letter from Brian A. Currie, Town Planner, to Tana Watt, dated August 3, 2001.

From the public:

1. E-mail from Carl G. Rideout to Tana Watt, dated 7/10/00.
2. Letter from Austin A. Heath to Tana Watt, dated 8/29/00.
3. Letter from Austin A. Heath to Tana Watt, dated 6/19/01.

The application and notices of public hearings relative thereto, the Commission staff's notes, exhibits and correspondence, the transcript and minutes of meetings and hearings and all written submissions received in the course of our proceedings are incorporated into the record by reference.

TESTIMONY

Note: see minutes in file for complete public hearing and subcommittee meeting proceedings.

The Subcommittee heard oral testimony at the August 23, 1999 Public Hearing from:

1. Mr. Brian Currie, Falmouth Town Planner, expressed concern about water and natural resources related issues. He gave the subcommittee and MEPA a comment letter.
2. Kirsten Kinnette asked if the affordable housing site is located over an area with contaminated ground water. Mr. McGrath stated that the plume flows under the golf course and is not a problem for the affordable housing. Mr. Michaud concurred.

3. Austin Heath, a Ballymeade Estates resident, said that he has no objection to the 67 housing lots, but that he is concerned about the proposed hotel and golf course.
4. Ed McCabe, a Ballymeade Estates resident, said that he preferred the golf course and water supply rather than the 40 lot subdivision.
5. Jack Bartlett noted that he was concerned about increased traffic at the Route 151 intersection with Rt. 28A and County Road in West Falmouth, where there is also a fire station.
6. Kelley Pratt, Chamber of Commerce president, discussed the number of hotel rooms in Falmouth. She said that golf is important to the economy and that the conference center is also welcome as a positive addition to the community.
7. Julie Pettit, a Davis Road resident, said that traffic is a major concern. She said that existing traffic is very bad, and that she is concerned about increased traffic impact of new development, especially from the hotel/commercial center. She also noted that she was concerned about water resources and the large amount of water that would be used by the project.
8. Elizabeth Dickinson stated that she is concerned about traffic impacts, especially as they would increase the congestion on Sam Turner Road. She said that she was concerned about the Town trading land for affordable housing, which will also feed onto Sam Turner Road. She said that she was concerned about another golf course, and asked if there was a need for one.
9. Martin O'Levy suggested that the Commission check out who owns the pumping station and water supply.
10. Jayne Lafrate, Hatchville resident, said she was concerned about the construction of additional housing and the buffer zone to Hatchville, local zoning, and the plume under the project and it's impacts on the well.
11. Ms. Bebout read a letter from Joan Pierce, Mass. Div. of Fisheries & Wildlife, into the record.

The Subcommittee heard oral testimony at the July 6, 2000 Public Hearing from:

1. Ralph Herbst asked if the Falmouth Local Comprehensive Plan had been reviewed and how this project relates to it. He also had questions about project visibility, the possibility for another entrance/exit to the project, and about the drinking water source for the new homes.
2. Lou Howard asked about monitoring of the Crooked Pond well, and how the new well and the Crooked Pond well will interact with each other when both are on-line.
3. Andrew Boli expressed concern about construction traffic safety, specifically on Falmouth Woods Road.

The Subcommittee heard oral testimony at the July 19, 2001 Public Hearing from:

1. Mary Pat Flynn, member of the Falmouth Board of Selectmen, stated that she is concerned that the time it takes for the DRI review will jeopardize the timeline for the closing on the land purchase between the town and the applicant.
2. Peter Boyer, of the 300 Committee, explained the circumstances and why an expedited review is important.
3. Brian Currie, Falmouth Town Planner, stated that he was presenting the town's sense of urgency that the DRI review needed to be expedited and that the Commission should move quickly in its review of the project.
4. Troy Clarkson requested that the Commission review the project quickly.
5. Carey Murphy, Falmouth Selectman, requested that the Commission review the project quickly.

The Subcommittee discussed the project at the July 26, 2001 Subcommittee Meeting as follows:

Glenn Cannon explained that new information had been submitted and that it is his position that the project meets the Regional Policy Plan requirements for transportation. Ernest Virgilio moved to eliminate the mitigation requirements for Falmouth Woods Road and Route 151 from the decision. Robert Deane seconded the motion and it was unanimously approved.

Dorr Fox explained that there were two new issues that were identified by Tana Watt following her review of information submitted by the applicant at the last public hearing pertaining to the affordable housing lots they are donating to the Falmouth Housing Trust and the proposed vegetation conservancy areas. Diane Thompson stated that the applicant is no longer planning to permit the affordable housing or provide the conservancy areas.

Robert Whritenour, Falmouth Town Administrator, stated that there is no need to provide the seventh lot at this site and that the town finds the affordable housing proposal acceptable.

Frank Shephard stated that this is the type of project that should be expedited.

The Subcommittee and the applicant discussed the proposed number of affordable lots and the permitting process for them. Mr. Whritenour stated that if the plans have been completed, the town officials could complete the permitting process. Mr. Shephard moved to amend the draft decision to eliminate the applicant's responsibility for permitting the affordable housing project and any reference to the provision of a seventh affordable housing lot. Ms. Taylor seconded the motion and it was unanimously approved.

After discussion about the vegetation conservancy areas, Mr. Virgilio moved to remove findings and conditions related to the vegetation conservancy areas. Ms. Taylor seconded the motion and it was unanimously approved.

The applicant and subcommittee discussed Condition T2. Mr. Ansel requested that this issue be reviewed by the staff.

Ms. Thompson requested that the decision reflect that creating a site for a new public supply well is considered a benefit of the project. She also noted that the subdivision is not in a potential public water supply area. She stated that certification for the applicant regarding hazardous materials is burdensome and should be removed. She will submit these concerns in writing.

Mr. Shephard moved that the once the staff has modified the decision that Mr. Ansel should be delegated the authority to approve it as a recommendation to the full Commission. Ms. Taylor seconded the motion and it was unanimously approved.

The Subcommittee discussed the project and modifications to the draft decision at the August 6, 2001 Subcommittee Meeting.

FINDINGS

The Commission has considered the application of CLSV Associates Limited Partnership for the proposed Ballymeade/Wyldewood project, and based on consideration of such application and upon the information presented at the public hearings and submitted for the record, makes the following findings pursuant to Sections 12 and 13 of the Act:

General Findings:

G1. The proposed project consists of the subdivision of approximately 145.23 acres of land into two parcels of approximately 29.53 acres and 115.70 acres. The 29.53 acre parcel is proposed to be further subdivided into a 15-lot Planned Residential

Development under the Town of Falmouth by-laws. The 115.70 acre parcel will be purchased by the Town of Falmouth as dedicated open space. The project site is located off Route 151 in Hatchville (Falmouth), Massachusetts.

G2. The project is not located within an historic district and is not adjacent to individual historic structures.

G3. The Wyldewood project is not located in a Certified Growth Center according to the Falmouth Local Comprehensive Plan, which was certified by the Cape Cod Commission in 1998.

G4. The project site does not lie within a District of Critical Planning Concern.

G5. Initially, the Wyldewood project was one of three phases called Ballymeade Estates that was categorically included for the preparation of an Environmental Impact Report (EIR) under the Massachusetts Environmental Policy Act (MEPA). Pursuant to a Memorandum of Understanding (MOU) between the Cape Cod Commission and the Executive Office of Environmental Affairs, the applicant elected to participate in a joint Cape Cod Commission/MEPA review process designed to address the concerns of both agencies.

G6. In April 2000, MEPA approved a Notice of Project Change allowing the proponent to eliminate Phase III (the resort hotel) and pursue Phases I (Wyldewood) and II (golf course). MEPA determined that Wyldewood was no longer subject to MEPA review. However, MEPA retained jurisdiction over the golf course, and the golf course remained in joint MEPA/DRI review. The Commission began reviewing Wyldewood Phase I and the 18-hole golf course (Phase GII) concurrently as separate projects.

G7. In a letter dated July 19, 2001, the Falmouth Town Planner stated that he believes the 15-lot subdivision is consistent with the goals of the Falmouth Comprehensive Plan and the Falmouth Zoning By-law and the Board's Rules and Regulations governing subdivision of land, provided that a special permit issues from the Planning Board for the project.

Land Use Findings:

LU1. MPS 1.1.1 encourages compact forms of development, such as cluster development, to minimize further land consumption and protect open space. The site is located in the Agricultural District AA (AGAA) which requires 80,000 square feet per lot, however, the proposal is designed as a Planned Residential Development (cluster subdivision) under the Falmouth Zoning By-law. As such, proposed lot sizes vary from 22,320 square foot (Lot 12) to 1.45 acres (Lot 15). 14.61 acres of the 29.53 acre parcel as well as the second parcel consisting of 115.70 acres will be protected as open space. Combined, the two parcels protect 130.31 acres.

Water Resources Findings:

WR1. Development will *not* occur in an existing Wellhead Protection Area, or in Fresh or Marine Water Recharge Areas. The site does occupy a Potential Public Water Supply Area (PPWSA), as defined in MPS 2.1.1.2.F. A potential public water-supply well site has been identified by the applicant on the 115 acre parcel to be conveyed to the Town of Falmouth. The applicant's engineers delineated the contributing area to

the potential well site. The 29.53 acre parcel proposed for development lies outside of the contributing area (*provisional Zone II*) to the potential well site.

WR2. The residential subdivision can meet the 5-ppm nitrogen loading standard (MPS 2.1.1.1) providing that the number of bedrooms per unit is limited to eight (8), for a total limit of 120 bedrooms for the project.

WR3. Stormwater is directed from impervious surface to solid catch basins. The overflow from the catch-basins is directed to stone splash pads located in a drainage easement adjacent to lots 10 and 11, and in the open-space between lots 1 and 15. MPS 2.1.1.6 requires that a maintenance schedule be developed for all drainage structures.

Natural Resources Findings:

NR1. The Wyldewood parcel is located in a Significant Natural Resource Area (SNRA) due to the presence of unfragmented forest habitat. This parcel is also mapped as a potential water supply site, is adjacent to land purchased for open space protection and/or water supply protection, and comprises an important wildlife corridor and pathways link along the north/south moraine. The town of Falmouth recently voted to purchase 115.7 acres of this unique parcel for permanent open space and wellhead protection. This purchase will protect the moraine link, the potential public water supply area, and part of a buffer to a vernal pool.

NR2. The remaining 29.53 acres is proposed to be subdivided into fifteen residential lots and an open space lot, consistent with the town of Falmouth's Planned Residential Development (cluster) bylaw. The open space lot in this cluster plan protects substantial buffers to the vernal pool located onsite, and together with existing protected open space, protects the buffers to a vernal pool located just off-site consistent with MPS 2.4.1.5.

NR3. The open space requirement for this project is based on the total site area, 144.92 acres. Since the project is located in SNRA, 65% of the upland acres of the 144.92 acre parcel is required (MPS 2.5.1.3 and Technical Bulletin 94-001) as permanently protected open space, or approximately 94 acres. This requirement is exceeded by approximately 35 acres, including 20 acres in the open space parcel (purchased by the Town), and 14.61 acres within the 29.53 acre parcel.

NR4. The applicant is utilizing 1 acre of the approximately 35 excess acres mentioned in NR3 to meet the trip reduction requirements. Consequently, the total open space provided by the project exceeds the open space requirement by approximately 34 acres. The 1 acre parcel to satisfy trip reduction requirements is located within the 115 acre parcel.

Transportation Findings:

T1. The trip generation for this project is based on the Institute of Transportation Engineers Trip Generation manual (ITE Code 210 – single family detached homes). The proposed fifteen (15) residential homes are expected to generate the following new vehicle trips:

Average weekday	181 trips (90 in/91 out).
Average morning peak hour	12 trips (3 in/9 out).
Average evening peak hour	20 trips (7 in/13 out).
Average Saturday	169 trips (85 in/84 out).
Average Saturday peak hour	14 trips (8 in/6 out).

T2. The Regional Policy Plan (RPP) threshold for mitigation of traffic congestion impacts generated by the development is 25 vehicles per hour (vph) on each regional roadway or regional intersection (50 vph for locations in a growth center). The 20 afternoon vehicle trips are below the threshold of 25 vehicle trips on a regional roadway or regional intersection as outlined in MPS 4.1.1.1. For that reason, traffic analysis or mitigation is not required to offset the congestion impacts of this project.

T3. During DRI hearings, the intersection of Route 151 and Old Falmouth Road (the main access for this development) was identified as a safety concern. Subsequent data provided by the applicant indicates the crash rate is below the state average for unsignalized intersections.

T4. To meet MPS 4.1.1.7 pertaining to public safety, the proponent has agreed to install pavement markings (through arrows) and advanced warning sign as recommended by the Falmouth Town Engineer at the Route 151/Falmouth Woods Road intersection.

T5. Developments of Regional Impact are required to reduce site-generated traffic by 20 percent (MPS 4.1.2.1). The estimated average daily traffic for the development is 181 vehicle trips. The proponent must reduce the average daily automobile trips by 20% or 36 trips.

T6. ODRP 4.1.3.2 allows for the dedication of vacant developable land, in excess of other RPP open space requirements, for open space to meet MPS 4.1.2.1 (trip reduction). To use this strategy, the equivalent of 3 buildable residential lots, or approximately one acre based on local zoning for cluster development, would need to be preserved as permanent open space. This DRI proposes the preservation of approximately 130 acres of developable land for open space (Findings NR1 and NR3). The open space requirement for this project is approximately 94 acres (Finding NR3). One acre of the excess open space (which is approximately 35 acres) can be used to meet the trip reduction requirements. This strategy meets the requirements of MPS 4.1.2.1.

Solid and Hazardous Waste Management Findings:

WM1. The site includes a Potential Public Water Supply Area, and a potential public water-supply well site identified by the proponent and confirmed by the Town of Falmouth. However, the 29.53-acre parcel identified for 15 residential units lies outside of a *provisional* Zone II delineated as a result of the Development of Regional Impact (DRI) process. As such, MPS 4.2.2.3 pertaining to the use, treatment, generation storage or disposal of hazardous wastes or hazardous materials would not apply to this project.

WM2. Hazardous materials and wastes attributable to site preparation and housing construction could include diesel fuel, gasoline, hydraulic oil, lubricating oils and paints and stains. The DRI application for the original Wyldewood project required use of latex and low-VOC paints in building construction. It also included a Builders

Certification statement which described requirements for appropriate hazardous materials and waste management.

WM3. The Builders Certification statement also required that contractors operate in conformance with the state Hazardous Waste Regulations, and prohibited on-site equipment oil changes and heavy maintenance.

WM4. MPS 4.2.1.1 requires Developments of Regional Impact to address how the quantities and types of solid waste to be generated will be handled according to the integrated solid waste management system of waste reduction, recycling, composting, incineration and landfilling. MPS 4.2.1.3 further requires that applicants manage construction and demolition waste (asphalt, brick, concrete, wood, sheetrock, metals) in a manner consistent with the integrated solid waste management system outlined in MPS 4.2.1.1.

WM5. The Builders Certification submitted as part of the application information for the original 69-lot project stated that each lot or combination of lots would have an approved dumpster for disposal of building wastes. The Certification also stated that all brush and tree products that could be safely ground on site would be, ultimately for use as a mulch. A separate narrative provided as part of the DRI information stated that trees removed by road building would be sold for cordwood. Stumps would be chipped and used as erosion control or disposed of at a suitable off-site location.

Energy:

E1. Other Development Review Policy 4.4.1.2 states that *'The Cape Cod Commission should consider it a benefit, when reviewing Developments of Regional Impact, if projects incorporate energy efficiency measures that exceed state standards. Energy efficient construction techniques and materials to be encouraged would include but not be limited to:*

- *above-minimum R-values for insulation of walls, attics, and foundations;*
- *use of thermal pane windows with low emissivity coating with high R-values;*
- *annual fuel usage efficiency ratings of at least 80% for all new heating systems;*
- *use of indirect type water heaters and minimum efficiency requirements for stand-alone water heaters.'*

E2. The applicant states that the Ballymeade Architectural Board will review designs for new homes for energy conservation measures, such as siting structures to take advantage of solar gain and placing utility lines underground. The applicant states that builders will be encouraged to utilize energy efficiency measures consistent with ODRP 4.4.1.2.

E3. -The applicant's commitment to support energy efficiency is important and is considered to be a project benefit.

Affordable Housing Findings:

AH1. The proposed residential subdivision will have 15 house lots, all of which will be sold at full market prices, with none being designated as affordable housing units, as defined in the Act. Minimum Performance Standard 5.1.3 requires that residential subdivisions provide at least 10% of proposed lots as affordable units or satisfy this

through contribution of funds to allow for purchase of affordable units. For projects of 15-24 lots, 2 affordable units or their monetary equivalent are required.

AH2. As part of an agreement with the Town of Falmouth, the applicant has offered to donate a parcel of property totaling 6.7 acres to the Falmouth Housing Trust for development into at least two and as many as six affordable housing units. The applicant submitted a subdivision plan showing that six affordable housing units can be created on the parcel. The 6.7 acre parcel of land is located on Sam Turner Road in Falmouth as shown on "Exhibit Plan Prepared for CLSV Limited Partnership in Falmouth" dated July 6, 2000 and last revised on February 20, 2001. The 1 to 4 extra affordable housing lots are a benefit of the project. As part of the agreement, the applicant also offered to provide the town of Falmouth with engineering plans to use in the local permitting process.

Mr. Robert L. Whritenour, Falmouth Town Administrator, stated at the July 26, 2001 Subcommittee meeting that because the Falmouth Housing Trust does not have funding to take the 6-lot subdivision through the permitting process, Town staff will provide assistance to the Falmouth Housing Trust.

AH3. The lots or houses would be subject to the Commission's sale price and rental limits in effect at the time the lots are developed. The occupants of the affordable units must be income eligible as defined by the Commission at the time the lots are developed. The affordable units created through this section would be subject to the Commission's forty-year Affordable Housing Deed Restriction. The intent of the restriction is to preserve the long-term affordability of the unit in order to provide housing opportunities for future low-income homebuyers.

Heritage Preservation/Community Character Findings:

HPCC1. The proposed project is not located within an historic district and is not adjacent to individual historic structures. The applicant filed a Project Notification Form with the Massachusetts Historical Commission (MHC) on August 2, 1999. On September 28, 1999 MHC responded that the project is unlikely to affect significant historic or archaeological resources.

HPCC2. Topography on the site varies considerably, ranging from a low of approximately 36 feet in elevation, to a high of 190 feet. The site is located on the Buzzards Bay terminal moraine; topography includes rolling to steep slopes and kettle hole depressions. The residential lots are sited at the highest elevations (170'-190'). The distance from the site to Buzzards Bay is approximately two miles.

HPCC3. The view of the project from the Buzzards Bay area is a primary concern. Cape Cod Commission Technical Bulletin 96-001, *Designing the Future to Honor the Past*, Section 2c. states that '*Buildings sited at the tops of hills break the horizon line, dominating the landscape. On hilly landscapes, site new buildings near the middle or bottom of slopes and incorporate a backdrop of vegetation or landforms where possible...Reserve high points for open space views of the surrounding landscape.*'

HPCC4. The applicant conducted a visual impact survey on August 18, 2000 at which the applicant's representatives and Commission staff were present. According to the survey, there are two locations from which the Wyldewood subdivision could be visible, Chappaquoit Beach (a public beach) and Scraggy Neck.

HPCC5. Revised plans submitted on May 16, 2001 reduced the number of proposed lots that could be visible from the Buzzards Bay coastline. Although the proposed lots are located at the highest elevation in the area and therefore the homes could potentially be visible from these two locations, the reduction in the number of proposed lots and the redesign of the roadway as shown on the revised plan has reduced the visual impact of the cleared and developed lots.

HPCC6. The proposed lots fall under the jurisdiction of the The Architecture Committee of Ballymeade Estates, which is an oversight board whose goal is to "preserve the values and appearance of Ballymeade Estates." The Architectural Guidelines of the Ballymeade Architecture Committee include specific requirements governing architecture and landscaping. Restrictions in the Guidelines regarding building materials and building color are adequate to further minimize views of the project.

HPCC7. The applicant submitted documentation on February 1, 2001 suggesting provisions to be included in the Ballymeade Covenants to further minimize the potential long-term impact on the Buzzards Bay area, including that "exterior floodlights shall not be allowed on the North, West or South sides of the lots," and that "safety lights on these sides of the lot shall be focused in a downward direction."

CONCLUSION

Based on the findings above, the Cape Cod Commission hereby concludes:

1. The benefits of the proposed project outweigh the detriments resulting from development, in that the project as proposed exceeds the affordable housing requirement (Findings AH1, AH2, AH3) and will include energy efficiency measures in the design and construction of the residences (Findings E1, E2, E3).
2. The project, as proposed, complies with the Regional Policy Plan, as noted in the findings.
3. According to the Falmouth Town Planner, the project complies with local development bylaws and the Falmouth Comprehensive Plan.

The Commission hereby approves with conditions the application of CLSV Associates Limited Partnership for the proposed Ballymeade/Wyldewood project as a Development of Regional Impact, provided the following conditions are met:

CONDITIONS

General Conditions:

G1. This DRI decision is valid for 7 years and local development permits may be issued pursuant hereto for a period of 7 years from the date of the written decision.

G2. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this decision.

G3. The applicant shall obtain all state and local permits for the proposed project.

G4. No development work, as the term "development" is defined in the Act, shall be undertaken until all appeal periods have elapsed or, if such an appeal has been filed, until all judicial proceedings have been completed.

G5. Any changes in the subdivision plan shall require a modification from the Cape Cod Commission in accordance with the Cape Cod Commission Administrative Regulations Chapter 7, Modifications to Approved DRI's, dated 5/12/97 and as amended from time to time. The applicant shall forward to the Commission, forthwith, copies of any and all permits and approvals issued in relation to this project and issued subsequent to this decision. A copy of final plans approved by the Town of Falmouth Planning Board shall be submitted to the Commission upon receipt of local approvals for review by Commission staff to determine their consistency with Section 7 of the Cape Cod Commission Administrative Regulations. Modifications made during the Town permitting process that are consistent with this approved decision shall be considered as Minor Modifications #1 and approved by Commission staff.

G6. The proposed Ballymeade/Wyldewood project shall be constructed in accordance with the following final plans:

	Dated	Date Revised
• Subdivision Plan prepared for CLSV Limited Partnership in Falmouth, sheet 1 of 2	4/6/01	
• Subdivision Plan prepared for CLSV Limited Partnership in Falmouth, sheet 2 of 2	4/6/01	
• Plan of Land of Conveyance to Town of Falmouth prepared for CLSV in Falmouth	4/10/01	
• Exhibit Plan prepared for CLSV Limited Partnership	7/6/00	2/20/01

G7. Prior to the conveyance or release of any Wyldewood lot, the applicant shall obtain a Preliminary Certificate of Compliance from the Commission which states that all conditions in this decision have been met, unless otherwise stated in this decision. Prior to the release or conveyance of the 15th lot, a Final Certificate of Compliance shall be required. The project shall be constructed in accordance with final plans listed elsewhere in this decision and all conditions of this decision shall be met prior to issuance of a Preliminary or Final Certificate of Compliance for the project, unless otherwise stated in this decision.

G8. The applicant shall notify Commission staff of the intent to seek a Preliminary or Final Certificate of Compliance at least thirty (30) days prior to the anticipated date of building permit or occupancy permit issuance. Such notification shall include a list of key contact(s) for questions that may arise during the Commission's compliance review. Commission staff shall complete an inspection under this condition within seven (7) business days of such notification and inform the applicant in writing of any deficiencies and corrections needed. The applicant understands that the Commission has no obligation to issue a Certificate of Compliance unless all conditions are complied with or secured consistent with this decision. The applicant agrees to allow Cape Cod Commission staff to enter onto the property which is the subject of this decision for the purpose of determining whether the conditions

contained in the decision are met, and at any time in the future to determine continuing compliance with the conditions of this and/or subsequent modification decisions.

Water Resources Conditions:

WR1. Each residential unit associated with the 15-lot subdivision shall be limited to a total of 8 bedrooms.

WR2. Issuance of a Preliminary Certificate of Compliance shall be contingent upon the Commission's receipt and staff's approval of an inspection and maintenance plan for the project's stormwater infrastructure. The plan shall be consistent with MADEP Stormwater Policy (Standard 9), complete with an inspection schedule, list of tasks and a list of the party or parties responsible for maintenance.

Natural Resources Conditions:

NR1. Consistent with Finding NR3, prior to a Preliminary Certificate of Compliance CLSV Limited Partnership shall convey by deed the 115.7 acre open space area as shown on the plan to the Town of Falmouth for conservation and water supply purposes, and the 14.61 acre open space lot shall be permanently protected through donation to the Town of Falmouth for conservation purposes, or through conservation restriction consistent with Massachusetts General Laws Chapter 184, Section 31-33, and accompanying plan to be approved by Commission counsel and recorded at the Registry of Deeds or Registry District of the Land Court. Proof of recording of the open space shall be provided to the Commission prior to the issuance of a Preliminary Certificate of Compliance.

Transportation Conditions:

T1. Per Finding T4, the proponent shall install pavement markings (through arrows) and advanced warning signs at the Route 151/Falmouth Woods Road intersection, as recommended by the Falmouth Town Engineer.

T2. The proponent shall convey 1 (one) acre of developable land to the Town of Falmouth for permanent open space protection. As a condition of this approval, Condition NR1 requires the protection of this acreage, which meets the requirements of MPS 4.1.2.1. The 1 (one) acre parcel shall be located within the 115 acre parcel.

Solid and Hazardous Waste Management Conditions:

WM1. Prior to issuance of a Preliminary Certificate of Compliance by the Commission, CLSV Associates Limited Partnership, its successors or assigns, shall provide for Commission staff evidence that building contractors will be required to show that they understand how to comport with the requirements of 310 CMR 30.000 and other applicable regulations. Building contractors will be required to read and sign a Builders Certification form that outlines requirements under the regulations.

WM2. Prior to issuance of a Final Certificate of Compliance by the Cape Cod Commission, CLSV Associates Limited Partnership, its successors or assigns, shall submit for Commission staff review documentation that trees and stumps removed as a result of road construction including clearing and grubbing were used as mulch,

sold for cordwood, were disposed of at Resource Recovery of Cape Cod, at Blacksmith Shop Farms, or if needed, at an off-Cape licensed facility.

WM3. Prior to issuance of a Preliminary Certificate of Compliance by the Cape Cod Commission, CLSV Associates Limited Partnership, its successors or assigns, shall submit for Commission staff review documentation detailing that purchasers of lots or builders within the Wyldewood subdivision shall acknowledge that trees and stumps to be removed as a result of house construction and lot improvements will be used as mulch, sold for cordwood, or disposed of at Resource Recovery of Cape Cod, at Blacksmith Shop Farms, or if needed, at an off-Cape licensed facility.

WM 4. Prior to issuance of a Final Certificate of Compliance by the Cape Cod Commission, CLSV Associates Limited Partnership, its successors or assigns, shall be responsible for the proper disposal of all construction and demolition waste generated by the road construction at a licensed facility on Cape, such as the Bourne Integrated Solid Waste Management Facility, or at a licensed facility off-Cape, and documentation regarding disposal shall be submitted for Commission staff review.

WM5. Prior to issuance of a Preliminary Certificate of Compliance by the Cape Cod Commission, CLSV Associates Limited Partnership, its successors in title or assigns, shall submit for Commission staff review documentation detailing that purchasers of lots or builders within the Wyldewood subdivision shall acknowledge that they shall be responsible for the proper disposal of all construction and demolition waste generated by house construction and lot development at a licensed facility on Cape, such as the Bourne Integrated Solid Waste Management Facility, or at a licensed facility off-Cape, and documentation regarding disposal shall be submitted for Commission staff review.

WM 6. Prior to a Preliminary Certificate of Compliance, the Declaration of Covenants and Easements shall be amended to reflect the requirements set forth in WM3 and WM5 and proof of recording shall be submitted to Commission staff. A copy of the proposed amendments shall be provided to the Cape Cod Commission staff for approval prior to recording.

Energy Conditions:

E1. Prior to issuance of a Final Certificate of Compliance, the applicant shall submit a report to the Commission about the number of houses that included energy efficiency measures and what they consisted of.

Affordable Housing Conditions:

AH1. The applicant shall donate a 6.7 acre parcel of land off Sam Turner Road as shown on "Exhibit Plan Prepared for CLSV Limited Partnership in Falmouth" dated July 6, 2000 and last revised on February 20, 2001 to the Falmouth Housing Trust prior to the issuance of a Preliminary Certificate of Compliance. A copy of the deed shall be recorded, and proof of recording shall be provided to the Commission, prior to the issuance of a Preliminary Certificate of Compliance. The applicant shall convey the 6.7 acre parcel to the Falmouth Housing Trust, the town of Falmouth for the sole purpose of providing affordable housing, or to another entity that is deemed to be acceptable by the Regulatory Committee of the Cape Cod Commission for the sole

purpose of providing affordable housing upon receipt of all applicable permits with no appeals filed.

AH2. Upon conveyance of the 6.7 acre parcel, the deed (which shall be approved by Cape Cod Commission staff) shall include a restriction with the following requirements: The lots or houses shall be subject to the Commission's sale price and rental limits for affordable housing in effect at the time the lots are developed. The occupants of the affordable units shall be income eligible as defined by the Commission at the time the lots are developed. The affordable units created through this section shall be subject to a forty-year Affordable Housing Deed Restriction to be approved by Cape Cod Commission staff.

Heritage Preservation/Community Character Conditions:

HPCC1. Site lighting for the project shall conform to the requirements of the Commission's Exterior Lighting Guidelines, Technical Bulletin 95-001. Flood and area lighting shall be prohibited. All luminaires shall have a total cutoff of all light at less than ninety (90) degrees from vertical. The lighting fixtures shall only be visible from below.

The Cape Cod Commission hereby approves with conditions the application of CLSV Associates Limited Partnership as a Development of Regional Impact pursuant to Sections 12 and 13 of the Act, c. 716 of the Acts of 1989, as amended for the proposed Ballymeade/Wyldewood project located in Falmouth, MA.

Elizabeth Taylor
Elizabeth Taylor, Chairman

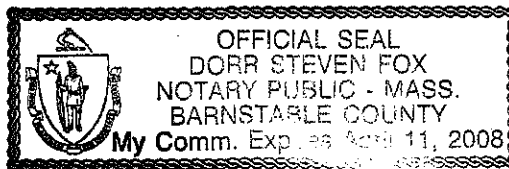
August 20, 2001
Date

Commonwealth of Massachusetts

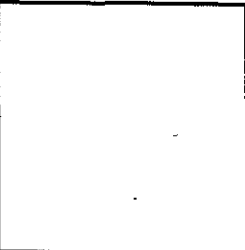
Barnstable, ss.

On this 20th day of August, 2001, before me personally appeared Elizabeth Taylor, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

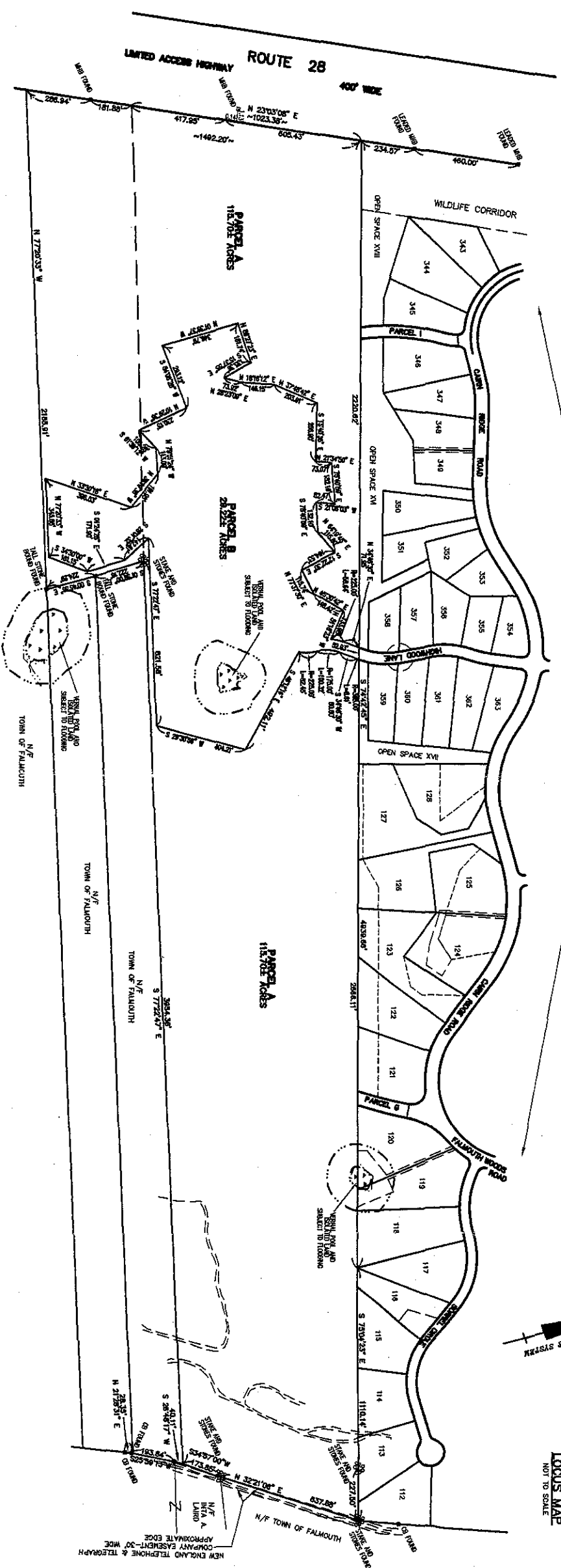
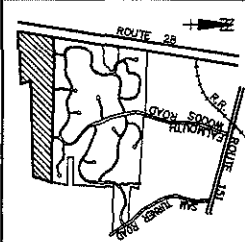
Dorr Steven Fox
Notary Public
Commonwealth of Massachusetts



My Commission expires:



CLSV LIMITED PARTNERSHIP



I certify that this plan was made in accordance with the rules and regulations of the Registrar of Deeds.

Date: Registered Professional Land Surveyor

This survey and plan conform to the procedural and technical standards for the practice of Land Surveying in the Commonwealth of Massachusetts.

Date: Registered Professional Land Surveyor

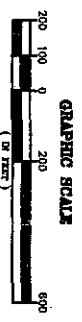
Note: This plan is based on an on-ground instrument survey.

ASSESSOR'S NUMBERS: 15 03 015 000
ZONING DISTRICT: A9A
FLOOD HAZARD ZONE: 0

AT A MEETING OF THE FALMOUTH PLANNING BOARD HELD: _____
IT WAS VOTED: _____
APPROVAL UNDER THE SUPERVISION CONTROL LAW NOT REQUIRED.

OWNERS
FARMWAY POINTE ASSOCIATES LIMITED PARTNERSHIP I
P.O. BOX 1049
NORTH FALMOUTH, MA 02556
AND
CLSV LIMITED PARTNERSHIP
P.O. BOX 1049
NORTH FALMOUTH, MA 02556

APPLICANTS
FARMWAY POINTE ASSOCIATES LIMITED PARTNERSHIP I
P.O. BOX 1049
NORTH FALMOUTH, MA 02556
AND
CLSV LIMITED PARTNERSHIP
P.O. BOX 1049
NORTH FALMOUTH, MA 02556



DATE	DESCRIPTION	Drawn/Checked
	REVISIONS	
	PLAN OF LAND OF CONVEYANCE TO TOWN OF FALMOUTH	
	PREPARED FOR	
	CLSV	
	IN	
	FALMOUTH,	
	MA	
HATCHVILLE		
SCALE: 1" = 200'		
DATE: APR. 10, 2001		
holmes and mcgrath, inc.		
civil engineers and land surveyors		
200 main street (508) 548-3844/PHONE		
falmouth, ma 02540 (508) 548-8721/FAX		
BY	1. MAH	CHECKED:
DATE	01. 98401	DWG. NO.: 71-2-2
SHEET 1 OF 1		

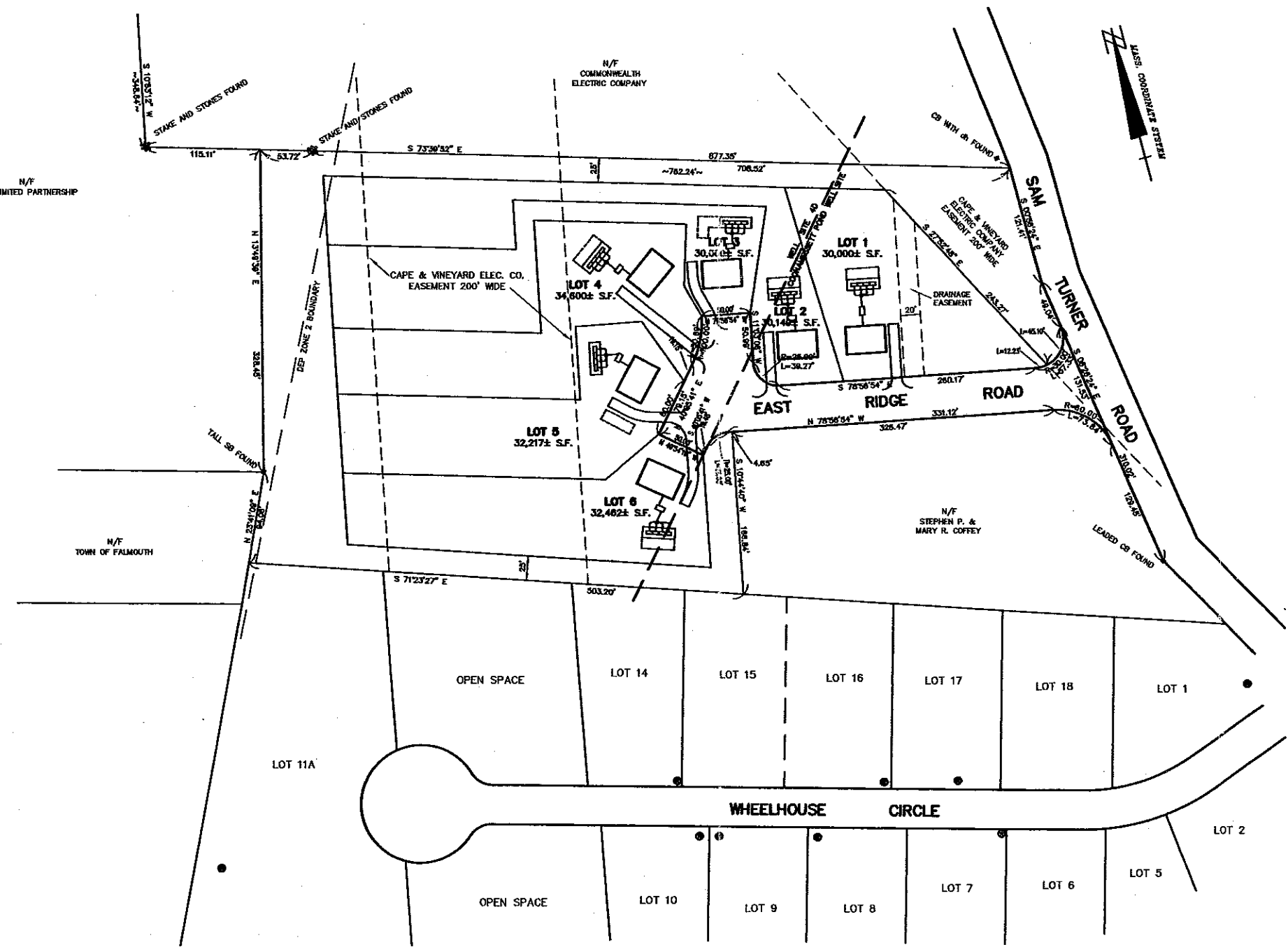
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N/F
CLSV LIMITED PARTNERSHIP

N/F
COMMONWEALTH
ELECTRIC COMPANY

N/F
TOWN OF FALMOUTH

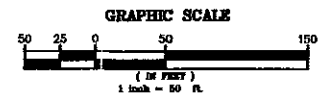
N/F
STEPHEN P. &
MARY R. COFFEY

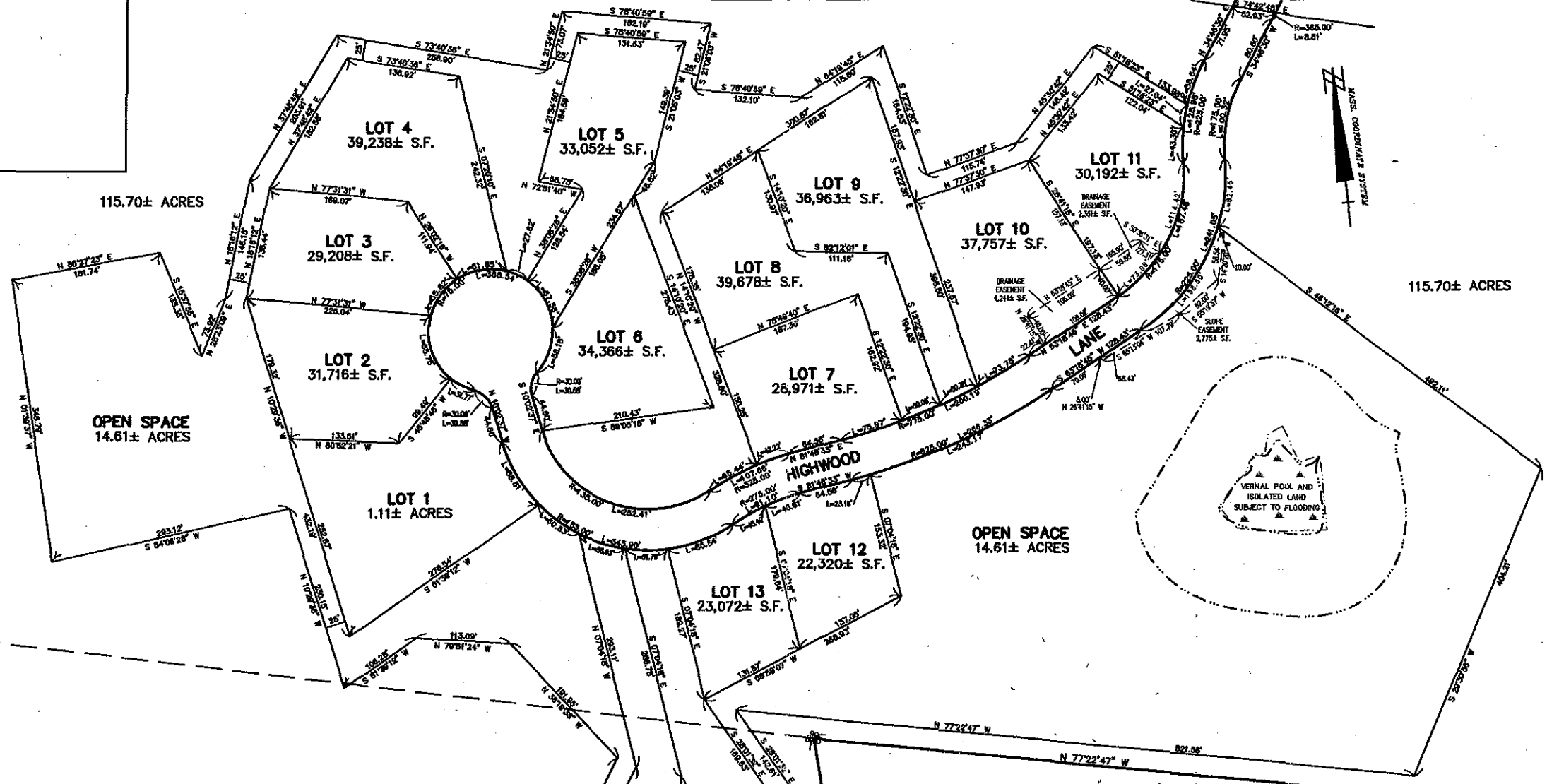


NOTICE
I hereby certify that I am the original (red) stamp of the responsible Professional Engineer, or Professional Land Surveyor appears on this plan.
(A) no person or persons, including any municipal or other public officials, may rely upon the information contained herein; and
(B) this plan remains the property of Holmes & McGrath, Inc.

DATE	DESCRIPTION	Drawn	Checked
2/20/01	REVISE LOTS, HOUSES AND SEPTICS	MAH	MBM
1/19/01	REVISE LOTS AND ROAD	MAH	MBM
10/11/00	RELOCATE HOUSE AND SEPTIC ON LOT 4	TMS	MBM
9/13/00	REVISE LOT 4	MAH	MBM

REVISIONS			
EXHIBIT PLAN			
PREPARED FOR			
CLSV LIMITED PARTNERSHIP			
IN			
HATCHVILLE		FALMOUTH, MA	
SCALE: 1" = 50'	DATE: JULY 6, 2000		
holmes and mcgrath, inc. civil engineers and land surveyors 200 main street falmouth, ma 02540 (508) 548-3564 (m) (508) 548-8672 (f)			
DRAWN: MAH, TMS	CHECKED:		
JOB NO: 98401	DWG. NO: 71-2-2D	SHEET 1 OF 1	





115.70± ACRES

115.70± ACRES

OPEN SPACE
14.61± ACRES

OPEN SPACE
14.61± ACRES

VERNAL POOL AND
ISOLATED LAND
SUBJECT TO FLOODING

N/F
TOWN OF FALMOUTH

VERNAL POOL AND
ISOLATED LAND
SUBJECT TO FLOODING

SUBJECT TO A SPECIAL PERMIT DATED _____

AT A MEETING OF THE FALMOUTH PLANNING BOARD HELD _____ IT WAS VOTED: "APPROVED UNDER THE SUBDIVISION CONTROL LAW."

I certify that this plan was made in accordance with the rules and regulations of the Registrars of Deeds.

Date _____ Registered Professional Land Surveyor _____

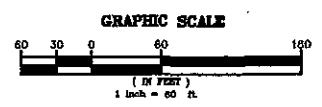
This survey and plan conform to the procedural and technical standards for the practice of Land Surveying in the Commonwealth of Massachusetts.

Date _____ Registered Professional Land Surveyor _____

Note: This plan is based on an on-the-ground instrument survey.

I, _____, Clerk of the Town of Falmouth, hereby certify that the notice of approval of this plan by the Town of Falmouth Planning Board has been received and recorded at this office and that no appeal was received during the twenty days next after such receipt and recording of said notice.

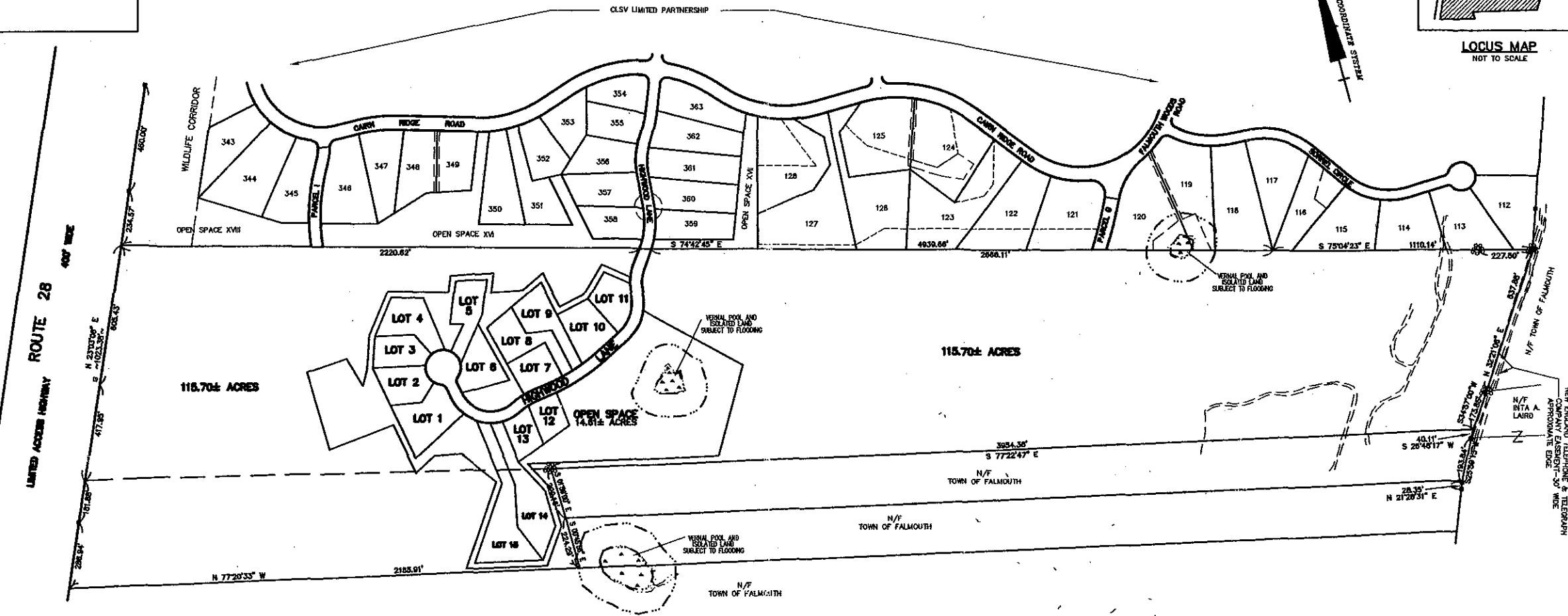
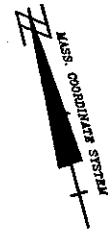
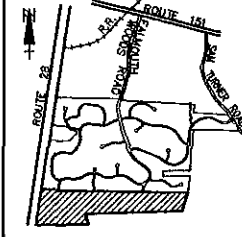
Falmouth Town Clerk _____ Date _____



OWNERS
FAIRWAY POINTE ASSOCIATES LIMITED PARTNERSHIP I
P.O. BOX 1049
NORTH FALMOUTH, MA 02556
AND
CLSV LIMITED PARTNERSHIP
P.O. BOX 1048
NORTH FALMOUTH, MA 02556

APPLICANTS
FAIRWAY POINTE ASSOCIATES LIMITED PARTNERSHIP I
P.O. BOX 1049
NORTH FALMOUTH, MA 02556
AND
CLSV LIMITED PARTNERSHIP
P.O. BOX 1048
NORTH FALMOUTH, MA 02556

DATE	DESCRIPTION	Drawn/Checked
REVISIONS		
SUBDIVISION PLAN		
PREPARED FOR CLSV LIMITED PARTNERSHIP		
IN FALMOUTH, MA		
HATCHVILLE		
SCALE: 1" = 100'	DATE: APR. 6, 2001	
holmes and mcgrath, inc. civil engineers and land surveyors 200 main street (508) 548-3584 (home) falmouth, ma 02540 (508) 548-9872 (fax)		
DF: MAH	CHECKED:	
J.K. J. 98401	DWG. NO: 71-2-2	SHEET 2 OF 2



NOTES

1. ASSESSOR'S NUMBERS: 18 03 016 000
18 02 007 000
2. ZONING DISTRICT: AGAA
3. FLOOD HAZARD ZONE: C
4. SUBDIVIDED AS A PLANNED RESIDENTIAL DEVELOPMENT
5. TOPOGRAPHY BASED ON AN ON-THE GROUND INSTRUMENT SURVEY AND COMPILED FROM TOWN TOPOGRAPHIC MAPS.
6. TOTAL AREA: 144.92 ACRES
7. AREA OF SUBMISSION: 29.22 ACRES
8. AREA TO BE CONVEYED TO THE TOWN OF FALMOUTH: 115.70 ACRES
9. AREA > 25% SLOPE: 1.2 ACRES
10. AREA OF WETLAND: 0.2 ACRES
11. AREA OF OPEN SPACE: 14.01 ACRES (50%)
12. AREA OF PROPOSED LOTS: 12.89 ACRES
13. AREA OF PROPOSED ROADWAYS: 1.82 ACRES
14. LINEAR FEET OF ROAD: 2,458± L.F.
15. ALLOWABLE LOTS: 29.22 AC = 1.2 AC. = 0.2 AC. = 15 LOTS
80,000 S.F.
16. NUMBER OF PROPOSED LOTS: 15

I certify that this plan was made in accordance with the rules and regulations of the Registrars of Deeds.

Date _____ Registered Professional Land Surveyor _____

This survey and plan conform to the procedural and technical standards for the practice of Land Surveying in the Commonwealth of Massachusetts.

Date _____ Registered Professional Land Surveyor _____

Note: This plan is based on an on-the-ground instrument survey.

OWNERS
 FARWAY POINTE ASSOCIATES LIMITED PARTNERSHIP I
 P.O. BOX 1049
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 AND
 CLSV LIMITED PARTNERSHIP
 P.O. BOX 1049
 NORTH FALMOUTH, MA 02556

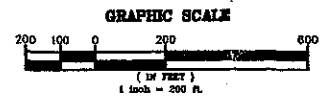
APPLICANTS
 FARWAY POINTE ASSOCIATES LIMITED PARTNERSHIP I
 P.O. BOX 1049
 NORTH FALMOUTH, MA 02556
 AND
 CLSV LIMITED PARTNERSHIP
 P.O. BOX 1049
 NORTH FALMOUTH, MA 02556

SUBJECT TO A SPECIAL PERMIT DATED _____

AT A MEETING OF THE FALMOUTH PLANNING BOARD HELD IT WAS VOTED: "APPROVED UNDER THE SUBDIVISION CONTROL LAW."

Clerk of the Town of Falmouth, hereby certify that the notice of approval of this plan by the Town of Falmouth Planning Board has been received and recorded at this office and that no appeal was received during the twenty days next after such receipt and recording of said notice.

Falmouth Town Clerk _____ Date _____



DATE	DESCRIPTION	Drawn	Checked
REVISIONS			
SUBDIVISION PLAN			
PREPARED FOR CLSV LIMITED PARTNERSHIP			
IN FALMOUTH, MA			
SCALE: 1" = 200'		DATE: APR. 6, 2001	
holmes and mcgrath, inc. civil engineers and land surveyors 300 main street falmouth, ma 02540 (508) 848-2664			
DR/	MAH	CHECKED:	
JOB	: 98401	DWG. NO:	71--2-2