



# CAPE COD COMMISSION

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DATE: February 26, 2001 TR-95022 (Modification/type 2)  
One of Five Modifications

TO: Douglas J. Pfeffer  
Manager, Cape Cod National Golf Club, LLC  
174 South Orleans Road  
Brewster, MA 02631

RE: Modification of an Approved DRI Decision  
Section 9(n) of Enabling Regulations

APPLICANT: Cape Cod National Golf Club, LLC

PROJECT: Cape Cod National Golf  
DRI # TR-95022

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 1  
Book 9442, Pages 47 & 51  
Book 9862, Page 197, parcels 1 & 2

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

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## DECISION OF THE CAPE COD COMMISSION

### SUMMARY

The Cape Cod Commission (Commission), through its Regulatory Committee, hereby approves the application of Douglas J. Pfeffer on behalf of Cape Cod National Golf Club, LLC, for a modification to an Approved Development of Regional Impact Decision (as previously modified on 11/12/96, 3/9/98, 5/18/98 and 8/9/99) under Section 9(n) of the DRI Enabling Regulations for the sole purpose of allowing construction of a 17 foot by 17 foot building on the front nine holes of the golf course, in the vicinity of the 4<sup>th</sup> hole, for a shelter and restroom facility.

The change is hereby approved as a Minor Modification #2 under Section 7 of the *Administrative Regulations* (as revised) and is rendered pursuant to a vote of the Commission's Regulatory Committee on February 26, 2001.



### **ORIGINAL PROJECT DESCRIPTION and MATTERS AT ISSUE**

The modification request concerns the proposed construction of a small (17 foot by 17 foot) shelter on the front nine holes of the golf course, in the vicinity of the 4<sup>th</sup> hole, for a toilet and waterless hand wash system.

The applicant's information stated the facility would utilize non-potable irrigation return water to supply the toilets and for facility cleaning. The restroom is not proposed to include a sink for hand washing, but rather a cleansing system which uses an alcohol based agent.

Nitrogen loading was a concern during the public hearings on the project, as reflected in the conditions of the original decision, modification decisions and Certificates of Compliance.

Under Section 7.0 of the *Administrative Regulations*, any proposal which would include "a substantially similar proposal to the original project but [which] involves a minor change of use, a minor change to the site plan, or a technical correction or small change to the findings or a condition of the original approval which does not affect the intent or outcome of the finding or condition" are subject to Commission review as modifications, specifically Minor Modifications Type #2. The *Regulations* go on to stipulate that a proposed change which can be deemed a Minor Modification Type #2 "shall not result in different or increased impacts to the resources protected by the Cape Cod Commission Act and/or RPP."

### **PROCEDURAL HISTORY**

On February 6, 2001, the Commission received a letter with attachments from Cape Cod National Golf Club requesting a modification to the original DRI decision, as modified, to allow the construction of a small shelter and restroom facility on the front nine holes of the course. The matter was placed on the Regulatory Committee's regular meeting Agenda for consideration on February 26, 2001.

### **COMMENTS/DISCUSSION AT THE REGULATORY COMMITTEE MEETING**

Planner Andrea Adams reviewed the proposed modification to the project and suggested that it was a transfer of nitrogen loading. Gabrielle Belfit of the Commission's water resources office suggested that the applicant consider a composting toilet. Mr. Doug Pfeffer of Cape Cod National Golf suggested the facility would not be used frequently enough for composting toilets to work effectively. Ms. Belfit suggested that nitrogen loading was a key consideration during the original project review, but that the proposed restroom would not result in a new source of nitrogen.

The Commission's Regulatory Committee considered the modification to the DRI decision to construct a small shelter and restroom using irrigation return water to service the toilets and a waterless hand wash system. At this meeting, the Regulatory Committee voted unanimously to consider the proposed facility a Minor Modification #2 under Section 7 of the *Administrative Regulations* (as revised).

### **MATERIALS SUBMITTED FOR THE RECORD**

#### A. Materials submitted by the Applicant:

Letter, with attachments, describing changes 2/6/01

#### B. Materials submitted by Cape Cod Commission:

Memorandum, to Regulatory Committee 2/20/01

**Note:** No written materials or verbal comments were submitted on this modification request by the State, Town officials or the Public.

The information and notice of the public hearings relative thereto, the Commission's staff reports, exhibits, minutes of all hearings and meetings and all submissions received in the course of the proceedings, including materials submitted on file for TR-95022 and all previous modifications are incorporated into the record by reference.

**JURISDICTION**

The proposed changes to Cape Cod National Golf Club project qualify as a modification to an approved DRI Decision under Section 9(n) of the DRI Enabling Regulations.

**FINDINGS**

The Commission's Regulatory Committee considered the proposed changes to the Cape Cod National Golf Club and voted unanimously on February 26, 2001 to consider the addition of a small restroom facility (of approximately 300 square feet) consisting of toilets using non-potable irrigation return water and incorporating a waterless hand wash system as a Minor Modification #2 under Section 7 of the *Administrative Regulations* (as revised).

**MODIFICATION TO THE DRI DECISION**

In accordance with the vote of the Regulatory Committee, the applicant is allowed to construct a 17 foot by 17 foot building on the front nine holes of the golf course for a shelter and restroom facility using irrigation return water to service the toilets, and a waterless hand wash system.

David J. Ansel  
David J. Ansel  
Chair, Regulatory Committee

3/15/01  
Date

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss.

Subscribed and sworn to before me this 15<sup>th</sup> day of March, 2001.

Katharine L. Peters  
NAME, Notary

My Commission expires:

