

CAPE COD COMMISSION

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E-mail: frontdesk@capecodcommission.org

DATE: February 19, 2002

TO: Cape Sagamore Realty Trust
Donald Angus and Nancy Angus

FROM: Cape Cod Commission

RE: Development of Regional Impact (TR#20007)
Cape Sagamore Highlands
Bourne, MA 02562

APPLICANT: Cape Sagamore Realty Trust / Highland Village Realty Trust
c/o Donald H. Angus, P.C.
3220 Cranberry Highway / P.O. Box 270
Buzzards Bay, MA 02532

BOOK/PAGE: 11352-022, 11352-031

MODIFICATION TO THE DECISION OF THE CAPE COD COMMISSION

The Development of Regional Impact decision dated January 18, 2001 for the Cape Sagamore Highlands subdivision project is hereby amended by a vote of the Regulatory Committee on February 19, 2002. All conditions attached to the original decision continue to apply except as modified herein, as shown in bold.

T2. Prior to receiving the **third** Certificate of Compliance or release or conveyance of any lots within the Cape Sagamore Highlands residential subdivision, the applicant shall **permanently protect** purchase, ~~place a conservation restriction upon, and donate to the Town of Bourne Conservation Commission~~ the 14.66-acre parcel (Bourne Assessors Map 28, Lot 18; Registry Book 2118, page 270) including frontage on General MacArthur Boulevard and ~~provide the Commission with proof of recording of such donation.~~ **The applicant shall either donate the parcel to the Town of Bourne Conservation Commission, or place a conservation restriction on the parcel, consistent with Massachusetts General Laws Chapter 184, Sections 31-33, to be held by the Town of Bourne Conservation Commission.** The form and content of the conservation restriction ~~or donation~~ shall be approved by Cape Cod Commission counsel. ~~and provide the Commission with proof of recording of such donation.~~ The donation ~~or conservation restriction~~ and accompanying plan of land shall be executed and recorded; a proof of recording shall be provided to the Commission prior to the receipt of the **third** Certificate of Compliance. This parcel provides vacant developable land to meet the traffic trip-reduction requirement (MPS 4.1.2.1), and with its donation to the town, shall be permanently restricted to prohibit all development on the parcel.

Cape Sagamore Highlands (TR# 20007)

Minor modification

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OS1. Prior to receipt of the **second** Certificate of Compliance or release or conveyance of any lots within the Cape Sagamore Highlands residential subdivision, the proponent shall place a conservation restriction on the 15.4 acres of on-site open-space as shown on the site plan revised January 8, 2001, consistent with Massachusetts General Laws Chapter 184, Sections 31-33. The form and content of the conservation restriction shall be approved by Cape Cod Commission counsel. The restriction and accompanying plan of land shall be executed and recorded; proof of recording shall be provided to the Commission prior to the receipt of the **second** Certificate of Compliance.

OS2. Prior to the issuance of the **third** Certificate of Compliance or release or conveyance of any lots within the Cape Sagamore Highlands residential subdivision, the proponent shall **permanently protect** donate the 5-acre off-site open space parcel ~~to the Town of Bourne Conservation Commission to be held for permanent conservation purposes. The off-site open parcel is 5 acres, identified as Bourne Assessors Map 28, Lot 1 (Registry Book 2023, page 90). Prior to donating the land, the applicant shall place a conservation restriction on the parcel, consistent with Massachusetts General Laws Chapter 184, and accompanying plan to be approved by Commission counsel.~~ **The applicant shall either donate the parcel to the Town of Bourne Conservation Commission, or place a conservation restriction on the parcel, consistent with Massachusetts General Laws Chapter 184, Sections 31-33, to be held by the Town of Bourne Conservation Commission.** The form and content of the conservation restriction **or** donation shall be approved by Cape Cod Commission counsel. The donation **or** conservation restriction and accompanying plan of land shall be executed and recorded; proof of recording shall be provided to the Commission prior to the receipt of the **third** Certificate of Compliance.

David Ansel
David Ansel, chairman

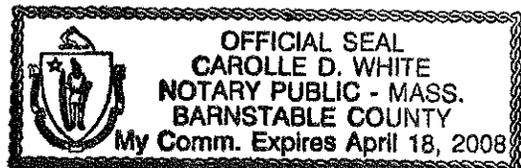
3/4/02
Date

Commonwealth of Massachusetts

Barnstable, ss.

On this 4th day of March, 2002, before me personally appeared David J. Ansel, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Carolle D. White
Notary Public
Commonwealth of Massachusetts



My Commission expires