



CAPE COD COMMISSION

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DATE: October 18, 2004

TO: Charles G. Bilezikian
CTS Fiduciary LLC, Trustee, White's Path Real Estate Trust IV
c/o Mill Lane Management, Inc.
923 Route 6A, Unit Y
Yarmouthport, MA 02675

FROM: Cape Cod Commission

RE: Development of Regional Impact Exemption
Cape Cod Commission Act, Section 12(k)

PROJECT: Christmas Tree Shops Headquarters Change of Use

PROJECT #: EX99011

APPLICANT: Charles G. Bilezikian
CTS Fiduciary LLC, Trustee, White's Path Real Estate Trust IV

CERTIFICATE: 152244

LOT/PLAN: Lot 228, Plan 31209-H

MODIFICATION TO DEVELOPMENT OF REGIONAL IMPACT DECISION

The Development of Regional Impact Exemption decision dated June 17, 1999 for the Christmas Tree Shops Headquarters Change of Use project is hereby amended by a vote of the Regulatory Committee on October 18, 2004. All findings of the original decision continue to apply except as modified herein.

Finding #6 is replaced with the following:

6. The applicant offset this nitrogen loading increase by providing \$16,000 in funding to the Barnstable County Health Department Community Septic Management Program for the purpose of installing two denitrification systems for residential homes in need of upgrades within the same watershed. The funding for the upgrades will more than offset the nitrogen loading impacts from the proposed project and will improve existing levels of nitrogen loading. Funds may be released by the Barnstable County Health Department Community Septic Management Program and paid to the Town of Yarmouth for the use of planning and implementing nitrogen mitigation for the Upper Bass River and other town-wide studies that include the Upper Bass River. The foregoing contribution may be

used for, but is not limited to the following activities: water quality monitoring, water quality modeling and comprehensive wastewater planning or engineering studies. The Town of Yarmouth Administrator will provide a report to the Executive Director of the Cape Cod Commission on the scope of the project and invite County participation, as appropriate.

Frank Hogan, Chair

Frank Hogan

Date

11/18/04

Commonwealth of Massachusetts
County of Barnstable

On this 18th day of OCTOBER, 2004, before me, the undersigned notary public, personally appeared Frank Hogan, proved to me through satisfactory evidence of identification, which were personal knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Dorr Steven Fox

Notary Public

Commonwealth of Massachusetts

My Commission Expires: _____

