

# CAPE COD COMMISSION

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Date: September 20, 2004  
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

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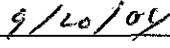
## MODIFICATION TO DEVELOPMENT OF REGIONAL IMPACT DECISION

The Development of Regional Impact decision dated August 9, 2001 for the Ballymeade/Wyldewood project is hereby amended as a Minor Modification #2 under Section 7 of the Administrative Regulations (as revised) by a vote of the Regulatory Committee on September 20, 2004. All conditions attached to the original decision dated August 9, 2001 continue to apply except as modified herein.

### 1) Condition WM6 is hereby deleted and replaced as follows:

WM6. At the time of the execution of a Purchase and Sale Agreement for the sale and resale of lots within the Ballymeade/Wyldewood project, Ballymeade Realty Corporation shall require the purchaser to acknowledge and sign the Homeowner Certification Form reflecting the requirements set forth in Conditions WM1 through WM5. A copy of a signed Homeowner Certification Form (attached) for each lot shall be provided to the Cape Cod Commission.

  
\_\_\_\_\_  
Frank Hogan, Chairman

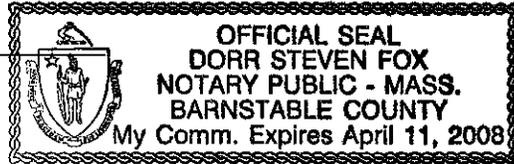
  
\_\_\_\_\_  
Date



Commonwealth of Massachusetts  
County of Barnstable

On this 20<sup>th</sup> day of September, (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)(she) signed it voluntarily for its stated purpose.

Dorr Steven Fox  
Notary Public  
Commonwealth of Massachusetts



My Commission Expires: \_\_\_\_\_

## HOMEOWNER CERTIFICATION

Wyldeewood  
At Ballymeade Estates  
Hatchville, MA

Date:

Lot(s):

Lot Owner's Name:

Re: Solid and Hazardous Waste Removal – Sections 18 - 23  
Cape Cod Commission

I hereby certify as the lot owner for the above lot(s) at Wyldeewood as to the following:

### Section 18

#### I. Site clearing

- a. That all brush and tree products that can be safely ground on site will be done so and left as mulch on the site;
- b. That all stumps and non-usable trees shall be disposed of at an "off site" facility accepting trees, brush, stumps, etc. The "off site" facility shall be one that recycles said material into reusable landscaping products; and
- c. That wherever possible trees that are not ground shall be used for firewood.

#### II. Waste Removal – General

- a. That each lot or combination of lots will have an approved site disposal dumpster for the disposal of building waste, i.e., lumber, roofing material, dry wall, etc.;
- b. That whenever possible, surplus materials, i.e., scrap wood for fireplaces, will be offered for reuse;
- c. That no outside waste shall be disposed of in the dumpsters; and
- d. That containers removed will be disposed of at a licensed facility, i.e., Bourne Landfill, with appropriate payment of the required disposal fee.

#### III. Waste Removal – Specific

- a. That least-toxic products including latex and/or low-VOC paints shall be used in the construction of single family homes.

### Section 19

- a. That least-toxic products including latex and or low VOC paints shall be used in the construction of single family homes and shall assure compliance with this requirement by individual subcontractors; and

- b. That my employees are provided Right-to-Know training as required by the Occupational Safety Administration (OSHA).

Section 20

- a. That I am aware of the requirements of the Massachusetts Hazardous Waste Regulations and will operate in conformance with same;
- b. That my individual subcontractors are aware of the requirements of the Massachusetts Hazardous Waste Regulations and will operate in conformance with same;
- c. That paint wastes and/or other hazardous wastes shall be disposed of off-site by individual painting contractors in compliance with the Hazardous Waste Regulations;
- d. That no on site oil changes of construction equipment shall be performed within the subdivision; and
- e. That in the unlikely event of generation of used oil on site causes an emergency situation that I shall cover the costs of cleanup, removal and proper off-site disposal of the used oil and any contaminated soils or contaminated materials.

Section 21

- a. That there will be no on site heavy or major maintenance of construction equipment;
- b. That in the event of an equipment breakdown requiring minor repairs, said repairs will be done in such a manner as to insure that there will be no oil or other wastes spilled or released on site.

Section 22

- a. That I am aware that individual sites are under a 275 gallon hazardous material and waste limit during housing construction; and
- b. That I am aware of any hazardous material and waste that will be used in the individual house construction, however, in the unlikely event that there is, it will be in minimal quantities.

Section 23

- a. That there is no on site service of equipment with the exception of routine lubrication of equipment "fittings and joints"; and
- b. That all equipment maintenance is to be performed off-site.

If a contractor is hired to construct a dwelling on the above noted lot(s), the contractor will be required to sign a Builder's Notification Form to assure compliance with the regulations. The signed form will be forwarded to the Cape Cod Commission as well as Ballymeade Realty Corporation.

Signed and dated this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Lot Owner Signature

## BUILDER CERTIFICATION

**Wyldeewood  
At Ballymeade Estates  
Hatchville, MA**

Date:

Lot(s):

Builder's Name:

Builder's Address:

Re: Solid and Hazardous Waste Removal – Sections 18 - 23  
Cape Cod Commission

I hereby certify as the building contractor for the above lot(s) at Wyldeewood as to the following:

### Section 18

#### I. Site clearing

- a. That all brush and tree products that can be safely ground on site will be done so and left as mulch on the site;
- b. That all stumps and non-usable trees shall be disposed of at an "off site" facility accepting trees, brush, stumps, etc. The "off site" facility shall be one that recycles said material into reusable landscaping products; and
- c. That wherever possible trees that are not ground shall be used for firewood.

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- b. That whenever possible, surplus materials, i.e., scrap wood for fireplaces, will be offered for reuse;
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- d. That containers removed will be disposed of at a licensed facility, i.e., Bourne Landfill, with appropriate payment of the required disposal fee.

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Section 23

- a. That there is no on site service of equipment with the exception of routine lubrication of equipment "fittings and joints"; and
- b. That all equipment maintenance is to be performed off-site.

Signed and dated this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Building Contractor signature