



CAPE COD COMMISSION

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DATE: August 30, 2004

TO: Kevin M. Boyar, Sales Manager, JCJ Inc.

FROM: Cape Cod Commission

RE: Modification of Development of Regional Impact Decision
dated September 23, 1999
Cape Cod Commission Act, Sections 12 and 13

APPLICANT: JCJ Inc
C/o Kevin M. Boyar
184 West Boylston Street
West Boylston, MA 01583

PROJECT: Norse Pines Cluster Subdivision – Sandwich, MA

PROJECT DRI NUMBER(s): TR-9044 and TR-9904

BOOK and PAGE:

Book 6579 Page 093
Book 6638 Page 038
Book 2363 Page 123
Book 2741 Page 072
Book 4701 Page 288
Book 4701 Page 290
Book 4759 Page 302
Book 5787 Page 115
Book 10344 Page 115

MODIFICATION TO DEVELOPMENT OF REGIONAL IMPACT DECISION

The Development of Regional Impact (DRI) decision dated September 23, 1999 for the Norse Pines Cluster Subdivision project is hereby amended by a vote of the Regulatory Committee on August 30, 2004. All conditions attached to the original decision dated September 23, 1999 continue to apply except as modified herein.



To date, there has only been one other modification of the DRI decision. In 2001, the Town of Sandwich requested that the then-property owner (Atwood & Spring Hill Cranberries) re-record a modified set of plans that included cross-hatching to delineate wetlands and other non-substantial corrections. These modifications to the site plans were determined to be Minor Modifications Type #1 by Cape Cod Commission staff.

MODIFIED CONDITIONS

(old text ~~strikeout~~; new text in *italics*)

Natural Resources Condition 14 - NR14. *The applicant shall may remove the Scotch pines from two small "tree farm" areas on the site and these areas shall be restored to open meadow and grassland to increase habitat diversity. These pines are located in the open space to the west of lot 40 and on lots 38, 39 and in the open space to the west of lot 40, but shall restore these areas to open meadow and grassland to increase habitat diversity regardless of whether the pines are removed. Side yards on lots 38, 39 and 40 shall be planted with grassland species as described in the revised application. This work shall be done prior to the application for a Partial Certificate of Compliance that includes these lots and shall be coordinated with the landscaping for lots 37—40 38, 39 and 40.*

(SEE NEXT PAGE FOR ADDITIONAL MODIFIED CONDITION AND SIGNATURES)

Affordable Housing Condition 1 – AH1. The applicant shall contribute one affordable housing lot to the Town of Sandwich prior to application for each of the Phase 3, Phase 4 and Phase 5 Certificates of Compliance and *one (1) affordable lot prior to application for the Final Certificate of Compliance.* The final affordable housing lot shall be provided immediately after the covenant release for the final group of ten lots, and in no case later than issuance of the fifth building permit for the final group of ten lots. These *affordable housing* lots shall be deeded to the Town of Sandwich, to be used solely for affordable housing purposes in accordance with the conditions of this decision. *To insure compliance with this decision, but to also accommodate discussions between the applicant, Town of Sandwich, and Cape Cod Commission on alternative methods of meeting the affordable housing requirements of this decision, the applicant shall place in escrow the deed to one (1) of the affordable lots prior to issuance of the Phase 3 Partial Certificate of Compliance by the Cape Cod Commission.*

Frank Hogan
Frank Hogan, Chair, Regulatory Committee

9/30/04
Date

**Commonwealth of Massachusetts
County of Barnstable**

On this 30th 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 signed it voluntarily for its stated purpose.

Dorr Steven Fox
Notary
Commonwealth of Massachusetts

My Commission Expires:

