



CAPE COD COMMISSION

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DATE: October 18, 2004

TO: Riverview School Inc.
551 Route 6A
East Sandwich, MA 02537

FROM: Cape Cod Commission

RE: Modification of Development of Regional Impact Decision dated August 8, 1996 and modified June 11, 1997, October 7, 2002, July 31, 2003, September 22, 2003, October 7, 2003 and May 24, 2004.

APPLICANT: Maureen Brennar
Head of School, Riverview School

PROJECT: Riverview School Master Plan

PROJECT #: TR96009.

BOOK/PAGE: Lot 76, Plan 32028-Z, Cert. #120755
Lot A-2, Plan 11765-E, Cert. #22874
Lots 115, 116, 117, 118, 119, 120, 121, 122, 123, Plan 11765-I,
Cert. #30402 (Hopefield School Inc.)
Lots 124, 125, 126, 127, 128, 129, 130, 131, Plan 11765-I, Cert.
#29582 (Hopefield School Inc.)
Lot 208, Plan 11765-J, Cert. #92993

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

MODIFICATION TO DEVELOPMENT OF REGIONAL IMPACT DECISION

The Development of Regional Impact decision dated August 8, 1996 and modified June 11, 1997, October 7, 2002, July 31, 2003, September 22, 2003, October 7, 2003 and May 24, 2004 for the Riverview School Master Plan project is hereby amended by a vote of the Regulatory Committee on October 18, 2004. All conditions attached to the original decision dated August 8, 1996 and modifications dated June 11, 1997, October 7, 2002,

Riverview School Master Plan – Modification
October 18, 2004



July 31, 2003, September 22, 2003, October 7, 2003 and May 24, 2004 continue to apply except as modified herein:

1. Under "Procedural History, Materials submitted for the record – staff reports and correspondence" add "October 12, 2004 memorandum to the Regulatory Committee".
2. Under "Procedural History, Materials submitted for the record – submittals from the applicant" add
 - Operations, Management and Compliance Agreement Requirements for wastewater management at Riverview School on Route 6A, Sandwich dated October 7, 2004 and signed by Maureen Brenner on October 14, 2004.
 - Letter from Att. Ford dated October 12, 2004 with attachments
 - Plans prepared by Bennett O'Reilly, sheets WWT-1 and WWT-2 dated August 16, 2004 and sheets CE-1, WWT-3, WWT-4, WWT-5, WWT-6 and WWT-7 dated September 28, 2004
 - Plans prepared by CMG Architects titled "Construction Documents, Additions and Alterations to Holtmeier House", sheet SP.1, D.5, D.6, A.1, A.2, A.3, A.4, A.5, A.6 and A.7 dated October 5, 2004, sheet A.10 dated October 6, 2004 and sheet L-1 dated October 7, 2004.
3. In Finding #2, add the following to the end of the finding: "The limit of work for construction of the wastewater treatment plant and associated facilities are shown on Plans prepared by CMG Architects titled "Construction Documents, Additions and Alterations to Holtmeier House" sheet SP.1, D.5, D.6, A.1, A.2, A.3, A.4, A.5, A.6 and A.7 dated October 5, 2004, sheet A.10 dated October 6, 2004 and sheet L-1 dated October 7, 2004 and plans prepared by Bennett O'Reilly, sheets WWT-1 and WWT-2 dated August 16, 2004 and sheets CE-1, WWT-3, WWT-4, WWT-5, WWT-6 and WWT-7 dated September 28, 2004."
4. In Finding #16, add the following to the end of the finding: "An addition is proposed to the Holtmeier House to accommodate equipment associated with the design of the wastewater treatment plant. The Cape Cod Commission has reviewed the proposed plans and determined that the alterations are consistent with the minimum performance standards of the Regional Policy Plan relating to historic structures. Proposed changes include replacing windows and adding an approximately 380 square-foot addition."
5. In Finding #16, add the following to the end of the finding: "The landscape and lighting plan proposed for the parking lot at the corner of Hammond Road and Route 6A as shown on Sheet L.1 dated October 7, 2004 are consistent with the Regional Policy Plan standards."
6. Delete Finding #26 and replace it with the following: "26. Because the increase in students described in Finding #25 increases wastewater flows beyond the DEP

limit of 11,425 gpd, the applicant was required by the state to obtain a GWDP. In April 2004, DEP and the applicant signed a consent decree that provides a schedule for permit submittals, wastewater treatment plant construction, and building connections to the plant.”

7. Delete Finding #27 and replace with: “27. The requirement of a GWDP means that the project needs to meet the wastewater treatment facility Minimum Performance Standards (Section 2.1.2 of the 1991 RPP). Among these standards is MPS 2.1.2.2, which requires nitrogen in the effluent from the facility to be 5 ppm or less at the downgradient property line. DEP traditionally assigns a 10-ppm effluent limit in GWDP and the applicant has a desire to use the existing effluent disposal fields that are located adjacent to the Route 6A property boundary. Groundwater modeling submitted by the applicant has shown that disposal of 10 ppm total nitrogen effluent will exceed the property boundary limit regardless of where it is disposed of on the site. In order to ensure that the MPS limit is regularly attained and address the applicant’s desires to utilize the existing disposal fields, the applicant and the Commission developed and signed an Operation, Management and Compliance Agreement. This agreement describes performance-monitoring requirements for the wastewater facility, reporting schedules, and contingency mitigation should the MPS limit be exceeded.
8. In Condition #1, add the following to the end of the condition: “All work associated with construction of the wastewater treatment plant, including the addition to the Holtmeier House, parking lot re-configuration and associated landscaping shall be constructed in a manner consistent with the plans prepared by CMG Architects titled “Construction Documents, Additions and Alterations to Holtmeier House” sheet SP.1, D.5, D.6, A.1, A.2, A.3, A.4, A.5, A.6 and A.7 dated October 5, 2004, sheet A.10 dated October 6, 2004 and sheet L-1 dated October 7, 2004, and plans prepared by Bennett O’Reilly, sheets WWT-1 and WWT-2 dated August 16, 2004 and sheets CE-1, WWT-3, WWT-4, WWT-5, WWT-6 and WWT-7 dated September 28, 2004.”
9. Insert at the end of Condition #2: “The applicant shall receive a Certificate of Compliance from the Cape Cod Commission for the addition to Holtmeier House prior to receiving a Certificate of Occupancy from the Town of Sandwich and prior to operation of the new treatment plant.”
10. Insert in Condition #10:
 - In the first line after “and Phase 3 construction”, insert: “including the change to the Hammond Road/Route 6A parking lot”
 - At end of third sentence, add: “and landscape and lighting plan dated October 7, 2004”
11. Delete Condition 13 and replace with: “13. The applicant shall follow timelines as described in the DEP Administrative Consent Order (ACO-SE-04-1G001). Any

modifications to the Consent Order shall be submitted to the Cape Cod Commission for review and approval.”

12. Delete Condition 14a and replace with: “14a. The applicant shall satisfy the requirements of the Operations, Management and Compliance Agreement (October 7, 2004) between the Cape Cod Commission and the applicant.”
13. Delete Condition 14b and replace with: “14b. Prior to issuance of a Certificate of Compliance for the addition to Holtmeier House, an escrow agreement shall be established between the Commission and Riverview School Inc. in an amount equal to 200% of the cost of connecting downgradient property owners to public water as described in Section 3(c) of the OMC Agreement. The amount shall include all labor and materials and shall be approved by Commission staff. The escrow agreement shall be of a form and content satisfactory to Commission counsel. The check shall be payable to Barnstable County and the work approved prior to release of the escrow funds. Unexpended funds shall be returned to the applicant, with interest, upon completion of the work.

Frank Hogan
Frank Hogan, Chair

10/11/04
Date

Commonwealth of Massachusetts
County of Barnstable

On this 1st day of November, 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
Commonwealth of Massachusetts

My Commission Expires: _____

