

CAPE COD COMMISSION

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Date: May 14, 2007

To: Ms. Kelly Cardoza
Avalon Consulting Group LLC
41 Cal's Court
Taunton, MA 02780

Applicant: Rosario Lattuca
New Falmouth Golf LLC
P.O. Box 2020
North Falmouth, MA 02556

From: Cape Cod Commission

Re: Development of Regional Impact
Cape Cod Commission Act, Sections 12 and 13

Project #: JR99028

Project: Ballymeade Estates (The Golf Club at Cape Cod)
Off Route 151, Hatchville (Falmouth), Massachusetts

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DEVELOPMENT OF REGIONAL IMPACT DECISION MINOR MODIFICATION #1

Pursuant to Section 12 of the Cape Cod Commission Act, the September 6, 2001 DRI Decision issued for the Ballymeade Estates (The Golf Club at Cape Cod) project is hereby amended as a Minor Modification #1 as approved by the Cape Cod Commission Executive Director or her designee under the Cape Cod Commission Enabling Regulations Section 12 (c)(i). All conditions and findings attached to the original DRI decision dated September 6, 2001 and the modifications to the DRI Decision dated January 6, 2003, August 15, 2005, and January 18, 2005 continue to apply except as modified herein.

NEW GENERAL FINDINGS

G9. A memo dated 5/1/07 from Falmouth Town Counsel to the Falmouth Police Chief clarifies the use of Falmouth Woods Road by Golf Carts and maintenance equipment. The memo determines that Golf Carts may not cross Falmouth Woods Road between Ballymeade Country Club and The Golf Club at Cape Cod unless they are registered vehicles, and further states that lawn maintenance equipment are not considered to be motor vehicles and therefore may cross Falmouth Woods Road. In addition, Falmouth Town Counsel recommends that signage be posted advising golfers that golf carts



may not cross Falmouth Woods Road unless they are registered vehicles, and that after such notice, enforcement by the police department is appropriate.

G10. A memo dated May 7, 2007 from Charlie Passios (representing the applicant) to Kelly Cardoza (representing the applicant) states that The Golf Club at Cape Cod will abide by the Falmouth Town Counsel's determination and will move golf carts across Falmouth Woods Road by registered flatbed vehicle, that appropriate signage will be posted, and that golfers will be notified at the time they check in. Furthermore, Mr. Passios and Ms. Cardoza have stated that the crosswalk will be marked, if allowed, and that golfers will walk across the road as pedestrians or be escorted across the road in a registered vehicle. A letter from Ms. Cardoza dated May 22, 2007 to Ms. Tana Watt, Cape Cod Commission, provides additional details regarding the transportation of golf carts to The Golf Club at Cape Cod. Furthermore, Ms. Cardoza states and agrees that this arrangement will be temporary until June 30, 2008, by which time it is anticipated that the maintenance facility and clubhouse will receive a Certificate of Occupancy from the Town of Falmouth.


Margaret L. Fenn, Executive Director


5/24/07
Date

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

5/24/2007
FENN

Before me, the undersigned notary public, personally appeared MARGARET L. in his/her capacity as Executive Director of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he/she signed such document voluntarily for its stated purpose. The identity of such person was proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, or personal knowledge of the undersigned.


Notary Public
My Commission Expires:

