



# CAPE COD COMMISSION

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DATE: June 25, 2007

TO: Irving B. Freeman and Priscilla F. Rorstrum  
c/o Attorney Kate Mitchell  
Bridge Creek Professional Building  
West Barnstable, MA 02668

FROM: Cape Cod Commission

RE: Modification of DRI decision

APPLICANTS: Irving B. Freeman Prospect Street Rutland, MA 01543  
Priscilla F. Rorstrum 7 Buckboard Lane Marlborough, MA 06447

PROJECT# TR05015

PROJECT: Bay View Farm Estates  
211 Route 6A  
Sandwich, MA

BOOK/PAGE Book 5993, Page 218

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## MODIFICATION OF DEVELOPMENT OF REGIONAL IMPACT DECISION

Pursuant to Section 12 of the Cape Cod Commission Act, the Bay View Farm Estates Development of Regional Impact (DRI) decision dated October 20, 2005 is hereby amended. All findings and conditions attached to the original decision as amended continue to apply except as modified herein.

On June 25, 2007, the Regulatory Committee approved as a Minor Modification #2 the following changes:

1. Transportation Condition T3 is amended as follows (with deleted text shown as ~~strikethrough~~ and inserted text is shown as **bold underline**):

T3. Prior to issuance of Certificate of Compliance #2, the Applicants shall prohibit further development on 16.15 acres of the site by ~~recording~~ **submitting a draft conservation restriction (CR) for Commission staff approval or and an agricultural preservation restriction (APR) signed by the Farm Bureau Agricultural Preservation Commission** on the open space area as shown on the Master Plan dated

Bay View Farm Estates/TR05015

Minor Modification #2

June 26, 2007

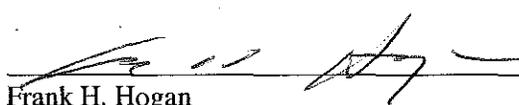
Page 1

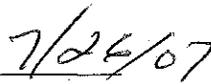


9/15/05, in accordance with the Condition NROS4. Prior to the issuance of the Final Certificate of Compliance, the Applicants shall record and execute the CR and/or APR.

2. Natural Resources and Open Space Condition NROS4 is amended as follows (with deleted text shown as ~~strikethrough~~ and inserted text is shown as **bold underline**):

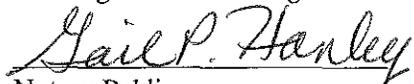
NROS4. Prior to the issuance of Certificate of Compliance #2, the Applicants shall provide the Commission with **the following documents: (1)** a conservation restriction of a form and substance satisfactory to the Commission or its designee and consistent with Massachusetts General Laws Chapter 184, § 31 – 33, and accompanying plan, ~~and/or an agricultural preservation restriction~~ consistent with MGL Chapter 132A, §11, which provide that the 16.15 acres identified on the plan titled "Master Plan Bay View Farm Estates" as prepared by Down Cape Engineering and dated 9/15/05 shall be preserved as permanent open space; **and (2) an agricultural preservation restriction (APR) signed by the Farm Bureau Agricultural Preservation Commission.** Prior to the issuance of **the Final** Certificate of Compliance #2, the Applicants shall execute and record the conservation restriction and/or agricultural preservation restriction and site plan at the Registry of Deeds or Registry District of the Land Court, and proof of recording shall be provided to the Commission. To preserve the significant habitat values of this open space area, the land within the 100 foot wetland buffer areas shall remain undisturbed for conservation and wildlife habitat preservation purposes and may provide for public access.

  
Frank H. Hogan  
Chair

  
Date

Commonwealth of Massachusetts  
County of Barnstable

Before me, the undersigned notary public, personally appeared Frank H. Hogan, in his capacity as Chair of the Regulatory Committee 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: 10/13/11