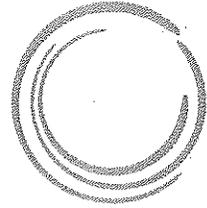


3225 MAIN STREET • P.O. BOX 226
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • www.capecodcommission.org

Date: August 2, 2012

To: Attorney Andrew Singer
Law Office Of Singer & Singer, LLC
26 Upper County Road
Post Office Box 67
Dennisport, MA 02639

From: Cape Cod Commission

Re: Development of Regional Impact
Cape Cod Commission Act, Sections 12 and 13
Cape Cod Commission *Enabling Regulations*, Sections 3 and 7

Applicant: Coridian Associates, LLC

Property Owner: Towering Oaks Associates/Sidney Insoft

Project Name: MP Renaissance

Project Location: 0 Harwich Road/Route 124, Brewster, MA

Project #: TR 12002

Map and Parcel: 40-9-1-R

Barnstable Registry of Deeds: Book 3448 Page 40
Book 21259 Page 246
Plan Book 611 Page 21

DECISION OF THE CAPE COD COMMISSION

SUMMARY

The Cape Cod Commission (Commission) hereby approves, with conditions, the application of Coridian Associates, LLC (Applicant) as represented by Sidney Insoft and Attorney Andrew Singer, as a Development of Regional Impact (DRI) pursuant to Sections 12 and 13 of the Commission Act (Act), Chapter 716 of the Acts of 1989, as amended and Sections 3 and 7 of the *Enabling Regulations* (revised May 2011). This decision was rendered pursuant to a vote of the Commission on August 2, 2012.

PROJECT DESCRIPTION

According to the DRI application, the proposed project consists of a residential care facility with *“one building with two two-story wings connected by a central common core that will be significantly screened from Route 124 by existing natural vegetation and topography.”* (Project Description, pg.1) There will be a total of 132 units: 66 units of memory care and 65 assisted living units, and one manager’s unit. The building, which will consist of approximately 131,877 square feet, will be two stories in height, except for the common core which is one story tall. The project site consists of more than 22.5 acres of land on the west side of Route 124 in Brewster. The land is mostly wooded, except for an existing gravel driveway leading to the adjacent Sweetwater Forest Campground.

PROCEDURAL HISTORY

On January 12, 2012, Commission staff received a referral of the project as a DRI from Brewster’s Planning Board. On January 12, 2012, Attorney Andrew Singer, on behalf of the Applicant, filed a DRI application with the Commission for consideration. The Applicant submitted additional application materials between January 27, 2012 and May 24, 2012. Commission staff informed the Applicant in letters and Emails dated January 6, 2012, January 30, 2012, February 7, 2012, February 13, 2012, and February 14, 2012 that additional information was needed to deem the DRI application complete. The DRI application was determined to be substantially complete in a letter from Commission staff dated February 21, 2012.

The Subcommittee conducted a site visit to the project site on February 28, 2012. A duly noticed public hearing on the DRI application was held on February 28, 2012 at Brewster Town Hall. At this hearing, the Subcommittee heard testimony and comments from Commission staff, the Applicant’s representatives, Town officials and members of the public. The Subcommittee voted to continue the hearing and the record to March 13, 2012 at the Brewster Town Hall.

The Subcommittee held a continued public hearing on March 13, 2012 to hear testimony and discuss the project. At this hearing, the Subcommittee heard testimony and comments from Commission staff, the Applicant’s representatives, Town officials and members of the public. At this hearing, the Subcommittee voted to continue the hearing and the record to April 9, 2012 at the Cape Cod Commission office.

The Subcommittee held a continued public hearing on April 9, 2012 to hear testimony and discuss the project. At this hearing, the Subcommittee heard testimony and comments from Commission staff, the Applicant’s representatives, Town officials and members of the public. At this hearing, the Subcommittee voted to continue the hearing and the record to April 26, 2012 at the First District Courthouse, Assembly of Delegates Chambers, Barnstable.

The Subcommittee held a continued public hearing on April 26, 2012 to hear testimony and discuss the project. At this hearing, the Subcommittee heard testimony and comments from Commission staff, the Applicant’s representatives, Town officials and members of the public. At this hearing, the Subcommittee voted to continue the hearing and the record to May 1, 2012 at the Cape Cod Commission office, Barnstable.

The Subcommittee held a continued hearing on May 1, 2012 to hear testimony and discuss the project. At this hearing, the Subcommittee heard testimony and comments from Commission staff, the Applicant’s representatives, Town officials and members of the public. At this hearing,

the Subcommittee voted to continue the hearing and the record to May 18, 2012 at the Brewster Town Hall. The Subcommittee also voted to conduct an additional site visit on May 18, 2012.

The Subcommittee held a continued hearing on May 18, 2012 to hear testimony and discuss the project. At this hearing, the Subcommittee heard testimony and comments from Commission staff, the Applicant's representatives, Town officials and members of the public. At this hearing, the Subcommittee voted to continue the hearing and the record to May 25, 2012 where they would be closed by a Hearing Officer. The Subcommittee also conducted a site visit on May 18, 2012.

On May 25, 2012 at 10:00 AM at the Commission office a Commission staff member acted as a Hearing Officer to close a pro-forma hearing and the record. No presentations, testimony or substantive action was taken on the project at this time. Attorney Andrew Singer, representing the Applicant was present at the pro-forma hearing.

The Subcommittee held a meeting on June 19, 2012 to discuss and deliberate on the project. At this meeting, the Subcommittee made findings on the proposed project. The Subcommittee voted to hold another meeting on June 21, 2012.

The Subcommittee held a meeting on June 21, 2012 to discuss and deliberate on the project. At this meeting, the Subcommittee made findings on the proposed project. The Subcommittee voted to recommend approval of the project, with conditions to the full Commission. The Subcommittee voted to direct Commission staff to draft a decision approving the project, with conditions. The Subcommittee voted to authorize an extension agreement with the Applicant to extend the decision period to the close of business on August 7, 2012.

A Cape Cod Commission (Commission) Subcommittee held a public meeting on a proposed Development of Regional Impact for the M.P. Renaissance project located at 0 Harwich Road (Route 124) in Brewster for the purpose of deliberating on the project and reviewing a draft decision. The Subcommittee voted unanimously to approve the draft Minutes of the June 19, 2012 and June 21, 2012 meetings as presented. The Subcommittee reviewed the draft decision page by page. The Subcommittee made spelling and technical corrections to the draft decision. The Subcommittee voted unanimously to find that provision of memory care units was a probable project benefit. The Subcommittee voted unanimously to find that the probable benefit from the proposed development is greater than the probable detriment. The Subcommittee voted unanimously to add a designation to the monitoring wells MW-1 to MW-4 in draft condition WRC3 to denote the existing and proposed new monitoring wells. The Subcommittee voted unanimously to recommend approval of the project to the full Commission, with conditions. The Subcommittee voted unanimously to forward the draft decision, as amended, to the full Commission for their consideration.

MATERIALS SUBMITTED FOR THE RECORD

The Materials Submitted for the Record are hereby appended as Exhibit A

JURISDICTION

The project qualifies as a Development of Regional Impact (DRI) under Section 3(g) of Chapter A, *Enabling Regulations Governing Review of Developments of Regional Impact* (revised March 2011) as "Any proposed development that is planned to create or add 30 or more Residential Dwelling Units."

FINDINGS

The Commission has considered the DRI application for the proposed residential care facility and based on the information presented at the public hearings and submitted for the record to date, makes the following findings, pursuant to Sections 12 and 13 of the Act and Sections 3 and 7 of the *Enabling Regulations*:

General Findings

GF1. As the date of the first substantive public hearing on the proposed project was February 28, 2012, the project was reviewed subject to the 2009 RPP, as amended in May 20, 2011, which is the RPP in effect at the time of the first substantive public hearing on the project.

GF2. The proposed project that is the subject of this decision is a residential care facility as described as “one building with two two-story wings connected by a central common core that will be significantly screened from Route 124 by existing natural vegetation and topography.” (*Project Description, pg.1*) There will be a total of 132 units: 66 units of memory care and 65 assisted living units, and one manager’s unit. The building, which will consist of approximately 131,877 square feet, will be two stories in height, except for the common core which is one story tall. The project site consists of more than 22.5 acres of land on the west side of Route 124 in Brewster. The land is mostly wooded, except for an existing gravel driveway leading to the adjacent Sweetwater Forest Campground.

GF3. The Commission adopts the written testimony of Commission staff as described in a 5/1/12 Memorandum entitled *MP Renaissance: Minimum Performance Standards that Do Not Apply*, and finds that the Minimum Performance Standards (MPS) identified in the Memorandum do not apply to the proposed development

GF4. The Commission finds that based on a 2/1/12 Email from Susan Leven, AICP, the Brewster Town Planner, that the Town of Brewster does not have a Local Comprehensive Plan which has been certified by the Cape Cod Commission as consistent with the Regional Policy Plan.

GF5. The Commission finds, based on a 2/1/12 and 2/14/12 Emails from Susan Leven, AICP, the Brewster Town Planner that the proposed development is consistent with Brewster development bylaws provided that the Applicant successfully obtains a Special Permit from the Brewster Planning Board for use, Planning Board Site Plan Review, and a variance for height from the Brewster Zoning Board of Appeals.

GF6. The Commission finds based on a 2/1/12 Email from Susan Leven, AICP, Brewster’s Town Planner that the proposed project is not located within a District of Critical Planning Concern.

GF7. The Commission finds after a public hearing that the probable benefit from the proposed development is greater than the probable detriment. The Commission finds that the probable benefits of the project are:

1. Protection of 4.79 acres of open space in excess of the amount required by MPS OS1.3.
2. Provision memory care units.
3. That the proposed project meets the following Best Development Practices (BDP): BDP HPCC2.19 (*Multiple Stories*), BDP AH1.16 (*Priority for Affordable Rental Housing*), BDP WR5.6 (*Chapter 21-E Site Assessment*), BDP TR2.16 (*Alternate Modes of Travel*) and BDP TR2.19 (*Preferred Parking Spaces for Car/Van Pools*).

The Commission does not find any probable detriment to the project. While Commission members discussed whether competition to other assisted living facilities was a probable detriment, the Commission found that it did not rise to the level of a probable detriment. The Commission finds that the probable benefit of the project outweighs the probable detriment of the proposed project.

GF8. The Commission finds that the project will be built in conformance with the Applicant specified construction conditions which the Applicant proposed in its Supplemental Memoranda submitted to the Commission dated 3/12/12 and 5/1/12:

From 3/12/12 Supplemental Memorandum:

- Preservation of significant permanently protected bordering natural forested open space and additional buffering vegetation adjacent to campground boundary
- Clustering of the facility and site development in the center of the property

From 5/1/12 Supplemental Memorandum:

- Construction timing: No construction on Saturdays and Sundays
- Construction timing: Construction hours 8:00 AM to 6:00 PM, Monday – Friday
- Clearing, grading, foundation, and framing work performed between Labor Day and June 15th
- No construction vehicles on Campground driveway through the Property
- No impact to the Campground driveway through the Property
- No stockpiling of materials next to the Campground boundary
- Implementation of extensive Erosion Control and Stormwater Pollution Prevention Plan ensuring dust control and sediment control
- Ensure contractor complies with DEP emissions standards (idling restrictions)
- Installation of approved additional buffering vegetation after grading and clearing in order to provide additional noise mitigation during construction

Land Use Findings

LUF1. The Commission finds the Town of Brewster has an endorsed Land Use Vision Map (LUVV) which designates the project site as Resource Protection Area and Other.

LUF2. The Commission finds that based on the 7/1/11 written testimony Brewster Water Commissioners that the Brewster Water District does not have an interest in considering the project site as a Potential Public Water Supply Area that the Commission finds the proposed development is consistent with MPS LU1.1 (*Development Location*).

LUF3. The Commission finds the Applicant has consolidated the development in order to minimize site clearing, including use of multistory buildings, which is consistent with MPS LU1.2 (*Compact Development*).

LUF4. The Commission finds the project complies with MPS LU2.1 (*Connections to Existing Infrastructure*) because the project's proposed wastewater infrastructure will support consolidated development, minimized site clearing, and use of multistory buildings consistent with MPS LU1.2 (*Compact Development*).

LUF5. The Commission finds there are no agricultural soils on or adjacent to the site based upon the Natural Resources Inventory and the analysis and testimony of Heather McElroy,

Natural Resources Specialist and as such the project is consistent with MPS LU3.2 (*Impacts to Agricultural Lands*).

LUF6. The Commission finds the project is consistent with MPS LU3.1 (*Buffers to Agricultural Uses*) by use of a thickly vegetated buffer which is of sufficient width and provision of protected open space to prevent conflicts between the development and the adjacent Sweetwater Forest Campground, and that the Commission shall condition the project to ensure compliance with MPS LU3.1 as the project is built.

LUF7. The Commission finds that MPS LU2.2 (*Co-location of Telecommunication Facilities*) does not apply because the project does not involve a new wireless telecommunications facility.

Economic Development Findings

EDF1. The Commission finds the proposed MP Renaissance development is not located in an Economic Center, Industrial and Service Trade Area, or Village Center on the LUVVM as required by MPS ED1.1 (*Location in Economic Centers*) and as new development, the project is required to meet four (4) waiver criteria under MPS ED1.3 (*Waiver*).

EDF2. The Commission adopts the written testimony of Commission staff in the 2/21/12 staff report and finds that the Applicant has demonstrated that the proposed project meets the following four criteria according to MPS ED1.3 (*Waiver*): Variety, Green Design, Emerging Industry Clusters, and Distributed Energy Generation.

The Commission finds the proposed project is development, and according to MPS ED1.3 the Applicant must demonstrate that development meets four (4) waiver criteria in order to waive MPS ED1.1. The Commission finds the Applicant has demonstrated that the project meets the following four criteria:

1. *Variety*: The project includes units (two or more) designed and sized (less than 3,000 square feet) to accommodate small businesses (10 or fewer employees).
2. *Green Design*: The project is, at a minimum, LEED/New Construction-certified at the base level.
3. *Emerging Industry Clusters*: The project is designed to and will accommodate a business or businesses within the region's Emerging Industry Clusters, which include marine sciences and technology; arts and culture; information and related technology; renewable and clean energy, and education and knowledge-based industries or other high-skill, high-wage, knowledge-based business activity.
4. *Distributed Energy Generation*: The project generates, using renewable sources, at least 25 percent of the electrical demand required by the development on site.

To demonstrate that the project meets the *Variety* criterion the Applicant has provided project plans showing space allocated for four (4) independent businesses each occupying less than 3,000 square feet.

To demonstrate that the project meets the *Green Design* criterion the Applicant has provided a LEED checklist completed by a LEED certified professional. This checklist shows that the project meets the minimum required points for Homes (*Multifamily Residential*).

To demonstrate that the project meets the *Emerging Industry Clusters* criterion, the Applicant provided an Economic and Fiscal Impact Report on the project from Clyde W. Barrow, Director

of the Center for Policy Analysis at the University of Massachusetts Dartmouth. According to this document, the development will create 101.7 full-time equivalent (FTE) jobs with a total payroll of \$3.8 million. The average wage will be \$37,336. The Emerging Industry Cluster waiver criterion call for a project that accommodates high-skill, high-wage, and knowledge based business activity. Based on the testimony of Leslie Richardson, the Commission's Chief Economic Development Officer, there are over eleven (11) high-skill, high-wage and knowledge based positions proposed for this resident health care facility, as shown in the chart, below, which qualify this business the *Emerging Industry Cluster* waiver criterion:

Position	FTEs	Annualized Wages Per FTE	Minimum Education Requirement
Executive Director	1.00	\$105,352.00	Bachelor Degree
Office Manager/HR	1.00	\$52,728.00	Associate Degree
Physical Plant Director	1.00	\$79,061.00	
Director of Dining Services	1.00	\$68,952.00	HS & some PSE
AL Program Director	1.00	\$69,680.00	Bachelor Degree
Licensed Practicing Nurse	2.50	\$50,887.00	Technical
ALZ Program Director	2.20	\$72,610.91	Bachelor Degree
Fitness Director	1.00	\$66,394.00	Certification
Marketing	2.00	\$81,931.00	Bachelor Degree

Source: MP Renaissance, Massachusetts Department of Labor & Workforce Development, (2011)

To demonstrate that the project meets the *Distributed Energy Generation* criterion, the Applicant has provided a roof plan with solar panels sufficient to meet 25% of the project's calculated energy demand as described in Finding EF2.

EDF3. The Commission finds that the Sweetwater Forest Campground is a campground upon which Appaloosa horses are raised and for the purposes of MPS ED1.4, contains working agricultural land and recreational areas. The Commission further finds for the purposes of MPS ED1.4, there are no working waterfronts, harbor, fin and shell fishing grounds on or near the project site.

EDF4. The Commission finds the Applicant has met its burden to show that the development shall not eliminate or significantly impair the current and future function of the working agricultural land and recreational uses at the Sweetwater Forest Campground.

EDF5. The Commission finds that the future functioning of the Campground will not be eliminated or substantially impaired because the use as an assisted living/memory care facility as described in finding GF2 is in essence a quiet use. The Commission adopts the testimony of the Applicant and finds that delivery and trash trucks would be bi-weekly, thus limiting exposure to truck noise. The Commission further finds that the preservation of 4.5 acres will act as a buffer to the East of the Campground. The Commission further finds that the current and future use of the horse farm component of the Sweetwater Forest Campground would not be significantly impaired or eliminated because The Secret Pardon, the Appaloosa horse which does not contain the genetic defect, is stalled in Florida. The Commission further finds that the Applicant expressed a willingness to take a construction pause for foaling in the spring and that James Rylander of Sweetwater Forest Campground testified that might work. The Commission

finds that the Applicant has testified it has tried several times to discuss accommodations with the Sweetwater Forest Campground and its calls went unanswered. The Commission finds that the buffer that is proposed to be added by the Applicant around the perimeter of the site serves to buffer construction noise between the project site and the horse barn. Whereas the horse barn is approximately 860 feet and horse ring is approximately 1,000 feet from the proposed development, the proposed development is positioned upon a grade which lowers the building by virtue of the topography of the land in between it and the horse barn, whereas the Commission members observed that the horses were not disturbed by the tractor noise on the site, whereas and horses and campers currently experience traffic noise from the hundreds of campers (up to 3,500 guests during busy summer weeks or holiday weekends as testified by Heather Cestaro Rylander the owner of the Sweetwater Forest Campground) and also that delivery trucks which enter and exit the Sweetwater Forest Campground via the Campground driveway (located on an easement to the Applicant's site), and which bisects the Applicant's parcel, and is closer to the Sweetwater Forest Campsites than the proposed development, and whereas the bustling activity of a busy campground generates noise, the Commission finds there is sufficient distance, topography, buffers, and background noise to conclude the construction of the Applicant's facility will not eliminate or significantly impair the current and future functioning of the Sweetwater Forest Campground.

The Commission finds that James Rylander, owner and operator of Sweetwater Forest Campground, has submitted a subdivision plan for and testified of his intention to build a single family home immediately north of the proposed development on the pasture land in between the proposed development and the horse barn. The Commission further finds that it observed that the pasture area with the fence posts appeared to not have been used for over a year.

The Commission adopts the testimony of the Applicant and finds that the Applicant proposed to accommodate the Sweetwater Forest Campground's quiet hours by changing its proposed construction schedule to no work on Saturdays and Sundays, and work from 8:00 AM to 5:00 PM Monday to Friday. Clearing, grading, foundation and framing work is proposed to only occur from Labor Day to June 15th so as to no impact the summer season. The Applicant has also proposed the following: No construction vehicles on Campground driveway; No stockpiling of materials next to the Campground driveway; Implementation of extensive erosion control and Stormwater Pollution Prevention Plan ensuring dust and sediment control; and to ensure that the contractor complies with DEP emission controls.

The Commission further finds that the Applicant has additionally met its burden to show compliance with MPS ED1.4 through the terms and conditions it offers in its supplemental submissions dated 3/12/12, 3/30/12 and 5/1/12, including clustering and compressing the development footprint, permanently setting aside 4.5 acres of forested land in the northern portion of the property abutting tent and RV sites, leaving an undisturbed natural and vegetated 80-90 foot buffer from the Sweetwater Forest Campground driveway, and providing additional plantings along the central western portion of the property boundary to augment the existing forested buffer.

EDF6. The Commission finds that MPS ED1.2 (*Industrial and Service Trade Areas*) does not apply because the project is not located in an Industrial and Service Trade Area.

EDF7. The Commission finds that MPS ED2.1 (*Gaming*) does not apply because the project does not involve Class III Gaming.

EDF8. The Commission finds that MPS ED4.1 (*Demonstrated Need and Public Benefit*) does not apply because the project's infrastructure and/or capital facilities are confined to the site and the project is not proposing regional capital infrastructure and/or capacity.

Water Resources Findings

WRF1. The Commission finds the project is located in the following water resource areas as described in the Water Resource sections of the RPP and as delineated on Water Resource Classification Maps I & II: Potential Public Water Supply Area (Water Resources Section WR2), Marine Water Recharge Area for the Herring River (Water Resources Section WR3) and Fresh Water Recharge Area (Griffiths Pond) (Water Resources Section WR4).

WRF2. The Commission finds that Regional Policy Plan MPS WR2.1 (*Five-ppm Nitrogen Loading Standard*), MPS WR2.2 (*Prohibition on Hazardous Materials/Wastes*), MPS WR2.3 (*Restrictions on Private Wastewater Treatment Facilities*) and MPS WR2.4 (*Prohibition on Uses under State Regulation*) apply "to development and redevelopment in Wellhead Protection and Potential Water Supply Areas as shown on Water Resources Classification Map I."

WRF3. The Commission finds the project site is not located in a mapped Wellhead Protection Area on the RPP Water Resources Classification Map I.

WRF4. The Commission finds the RPP definition of a Wellhead Protection Area is "*Land that receives precipitation to recharge pumping wells.*"

WRF5. The Commission finds that based on the 7/1/11 written testimony of the Brewster Water Commissioners that the Brewster Water District does not have an interest in considering the project site as a Potential Public Water Supply Area that the Commission finds the proposed development is consistent with MPS WR2.6.

WRF6. The Commission finds the Potential Public Water Supply Area designation is removed from the site and as such the project is not subject to the 1 PPM nitrogen loading limit pursuant to MPS WR2.6.

WRF7. The Commission finds that MPS WR2.3 requires that "*[p]ublic and private wastewater or treatment facilities with Title 5 design flows greater than 10,000 gallons per day shall not be permitted in Wellhead Protection Areas*"

WRF8. The Commission adopts the testimony of Scott Michaud and finds based on a groundwater flow simulation developed by Commission staff using information from the Department of Environmental Protection-approved Hydrogeologic Evaluation that the proposed wastewater treatment facilities are not located in a Wellhead Protection Area.

WRF9. The Commission finds that the Interim Wellhead Protection Area approved by the Department of Environmental Protection shown on the *Grading and Drainage Plan* (Sheet 5) submitted with the DRI application does not indicate "*Land that receives precipitation to recharge pumping wells*" as defined by the Regional Policy Plan.

WRF10. The Commission finds that MPS WR2.1 (*Five-ppm Nitrogen Loading Standard*), MPS WR2.2 (*Prohibition on Hazardous Materials/Wastes*), and MPS WR2.3 (*Restrictions on Private Wastewater Treatment Facilities*) do not apply to this project.

WRF11. The Commission finds that MPS WR2.4 requires that “[u]ses prohibited in Zone IIs by state regulations shall not be permitted.”

WRF12. The Commission finds that the project does not comprise a use prohibited by the State in a Zone II, nor is the project located in a Zone II, and therefore MPS WR2.4 does not apply.

WRF13. The Commission finds the project as proposed meets MPS WR1.1 (*5-ppm Nitrogen Loading Standard*).

WRF14. The Commission finds the proposed project is consistent with MPS WR1.2 (*Identification of Drinking Water Wells*) because the project will be connected to public water supply and the Applicant has not proposed drinking water wells within 400 feet of the project site nor are there any existing private drinking water wells on any abutting properties within 400 feet of the proposed development as demonstrated by the Hydrogeologic Evaluation Report submitted with the DRI application.

WRF15. The Commission finds the Applicant complies with MPS WR1.5 (*Turf and Landscape Management Plan*) based on the draft landscape and turf management plans submitted with the DRI application, and that the Commission shall condition the project to ensure the project complies with MPS WR1.5 as the project is built.

WRF16. The Commission finds that MPS WR3.1 (*Critical Nitrogen Load Standard for Development*) does not apply to this project because the critical nitrogen load for the Herring River has not been determined.

WRF17. The Commission finds that a Massachusetts Estuaries (MEP) Report critical nitrogen load or a Total Maximum Daily Load (TMDL) documenting a water quality problem in the Herring River has not been published and that MPS WR3.2 (*Maintenance or Improvement of Nitrogen Loading*) does not apply to this project.

WRF18. The Commission finds that MPS WR3.4 (*Nitrogen Offset Contribution*) does not apply to this project because MPS WR3.1 and MPS WR3.2 do not apply to this project.

WRF19. The Commission adopts the testimony of Scott Michaud and finds the draft MEP watershed delineation for the Herring River does not include the project site and therefore the Commission, in exercising its discretion as provided by MPS WR3.5 (*Monetary Contribution*) does not require a monetary contribution for the development or implementation of appropriate nitrogen management strategies.

WRF20. The Commission finds the proposed project is required to meet applicable MPS in Regional Policy Plan Section WR6, including MPS WR6.2 (*Tertiary Treatment*), MPS WR6.7 (*Long-term Ownership of Treatment Facilities*) and MPS WR6.8 (*Sludge Disposal*) because the project will have a groundwater discharge of over 10,000 gallons of wastewater per day, and that the Commission shall condition the project to ensure the project complies with MPS WR6.2, MPS WR6.7, and MPS WR6.8 as the project is built.

WRF21. The Commission finds that the project will be required by a State-issued Groundwater Discharge Permit to achieve denitrification of project wastewater to a nitrogen concentration of no more than 10 milligrams per liter (ppm).

WRF22. The Commission finds that MPS WR6.2 requires that wastewater treatment facilities be designed to achieve tertiary treatment with denitrification that achieves a nitrogen concentration of no more than 5 ppm in groundwater at the downgradient property boundary, and that compliance with the standard may be demonstrated by treating project wastewater to a nitrogen concentration of no more than 5 ppm.

WRF23. The Commission finds that the project shall be conditioned to require compliance water quality monitoring to ensure the project complies with MPS WR6.2.

WRF24. The Commission finds that the project will comply with MPS WR6.2 at the 10 ppm treatment efficiency and therefore MPS WR6.9 does not apply.

WRF25. The Commission finds that MPS WR6.1 (*Private Wastewater Treatment Facilities*) and MPS WR6.3 (*Hydrologic Balance*) do not apply because Brewster does not have a Comprehensive Wastewater Management Plan and because the proposed treatment plant and discharge area are over 800 feet away from Griffiths Pond.

WRF26. The Commission finds the proposed development complies with MPS WR7.2 (*Onsite Infiltration*), MPS WR7.3 (*Roof Runoff*), MPS WR7.4 (*Bioinfiltration Practices*), MPS WR7.5 (*Structured Infiltration Devices*), MPS WR7.6 (*Impervious Surfaces*), MPS WR7.8 (*Minimum Two-foot Separation to Groundwater*), MPS WR7.9 (*Best Management Practices during Construction*) and WR7.10 (*Stormwater Maintenance and Operations Plan*) because the Applicant has submitted draft site development plans and a draft Stormwater Operations and Maintenance Plan that conform with these standards, and that the Commission shall condition the project to ensure compliance with MPS WR7.9 and MPS WR7.10 as the project is built.

WRF27. The Commission finds that MPS WR7.11 (*Shut-off Valve in Wellhead Protection Areas*) does not apply to the proposed project.

WRF28. The Commission finds that MPS WR1.3 (*Groundwater Study Requirement*) does not apply because the project will be connected to the municipal water supply and therefore does not have a water withdrawal.

WRF29. The Commission finds that MPS WR1.4 (*Cluster Development*) does not apply to this project because it does not involve a residential subdivision of five or more lots.

WRF30. The Commission finds that MPS WR3.3 (*Local Management Plans*) does not apply to this project because there is no Commission-approved watershed nutrient management plan or Commission-approved Comprehensive Wastewater Management Plan.

WRF31. The Commission finds that MPS WR4.1 (*Limits on Subsurface Disposal Systems*), MPS WR4.2 (*Monetary Contribution*), and MPS WR4.3 (*Public and Private Wastewater Treatment Facilities*) do not apply to this project because the site is located over 800 feet from Griffiths Pond.

WRF32. The Commission finds that MPS WR5.1 (*Nitrogen Loading Standard*), MPS WR5.2 (*Public and Private Treatment Facilities*), MPS WR5.3 (*Monetary Contribution in Economic Centers/Growth Incentive Zones*), MPS WR5.4 (*Nitrogen Loading Standard in Impaired Area*) and MPS WR5.5 (*Alternate Water Supply Standard in Economic Centers/Growth Incentive*

Zones) do not apply to this project because the site is not located in a Water Quality Improvement Area/Impaired Area, in an Economic Center or in a Growth Incentive Zone.

WRF33. The Commission finds that MPS WR6.5 (*Ownership and Maintenance of Treatment Facilities*) does not apply to this project because Brewster's Fiscal Year 2012 – 2017 Capital Plan does not address funding, construction or ownership of capital facilities including but not limited to public or private wastewater treatment facilities.

WRF34. The Commission finds that MPS WR6.6 (*Restrictions in FEMA Flood Zones/Other Sensitive Areas*) does not apply to this project because the site is not in a FEMA Flood Zone, an ACEC, wetlands, wetland buffer area, a barrier beach, a coastal dune or critical wildlife habitat.

WRF35. The Commission finds that MPS WR7.1 (*No New Direct Discharges of Untreated Stormwater*) does not apply to this project because it will not create a new direct discharge of untreated stormwater, parking lot runoff and/or wastewater into a marine or fresh surface water or wetland.

WRF36. The Commission finds that MPS WR7.7 (*Structured Infiltration Devices in Economic Centers*) does not apply to this project because it is not redevelopment and the site is not located within an Impaired Area or an Economic Center.

WRF37. The Commission finds the Applicant has complied with BDP WR5.6 (*Chapter 21 E Site Assessment*).

Coastal Resources Findings

CRF1. The Commission finds that the Coastal Resources section of Regional Policy Plan does not apply because the project site is located well inland of any of the coastal resources addressed by the RPP Coastal Resources section.

Wetlands Findings

WETF1. The Commission finds the Applicant has provided a Natural Resources Inventory (NRI) that is consistent with the requirements of MPS WPH1.1 (*Natural Resources Inventory*) which indicates there are no wetlands on or within 100 feet of the development envelope for the project.

WETF2. Based on the Natural Resources Inventory provided by the Applicant, the Commission finds the project is consistent with MPS WET1.1, MPS WET1.2, MPS WET1.3, and MPS WET1.4.

Wildlife and Plant Habitat Findings

WPHF1. The Commission finds the Applicant has provided a Natural Resources Inventory (NRI) that is consistent with the requirements of MPS WPH1.1 (*Natural Resources Inventory*) which indicates there are no wetlands on or within 100 feet of the development envelope for the project.

WPHF2. The Commission finds the Applicant has complied with MPS WPH1.2 (*Clearing and Grading*) and MPS WPH1.3 (*Wildlife and Plant Habitat*) by minimizing site clearing, use of multistory buildings, and by plantings along the westerly and northerly perimeter in connection with the proposed Turf Management and Landscape Plan and that the Commission shall condition the project to ensure compliance with these MPS as the project is built.

WPHF3. Based on the Natural Resources Inventory provided by the Applicant, the Commission finds the project is consistent with MPS WPH1.4.

WPHF4. The Commission finds MPS WPH1.5 (*Vernal Pools*) and MPS WPH1.6 (*Invasive Species*) do not apply to this project because the site is not mapped for rare species habitat, and because the Natural Resources Inventory did not note any unusual plant species, vernal pools or invasive species on the site.

Open Space Findings

OSF1. The Commission finds the Applicant has consolidated the development in order to minimize site clearing, including use of multistory buildings, which is consistent with MPS OS1.1 (*Clustering of Development*).

OSF2. The Commission finds as provided in MPS OS1.3 (*Open Space Requirements*) that the Commission removes the Significant Natural Resources Area designation because the Commission finds the land is not a Potential Public Water Supply Area based on the 7/1/11 written testimony of the Brewster Water Commissioners.

OSF3. The Commission finds the open space requirement for the proposed project is 8.01 acres and that the Applicant has proposed to permanently protect 12.8 acres on the site in excess of the requirement and consistent with MPS OS1.2 (*Open Space Connections*) and MPS OS1.3.

OSF4. The Commission finds that the location and amount of open space is sufficient to comply with MPS OS1.2 and MPS OS1.3, and that the Commission shall condition the project to ensure compliance with MPS OS1.2 and MPS OS1.3 as the project is built.

OSF5. The Commission finds that the Applicant is in compliance with MPS OS1.4 (*Sensitive Natural Resources*) with the exception of an aquifer, because none of the other resources listed in this MPS are located on this site.

OSF6. The Commission finds that to the extent that Cape Cod is a Sole Source Aquifer that the Commission finds the proposed project is consistent with MPS OS1.4 (*Sensitive Natural Resources*).

OSF7. The Commissions find that the site is located adjacent to land in active agricultural production according to MPS OS1.6 (*Sensitive Open Space Resources*) and that the development has been configured to prevent adverse impacts to those lands, including additional vegetated buffers, and that the development has been configured in a manner that maximizes contiguous onsite open space. The Commission further finds that "*additional vegetated buffers may be required where necessary to screen or separate uses*".

OSF8. The Commission finds that MPS OS1.5 (*Residential Cluster*) does not apply to this project because the project does not involve a residential subdivision of 5 or more lots or a commercial subdivision.

OSF9. The Commission finds that MPS OS1.7 (*Open Space in GIZ/Economic Center*) does not apply to this project because the project is not located in an Economic Center or Growth Incentive Zone.

OSF10. The Commission finds that MPS OS1.8 (Open Space and Parking Garages) does not apply to this project because the Applicant is not proposing a parking garage.

Transportation Findings

TF1. The Commission finds the Applicant's trip generation source of data (ITE) and calculations were conducted in conformance with MPS TR0.1 (*Sources of Trip-generation Data*) and that the Applicant's Traffic Impact and Access Study and a 1/5/12 Supplemental Memorandum were conducted in compliance with MPS TR3.3 (*Traffic Studies*).

TF2. The Commission finds the Applicant has proposed a trip reduction plan that will comply with MPS TR2.1 (*Trip Reduction Outside Growth Incentive Zones or Economic Centers*), and that the Commission shall condition the proposed project to ensure compliance with MPS TR2.1.

TF3. The Commission finds the Applicant has complied with MPS 2.3 (*Interconnections*) by attempts to engage the adjacent parcel owners relative to providing a vehicular and/or pedestrian connection between parcels. According to testimony in the record, the adjacent parcel owner is not amenable to interconnecting the parcels. Therefore, the Commission finds an interconnection agreement has not been reached although the Applicant is agreeable to a future interconnection agreement.

TF4. The Commission finds the Applicant has complied with the trip reduction requirements, allowances, and estimation as detailed in MPS TR2.5 (*Estimating Trip Reduction*), MPS TR2.10 (*Acceptable Trip Reduction Strategies*) and TR3.2 (*Credit for Trip Reduction Mitigation*).

TF5. The Commission finds that requiring a bus stop, turnout or shelter according to MPS TR2.6 (*Bus Stops, Turnouts and Shelters*) is not appropriate because the site is not located on an existing transit route.

TF6. The Commission finds the Applicant has complied with MPS TR2.7 (*Bicycle and Pedestrian Accommodations*) by including sidewalks and pedestrian areas within the project, full handicap access within the project, and secure, weather protected bicycle rack and/or storage lockers along with appropriate signage, and that the Commission shall condition the project to ensure compliance with MPS TR2.7.

TF7. The Commission finds that the preservation of frontage in accordance with MPS TR2.8 (*Preservation of Frontage*) to provide bicycle or pedestrian accommodations are not appropriate because Route 124 /Harwich Road has adequate right of way to accommodate a bicycle path or sidewalk.

TF8. The Commission finds the Applicant will comply with MPS TR2.9 (*Parking Spaces*) by providing no more than the minimum number of spaces required by the Town through provision of 88 spaces, which will meet requirements set forth in the Town of Brewster Zoning Bylaws.

TF9. The Commission finds the proposed project has met MPS TR3.1 (*Operational Requirements*) by providing a Level of Service (LOS) analysis for the site driveway of the 132-unit facility in a follow up Memorandum from Vanasse & Associates, Inc. dated February 14, 2012 because the Level of Service analysis shows a LOS B under 2016 peak month build conditions.

TF10. The Commission finds the proposed project will comply with MPS TR3.4 (*Mitigation for Congestion Impacts Required*) and with MPS TR3.6 (*Fair Share Payments*) by providing Fair Share financial mitigation of \$52,807 to offset the new peak hour traffic generated by the project.

TF11. The Commission finds it shall condition the project to require the Applicant to provide the \$52,807 Fair-Share mitigation payment prior to commencement of construction, and prior to issuance by the Cape Cod Commission of a Preliminary Certificate of Compliance.

TF12. The Commission finds it shall condition the project to comply with MPS TR3.16 (*Use of Congestion Mitigation Funds*) related to the Fair Share mitigation payment.

TF13. The Commission finds the proposed project is consistent with MPS TR1.1 (*No Degradation of Safety*) and will not result in a degradation in public safety.

TF14. The Commission finds the Applicant provided the most recent available three years of crash data as provided by the Massachusetts Department of Transportation which indicate that neither the site driveway nor any intersection within the study area experienced an average of three crashes per year for three years, and therefore that the Applicant has complied with MPS TR1.2 (*Crash Frequency at Key Locations*) and MPS TR1.3 (*Identification of Safety Impacts*).

TF15. The Commission finds the site driveway will be built in conformance with access management guidelines as required by MPS TR1.4 (*Standards for Driveway Construction*) and that the Commission shall condition the project to require compliance with MPS TR1.6 (*Sight-Distance Obstructions*) which requires that signs or vegetation will be located to minimize visual obstructions.

TF16. The Commission finds it shall condition the project to comply with MPS TR0.3 (*Permits for Roadwork Prior to Construction*) as this MPS applies to the driveway construction.

TF17. The Commission finds the site planning and access/egress will comply with MPS TR1.7 (*Bicyclists and Pedestrian Safety and Access/Egress Requirements*) by accommodating all users in a manner consistent with the adjacent roadway network and by minimizing adverse impacts on the adjacent roadway network.

TF18. The Commission adopts the written testimony of F. Giles Ham dated 1/5/12 and finds the proposed site drive is consistent with MPS TR1.8 (*Sight-Distance Requirements*) which requires Applicants to ensure that safe stopping sight distance is available at all driveway locations.

TF19. The Commission finds that MPS TR0.2 (*Traffic Credit for Past Uses*) does not apply because the project site is currently vacant, undeveloped land.

TF20. The Commission finds that MPS TR0.4 (*Alternative Method for Compliance within Economic Centers*) does not apply because the project is not located in an Economic Center.

TF21. The Commission finds that MPS TR0.5 (*Incentive for Mixed Use in Economic Centers*) does not apply because the project is not Mixed Use and is not located in an Economic Center.

TF22. The Commission finds that MPS TR1.5 (*Route 6 Access/Egress*) does not apply because this project it is not located within a limited access portion of Route 6.

TF23. The Commission finds that MPS TR1.9 (*Mitigation Timing*) does not apply to this project because mitigation has not been proposed to address or offset a safety concern.

TF24. The Commission finds that MPS TR2.2 (*Trip Reduction Inside Growth Incentive Zones or Economic Centers*) does not apply to this project because the project is not located in a Growth Incentive Zone or Economic Center.

TF25. The Commission finds that MPS TR2.4 (*Incentives for Connections between Adjacent Parcels*) does not apply to this project because there are no current interconnections to adjacent parcels.

TF26. The Commission finds that MPS 2.11 (*Other Trip Reduction Strategies*) does not apply to this project because the Applicant has proposed a trip reduction plan that complies with the Regional Policy Plan trip reduction requirements.

TF27. The Commission finds that MPS TR2.12 (*Trip Generation Credit*) does not apply to this project because the project is not exceeding the Regional Policy Plan trip reduction requirements.

TF28. The Commission finds that MPS TR2.13 (*Inflation Factor*) does not apply to this project because the Applicant has proposed on onsite trip reduction program rather than a cash contribution.

TF29. The Commission finds that MPS TR 2.14 (*Uses of Trip Reduction Funds*) does not apply to this project because the Applicant has proposed on onsite trip reduction program rather than a cash contribution.

TF30. The Commission finds that MPS TR3.5 (*Mitigation Fee*) does not apply because the Applicant has proposed full mitigation of project impacts.

TF31. The Commission finds that MPS TR3.7 (*Restrictions on Road Widening or New Signals*) does not apply because the project does not involve road widening or a new signal to address MPS TR3.6.

TF32. The Commission finds that MPS TR3.8 (*Year Round Structural Mitigation*) does not apply because the project does not involve structural mitigation.

TF33. The Commission finds that MPS TR3.9 (*Bicycle and Pedestrian Links*) does not apply because the project does not include road and intersection widening or modification of existing traffic signals or bicycle or pedestrian links connected to such work.

TF34. The Commission finds that MPS TR3.10 (*Preserve Existing Rights of Way*) does not apply because the project will not affect existing transportation rights of way.

TF35. The Commission finds that MPS TR3.11 (*No Capacity Increases on Controlled Access Highways*) does not apply to this project because the project does not affect a Controlled Access Highway.

TF36. The Commission finds that MPS TR3.12 (*Consistency with Other Plans*) does not apply to this project because the project does not involve construction of roadway infrastructure.

TF37. The Commission finds that MPS TR3.13 (*Operation and Maintenance Costs*) does not apply to this project because the project does not involve construction of traffic signals.

TF38. The Commission finds that MPS TR3.14 (*Traffic Monitoring Devices*) does not apply to this project because the project does not involve road widening, intersection signals or other roadway capacity alterations.

TF39. The Commission finds that MPS TR3.15 (*Inflation Factor*) does not apply to this project because the intent of this MPS is to address mitigation payments for future construction of transportation projects, and no such future transportation projects are proposed.

TF40. The Commission finds the proposed development complies with BDP TR2.16 (*Alternate Modes of Travel*) and BDP TR2.19 (*Preferred Parking Spaces*).

Hazardous Waste Management Findings

HWF1. The Commission finds that the Potential Public Water Supply Area designation is removed from the site, and as such, the project is not subject to the limit on Hazardous Waste in a PPWSA imposed by MPS WM1.1 (*Hazardous Materials/Waste Restrictions*).

HWF2. The Commission finds that MPS WM1.2 (*Credit for Redevelopment*) does not apply to this project because there is no prior use of project site which is currently vacant.

HWF3. The Commission finds that MPS WM1.3 (*Credit for Removal of Development*) and MPS WM1.4 (*Pollution Prevention and Emergency Response Plan*) do not apply to this project because it is not located in a Wellhead Protection Area and is not within a Potential Public Water Supply Area as designated by the Regional Policy Plan.

HWF4. The Commission finds that project operation will generate Hazardous Wastes including used fluorescent bulbs, used computers, used computer monitors and televisions, mercury-containing batteries, and unused solid and liquid chlorine pool treatment, and that the Applicant has provided an outline of a written plan or protocol to manage the Hazardous Waste prior to disposal consistent with MPS WM1.5(b) for the project's operational phase.

HWF5. The Commission finds the Applicant is in compliance with MPS WM1.5 (*Compliance with Massachusetts Hazardous Waste Regulations*) provided that the (a) registration with or notification to the Massachusetts Department of Environmental Protection as a generator of Hazardous Waste; (b) a written plan or protocol to manage the Hazardous Waste prior to disposal; and (c) a signed contract with a registered, licensed company to dispose of the Hazardous Waste are implemented for the project's construction and operational phases.

Solid Waste Management Findings

SWF1. The Commission finds that based on the materials submitted by the Applicant including a September 28, 2011 Memo; a narrative in the January 12, 2012 DRI application; a March 30, 2012 Memo, attachment and Exhibit E; a May 1, 2012 Memo; a May 17, 2012 Memo and a May 24, 2012 Memo that the proposed project is consistent MPS WM2.1 (*Construction Waste*), MPS WM2.2 (*C&D Waste Plan*) and MPS WM2.3 (*Post Construction Waste*), and that the

Commission shall condition the project to ensure compliance with these Minimum Performance Standards.

SWF2. MPS WM2.4 states in part “a post-construction management plan shall be provided by those developments (primarily supermarkets) generating significant amounts of food waste...” The Commission finds that MPS WM2.4 (*Food Waste Recycling*) does not apply because the proposed project will generate less than 225 tons per year of compostable waste.

Energy Findings

EF1. The Commission finds the project in its design meets MPS E1.4 for Multi-Family Residential Projects, which requires that all multi-family residential projects be designed according to specified components of the ENERGY STAR National Attached Builder Option specifications.

EF2. The Commission finds the proposed 136 kilowatt rooftop PV array, composed of 327 watt photovoltaic panels as depicted on roof drawing A1.03, submitted by TAT (dated 1/6/12, revised 2/24/12) is sufficient to satisfy the waiver criterion of MPS E1.6.

EF3. The Commission finds that MPS E1.7 (*Clear Area*), MPS E1.8 (*Noise*), MPS E1.9 (*Shadow Flicker*), MPS E1.10 (*Decommissioning*) and MPS E1.11 (*Municipal WECF Waiver*) do not apply because the project does not involve a Wind Energy Conversion Facility.

Affordable Housing Findings

AHF1. The Commission finds that the proposed project is consistent with the 10% affordability requirement of MPS AH1.1 (*Residential Requirement*) and MPS AH1.4 (*Calculation of Affordable Units*) by providing fourteen (14) affordable units on site: seven (7) assisted living and seven (7) memory care units, and that the Applicant’s proposed maximum monthly rent and service charges for the affordable assisted living one bedroom units and find the affordable memory care studio units complies with MPS AH1.11 (*Pricing and Rents of the Affordable Units*).

AHF2. The Commission finds the Applicant has complied with MPS AH1.1 and AH1.11 because the Applicant has specified in the DRI application and testimony that 10% of the proposed units will be affordable units, and that the Commission shall condition the project to ensure compliance with MPS AH1.1 and MPS AH1.11 as the project is built.

AHF3. The Commission finds that the Applicant has committed to comply with MPS AH1.8 (*Timing and Mix of Units*) because the development of onsite affordable units will take place at the same rate and timeframe as market rate units, with AH1.10 (ENERGY STAR requirement) by a design that meets ENERGY STAR, with AH1.12 (*Permanent Affordability*) through an affordable housing restriction, and AH1.13 (*Monitoring of Affordability*) by a monitoring agreement to ensure affordability, and that the Commission shall condition the project to ensure compliance with MPS AH1.8, MPS AH1.10, MPS AH1.12, and MPS AH1.13 as the project is built.

AHF4. The Commission adopts the written testimony of Commission staff in the 2/21/12 staff report and finds that the Applicant has complied with the integration requirements of MPS AH1.9 (*Size and Integration of the Affordable Units*) through the project’s design, and that the Commission finds the unit size requirement in MPS AH1.9 is not applicable.

AHF5. The Commission finds it shall condition the project such that the final apportionment among unit sizes as required by MPS AH1.9 is to be determined when the final unit and floor plans are developed.

AHF6. The Commission finds the Applicant has complied with MPS AH2.1 (*Non-Discrimination*) and MPS AH2.2 (*Visit-ability and/or Accessibility*) through the project's design, and that the Commission shall condition the project to ensure compliance with MPS AH2.1 and MPS AH2.2 as the project is built.

AHF7. The Commission finds that the Applicant has complied with MPS AH2.3 (*Affirmative Marketing and Tenant Selection*), and that the Commission shall condition the project to require that the Applicant's marketing/selection plan as it is finalized shall include similar elements and be consistent with affirmative marketing and selection policies as described in the Local Initiative Program Affirmative Fair Housing Marketing Plan guidelines.

AHF8. The Commission finds that MPS AH1.2 (*Ten Percent Requirement for Subdivisions of 10-plus Lots*) does not apply because the project does not involve a residential subdivision of 10 or more lots.

AHF9. The Commission finds that MPS AH1.3 (*Cash Contribution Option*), MPS AH1.5 (*Offsite Option Criteria*), MPS AH1.6 (*Location of Offsite Option*) and MPS AH1.7 (*Timing of Offsite Contributions*) do not apply because the Applicant will comply with MPS AH1.1 by providing onsite units.

AHF10. The Commission finds that MPS AH1.14 (*No Reduction in Number of Existing Units*) does not apply because the project does not result in the reduction of non-condemned residential units.

AHF11. The Commission finds that MPS AH2.4 (*Relocation Requirement*) does not apply because the project does not result in the dislocation of existing residential occupants.

AHF12. The Commission finds that MPS AH3.1 (*Mitigation Standard*), MPS AH3.2 (*Alternate Mitigation Calculation Option*), MPS AH3.3 (*Annual Adjustment of Mitigation*), MPS AH3.4 (*On-site Units Option*), and MPS AH3.5 (*Redevelopment/Change of Use*) are not applicable because the proposed project is a residential development that is required to comply with MPS AH1.1.

AHF13: The Commission finds the proposed development complies with BDP AH1.16 (*Priority Affordable Rental Housing*).

Heritage Preservation and Community Character Findings

HPCCF1. The Commission finds the project is consistent with HPCC1.1, HPCC1.2 and HPCC1.3 because the proposed project is located outside of any historic districts, because there are no historic structures or cultural landscapes on the site, and based on a July 18, 2011 letter from the Massachusetts Historical Commission which determined that a "review of the Inventory of Historic and Archaeological Assets of the Commonwealth did not identify any historic or archaeological properties within the property".

HPCCF2. The Commission adopts the written testimony of Commission staff in the 2/21/12 staff report and finds the proposed project is consistent with MPS HPCC2.3 (*Avoid Adverse*

Visual Impacts) as Route 124 in the vicinity of the project is not designated as a scenic roadway, the roadway is characterized by wooded road edges that will remain with the proposed project, that the building structure is over 200 feet from Route 124, and that the project will be screened from Route 124 by existing vegetation, proposed landscaping and residences.

HPCCF3. The Commission finds the project is consistent with MPS HPCC2.4 (*Consistency with Regional Context*) as it is not located in a historic district, is not located in a village center, is not a cultural landscape and does not contain historic properties and is consistent with MPS HPCC2.5 (*Footprints Over 15,000 Square Feet*) as the building's multiple distinct masses, façade and roofline variation, roof shape and pitch, and building materials are consistent with the region's development patterns and massing requirements for large buildings (over 15,000 square feet).

HPCCF4. The Commission finds the proposed project is consistent with MPS HPCC2.6 (*Building Forms and Facades*) which requires 10 feet of variation for every 50 feet of façade length and with the Commission's Design Guidelines Technical Bulletin 96-001 (as amended).

HPCCF5. The Commission finds the Applicant has complied with MPS HPCC2.10 (*Landscape Plan Requirements*) by submission of draft landscape and turf management plans, by retaining a buffer of existing vegetation of between 72 feet and 96 feet in width from the edge of proposed development to property line, by providing permanently protected open space adjacent to adjoining properties, and by adding additional landscaping, and that the Commission shall condition the project to ensure compliance with MPS HPCC2.10 as the project is built.

HPCCF6. The Commission finds the Applicant has complied with MPS HPCC2.11 (*Exterior Lighting*) through submission of proposed exterior lighting designs and plans, and that the Commission shall condition the proposed project to ensure compliance with MPS HPCC2.11 as the project is built.

HPCCF7. The Commission finds the proposed development complies with BDP HPCC2.19 (*Multiple Stories*).

CONCLUSION

Based on the above findings, the Commission hereby concludes:

1. That upon satisfaction of the conditions identified in this decision, the proposed development is consistent with the 2009 Regional Policy Plan (as amended).
2. Brewster does not have a Local Comprehensive Plan which has been certified by the Cape Cod Commission as consistent with the Regional Policy Plan as outlined in Finding GF4.
3. If the development successfully obtains the required local permits, the proposed development is consistent with Brewster's local development by-laws/ordinances, provided it receives a Special Permit from the Planning Board, a variance from the Zoning Board of Appeals, and Planning Board Site Plan Review as outlined in Finding GF5.

4. The development is not located within Brewster's Water Resources Protection District of Critical Planning Concern nor any other District of Critical Planning Concern as outlined in Finding GF6.
5. That the probable benefit of the proposed project is greater than the probable detriment. This conclusion is supported by Finding GF7.

CONDITIONS

The Commission hereby approves, with conditions, the DRI application of Coridian Associates LLC for the proposed residential care facility to be located at 0 Harwich Road/Route 124, Brewster, MA provided the following conditions are met:

General Conditions

GC1. This decision is valid for a period of 7 years and local development permits may be issued pursuant hereto for a period of 7 years from the date of this written decision.

GC2. The Applicant shall obtain all necessary federal, state, and local permits for the proposed project.

GC3. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, and remain in compliance herewith, shall be deemed cause to revoke or modify this decision.

GC4. No development work, as the term "development" is defined in the Cape Cod Commission Act, shall be undertaken until all appeal periods have elapsed or, if such an appeal has been filed, until all judicial proceedings have been completed.

GC5. Prior to issuance of a Preliminary Certificate by the Cape Cod Commission for any proposed "development" as defined by the Cape Cod Commission Act and as approved herein, the Applicant shall submit final plans as approved by state, federal, and local boards for review by Commission staff to determine their consistency with this decision. If Commission staff determines that the final plans are not consistent with those plans approved as part of this decision, the Commission shall require that the Applicant seek a modification to this decision in accordance with the Modification section of the Commission's *Enabling Regulations* in effect at the time the modification is sought.

GC6. All development shall be constructed in a manner consistent with the following plans and other information described below:

- 1/6/12 Site Development Plans, by Kelly Engineering Group: Sheets 1 – Cover Page, 2 – Existing Conditions Plan, 3 – Overall Site Plan, 4 – Layout Plan, 5 – Grading & Drainage Plan, 6- Utility Plan, 7-Details Sheet, 8 – Details Sheet
- 1/6/12 Interior and Exterior Architectural Drawings, by TAT/The Architectural Team: Sheets TO.01 – Cover Sheet, A1.00 – Ground Floor Plan, A1.01 – First Floor Plan, A1.02 – Second Floor Plan, A1.03 – Roof Plan, A4.01 to A4.04 - Exterior Elevations, A5.01 – Building Sections

GC7. Prior to the issuance of a Building Permit, the Applicant shall obtain a Special Permit from the Brewster Planning Board for use, a variance for height from the Brewster Zoning Board of Appeals, and Planning Board Site Plan Review.

GC8. Prior to any development as defined by the Act, the Applicant shall obtain a Preliminary Certificate of Compliance from the Commission that states that all conditions in this decision required to have been met for issuance of a Building Permit or a Preliminary Certificate of Compliance have been met. Such Certificate of Compliance shall not be issued unless all applicable conditions have been complied with. Prior to the issuance of a Building Permit for development, the Applicant shall obtain a Preliminary Certificate of Compliance from the Commission that states that all conditions in this decision pertaining to issuance of a Building Permit have been met. Such Certificate of Compliance shall not be issued unless all conditions connected to the Preliminary Certificate of Compliance have been complied with.

GC9. Prior to issuance of a Certificate of Use/Occupancy, the Applicant shall obtain a Final Certificate of Compliance from the Commission that states that all conditions pertaining to issuance of a Certificate of Use/Occupancy or a Final Certificate of Compliance have been met. Such Certificate of Compliance shall not be issued unless all conditions connected to the Final Certificate of Compliance have been complied with.

GC10. Prior to the issuance of a Preliminary, the Applicant shall provide written proof to the Commission that a copy of this decision has been provided to the general contractor(s) at least thirty (30) calendar days prior to commencement of any development at the site.

GC11. The Applicant shall notify Commission staff in writing at least thirty (30) calendar days prior to its intent to seek a Preliminary and Final Certificate of Compliance. Such notification shall include a list of key contact(s), along with their telephone numbers, mailing addresses, and email addresses, for questions that may arise during the Commission's compliance review. Commission staff shall complete an inspection under this condition, if needed, and inform the Applicant in writing of any deficiencies and corrections needed. The Commission has no obligation to issue any Certificate of Compliance unless and until all conditions are complied with.

GC12. The Applicant agrees to allow Commission staff to enter onto the property, which is the subject of this decision, after reasonable notice to the Applicant, for the purpose of determining whether the conditions contained in this decision including those linked to each Preliminary and Final Certificate of Compliance have been met.

GC13. If all required building and site work is not complete at the time a Final Certificate of Compliance is sought by the Applicant from the Commission, any work that is incomplete shall be subject to an escrow agreement of form and content satisfactory to Commission counsel. The amount of the escrow agreement shall equal 150% of the cost of that portion of the incomplete work, including labor and materials. The escrow agreement may allow for partial release of escrow funds upon partial completion of work. Funds to secure the escrow agreement shall be payable to the *Barnstable County Treasurer* with the work approved by Commission staff per the escrow agreement prior to release of the escrow funds. Unexpended escrow funds shall be returned to the Applicant, with interest, upon completion of the required work. All site work secured by this Condition and the escrow agreement, if necessary, shall be completed within six (6) months of issuance of a Final Certificate of Compliance from the Commission.

Land Use Conditions

LUC1. In accordance with Finding LUF6, prior to the start of construction of the building's foundation the Applicant shall install buffer plantings identified in four (4) areas as identified as

A, B, C and D on the annotated plan attached as Exhibit B to this decision in connection with Conditions LSDC1 and LSDC2 in order to meet the requirements of MPS LU3.1.

Economic Development Conditions

EDC1. The Applicant shall implement the following:

From 3/12/12 Supplemental Memorandum:

- The Applicant shall Preserve significant bordering natural forested open space and additional buffering vegetation adjacent to campground boundary as identified on the plan entitled *Open Space Exhibit, MP Renaissance, o Harwich Road, Brewster, MA dated 4/12/12*
- The Applicant shall Cluster of the facility and site development in the center of the property as identified on the plan entitled *Overall Layout Plan, MP Renaissance, o Harwich Road, Brewster, MA dated 1/08/12 by Kelley Engineering Group*

From 5/1/12 Supplemental Memorandum:

- Construction timing: No construction on Saturdays and Sundays
- Construction timing: Construction hours shall be limited to 8:00 AM to 6:00 PM, Monday – Friday
- Clearing, grading, foundation, and framing work may only be performed between Labor Day and June 15th of the year that such construction takes place
- No construction shall be allowed vehicles on Campground driveway through the Property as identified on the plan entitled *Overall Layout Plan, MP Renaissance, o Harwich Road, Brewster, MA dated 1/08/12 by Kelley Engineering Group*
- There shall be no impact to the Campground driveway through the Property as identified on the plan entitled *Overall Layout Plan, MP Renaissance, o Harwich Road, Brewster, MA dated 1/08/12 by Kelley Engineering Group*
- There shall be no stockpiling of materials next to the Campground boundary as identified on the plan entitled *Overall Layout Plan, MP Renaissance, o Harwich Road, Brewster, MA dated 1/08/12 by Kelley Engineering Group*
- The Applicant shall implement extensive erosion control and a Stormwater Pollution Prevention Plan ensuring dust control and sediment control
- The Applicant shall ensure contractor complies with DEP emissions standards (idling restrictions)
- The Applicant shall install approved additional buffering vegetation after grading and clearing and prior to the start of construction of the building's foundation in order to provide additional noise mitigation during construction as identified on Exhibit B

Water Resources Conditions

WRC1. Prior to issuance of a Building Permit by the Town of Brewster, and prior to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall submit the Groundwater Discharge Permit application to Commission staff for review and approval. Title 5 wastewater design flow shall not exceed 20,000 gallons per day. Information included in the submittal shall demonstrate compliance with MPS WR6.7 and MPS WR6.8.

WRC2. The Applicant shall submit copies of groundwater discharge monitoring reports, including water levels for existing monitoring well MW-3 (as identified in the Hydrogeologic Evaluation, Plan GW-1, dated June 21, 2011) to the Commission at the same time these reports are submitted to the Massachusetts Department of Environmental Protection.

WRC3. For a period of one (1) year, water levels from existing monitoring well MW-3 and proposed monitoring wells PMW-1, PMW-2, PMW-3, and PMW-4 (Hydrogeologic Evaluation, Plan GW-1, dated June 21, 2011) shall be measured monthly and used to contour water table elevations at the project site on a site map of the same size and scale as previously submitted Plan GW-1. The groundwater flow direction for the latest measurements shall be indicated on the map with an arrow. Arrows which indicate groundwater flow directions determined from previous measurements, including measurements from the Hydrogeologic Evaluation, shall also be included on the same site map. The Applicant shall submit copies of water level monitoring reports to the Commission at the same time these reports are submitted to the Massachusetts Department of Environmental Protection.

WRC4. If any monthly report/site map produced as required by conditions WRC2 and WRC3 indicates the project does not comply with MPS WR6.2, the Applicant shall submit a Return to Compliance Plan for Commission staff review and approval within ten (10) business days of submission of the reports to the Department of Environmental Protection as described in conditions WRC2 and WRC3. The Return to Compliance Plan shall detail a groundwater quality monitoring plan that incorporates new water level and groundwater flow information so that compliance with MPS WR6.2 can be assured in groundwater at the downgradient property boundary.

WRC5. Prior to issuance of a Building Permit by the Town of Brewster, and prior to issuance of a Preliminary Certificate of Compliance by the Commission, the Stormwater Management Report shall be updated to include an Operations and Maintenance Plan for staff review and approval. The Report shall be certified by a Professional Engineer licensed in the state of Massachusetts to comply with all MPS in Regional Policy Plan Section WR7. The Operations and Maintenance Plan shall identify the responsible party, provide contact information, and contain a schedule for inspections and maintenance.

WRC6. Prior to issuance of a Building Permit by the Town of Brewster, and prior to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall submit bid level construction plans for Commission staff review and approval. The plans shall detail grading, drainage structures and construction sequencing that ensures erosion controls that comply with MPS WR7.9

WRC7. In accordance with MPS WR7.10, one year from completion of the stormwater management system, a Professional Engineer shall inspect the system and submit a letter for Commission staff review and approval certifying that the stormwater management system was installed and functions as designed.

Wildlife and Plant Habitat Conditions

WPHC1. In accordance with Finding WPHF2, prior to start of construction of the building's foundation, the Applicant shall install buffer plantings identified in four (4) areas identified as A, B, C and D on the annotated plan attached as Exhibit B to this decision consistent with Conditions LSDC1 and LSDC2 to meet the requirements of MPS WPH1.2 and MPS WPH1.3.

Open Space Conditions

OSC1. In accordance with Finding OSF4, prior to the issuance by the Town of Brewster of a Building Permit, and prior to issuance by the Commission of a Preliminary Certificate of Compliance, the Applicant shall provide the Commission with a conservation restriction

consistent with Massachusetts General Laws Chapter 184, Section 31 – 33 and accompanying plan which provides that 12.8 acres identified as open space on the plan titled *Open Space Exhibit, M.P. Renaissance, o Harwich Road, Brewster, MA*, dated 4/12/12, shall be preserved as permanent open space. The restriction, grantee, and site plan shall be provided for review and approval by Commission Counsel.

OSC2. Prior to issuance by the Town of Brewster of a Certificate of Use/Occupancy, and prior to issuance by the Commission of a Final Certificate of Compliance, the Applicant shall provide to the Commission proof of recording of the Commission-staff approved restriction, grantee and plan at the Barnstable County Registry of Deeds or Registry District of the Land Court.

OSC3. In accordance with Finding OSF7, prior to the start of construction of the building's foundation, the Applicant shall install buffer plantings identified in four (4) areas as identified in as A, B, C and D on the annotated plan attached as Exhibit B to this decision consistent with Conditions LSDC1 and LSDC2 in order to meet the requirements of MPS OS1.6.

Transportation Conditions

TC1. To comply with MPS TR2.1, the Applicant shall implement a trip reduction plan to reduce new vehicle trips in and out of the site by 25% over what is typically expected for the land use. Based on the increase in average daily traffic of 332 trips per day, the trip reduction requirement for this project is 83 [332 x .25] daily vehicle trips. The Applicant has proposed the following trip reduction plan that will reach out to employees as well as residents of the facility:

1. Carpool/vanpool matching program;
2. Dissemination of promotional materials to residents and employees;
3. Newsletters about the program;
4. Coordination with MassRides which leases commuter vans and provides administrative and organizational assistance;
5. An on-site transportation coordinator will be assigned to coordinate the traffic reduction program for the project;
6. The transportation coordinator will work with the Town of Brewster, the Massachusetts Department of Transportation (MassDOT) and the Cape Cod Commission (CCC) to develop the elements of the traffic reduction program for the project;
7. A shuttle service will be provided for residents of the project for transportation to medical visits, shopping and recreational opportunities, and to provide access to the Hyannis Transportation Center for both residents and employees. The shuttle service will be owned and operated by the project proponent, with services provided at no additional cost to residents and employees;
8. Designated parking spaces will be provided on-site for car/vanpools and alternatively fueled vehicles;
9. A guaranteed-ride-home program will be provided for employees that car/van pool for emergencies that may arise during the workday;
10. All employees will be provided with information regarding available public transportation resources, schedules, fare information, and stop/terminal locations. This information will also be made available to residents of the project;
11. Direct deposit of employee payroll checks will be offered;
12. On-site services to decrease off-site trips by employees including a lunch room equipped with a microwave and refrigerator will be available to employees of the

project. In addition, employees will be able to purchase prepared foods offered as a part of the dining services available to residents;

13. Sidewalks and pedestrian areas will be provided within the project;
14. Lighting will be provided within the project and around the building perimeters;
15. Full handicapped access will be provided within the project;
16. The project will include provision of safe, secure, weather protected bicycle racks and/or storage lockers. Signs will be provided at appropriate locations within the project directing bicyclists to the bicycle storage facilities;
17. The project will provide on-site services including a common dining facility, social and recreational activities and wellness and health care programs;

Prior to issuance by the Commission of a Final Certificate of Compliance, and prior to issuance by the Town of a Certificate of Use/Occupancy, Commission staff will conduct a site visit to confirm that the trip reduction program has been established and is in place.

TC2. The Applicant shall, in consultation with the Cape Cod Commission and the Town of Brewster, conduct a traffic monitoring and reporting program which will include a survey of residents and employee participation in the Transportation Demand Management program. The traffic monitoring program will include measuring traffic volumes at the access points to the project over a continuous 7-day, week-long period and will be conducted at 12 and 24 months after issuance by the Commission of a Final Certificate of Compliance and after issuance by the Town of Brewster the Certificate of Use/Occupancy for the project. The results of the traffic monitoring and reporting program will be provided to the Cape Cod Commission and Town of Brewster and will be used, in part, to develop additional strategies as necessary to increase and expand the TDM program.

TC3. Prior to issuance by the Commission of a Final Certificate of Compliance, and prior to issuance by the Town of Brewster of a Certificate of Use/Occupancy, the Applicant shall provide a Fair-Share mitigation payment of \$52,807 to the *Barnstable County Treasurer* to be used as detailed in MPS TR3.16.

TC4. Prior to issuance by the Commission of a Final Certificate of Compliance, and prior to issuance by the Town of Brewster of a Certificate of Use/Occupancy, to ensure compliance with MPS TR1.6, Commission staff will conduct a site visit to confirm that no signs, vegetation, or other visual obstructions have been placed in a manner that would create an obstruction to safe sight distance at the site drive.

TC5. Prior to issuance by the Commission of a Preliminary Certificate of Compliance, and prior to issuance by the Town of Brewster of a Building Permit, to be consistent with MPS TR 0.3, the Applicant shall obtain all necessary approvals and permits for site access and egress and submit copies to Commission staff.

TC6. Prior to issuance by the Commission of a Final Certificate of Compliance, and prior to issuance of by the Town of Brewster of a Certificate of Use/Occupancy, to comply with BMP TR2.16 and BMP TR2.19 as stated in the project benefits outlined on Finding GF7, the Applicant shall install one or more bike racks on site, and shall provide a minimum of four (4) carpool/vanpool parking spaces to serve office staff and other users.

Hazardous Waste Management Conditions

HWC1. In accordance with Findings HWF4 and HWF5, prior to issuance of a Building Permit by the Town of Brewster, and prior to issuance of a Preliminary Certificate of Compliance by the Commission, the Applicant shall, provided the development generates such waste, submit to Commission staff evidence, as needed, of: (a) registration with or notification to the Massachusetts Department of Environmental Protection as a generator of Hazardous Waste; (b) a written plan or protocol to manage the Hazardous Waste prior to disposal; and (c) a signed contract with a registered, licensed company to dispose of the Hazardous Waste have been implemented for the project's construction phase consistent with MPS WM1.5 (*Compliance with Massachusetts Hazardous Waste Regulations*).

HWC2. In accordance with Findings HWF4 and HWF5, prior to issuance of a Certificate of Use/Occupancy by the Town of Brewster, and prior to issuance of a Final Certificate of Compliance by the Commission, the Applicant shall, provided the development generates such waste submit to Commission staff evidence, as needed, of: (a) registration with or notification to the Massachusetts Department of Environmental Protection as a generator of Hazardous Waste; (b) a written plan or protocol to manage the Hazardous Waste prior to disposal; and (c) a signed contract with a registered, licensed company to dispose of the Hazardous Waste have been implemented for the operational phase consistent with MPS WM1.5 (*Compliance with Massachusetts Hazardous Waste Regulations*).

Solid Waste Management Conditions

SWC1. In accordance with Finding SWF1, prior to issuance of a Building Permit by the Town of Brewster, and prior to commencement of construction/land clearing, and prior to issuance by the Commission of a Preliminary Certificate of Compliance, the Applicant shall submit for Commission staff review and approval evidence that contractors have been provided with a copy of the plans and programs outlined in a May 17, 2012 Memo entitled "*Cape Cod Commission, MP Renaissance, Brewster; Supplemental Submission (May 17, 2012)*" which are consistent with MPS WM2.1 (*Construction Waste*) and MPS WM2.2 (*C&D Waste Plan*).

SWC2. In accordance with Finding SWF1, prior to issuance of a Certificate of Use/Occupancy by the Town of Brewster, and prior to issuance by the Commission of a Final Certificate of Compliance, the Applicant shall submit for Commission staff review and approval evidence that the plans and programs as outlined in a part of a May 24, 2012 Memo entitled "*Yarmouth Mayflower Place Inc.; 579 Buck Island Road; West Yarmouth Mass. 02673; I. Recycling Areas; II. Cardboard*" have been implemented consistent with MPS WM2.3 (*Post Construction Waste*).

Energy Conditions

EC1. In accordance with Finding EF1, the development shall adhere to the selected ENERGY STAR National Attached Builder Option Package specifications submitted by the Applicant to the Commission on November 14, 2011.

EC2. In accordance with Finding EF1, prior to issuance of a Building Permit by the Town of Brewster, and prior to issuance by the Commission of a Preliminary Certificate of Compliance, the Applicant shall submit for Commission staff review and approval evidence from the project architect confirming that Condition EC1 has been met.

EC3. In accordance with Finding EF2, the project shall be designed consistent with the energy analysis submitted by the Applicant to the Commission dated November 14, 2011 which

specified a 136 kilowatt rooftop PV array, composed of 327 watt photovoltaic panels as depicted on roof drawing A1.03, submitted by TAT (dated 1/6/12, revised 2/24/12).

EC4. In accordance with Finding EF2 and Condition EC3, prior to issuance of a Certificate of Use/Occupancy by the Town of Brewster, and prior to issuance by the Commission of a Final Certificate of Compliance, the Applicant shall install the photovoltaic panels. Commission staff must conduct a site visit to verify compliance with conditions EC3 and EC4.

Affordable Housing Conditions

AHC1. To ensure compliance with MPS AH1.1 (*Residential Requirement*), MPS AH1.4 (*Calculation of Affordable Units*), MPS AH 1.8 (*Timing and Mix of Units*), MPS AH 1.11 (*Pricing and Rents of the Affordable Units*), and AH 1.12 (*Permanent Affordability*), the Applicant shall submit for Commission staff review and approval an affordable housing restriction and then submit a copy of the approved restriction that has been recorded at the Barnstable County Registry of Deeds prior to issuance of a Preliminary Certificate of Compliance by the Commission and prior to issuance of a Building Permit by the Town of Brewster.

At a minimum, the affordable housing restriction shall contain the following requirements:

- Seven affordable assisted living one bedroom units and seven affordable memory care studio units with affordable unit square footage sizes apportioned in a similar proportion as those of the market rate units.
- Maximum household income eligibility of 80% of the U.S. Department of Housing and Urban Development (HUD) area median income (AMI), adjusted for household size, with income eligibility determined in accordance with Barnstable County HOME Consortium guidelines (24 CFR Part 5).
- Maximum monthly rent and service charges for the affordable assisted living one bedroom units calculated at 75% of the income of a household at the 80% AMI, based upon the HUD standard of using the income of a 1.5 person household for a one bedroom unit. The maximum monthly rent and service charges for the affordable memory care studio units calculated at 75% of the income of a household at the 80% AMI, based upon the HUD standard of using the income of a one person household for a studio unit.
- The maximum rents shall be the HUD "high" HOME rents.
- The standard package for assisted living units includes the following:
 - A. Assisted Living Housing Unit (one bedroom);
 - B. Electric and HVAC utilities;
 - C. One meal (dinner) per day;
 - D. Standard housekeeping services;
 - E. 45 minutes per day of hands-on direct care relating to life care needs with activities of daily living (ADL) with a nurse's assistant;
 - F. Standard facility-wide transportation (i.e., shuttle to shopping, etc.);
 - G. Emergency call system for each residential unit;
 - H. Social, recreational, and health promotion activities; and
 - I. Access to onsite bank, hair salon, therapy and massages, and clinic.

Not included and subject to additional costs are the following:

- A. Additional meals per day;

- B. Cable TV, telephone, and internet access;
- C. Apartment furnishings;
- D. Additional hands-on daily care (ADL);
- E. Prescriptions and medications; and
- F. Medical or physician-oriented treatment.

- The standard package for memory care units includes the following:

- A. Memory Care Housing Unit (studio that includes a sleeping area);
- B. Electric and HVAC utilities;
- C. Three (3) meals per day;
- D. Standard housekeeping services;
- E. Nursing care as needed;
- F. Hands-on direct care relating to life care needs (ADL) as needed;
- G. Standard facility-wide transportation;
- H. Emergency call system for each residential unit;
- I. Social, recreational, and health promotion activities; and
- J. Access to onsite bank, hair salon, therapy and massages, and clinic.

Not included and subject to additional costs are the following:

- A. Cable TV, telephone, and internet access (all only as appropriate);
- B. Apartment furnishings;
- C. Prescriptions and medications; and
- D. Additional medical or physician-oriented treatment.

AHC2. Prior to issuance of a Preliminary Certificate of Compliance by the Commission, and prior to issuance of a Building Permit by the Town of Brewster, to ensure compliance with MPS AH1.8 (*Timing and Mix of Units*), the Applicant shall submit for Commission staff review and approval construction plans and a chart that shows unit square foot sizes with a similar proportion of affordable and market rate units among the various sized units.

AHC3. Prior to issuance of a Preliminary Certificate of Compliance by the Commission, and prior to issuance of a Building Permit by the Town of Brewster, to ensure compliance with MPS AH 1.9 (*Size and Integration of the Affordable Units*) and MPS AH 2.2 (*Visit-ability and/or Accessibility*), the Applicant shall submit for Commission staff review and approval construction plans and specifications that show at least two (2) of the affordable units are handicapped accessible and can be lived in by handicapped persons and/or meet visit-ability standards.

AHC4. To ensure compliance with MPS AH1.10 (*ENERGY STAR requirement*), the Applicant shall submit for Commission staff review and approval final construction plans and specifications and also submit an architect's certification that the final plans are consistent with the ENERGY STAR National Attached Builder Option Package Specifications or submit a preliminary Home Energy Rating System (HERS) analysis of the plans and specifications by a certified independent HERS rating company prior to issuance of a Building Permit by the Town of Brewster and prior to issuance of a Preliminary Certificate of Compliance by the Commission.

AHC5. To ensure compliance with MPS AH1.11 (*Pricing and Rents of the Affordable Units*), the Applicant shall submit for Commission staff review and approval the final proposed rents and service charges for all affordable units prior to issuance of a Preliminary Certificate of Compliance by the Commission and issuance of a Building Permit by the Town of Brewster.

AHC6. To ensure compliance with MPS AH1.13 (*Monitoring of Affordability*), the Applicant shall submit for Commission staff review and approval a proposed monitoring agent(s) and a draft monitoring agreement and such approved monitoring agreement shall be executed with the agreed-upon monitoring agent prior to issuance of a Preliminary Certificate of Compliance by the Commission and prior to issuance of a Building Permit by the Town of Brewster.

AHC7. To ensure compliance with MPS AH2.1 (*Non-discrimination*) and MPS AH2.3 (*Affirmative Marketing and Tenant Selection*), the Applicant shall submit for Commission staff review and approval an affirmative marketing and tenant selection plan that has similar elements and is consistent with affirmative marketing and selection policies as described in the Local Initiative Program (LIP) Affirmative Fair Housing Marketing Plan guidelines prior to issuance of the Preliminary Certificate of Compliance by the Commission and prior to issuance of a Building Permit by the Town of Brewster.

Community Character Conditions

Landscape Design

LSDC1. To ensure compliance with MPS HPCC2.10, prior to issuance by the Town of Brewster of a Building Permit, and prior to issuance by the Commission of a Preliminary Certificate of Compliance, the Applicant shall submit for Commission staff review and approval final landscape plans with planting details that are in accordance with the draft plans sent to the Commission by Hawk Design dated 1/6/12, revised 3/13/12.

LSDC2. In accordance with Finding HPCCF5, and to ensure compliance with MPS HPCC2.10, prior to the start of construction of the building's foundation, the Applicant shall implement those four (4) areas identified by the number 1 ("1") on the landscape plan submitted by Hawk Design dated 1/6/12, revised 3/13/12 which strengthen buffer plantings at the site perimeters with the specified plant mix to ensure screening for abutters during construction activities. Specifically, the type of plants as identified on Exhibit B, or as may be modified with prior approval by Commission staff, shall be installed in each of the four (4) areas identified as A, B, C and D on the annotated plan attached to this decision as Exhibit B.

LSDC3. In accordance with Finding HPCCF5, and to ensure compliance with MPS HPCC2.10, prior to issuance by the Town of Brewster of a Certificate of Use/Occupancy, and prior to issuance by the Commission of a Final Certificate of Compliance, the Applicant shall implement the remaining portions of the landscape plan submitted by Hawk Design dated 1/6/12, revised 3/13/12.

LSDC4. To ensure compliance with MPS HPCC2.10, prior to issuance by the Town of Brewster of a Building Permit, and prior to issuance by the Commission of a Preliminary Certificate of Compliance, the Applicant shall provide for Commission staff review and approval a landscape maintenance agreement which runs for a minimum of three (3) growing seasons to ensure vegetation is properly established.

Exterior Lighting

EXLC1. In accordance with Finding HPCCF6, all exterior lighting for the development, including but not limited to site, building and sign lighting shall be in conformance with MPS HPCC2.11. In addition, all exterior lighting for the development shall be in conformance with the 1/6/12 Landscape Plans, by Hawk Design: *Sheet L6-Site Lighting Plan* and *Sheet L6.1-Site*

Lighting Plan Legend and with the 10/25/11 Site Lighting Cut Sheets and Photometric information submitted by Attorney Singer.

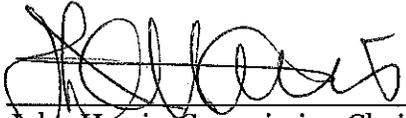
EXLC2. In accordance with Finding HPCCF6, prior to issuance of by the Town of Brewster of a Building Permit, and prior to issuance by the Commission of a Preliminary Certificate of Compliance, the Applicant shall submit for Commission staff review and approval information on exterior lighting for the site and building to confirm that the design selected is consistent with MPS HPCC2.11 and Technical Bulletin 95-001 (as amended).

EXLC3. If changes are made to the exterior lighting design as construction proceeds, prior to selection and installation of exterior lighting fixtures, the Applicant shall submit for Commission staff review and approval additional exterior lighting design information sufficient to allow Commission staff to determine if the proposed alternate fixtures are consistent with conditions EXLC1 and EXLC2. Alternate exterior light fixtures found to be consistent with condition EXLC1 and with EXLC2 may be utilized upon written Commission staff approval.

EXLC4. In accordance with Finding HPCCF6, prior to issuance by the Town of the Certificate of Use/Occupancy, and prior to issuance by the Commission of the Final Certificate of Compliance, Commission staff must conduct a site visit to verify conformance with conditions EXLC1 and EXLC2. If this inspection finds that the installed exterior lighting design is inconsistent with conditions EXLC1 and/or EXLC2, the Applicant shall make amendments and changes necessary to bring the lighting design into compliance with conditions EXLC1 and EXLC2. If such adjustments are required, Commission staff must conduct a site inspection to verify the adjusted design is consistent with conditions EXLC1 and EXLC2. Such adjustments and inspections to the exterior lighting design shall occur prior to prior to issuance of a Final Certificate of Compliance and prior to issuance of a Certificate of Use/Occupancy.

SEE NEXT PAGE FOR SIGNATURES

SIGNATURES



John Harris, Commission Chair

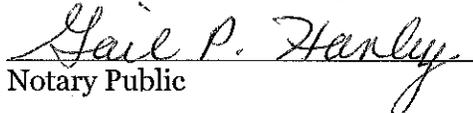
02 Aug 2012
Date

COMMONWEALTH OF MASSACHUSETTS

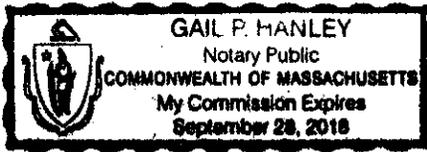
Barnstable, ss

August 2, 2012

Before me, the undersigned notary public personally appeared John Harris in his capacity as Chairman of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he 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: 9-28-18



A TABLE OF MATERIALS SUBMITTED FOR THE RECORD
Exhibit A

EXHIBIT A: A Table of Materials Submitted for the Record	
Materials from Cape Cod Commission	Date Sent
Letter, AA to Attorney Andrew Singer (Attorney Singer), with attachments: Preliminary comments on anticipated new application <i>Attachments: Draft Water Resources comments dated 12/29/11</i>	1/6/12
Email, AA to Attorney Singer: Request for new Abutton's List	1/9/12
Email, Scott Michaud (SM) to AA: Water Resources comments	1/12/12
Email, AA to Attorney Singer: Additional comments on Water Resources issues	1/12/12
Email, AA to Commission Staff: New Application filed; Seeking completeness comments	1/13/12
Email, PD to AA: Comments on application	1/13/12
Email, AA to Attorney Singer and Kristy Senatori (KS), Gail Hanley (GH) and SM: Tentative hearing date and DRI application	1/13/12
Email, AA to Jeffrey Ford: Withdrawal of MP Renaissance and receipt of re-referral of project from Brewster	1/3/12
Letter, GH to Attorney Singer with attachment: Receipt of DRI Referral from Brewster <i>Attachment: Cover Memo and Referral Form</i>	1/17/12
Email, AA to KS and GH: Seeking dates for public hearing	1/17/12
Email, PR to Attorney Singer and AA: Clarify Affordable Housing issues	1/17/12
Email, AA to Jeffrey Ford: New DRI application received; File Review	1/19/12
Email, Tabitha Harkin (TH) to AA: Completeness comments	1/18/12
Email, Ryan Christenberry (RC) to AA: Completeness comments	1/19/12
Email, AA to Jeffrey Ford: New DRI application received; File Review	1/19/12
Email, AA to Jeffrey Ford: Dates/times for File Review	1/19/12
Email, AA to Glenn Cannon (GC), Heather McElroy (HM) and Leslie Richardson (LR): Seeking completeness comments	1/19/12
Email, HM to AA: Completeness comments	1/19/12
Email, Commission Member Elizabeth Taylor to AA: Scheduling hearing and ability to videotape at Town Hall	1/19/12
Email, LR to AA: Completeness Comments - Need new staffing plan	1/20/12
Email, Paul Ruchinskis (PR) to AA: Completeness comments	1/20/12
Email, GC to AA: Completeness comments	1/23/12
Email, AA to Attorney Singer: Date/time/place for public hearing	1/23/12
Email, Commission Member Elizabeth Taylor to AA: DRI timeline	1/25/12
Email, AA to Commission Member Taylor: Scheduling hearing and DRI timeline	1/26/12
Email, Commission Member Taylor to AA: Scheduling hearing	1/26/12
Email, AA to Attorney Singer with attachment: Letter on Application completeness	1/30/12
Letter, AA to Attorney Singer: Letter on Application completeness	1/30/12
Email, AA to Attorney Singer: Scheduling site visit	1/30/12

Email, AA to Commission Member Taylor: DRI timeline	1/30/12
Email, Commission Member Taylor to AA: DRI timeline	1/30/12
Email, AA to Commission Staff: Hearing date and staff report comments due date	2/1/12
Email, PR to AA: Clarification received from Attorney Singer	2/1/12
Email, AA to Susan Leven, Brewster Town Planner and KS: Comments on project's consistency with Local Bylaws, LCP, DCPCs	2/1/12
Email, AA to Susan Leven and KS: Receipt of comments on project's consistency with Local Bylaws, LCP, DCPCs	2/1/12
Email, AA to Commission Members on Subcommittee: Hearing date/time and site visit date/time	2/3/12
Email, AA to SM and TH with attachment: Copy of plan showing turf/lawn areas	2/7/12
Email, SM to AA: Response to plan showing turf/lawn areas	2/7/12
Email, PR to AA with attachment: Draft staff report comments	2/7/12
Email, AA to Attorney Singer: Seeking staffing plan and determination on entity to hold proposed Conservation Restriction	2/7/12
Email, AA to GC, LR, RC, TH, HM: Staff report comments due date	2/9/12
Email, AA to GH with attachment: Draft project description for draft Hearing Notice	2/9/12
Email, SM to AA: Request to see draft landscaping comments	2/10/12
Email, SM to AA: Seeking 2/13/12 letter from DEP in DRI application	2/10/12
Email, LR to AA with attachment: Draft staff report comments	2/10/12
Email, RC to AA: Draft staff report comments	2/10/12
Email, SM to AA with attachments: Seeking information in DRI file <i>Attachments: 11/28/11 Letter/Memo; 11/28/11 Landscape Maintenance Agreement; 11/11/11 Turf Management and Integrated Pest Management Plan</i>	2/10/12
Email, AA to SM: Discusses Water Resources information in DRI file	2/13/12
Email, AA to LR: Contact Attorney Singer about MPS ED1.4	2/13/12
Email, SM to AA: Seeking draft landscaping comments	2/13/12
Email, AA to SM: Please send draft Water Resources comments	2/13/12
Email, AA to TR with attachment: Turf Management Plan from Attorney Singer	2/13/12
Email, SM to AA: Stormwater Management Plan	2/13/12
Email, SM to AA with attachment: Draft Water Resources comments	2/13/12
Email, HM to TH and AA: Comments related to landscaping	2/13/12
Email, HM to AA with attachment: Draft staff report comments	2/13/12
Email, AA to Commission staff: Best Development Practices analysis	2/13/12
Email, PD to AA: Community Character BDP analysis	2/13/12
Email, RC to AA: Energy section of RPP does not have BDPs	2/13/12
Email, AA to HM: Draft Land Use comments	2/13/12
Email, PR to AA: Affordable Housing BDP analysis	2/13/12
Email, AA to Cindy McGrath, Nutter, McClennen & Fish with attachments: New application filed; Suggests File Review <i>Attachments: Project Description from Attorney Singer</i>	2/13/12
Email, AA to Jeffrey Ford: Public hearing posted on Commission Calendar for 2/28/12 at 6:00 PM at Brewster Town Hall	2/13/12
Email, AA to Attorney Singer: Seeking Turf Management Plan and Integrated Pest Management Plan and DEP letter	2/13/12

Email, AA to Attorney Singer: Request for 7 collated copies of Applicant's materials for Subcommittee mailing	2/13/12
Email, HM to AA with attachment: Revised Land Use comments and Natural Resources and Open Space BPD analysis	2/14/12
Email, SM to AA with attachment: Water Resources BDP analysis	2/14/12
Email, Steven Tupper (ST) to F. Giles Ham (Vanasse & Associates): Seeking updated Level of Service (LOS) analysis of driveway	2/14/12
Email, ST to AA with attachment: Draft Transportation comments and BDP analysis	2/14/12
Printout, Draft Economic Development comments and BDP analysis	2/14/12
Email, AA to Jayanne Sci and Kelly Moore, Brewster Town Hall with attachment: Copy of Hearing Notice and contact information for videographer for hearing	2/14/12
Email, ST to F. Giles Ham and AA: Receipt of Level of Service (LOS) analysis at site drive	2/14/12
Phone Log, AA: Telephone call/Voicemail message left for Attorney Duane Landreth concerning date/time/place of public hearing and question on information submitted as part of withdrawn project	2/14/12
Email, AA to Susan Leven, Chief Koch and Chief Moran: Reminder of hearing date/time/place and comments from Town welcomed	2/14/12
Email, ST to GC and AA with attachments: Revised Transportation comments <i>Attachments: 2/14/12 Memo from F. Giles Ham</i>	2/14/12
Email, AA to KS: Copy of updated comments from ST on LOS analysis	2/14/12
Email, AA to Taree McIntyre and Anne McGuire: Attorney Singer to provide collated sets of Application materials	2/16/12
Email, TH to AA, HM, SM, KS, with attachment: Draft landscaping comments	2/16/12
Email, SM to TH and AA: Comments on draft landscaping comments	2/16/12
Email, TH to AA and KS, with attachment: Draft landscaping comments	2/17/12
Staff Report	2/21/12
Memo, AA to Subcommittee with attachments: Staff Report; 1/6/12 letter on application's completeness; 1/12/12 Email water resources; 1/17/12 letter from Commission Clerk on referral; 1/30/12 letter application's completeness; 2/1/12 Email to Susan Leven; 2/7/12 Email economic development; 2/13/12 Email water resources; 2/14/12 Email transportation; 2/14/12 Email to Susan Leven and Fire/Police Chiefs; Applicant Information; Memo from Susan Leven, DRI Referral Form and Special Permit Application; 2/1/12 Email from Susan Leven; and 2/14/12 Email from Chief of Police Koch, Jr	2/21/12
Email, AA to Commission Staff with attachment: Copy of staff report	2/21/12
Email, GC to AA, ST: Attendance at hearing	2/21/12
Letter, AA to Attorney Singer: DRI Application substantially complete	2/21/12
Email, AA to SL, Attorney Singer with attachmt: Copy of staff report	2/21/12
Email, AA to Don Keeran, APCC, with attachmt: Copy of staff report	2/21/12
Email, AA to Cynthia McGrath, with attachmt: Copy of staff report	2/21/12
Email, AA to Attorney Singer, KS, SL: Correspondence received to date	2/21/12
Email, AA to Attorney Singer, KS, SL, with attachment: Copy of comments from Susan Leven and Chief Koch	2/22/12
Email, AA to Chief Koch and Chief Moran, with attachment: Copy of staff report	2/23/12
Phone Log, AA: Telephone conversation with Lee Bongeolotti, an abutter, concerning 2/28/12 public hearing	2/23/12

Email, AA to James Paul Ludwig: Videotaping 2/28/12 public hearing	2/23/12
Email, AA to Commission Member Elizabeth Taylor: Scheduling continued hearing/meeting	2/23/12
Email, Commission Member Elizabeth Taylor to AA: Continued hearing or meeting in Brewster	2/23/12
Email, AA to Commission Member Elizabeth Taylor: Scheduling continued hearing/meeting – Seeking availability	2/23/12
Email, AA to Marcy at Law Office of Michael Ford with attachmt: Copy of staff report	2/23/12
Email, AA to Marcy at Law Office of Michael Ford: Sent staff report	2/23/12
Email, AA to James Paul Ludwig: Confirm 2/28/12 public hearing date	2/23/12
Email, AA to Law Office of Michael Ford: Confirm 2/28/12 hearing date	2/23/12
Email, AA to James Paul Ludwig: Videotaping 2/28/12 public hearing	2/24/12
Email, AA to Mr. Spear: Acknowledge receipt of Email	2/27/12
Email, TH to AA and HM: Comments on Mr. Spear's Email about landscaping	2/27/12
Email, AA to Attorney Singer and SL: Transmittal of Mr. Spear's comments	2/27/12
Email, AA to Attorney Singer, SL and TH: Transmittal of Tabitha Harkin's comments on Mr. Spear's comments	2/27/12
Email, AA to Commission Staff: Copy of Attorney Singer's Email with attachments	2/27/12
Email, AA to Subcommittee Members with attachment: Reminder of Hearing and Site Visit Attachment: Map to site visit location	2/27/12
Phone Log, AA to Dwayne Landreth: Resubmission of 11/30/11 and 12/8/12 letters and 12/17/12 Email from Heather Rylander	2/28/12
Phone Log, AA to Dwayne Landreth: Not able to locate 12/17/11 Email from Heather Rylander	2/28/12
Email, AA to SM: Comments from NI on small wastewater plants	2/28/12
Email, AA to NI: Receipt of Email on small wastewater plants	2/28/12
Email, AA to Attorney Singer: Forward NI Email on wastewater plants	2/28/12
Email, AA to NI: Please forward a copy of Board of Health Regulation on small wastewater treatment plants	2/28/12
Email, AA to SM, TH and HM: Copy of James Gallagher's comments	2/28/12
Email, AA to James Gallagher: Receipt of comments	2/28/12
Chair's Sheet for Hearing	Used 2/28/12
PowerPoint of Staff Report for 2/28/12 Hearing	Given 2/28/12
Hearing Notice	2/28/12
Sign In Sheet	2/28/12
Minutes of Public Hearing	2/28/12
Email, AA to Kathleen O'Keefe: Receipt of Email with Heather Cestaro's 12/7/11 Email	2/29/12
Email, AA, to Attorney Singer and SL: Heather Cestaro's 12/7/11 Email	2/29/12
Email, GH to Colette Williams, Brewster Town Clerk, with attachmt: Continued Hearing Notice/Subcommittee meeting notice for 3/13/12	2/29/12
Email, AA to Kelly Moore and Jayanne Sci, with attachments: Continued hearing notice and Subcommittee meeting notice for 3/13/12	2/29/12
Email, AA to Commission staff: Note continued hearing/meeting	3/1/12
Email, AA to SL: Request for copy of comments from Fire Chief	3/1/12
Email, SM to AA: In Boston on 3/13/12	3/1/12
Email, AA to Commission staff: Draft Hearing Minutes from 2/28/12	3/1/12

Email, AA to James King, Attorney Singer and SL: Receipt of comments and forward to Applicant, Town Planner	3/2/12
Email, AA to Tammi Mason: Received Board of Health regulation	3/5/12
Email, AA to Attorney Singer and BLF: Conference call on landscaping	3/5/12
Email, AA to Kathy Sheedy, Attorney Singer and SL: Received comments, and transmit them to Applicant, Town	3/5/12
Email, AA to Joan Burke and Marjorie Allen: Received comments	3/6/12
Email, AA to Attorney Singer and SL with attachment: Comments from Joan Burke and Marjorie Allen	3/6/12
Email, AA to Don Keeran: Received comments	3/6/12
Email, AA to Commission staff: APCC comments	3/6/12
Email, ST to AA, Glenn Cannon (GC): Response to 3/1/12 King Email	3/6/12
Email, ST to AA, GC: Response to 2/28/12 Fire Chief comments	3/6/12
Email, AA to Attorney Singer: King 3/1/12 Email and comments from Steven Tupper	3/6/12
Email, AA to SL: 2/28/12 Chief Moran's Email and comments from Steven Tupper	3/6/12
Email, AA to Attorney Singer: Size of Applicant's supplemental info.	3/6/12
Cover Memo, AA to Subcommittee: Transmittal of 2/28/12 draft Minutes and comments to date	3/6/12
Email, AA to Jon Peters and Attorney Singer and SL: Received comments and transmit to Attorney Singer and Susan Leven	3/7/12
Email, AA to Attorney Singer and SL: Letters from Joseph Wilkinson, Komns, and Mary E. Forge	3/7/12
Email, AA to Commission staff: Attorney Singer's supplemental information	3/7/12
Email, TH to AA: Comments on landscaping from conference call	3/7/12
Email, AA to Martha Cormier: Comments received	3/8/12
Email, SM to AA with attachment: Copy of Sheet GW-1 from Hydrogeologic Evaluation	3/8/12
Email, AA to John Ursino: Comments received	3/8/12
Email, AA to Attorney Singer, SL, with attachments: Comments from APCC on 3/5/12, and Martha Cormier and John Ursino on 3/8/12	3/8/12
Email, SM to AA with attachment: Copy of Sheet GW-1 from Hydrogeologic Evaluation	3/8/12
Email, AA to Attorney Singer: Clarify questions on Hazardous Waste	3/8/12
Email, AA to Attorney Singer, SL: Comments from Peggy Benson Appleton and Fred and Joan Daszkiewicz	3/8/12
Email, AA to Louise Hozid, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/9/12
Email, AA to Kent Barthelmees, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/9/12
Email, AA to Joseph Harrington: Comments received	3/9/12
Email, AA to Dorothy Ellen Gross, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/9/12
Email, AA to Robert LaRoche, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/9/12
Email, AA to Attorney Singer, KS and JW: Scheduling next steps	3/9/12
Email, AA to Subcommittee: Next steps	3/9/12
Email, AA to BNL: Any changes made to exterior lighting plans?	3/9/12
Email, AA to Robert and Debra Bartels, Attorney Singer and SL: Comments	3/12/12

received and transmit to Applicant and Town	
Email, AA to Bellinos, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/12/12
Email, AA to Robert McMackin, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/12/12
Email, AA to John Bellino, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/12/12
Email, AA to Paul Gray, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/12/12
Email, TH to BNL, Attorney Singer and AA: Comments on landscaping	3/12/12
Email, AA to BNL, Attorney Singer, KS: New plan set received – More comments likely concerning landscape design	3/12/12
Email, AA to BNL, Attorney Singer, KS and TH: New plan set received – More comments likely concerning landscape design (2 nd Email)	3/12/12
Email, AA to BNL, KS, TH and Attorney Singer: Copies of plan sets	3/12/12
Email, AA to Cathleen Creedon, Attorney Singer, SL: Comments received and transmit to Applicant and Town	3/12/12
Email, AA to Rebecca Smith, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/12/12
Email, Attorney Singer and SL with attachment: Copies of letters <i>Attachment:</i> PDF of letters from Robert & Kathleen Maliga; Peter & Dorothy Ramsdell; Martha Cormier; Stephen Bandsford & Patricia Guckian; and Martha F. Shepherd	3/12/12
Email, AA to Barry Souder, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/12/12
Email, AA to Commission staff with attachment: Supplemental comments from Attorney Singer <i>Attachment:</i> 1 page Memo	3/12/12
Email, GC to ST and AA: Response from Fire Chief on second access	3/12/12
Email, ST to GC and AA: Copy of 2/28/12 comments from Chief	3/12/12
Email, GC to ST and AA: Staff to follow up with Fire Chief	3/12/12
Email, AA to John Rosengren, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/13/12
Email, AA to Tim Joyce, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/13/12
Email, AA to Rick Weeks, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/13/12
Email, AA to Gaylene Bosivert, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/13/12
Email, AA to Joan DeRosa, Attorney Singer and SL: Comments received and transmit to Applicant and Town	3/13/12
Hearing Notice	3/13/12
Subcommittee Meeting Notice (<i>Not held</i>)	3/13/12
Chair's Sheet for Hearing (Used at hearing)	Used 3/13/12
Sign In Sheet from Hearing	3/13/12
Minutes of Continued Public Hearing	3/13/12
Cover Memo, AA to Subcommittee: Transmit Staff Report, Emails, Correspondence, Information from Applicant, from Town and Public Staff Report	3/13/12
Email, AA to Attorney Singer, SL: Copy of staff report	3/13/12
Email, AA to Russell Schell, KS, SM, SL, lskidmore@comcast.net : Response to Mr. Schell's comments on water resources	3/13/12

Email, AA to Commission staff, w/attachment: Transmit Email from Attorney Singer and attached letter from F. Giles Ham	3/13/12
Email, AA to Attorney Jeffrey Ford, w/ attachment: Copy of staff report	3/13/12
Email, AA to Barry Powers, Attorney Singer, SL: Comments received and transmit to Applicant and Town	3/13/12
Email, AA to Elliot and Kate Gorman, Attorney Singer, SL: Comments received and transmit to Applicant and Town	3/13/12
Email, GH to Colette Williams, Town Clerk, w/attachments: Notice for continued public hearing and Subcommittee meeting on 4/9/12	3/14/12
Email, AA to Kelly Moore and Jayanne Sci: Copy of notice for continued hearing and Subcommittee meeting on 4/9/12	3/14/12
Email, AA to Commission staff: Continued public hearing and Subcommittee meeting on 4/9/12	3/14/12
Email, AA to Mr. and Mrs. Joseph Hamm, Attorney Singer, SL: Comments received and transmit to Applicant and Town	3/15/12
Email, AA to Sheila Goggin, Attorney Singer, SL: Comments received and transmit to Applicant and Town	3/16/12
Email, LR to Attorney Singer, AA: Schedule meeting on Economic Development issues	3/16/12
Email, LR to Attorney Singer, AA: Schedule meeting on Economic Development issues	3/16/12
Email, AA to Paula Manseau with site plan attached: Copy of site plan	3/16/12
Email, SM to AA: Copy of Email to Paul Anderson, Brewster Water Department, seeking confirmation of Department's position on PPWSA	3/22/12
Email, AA to Chief Moran, SL, Charles Sumner, William Harrison: 3/29/12 Comments received and second copy on Dept. letterhead?	3/29/12
Email, AA to Attorney Singer, w/attach: Chief Moran's comments	3/29/12
Email, AA to Attorney Singer, with attach: Town Administrator's comments	3/30/12
Email, AA to Commission staff, w/attach: Town Administrator's comments	3/30/12
Email, AA to Courtney Green, Construction Journal, about project status	4/2/12
Cover Memo, AA to Subcommittee: Transmit Staff Report, Emails, Correspondence, Information from Applicant, from Town and Public	4/3/12
Email, AA to Subcommittee Members Taylor, Richardson and Roy: Scheduling additional meetings/hearings	4/4/12
Email, Subcommittee Member Taylor to AA: Coordinating dates	4/4/12
Email, AA to Subcommittee Member Taylor: Coordinating dates	4/4/12
Email, Subcommittee Member Taylor to AA: Coordinating dates	4/4/12
Email, AA to Subcommittee Members Taylor and Knight: Coordinating dates	4/6/12
Email, Subcommittee Member Knight to AA: 4/23/12 date not possible	4/6/12
Hearing Notice – Continued Hearing	4/9/12
Subcommittee Meeting Notice (<i>Not held</i>)	4/9/12
Chair's Sheet for Hearing (Used at hearing)	Used 4/9/12
Sign In Sheet from Hearing	4/9/12
Minutes of Continued Hearing	4/9/12
Draft Motions	4/9/12
Email, AA to Attorney Jeffrey M. Ford: No staff report	4/9/12
Email, AA to SL: Public hearing is at Cape Cod Commission	4/9/12
Color PowerPoint Slides, Scott Michaud: Water Resources presentation at continued hearing (9 slides)	4/9/12

Email, GH to Collette Williams, Town Clerk, with attachmt: Copy of Hearing Notice for continued hearing/Subcommittee meeting notice	4/10/12
Email, AA to Attorney Jeffrey M. Ford: File review	4/11/12
Email, TH to AA: Review of draft landscaping motion	4/12/12
Email, ST to AA: Review of draft transportation motions	4/12/12
Email, TH to BLF and AA: Alternate choice of grass seed mix	4/17/12
Email, AA to Subcommittee: Reminder of continued hearing 4/26/12	4/19/12
Phone Log, AA to Kelly Moore: Question for Town Planner	4/19/12
Email, Subcommittee member Virgilio to AA: Time constraint 4/26/12	4/20/12
Cover Memo, AA to Subcommittee: Transmit draft Minutes, two 4/17/12 materials from Applicant and 4/23/12 Email from BLF	4/23/12
Email, AA to Subcommittee members Virgilio and Taylor: Transmit draft Minutes, two 4/17/12 materials from Applicant and 4/23/12 Email from BLF	4/23/12
Email, Subcommittee member Taylor to AA w/attach: <i>Comments on landscaping and cop of Cape Cod Cooperative Extension Matrix Trees and Shrubs for Coastal Environments</i>	4/23/12
Email, AA to Subcommittee member Taylor, TH and KS: Comments on landscaping and copy of <i>Matrix Trees and Shrubs for Coastal Environments</i>	4/23/12
Phone Log, AA to Kelly Moore: Question for Town Planner	4/24/12
Download/hard copy: Pages from Sweetwater Forest Campground website	4/24/12
Draft Motions for MP Renaissance	4/25/12
Memo, Commission staff to Subcommittee: MP Renaissance – Minimum Performance Standards that Do Not Apply (Draft)	4/25/12
Email, AA to Attorney Jeffrey M. Ford: No staff report	4/26/12
Chair's Sheet for Hearing (Used at hearing)	4/26/12
Sign In Sheet from Hearing	4/26/12
Hearing Notice (Continued Hearing)	4/26/12
Subcommittee Meeting Notice (<i>Not held</i>)	4/26/12
Minutes of Continued Hearing	4/26/12
Email, AA to Attorney Singer, w/attach: Copy of Michael Gordon's comments	4/26/12
Email, AA to Attorney Singer, w/attach: Approved 2/28/12 & 3/13/12 Minutes and draft 4/9/12 Minutes	4/26/12
Email, AA to LR: Copy of Michael Gordon's comments	4/27/12
Email, GH to Collette Williams, Town Clerk, with attachmt: Copy of Hearing Notice for continued hearing/Subcommittee meeting notice	4/27/12
Phone Log, AA to Attorney Landreth: Update on next steps (<i>Spoke to Kathleen</i>)	4/27/12
Email, AA to Attorney Landreth w/attach: Draft 4/26/12 Minutes	4/30/12
Fax, AA to Attorney Landreth: Draft 4/26/12 Minutes	4/30/12
Email, AA to Attorney Singer w/attach: Draft 4/26/12 Minutes	4/30/12
Phone Log, AA to Attorney Landreth: Return of call from 4/27/12	4/30/12
Phone Log, AA to Attorney Landreth: Call to say his client may offer site visit to Subcommittee at next hearing	4/30/12
Email, ST to AA, GC, w/attach: Response to questions at 4/26 hearing	4/30/12
Email, ST to AA, GC: Comments regarding compliance with MPS TR1.7	4/30/12
Memo, Commission staff to Subcommittee: MP Renaissance – Minimum Performance Standards that Do Not Apply (Draft)	5/1/12
Draft Motions for MP Renaissance	5/1/12
Email, AA to BLF: Apologies for spelling his name wrong in Minutes	5/1/12

Email, AA to Attorney Jeffrey M. Ford: No material submitted since 4/26/12 hearing; Draft Minutes created by staff; Staff Memo on responses to transportation questions raised at hearing	5/1/12
Hearing Notice (Continued Hearing)	5/1/12
Subcommittee Meeting Notice (<i>Not Held</i>)	5/1/12
Chair's Sheet for Hearing (Used at hearing)	5/1/12
Sign In Sheet from Hearing	5/1/12
Minutes of Continued Hearing	5/1/12
Email, GH to Collette Williams, Town Clerk, with attachmt: Copy of Hearing Notice for continued hearing on 5/4/12	5/2/12
Email, AA to Commission staff: Continued Hearing on 5/18/12 and site visit on 5/18/12	5/2/12
Email, AA to Attorney Singer, SL: Continued Hearing on 5/18/12 and site visit on 5/18/12	5/3/12
Email, AA to Attorney Landreth: Continued Hearing on 5/18/12 and site visit on 5/18/12	5/3/12
Phone Log, AA to Attorney Landreth: Continued Hearing on 5/18/12 with site visit to view 3 locations on Sweetwater Forest Campground	5/3/12
Hearing Notice (Continued Hearing)	5/4/12
Hearing Officer Minutes (Continued Hearing)	5/4/12
Email, GH to Collette Williams, Town Clerk, with attachmt: Copy of Hearing Notice, continued hearing and meeting on 5/18/12	5/8/12
Email, AA to Attorney Singer w/attachmts: Follow up to his request for Memos and correspondence <i>Attachments:</i> 5/1/21 letter from Attorney Jeffrey Ford/EPOCH; 4/30/12 staff Transportation Memo on responses to Subcommittee questions; 4/30/12 staff Transportation Memo on MPS TR1.7	5/8/12
Phone Log, AA to Attorney Landreth: Continued Hearing on 5/18/12 with site visit to view 3 locations on Sweetwater Forest Campground	5/9/12
Phone Log, AA to Attorney Landreth: Continued Hearing on 5/18/12 with site visit to view 3 locations on Sweetwater Forest Campground	5/9/12
Email, AA to Attorney Landreth w/attachment: Draft 5/1/21 Hearing Minutes	5/10/12
Email, AA to Attorney Singer w/attachment: Guidance on MPS WM2.1, MPS WM2.2 and MPS WM2.3 for construction/post-construction – DEP website <i>Attachment:</i> Copy of sample plan from LOSOS building	5/11/12
Email, AA to SL, Attorney Singer, KS, JW, with attachmts: <i>Attachments:</i> Copy of 5/1/12 letter from Attorney Jeffrey Ford and copy of Attorney Singer's 5/1/12 supplemental information	5/11/12
Phone Log, AA to Attorney Landreth: Continued Hearing on 5/18/12 with site visit to view 3 locations on Sweetwater Forest Campground	5/14/12
Phone Log, AA to Attorney Landreth: Continued Hearing on 5/18/12 with site visit to view 3 locations on Sweetwater Forest Campground	5/15/12
Phone Log, AA to Attorney Landreth: Continued Hearing on 5/18/12 with site visit to view 3 locations on Sweetwater Forest Campground	5/16/12
Email, SM to AA: Copy of motions for 5/18/12 hearing	5/17/12
Email, AA to Attorney Singer, KS: Recycling management	5/17/12
Hearing Notice (Continued Hearing)	5/18/12
Subcommittee Meeting Notice (<i>Not Held</i>)	5/18/12
Chair's Sheet for Hearing (Used at hearing)	5/18/12
Sign In Sheet from Hearing	5/18/12
Minutes of Continued Hearing	5/18/12

Email, AA to Attorney Singer: Copy of Mr. Gallagher's 5/18/12 Email	5/18/12
Email, GH to Collette Williams, Brewster Town Clerk, with attachment: Notice for procedural only continued hearing	5/18/12
Email, AA to Commission staff: Update on next Subcommittee meeting	5/18/12
Email, AA to Attorney Singer, SL, w/attachmt: Copy of Joshua Zuckerman's 5/18/12 fax	5/18/12
Email, AA to Attorney Singer, SL: Next Subcommittee meeting	5/18/12
Email, AA to Attorney Landreth: Next Subcommittee meeting	5/18/12
Email, AA to GH, KS, JW: Next Subcommittee meeting	5/18/12
Email, GH to AA: Scheduling Subcommittee meeting on 6/7/12	5/23/12
Email, KS to Attorney Singer, JW, GH: Reschedule Subcommittee meeting scheduled for 6/7/12 - Commission member not available	5/24/12
Email, KS to Attorney Singer, AA, JW, GH: New Subcommittee meeting date of 6/19/12	5/24/12
Email, GH to Subcommittee members, KS, JW, Jessica Rempel: Subcommittee meeting on 6/19/12	5/24/12
Email, KS to Attorney Singer, AA: Receipt of his Email with 5/24/12 cover letter	5/24/12
Email, KS to Kathleen O'Keefe, Attorney Landreth's office: Receipt of letter from Laurie Rylander	5/24/12
Email, KS to Attorney Singer, SL, AA, JW w/attachment: Copy of letter from Attorney Landreth's office from Laurie Rylander	5/24/12
Hearing Notice – Continued Hearing – Procedural Only (Close Hearing and Record)	5/25/12
Email, Jessica Rempel to AA, KS: Hearing officer and draft Minutes	5/25/12
Minutes Hearing Officer	5/25/12
Email, KS to AA: Copy of 5/30/12 Email to Attorney Cox	5/30/12
Email, Commission Member Taylor to AA: Is Subcommittee meeting still scheduled?	5/31/12
Phone Log, AA to Dr. Jonathan Leach: Voicemail message left for Dr. Leach (Message left by Dr. Leach on 5/24/12)	6/4/12
Email, AA to Attorney Cox: Update on project status	6/4/12
Email, AA to Commission staff: New Subcommittee meeting date of 6/19/12	6/4/12
Email, AA to Attorney Singer and SL: New Subcommittee meeting date of 6/19/12	6/4/12
Email, AA to Attorney Landreth: New Subcommittee meeting date of 6/19/12	6/4/12
Email, AA to Attorney Landreth: Clarification of Subcommittee meeting	6/5/12
Email, AA to Attorney Singer: Submissions	6/5/12
Email, AA to Attorney Jeffrey M. Ford, Attorney Michael D. Ford, KS: New Subcommittee meeting date of 6/19/12	6/5/12
Memo, AA to Subcommittee with attachments: Materials for 6/19/12 meeting Attachments: Draft Minutes from 5/18/12 Hearing; From Applicant: 5/17/12 Supplemental Submission on waste management; 5/24/12 cover letter and attachments: Memo of project benefits; 5/30/12 letter from Charles Sumner, Brewster Town Administrator; Memo of Mayflower Place Recycling Areas /Cardboard; 5/1/12 Exhibit A – Conditions and Design Features to Minimize Impacts; Subdivision Plan of Land in Brewster dated 6/15/07 by Ryder & Wilcox; Color plan/aerial photo from Kelly Engineering Group, Inc. entitled Overall Layout Exhibit; From Town and other interested parties: 5/18/12 Email from James Gallagher, Brewster's Conservation Administrator, which also includes a 4/27/12 Email from Stephen Spear; 5/18/12 letter from Michael	6/11/12

Gordon, EPOCH; 5/18/12 fax/letter from Joshua Zuckerman, Pleasant Bay Nursing and Rehabilitation; 5/24/12 two-page fax/letter from Laurie Rylander, Sweetwater Farms (from Attorney Landreth)	
Email, AA to Cynthia McGrath: Response to Email of 6/13/12	6/15/12
Draft Motions for MP Renaissance: Dated 5/1/12, Revised 6/18/12	6/18/12
Draft Revised Solid Waste Motions for MP Renaissance: 6/18/12	6/18/12
Subcommittee Meeting Notice	6/19/12
Chair's Sheet for Meeting	6/19/12
Sign In Sheet for Meeting	6/19/12
Subcommittee Meeting Minutes	6/19/12
Email, GH to Collette Williams, Brewster Town Clerk, with attachment: Meeting Notice for Subcommittee Meeting	6/19/12
Taree McIntyre to AA, JW: Forward of Email from Janice O'Connell, Assembly Clerk, concerning use of Assembly Chamber on 6/19/12	6/20/12
Subcommittee Meeting Notice	6/21/12
Chair's Sheet for Meeting	6/21/12
Subcommittee Meeting Sign In Sheet	6/21/12
Subcommittee Meeting Minutes	
Email, PR to AA: Copy of Simpkins Residences decision as model	6/21/12
Copy, Signed Extension Agreement (to 8/7/12)	6/21/12
Email, AA to Attorney Cox: Outcome of 6/21/12 Subcommittee meeting	6/22/12
Email, AA to Attorney Jeffrey M. Ford: Outcome of 6/21/12 Subcommittee meeting	6/22/12
Email, AA to Attorney Cox: Response to request for draft decision and full Commission scheduled to discuss project on 8/2/12	6/22/12
Email, HM to AA with attachment: Draft conditions	6/22/12
Memo, SM to AA, JW, TC: MP Renaissance (dated July 22, 2012)	6/22/12
Phone Log, AA to Attorney Landreth: Project update; date of Commission meeting to consider draft decision	6/25/12
Memo, PR to AA with attachment: Draft conditions	6/27/12
Email, AA to Commission member Knight: Reserve dates for Subcommittee meeting	6/27/12
Email, ST to AA, GC with attachment: Draft conditions	6/28/12
Email, AA to Commission staff: Subcommittee meeting on 7/23/12	6/28/12
Email, AA to Subcommittee members: Subcommittee meeting on 7/23/12	6/28/12
Email, AA to Attorney Singer, KS, JW: Subcommittee meeting on 7/23/12	6/28/12
Email, Commission member Roy to AA: Email back up date	6/28/12
Email, AA to Attorneys Landreth, Ford and Cox and KS, JW: Subcommittee meeting on 7/23/12	6/28/12
Email, AA to Commission member Roy: Back up date of 7/25/12	6/28/12
Email, AA to Attorney Jeffrey M. Ford: No other staff reports; Draft decision not prepared	6/28/12
Email, Commission member Roy to AA: Confirm Subcommittee meeting	6/28/12
Email, LR to AA with attachment: Draft condition	7/3/12
Email, GH to Collette Williams, Brewster Town Clerk, with attachment: Meeting Notice for 7/23/12	7/16/12
Letter, GH to Attorney Singer w/attachment: Publishing notices	7/16/12
Email, HM to AA: Draft revised language for conditions	7/17/12

Memo, AA to Subcommittee: Meeting on 7/23/12; Draft decision; Draft Minutes of 6/19/12 and 6/21/12	7/18/12
Email, AA to Commission Staff, w/attachmnt: Copy of Draft Decision	7/18/12
Email, AA to Attorneys Singer, Cox, Ford and Landreth and to SL: Copy of Draft Decision and Subcommittee meeting date, time and place (7/23/12)	7/18/12
Email, PD to AA: Typo in Draft Decision	7/18/12
Email, AA to Attorney Singer, JW, KS, SL: Response to Attorney Singer's corrections to Draft decision	7/19/12
Email, AA to JW: Additional corrections from SM to draft decision	
Chair's Sheet for Meeting	7/23/12
Sign In Sheet for Meeting	7/23/12
Subcommittee Minutes	7/23/12
Email, AA to Michael Gradone, Attorney Singer, SL: Receipt of comments	7/23/12
Email, AA to Greg O'Brien, Attorney Singer, SL: Receipt of comments	7/24/12
Email, AA to Mary Catherine O'Brien, Attorney Singer, SL: Receipt of comment	7/24/12
Email, AA to Bob Jones, Attorney Singer, SL: Receipt of comments	7/24/12
Email, AA to Joyce Lorman, Attorney Singer, SL: Receipt of comments	7/24/12
Email, AA to Jerry O'Brien, Attorney Singer, SL: Receipt of comments	7/24/12
Memo, AA to Commission Members: Transmittal of information for 8/2/12 Commission meeting: Draft decision, Materials submitted for record	7/25/12
Memo, from AA to Subcommittee Members: Materials for 8/2/12 Commission meeting: Draft decision, Minutes, Materials for the record	7/25/12
Draft Decision	7/25/12
Email, AA to Attorneys Singer, Cox, Ford, Landreth and Sue Leven: Copy of draft Decision	7/25/12
Email, AA to Cathleen Creedon, Attorney Singer, SL: Receipt of comments	7/26/12
Email, AA to Tim Joyce, Attorney Singer, SL: Receipt of comments	7/26/12
Email, AA to Dave Otis, Attorney Singer, SL: Receipt of comments	7/26/12
Email, AA to Joy Caporello, Attorney Singer, SL: Receipt of comments	7/26/12
Email, AA to John Eric Rosengren, Attorney Singer, SL (via Cathleen Creedon's Email address): Receipt of comments	7/26/12
Email, AA to Geoff Smith, Attorney Singer, SL: Receipt of comments	7/30/12
Email, AA to Rick Weeks, Attorney Singer, SL: Receipt of comments	7/30/12
Email, AA to John and Kathy Piekarski, Attorney Singer, SL: Receipt of comments	7/31/12
Email, AA to Attorney Singer and Susan Leven: Project comments from Kathy Piekarski	7/31/12
Email, AA to Bob Norton, Attorney Singer, SL: Receipt of comments	7/31/12
Email, AA to Susan Norton, Attorney Singer, SL: Receipt of comments	7/31/12
Email, AA to Attorney Singer: Sent copy of comments from Kathy Piekarski	7/31/12
Copy of Power Point Presentation for 8/2/12 Commission meeting	7/31/12
Chair's Sheet for Commission Meeting	8/2/12
Hearing Notice (Relative to draft Decision)	8/2/12
Materials from Applicant	Date Received
Email, Attorney Andrew Singer, Singer Law, representing Applicant to AA: Anticipated referral of project from Brewster Planning Board	1/6/12
Email, Attorney Singer to AA: New Abutter's List	1/9/12

Email, Attorney Singer to SM and AA: Draft Water Resources narrative	1/9/12
Cover letter and attachments, Attorney Singer: DRI Application <i>Attachments:</i> Table of Contents; DRI Application Cover Sheet; Project Narrative/MPS Analysis; Assessor's Map of Locus; USGS Map of Locus; Planning Board Special Permit Application; Certification of Local Filing; 7/13/11 Letter to Massachusetts Historical Commission; 7/18/11 Letter from Massachusetts Historical Commission; List of Applicant's Project Team; 1/3/12 Abutter's List; Deed; 1/5/12 Transportation Memo from F. Giles Ham, PE, Vanasse & Associates, Inc.; 11/28/11 Stormwater Operations and Management Plan; Color Rendering of View from Route 124; 1/4/12 Color Open Space Plan; 1/6/12 Site Development Plans (Sheets 1 – Cover Page, 2 – Existing Conditions Plan, 3 – Overall Site Plan, 4 – Layout Plan, 5 –Grading & Drainage Plan, 6- Utility Plan, 7-Details Sheet, 8 – Details Sheet, 11x17 and large size); 1/6/12 Landscape Plans (Sheets L1 – Reference Plan, L2-South East Planting Plan, L3-North East Planting Plan, L4-South West Planting Plan, L5-North West Planting Plan, L6-Site Lighting Plan, L6.1-Site Lighting Plan Legend, D1-Plant List and Details, D2-Planting Notes; 11x17 and large size); 1/6/12 Interior and Exterior Architectural Drawings (Sheets To.01 – Cover Sheet, A1.00 – Ground Floor Plan, A1.01 – First Floor Plan, A1.02 – Second Floor Plan, A1.03 – Roof Plan, A4.01 to A4.04 – Exterior Elevations, A5.01 – Building Sections; 11x17 and large size); August 31, 2011 Natural Resources Inventory with Wetland Resource Evaluation; February 2011 Environmental Site Assessment; June 2011 Hydrogeologic Evaluation; Septic O&M Plan; 9/28/11 and 10/21/11 Hazardous Waste and Solid Waste Memoranda; July 2001 Traffic Impact and Access Study/Analysis; July 2011 Economic and Fiscal Analysis; Materials Board; 1/6/12 Stormwater Management Report; 10/25/12 Exterior Lighting Fixture Cut Sheets	1/12/12
Email, Attorney Singer to AA: DRI Application hand delivered	1/12/12
Email, Attorney Singer to AA, Jessica Wielgus (JW), GH and KS: Scheduling of public hearing	1/13/12
Email, Attorney Singer to AA, JW, Susan Leven (SL), GH, KS: Scheduling of public hearing – Applicant away	1/13/12
Email, Attorney Singer to AA, SL, KS, GH, JW: Scheduling public hearing	1/13/12
Email, Attorney Singer to PR: Will respond to Affordable Housing questions	1/18/12
Email, Attorney Singer to AA: Confirm location for public hearing	1/23/12
Email, Attorney Singer to AA: Site visit time	1/23/12
Email with attachments, Attorney Singer to AA, KS: Copy of Application Cover Letter and 7/1/11 Letter from Brewster Water Department	1/27/12
Email, Attorney Singer to AA, KS: Lighting information – Applicant is using October 25, 2011 fixtures/cut sheets	1/27/12
Email, Attorney Singer to PR, AA: Responses to Affordable Housing questions	1/30/12
Email, Attorney Singer to AA, SL: Hazardous and Solid Waste responses and will check on entity to hold Conservation Restriction (CR)	1/30/12
Email, Attorney Singer to AA, KS: Confirm site visit time/meeting place	1/30/12
Email, Attorney Singer to AA, with attachment: Turf Area Plan	2/7/12
Email, Attorney Singer to AA, KS, LR with attachment: Revised Staffing and Wage Compensation Matrix and entity to hold CR not finalized	2/7/12
Email, with attachments, Attorney Singer to AA, SM, KS: Turf Management and Integrated Pest Management Plan and 9/13/11 Letter from DEP on wastewater treatment system	2/13/12
Email, F. Giles Ham, Vanasse & Associates, to ST and AA: Acknowledges receipt of request for updated LOS analysis at site drive	2/14/12

Email, F. Giles Ham to ST and AA, with attachmt: Memo on LOS analysis at site drive	2/14/12
Email, Attorney Singer to AA, with attachmt: Management of fluorescent bulbs and will provide 7 sets of materials for mailing <i>Attachment: Town of Yarmouth License to Mayflower Place, Inc. at 579 Buck Island Road, West Yarmouth for Handling and Storage Toxic or Hazardous Materials</i>	2/15/12
Email, Attorney Singer to AA, SL: Request for correspondence received and use of Commission computer to project plans on screen	2/21/12
Email, Attorney Singer to AA, SL, KS: Confirm site visit and request for copies of Emails from SL and Chief Koch	2/21/12
Email, Attorney Singer to AA, KS, SL: Confirm receipt of Emails	2/22/12
Email, Attorney Singer to AA, SL, with attachments: Comments on Staff Report and additional information <i>Attachments: Architect's 2/24/12 letter on compliance with Energy requirements; Revised Roof Plan (Sheet A1.03 – revised 2/24/12 – Skylights and solar PV); Stormwater Operations and Maintenance Plan; Letter, Whitten Landscaping to Applicant dated 11/28/11)</i>	2/27/12
Copy of Materials Used at Hearing, Attorney Singer and Applicant's Project Team: Color aerial photo with development superimposed; Color <i>Illustrative Site Plan</i> by Hawk Design; Color rendering <i>View from Route 124</i> by TAT 1/6/12; Color rendering <i>Front Elevation/Commons</i> by TAT 8/31/11; Color rendering <i>Side Elevation: Res.Bd. & Care Wing</i> by TAT 8/31/11; <i>Proposed First Floor Plan</i> by TAT 1/6/12; <i>Proposed First Floor Plan</i> by TAT 11/17/11 (from prior project); <i>Color Materials Board</i> by TAT 11/17/11	2/28/12
Email, Bennett N. LaFrance (BLF), Hawk Design, Inc. to AA: Scheduling conference call on landscaping	3/5/12
Email, BNL, to AA and TH: Conference call	3/5/12
Email, Attorney Singer to AA: Preparing supplemental information	3/6/12
Email, Attorney Singer to AA, ST, F. Giles Ham: Comments from Mr. King	3/6/12
Email, Attorney Singer to AA: Size of supplemental information	3/6/12
Email, Attorney Singer to AA, SL, Charles Sumner, Brewster Town Administrator, with Attachments: Supplemental submission <i>Attachments: 3/7/12 Memo on response to comments (1 pg); 3/7/12 Memo on Landscaping, Nitrogen Loading, Water Quality /Use & Construction (4 pgs)</i>	3/7/12
Email, BNL to AA with attachments: Revised plan for Northwest buffer and new plant list	3/9/12
Email, BNL to AA: No changes made to exterior lighting plans	3/9/12
Email, BNL to AA and TH with attachments: Revised landscape plan set (Sheets L1 – Reference Plan, L2-South East Planting Plan, L3-North East Planting Plan, L4-South West Planting Plan, L5-North West Planting Plan, L6-Site Lighting Plan, L6.1-Site Lighting Plan Legend, L7-Turf Area Plan; D1-Plant List and Details, D2-Planting Notes)	3/9/12
Email, BNL to AA, TH and Attorney Singer: Changes to landscaping	3/12/12
Email, BNL to TH, AA and Attorney Singer with attachments: Revised landscape plan set (Sheets L1 – Reference Plan, L2-South East Planting Plan, L3-North East Planting Plan, L4-South West Planting Plan, L5-North West Planting Plan, L6-Site Lighting Plan, L6.1-Site Lighting Plan Legend, L7-Turf Area Plan; D1-Plant List and Details, D2-Planting Notes)	3/12/12
Email, BNL to AA, KS, Attorney Singer: Copies of revised plan sets	3/12/12
Email, Attorney Singer to AA, SL, Charles Sumner, KS with attachment: Additional comments <i>Attachment: Supplemental Memo</i>	3/12/12
Packet of Site Landscape Plans, by Hawk Design, 11x17 inch set (Sheets L1 – Reference Plan, L2-South East Planting Plan, L3-North East Planting Plan, L4-	3/13/12

South West Planting Plan, L5-North West Planting Plan, L6-Site Lighting Plan, L6.1-Site Lighting Plan Legend, L7-Turf Area Plan; D1-Plant List and Details, D2-Planting Notes)	
Email, Attorney Singer to Email, Attorney Singer to AA, SL, Charles Sumner, KS with attachment: Additional comments <i>Attachment: Supplemental Memo (3/13/12)</i> from F. Giles Ham, Vanasse & Assoc.	3/13/12
Email, Attorney Singer to Leslie Richardson (LR), AA, KS, SL and Charles Sumner: Follow up on hearing	3/15/12
Email, Attorney Singer to LS, AA and Clyde Barrow: Meeting on Economic Development issues	3/16/12
Email, Attorney Singer to AA, LR: Will provide clean copy of HVA report on Economic Development	3/22/12
Email, Attorney Singer to AA: Will provide 6 copies of supplemental information	3/29/12
Letter, Attorney Singer with attachments: Supplemental information <i>Attachments: Cover Memo with Exhibits A-F; color photo with development superimposed by Kelly Engineering Group; Copy of Health Care Valuation Advisors, Inc. study (dated 2/18/11)</i>	3/30/12
Email, BLF to TH, AA and Attorney Singer: Grass seed mix	4/13/12
Email, BLF to James Gallagher, Brewster Conservation Administrator, Attorney Singer and AA: Grass seed mix	4/13/12
Email, BLF to TH, Attorney Singer and AA: Revised grass seed mix	4/17/12
Cover Memo, Attorney Singer, w/attachmt: Additional open space areas <i>Attachment: Color map, Open Space Exhibit, Kelley Engineering Group, dated 4/12/12</i>	4/17/12
Email, BLF Attorney Singer, AA and Town: Proposed grass seed mix	4/23/12
Email, Attorney Singer to AA: Copy of Michael Gordon's testimony	4/26/12
Email, BLF to AA: Must correct spelling of his name in Minutes	4/30/12
Memo, Attorney Singer, Supplemental Information: <i>Exhibit A – Conditions and Design Features to Minimize Impacts (2 pgs); Mayflower Place Nursing Home information on medicine and sharps management (9 pgs)</i>	5/1/12
Two 11 x 17 color aerial photos: <i>Overall Layout Exhibit and Neighborhood Exhibit</i> by Kelly Engineering Group, Inc.	5/1/12
Statement of Clyde W. Barrow, PhD and Attachmts: <i>MassHousing – ElderChoice/Market Feasibility Study Requirements; MassHousing – ElderChoice/ Commitment Stage of Application; Strategic Performance Group, LLC – How to Conduct a Feasibility Study; Triangle Point – Senior Housing; Langworthy Company – Adult Senior Living Market Feasibility Study; Haddock & Associates, Inc.- Assisted Living Market Feasibility Studies</i>	5/1/12
Email, Attorney Singer to AA: Receipt of Email on 5/18/12 hearing and site visit: Will attend	5/3/12
Email, Attorney Singer to AA: Request for staff Memos and any new correspondence	5/8/12
Email, Attorney Singer to AA: Receipt of Email as follow up to his request for staff Memos and any new correspondence	5/8/12
Email, Attorney Singer to AA: Memo on C&D waste to come	5/17/12
Email, Attorney Singer to AA: Response to 5/17/12 Email on recycling	5/17/12
Memo, Attorney Singer: Project Benefits	5/18/12
Email, Attorney Singer: Receipt of Email on next Subcom. Meeting	5/20/12
Email, Attorney Singer to KS, AA, JW, GH: Scheduling Subcommittee meeting sooner than 6/7/12	5/24/12
11x17 inch color plan/aerial photo of site and surroundings with distances to	5/24/12

certain things shown (2 copies), from Kelley Engineering Group Inc. entitled <i>Overall Layout Exhibit</i>	
Cover letter, Attorney Singer, with Attachmts: 1 pg Memo on Project Benefits; 3/30/12 letter from Brewster Town Administrator; 5/1/12 Exhibit A: Conditions and Design Features to Minimize Impacts (2 pgs); MayFlower Place – Recycling: Recycling Areas and Cardboard (1 pg); Subdivision Plan of Land in Brewster, Ryder & Wilcox, Surveyors, 6/15/07 (1 pg); 8.5x11.0 inch color plan/aerial photo of site and surroundings with distances to certain things shown from Kelley Engineering Group Inc. entitled <i>Overall Layout Exhibit</i>	5/24/12
Email, Attorney Singer, to KS, GH, JW, AA, SL, Lisa Perry, with attachments: 5/24/12 cover letter without additional attachments	5/24/12
Email, Attorney Singer to AA, KS: Any new submissions?	6/5/12
Email, Attorney Singer to AA, JW, KS: Confirm 7/23/12 Subcommittee date. Welcome opportunity to review draft decision.	6/28/12
Email, Attorney Singer to AA, KS, JW: Copies for mailing. Welcome opportunity to review draft decision.	7/12/12
Email, Attorney Singer to AA, SL: Technical revisions to draft decision	7/19/12
Email, Attorney Singer to AA: Seeking the Email from Kathy Piekarski	7/31/12
Materials from Public Agencies	Date Received
Cover Letter and attachments, Susan Leven (SL), Brewster Town Planner: DRI Referral <i>Attachments: Planning Board Special Permit Application and Checklist</i>	1/12/12
Email, SL to AA: Comments on project's consistency with Local Bylaws, LCP, DCPCs	2/1/12
Email, Kelly Moore, Brewster, to AA, Jayanne Sci and James Paul Ludwig: Seeking copy of Hearing Notice and providing contact information for videographer for hearing	2/14/12
Email, Chief of Police Richard J. Koch Jr, to AA: Response to inquiry about comments on project. Concerns addressed by moving driveway	2/14/12
Email, Nancy Ice (NI), Health Director, to AA: Compliance with Brewster Board of Health Regulation – small wastewater treatment plant	2/28/12
Email, NI to AA: Request to staff to forward copy of Board of Health Regulation on small wastewater treatment plant	2/28/12
Fax, Tami Mason, Brewster Health Department to AA: copy of Board of Health Regulation on small wastewater treatment plant	2/28/12
Email, James Gallagher, Brewster Conservation Administrator, to AA: Comments on proposed landscaping	2/28/12
Email, SL to AA: Will send comments from Fire Chief	3/1/12
Email, SL to AA: Comments from Fire Chief Moran	3/3/12
Email, Tammi Mason, Senior Department Assistant, Health Department: Confirm sent regulation on small wastewater treatment plants	3/5/12
Email, Fire Chief Moran, to AA, Charles Sumner, William Harrison, and SL w/ attachment: Project comments	3/29/12
Email, Fire Chief Moran, to AA: Will send letterhead of comments	3/29/12
Email, Charles Sumner, Town Administrator, to AA, w/attach: Letter in support of project	3/30/12
Email, Fire Chief Moran: Project comments (also by Email 3/29/12)	4/2/12
Letter, Charles Sumner, Town Administrator, to AA: Letter in support of project (also by Email 3/30/12)	4/3/12
Email, SL to AA: Confirming location of continued hearing	4/9/12
Email, James Gallagher, Brewster Conservation Administrator, to BLF: Comments on proposed landscaping and grass seed mix	4/23/12

Email, SL to AA: Confirm that project will require Special Permit for use, Site Plan Special Permit and height variance (current configuration)	4/24/12
Email, SL to AA: Response to site visit on 5/18/12: Will attend	5/3/12
Email, SL to AA: Request for letter from 5/1/12 Attorney Ford and Attorney Singer's 5/1/21 supplemental information	5/11/12
Email, SL to AA: Acknowledge receipt of 5/1/12 information	5/11/12
Email, James Gallagher, Brewster Conservation Administrator, to AA: Comments on landscaping (With 4/27/12 Email from Stephen Spear)	5/18/12
Email, SL to AA, KS, JW, Attorney Singer: Not able to attend 6/7/12 Subcommittee meeting	5/21/12
Email, Janice O'Connell, Assembly Clerk: Assembly Chamber available on 6/7/12 if needed	5/24/12
SL to AA, Attorney Singer, KS, JW: Will Town have a chance to see draft decision?	6/28/12
Materials from General Public	Date Received
Email, Attorney Jeffrey Ford, Law Office of Michael Ford, to AA: Status of project filing	1/13/12
Email, Attorney Jeffrey Ford, to AA: Scheduling public hearings	1/25/12
Email, Cindy McGrath, Nutter, McClennen & Fish: Seeking copy of Application and plans	2/10/12
Email, Cindy McGrath: Receipt of Email with <i>Project Description</i>	2/13/12
Email, James Paul Ludwig, to AA and Kelly Moore, Brewster: Videotaping 2/28/12 public hearing	2/14/12
Email, Don Keeran, Assistant Director, Association to Preserve Cape Cod (APCC), to AA: Request for copy of staff report	2/21/12
Email, Cindy McGrath, to AA: Request for copy of staff report	2/21/12
Email, Don Keeran to AA: Receipt of staff report – No hard copy needed	2/21/12
Email, Law Office of Michael Ford, to AA: Request for staff report	2/23/12
Email, Marcy at Law Office of Michael Ford, to AA: Request staff report	2/23/12
Email, Marcy at Law Office of Michael Ford, to AA: Got staff report	2/23/12
Email, Law Office of Michael Ford: Confirm correct date of hearing	2/23/12
Email, James Paul Ludwig, to AA: Videotaping 2/28/12 public hearing	2/24/12
Email, Stephen Spear, Abutter: Ownership of an abutter property re: Assessor's data and comments on proposed landscaping	2/24/12
Letter, Attorney Dwayne Landreth, with attachments, dated 11/30/11 and resubmitted <i>Attachments</i> : Exhibit 1: Towering Oaks Title Problems; Exhibit 2: Open Space Exhibit from Kelly Engineering 10/13/11; Exhibit 3: Sheet 1- Land Registration Plan 34493A and Sheet 2-34493A; Exhibit 4: Land Registration Plan 36513A; Exhibit 5: Land Registration Plan 36513B; Exhibit 6: Land Registration Plan 36513D; Exhibit 7: Decision of the Planning Board of Brewster 8/22/07	2/28/12
Letter, Attorney Dwayne Landreth, dated 12/8/11 and resubmitted	2/28/12
Written Comments, Larry Gerber, President/CEO of EPOCH, 4 pages with attachments <i>Attachments</i> : Color map of Cape Cod with site indicated; 2/27/12 cover letter from Alice Katz, President, <i>The Vinca Group LLC</i> ; 8 Exhibits; 1 color map showing site and 7 mile radius; map key; 9 pages of tables from Nielsen	2/28/12
Email, Kathleen O'Keefe, Attorney Landreth's Office to AA: Transmit copy of 12/7/11 Email from Heather Cestaro	2/29/12
Email, James King: Project comments	3/2/12
Letter, James S. Mamary, Sr, President/CEO, The Royal Health Group (2	3/2/12

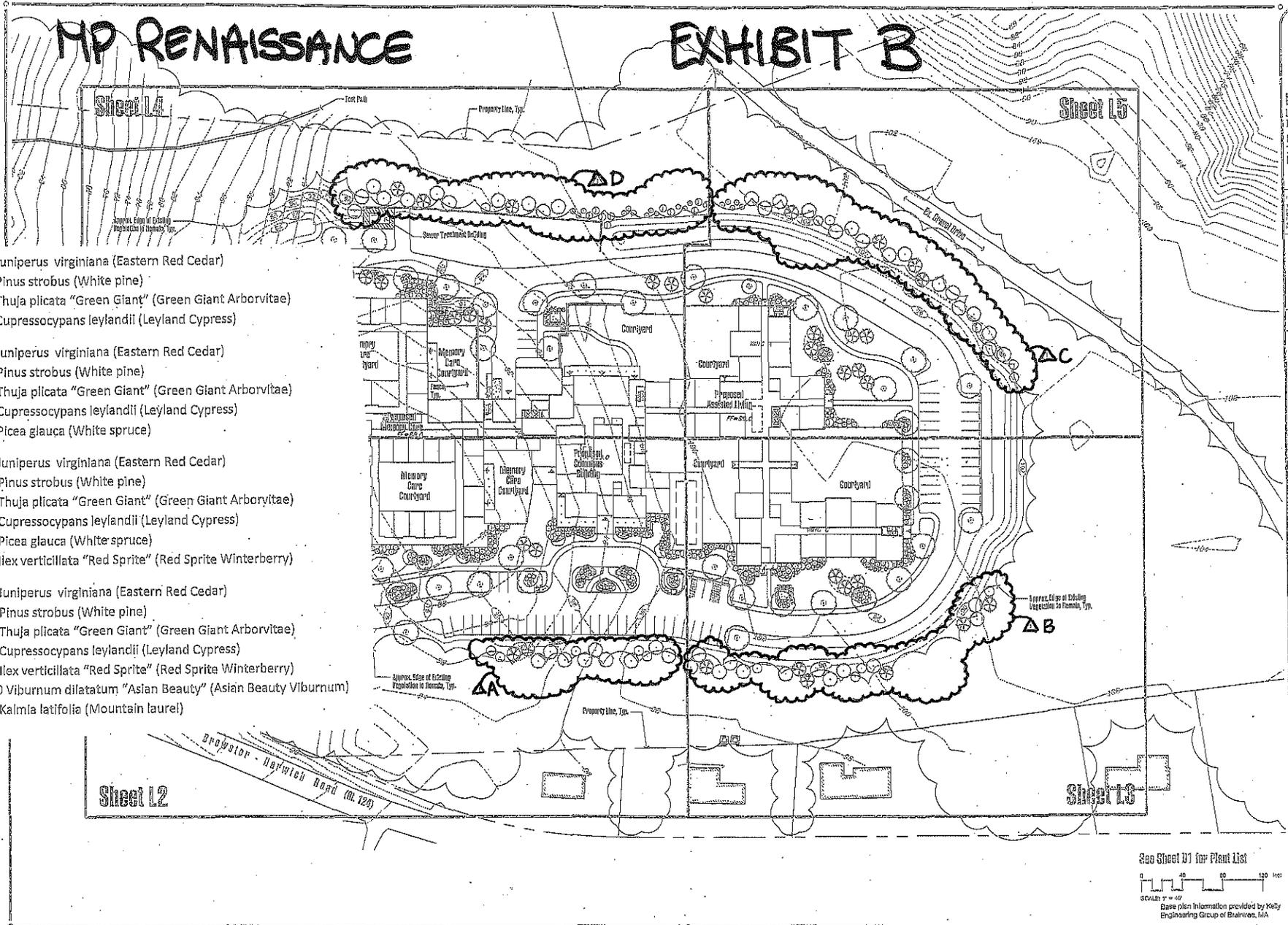
copies)	
Email, Kathy Sheedy: Project comments	3/5/12
Email, Joan Burke and Marjorie Allen: Project comments	3/5/12
Email, Kathy Sheedy: Confirm receipt of comments; Use of red text	3/5/12
Letter, Peggy Bordewieck: Project comments (undated)	3/6/12
Email, Don Keeran, APCC, to AA with attachment: 3/5/12 comments letter	3/6/12
Email, Jon Peters: Project comments	3/7/12
Letter, Mary Elizabeth Forge: Project comments (dated 3/4/2)	3/7/12
Letter, Edward and Lauren Kmon: Project comments (undated)	3/7/2
Letter, Joseph Wilkinson: Project comments (dated 3/5/12)	3/7/12
Letter, Penny Benson Appleton: Project comments (dated 12/7/11 and 2/28/12)	3/8/12
Letter, Fred and Joan Daszkiewicz: Project comments (undated)	3/8/12
Email, Martha Cormier: Project comments (undated)	3/8/12
Email, John Ursino, with attachment: Project comments	3/8/12
Email, Louise Hozid and Allen Brown: Project comments	3/8/12
Email, Joann and Kent Barthelmess: Project comments	3/8/12
Letter, Joan Burke and Marjorie Allen: Copy of 3/5/12 Email	3/9/12
Email, Joseph Harrington: Project comments	3/9/12
Email, Dorothy Ellen Gross: Project comments	3/9/12
Email, Robert LaRoche: Project comments	3/9/12
Email, Robert and Debra Bartels: Project comments (dated 3/12/11)	3/9/12
Email, John Bellino: Project comments from Claire Bellino	3/10/12
Email, John Bellino: Additional comments from Claire Bellino	3/10/12
Email, Joann and Kent Barthelmess: Thanks for acknowledging receipt of their comments	3/10/12
Email, Bob and Diane McMackin: Project comments	3/11/12
Email, John Bellino: Project comments	3/11/12
Email, Paul Gray: Project comments	3/12/12
Letter, Robert and Kathleen Maliga: Project comments (dated 3/7/12)	3/12/12
Letter, Peter and Dorothy Ramsdell: Project comments (dated 3/8/12)	3/12/12
Letter, Stephen Bandsford & Patricia Guckian: Project comments (dated 3/9/12)	3/12/12
Letter, Martha Cormier: Project comments (dated 3/7/12)	3/12/12
Letter, Marilyn F. Shepherd: Project comments (dated 3/9/12)	3/12/12
Email, Cathleen Creedon: Project comments	3/12/12
Email, Rebecca Smith: Project comments, signed by Geoff Smith	3/12/12
Email, Barry Souder: Project comments	3/12/12
Email, John Eric Rosengren: Project comments	3/12/12
Email, Tim Joyce: Project comments	3/12/12
Email, Gaylene Bosivert: Project comments	3/12/12
Email, Rich Weeks: Project comments	3/12/12
Email, Russell Schell: Questions on water resources issues	3/12/12
Email, Joan DeRosa: Project comments	3/12/12
Email, Attorney Jeffrey M. Ford, to AA: Request for staff report	3/13/12

Letter, Joshua Zuckerman, to Elizabeth Taylor: Project comments	3/13/12
Email, Barry Powers: Project comments	3/13/12
Email, Elliot and Kate Gorman: Project comments	3/13/12
Letter, John Arazosa, Phyllis Coons, and Kevin Kelly: Project comments	3/14/12
Email, Mr. and Mrs. Joseph Hamm: Project comments	3/14/12
Letter, Carmen Garrett: Project comments	3/15/12
Email, Sheila Goggin: Project comments	3/15/12
Email, Paula Manseau: Receipt of site plan from AA	3/17/12
Email, Courtney Green, Construction Journal: Project status	3/30/12
Email, Attorney Jeffrey M. Ford, to AA: Request for staff report	4/9/12
Email, Attorney Jeffrey M. Ford, to AA: Request file review	4/11/12
Email, Attorney Jeffrey M. Ford, to AA: Confirm time for file review	4/11/12
Email, Attorney Jeffrey M. Ford, to AA: Request for staff report	4/26/12
Written Comments, Michael Gordon, VP of Planning & Development, EPOCH (2 pgs)	4/26/12
Email, Attorney Jeffrey M. Ford, to AA: Request for materials submitted to the MP Renaissance file since 4/26/12 and staff report	4/30/12
One (1) Video DVD (From James Rylander)	5/1/12
One color postcard of <i>The Secret Pardon</i> , Appaloosa Stallion	5/1/12
One blow up of a Campground brochure on Foamcore (<i>Copied to reduced size</i>)	5/1/12
One large format Brewster parcel map showing distances	5/1/12
Brochure from The Royal at Harwich Village	5/1/12
Letter, Attorney Michael D. Ford to AA: Economic benefits/detriments	5/1/12
Email, Attorney Landreth to AA: Thanks for Email concerning continued hearing/site visit on 5/18/12	5/3/12
Letter, Michael Gordon, EPOCH (From Attorney Ford)	5/18/12
Fax, Joshua Zuckerman, Pleasant Bay Nursing/Rehabilitation, project comments	5/18/12
Fax, Attorney Landreth's office, with attachment: Letter from Laurie Rylander (2 pgs)	5/24/12
Email, Kathleen O'Keefe, Attorney Landreth's office, to KS, with attachment: Letter from Laurie Rylander (2 pgs)	5/24/12
Letter, Laurie Rylander, Sweetwater Farms (2 pgs) (also received by Email on 5/24/12)	5/29/12
Email, Attorney Cox to AA: Status of project	6/4/12
Email, Attorney Landreth: Question on date of Subcommittee meeting	6/5/12
Email, Attorney Jeffrey M. Ford to AA: Next Subcommittee meeting	6/5/12
Email, Attorney Jeffrey M. Ford to AA and Attorney Michael D. Ford: Acknowledge new date of Subcommittee meeting	6/5/12
Email, Cynthia McGrath, Nutter, McClennen & Fish, to AA: Staff report	6/13/12
Email, Cynthia McGrath, Nutter, McClennen & Fish, to AA: Acknowledge receipt of 6/15/12 Email	6/15/12
Email, Attorney Cox to AA: Result of Subcommittee meeting?	6/22/12
Email, Attorney Jeffrey M. Ford to AA: Status of project?	6/22/12
Email, Attorney Cox to AA: Request draft decision and date of full Commission meeting to consider decision	6/22/12
Email, Attorney Cox to AA: Acknowledge receipt of response	6/22/12

Email, Attorney Jeffrey M. Ford to AA: Decision prepared? Staff reports?	6/28/12
Email, Attorney Cox to AA: Received Draft Decision (Thank you)	7/18/12
Email, Michael Gradone: Project Comments	7/23/12
Email, Mary Catherine O'Brien: Project Comments	7/23/12
Email, Greg O'Brien: Project Comments	7/23/12
Email, Bob Jones: Project Comments	7/24/12
Email, Joyce Lorman: Project Comments	7/24/12
Email, Jerry O'Brien: Project Comments	7/24/12
Email, Cathleen Creedon: Project Comments	7/25/12
Email, Tim Joyce: Project Comments	7/26/12
Email, Dave Otis: Project Comments	7/26/12
Email, Joy Caporello: Project Comments	7/26/12
Email, John Eric Rosengren: Project Comments (Via Cathleen Creedon)	7/26/12
Email, Geoff Smith: Project Comments (Via Rebecca Smith)	7/27/12
Email, Rick Weeks: Project Comments	7/28/12
Email, John Piekarski: Project Comments	7/30/12
Email, Kathy Piekarski: Project Comments	7/30/12
Email, Bob Norton: Project Comments	7/31/12
Email, Susan Norton: Project Comments	7/31/12

MP RENAISSANCE

EXHIBIT B



- A:
 - 5 *Juniperus virginiana* (Eastern Red Cedar)
 - 2 *Pinus strobus* (White pine)
 - 3 *Thuja plicata* "Green Giant" (Green Giant Arborvitae)
 - 6 *Cupressocypans leylandii* (Leyland Cypress)
- B:
 - 4 *Juniperus virginiana* (Eastern Red Cedar)
 - 4 *Pinus strobus* (White pine)
 - 6 *Thuja plicata* "Green Giant" (Green Giant Arborvitae)
 - 6 *Cupressocypans leylandii* (Leyland Cypress)
 - 2 *Picea glauca* (White spruce)
- C:
 - 5 *Juniperus virginiana* (Eastern Red Cedar)
 - 3 *Pinus strobus* (White pine)
 - 7 *Thuja plicata* "Green Giant" (Green Giant Arborvitae)
 - 9 *Cupressocypans leylandii* (Leyland Cypress)
 - 1 *Picea glauca* (White spruce)
 - 5 *Ilex verticillata* "Red Sprite" (Red Sprite Winterberry)
- D:
 - 1 *Juniperus virginiana* (Eastern Red Cedar)
 - 3 *Pinus strobus* (White pine)
 - 7 *Thuja plicata* "Green Giant" (Green Giant Arborvitae)
 - 5 *Cupressocypans leylandii* (Leyland Cypress)
 - 6 *Ilex verticillata* "Red Sprite" (Red Sprite Winterberry)
 - 10 *Viburnum dilatatum* "Asian Beauty" (Asian Beauty Viburnum)
 - 6 *Kalmia latifolia* (Mountain laurel)

Habit Design, Inc.
Landscape Architecture
Landscape Planning
Saugus, MA
774-613-0680
Info@habitudesign.com

Date: 1/3/12

Revisions:
Rev. No. Description
1 TAC Red Sprites

MP Renaissance
3 Harvard Blvd (Route 129), Brewster, Massachusetts

Site Reference
Plan

Scale: 1" = 40'-0"

Sheet: **L1**

See Sheet D1 for Plant List
 SCALE: 1" = 40'
 Base Plan Information provided by Kelly Engineering Group of Braintree, MA