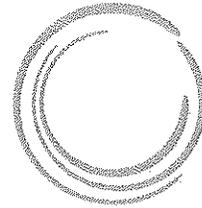


3225 MAIN STREET • P.O. BOX 226
BARNSTABLE, MASSACHUSETTS 02630



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CAPE COD
COMMISSION

Revised
MINOR MODIFICATION TYPE #1

DATE: October 12, 2012

TO: John Pfeffer
Cape Cod National Golf Club
174 South Orleans Road
Brewster, MA 02631

RE: Modification of an Approved DRI Decision

PROJECT: Cape Cod National Golf

APPLICANT: John Pfeffer, Cape Cod National Golf

PROJECT #: TR-95022

SITE LOCATION: Brewster and Harwich, MA
Street Address: 174 South Orleans Road, Brewster, MA 02631

BOOK/PAGE: CERTIFICATES:

	<u>#143872</u>
Book 9862, Pages 195 & 284	A. Lots 2,4 & 5 on Plan 40836-B, Sheet 1
Book 2843, Page 237, parcels 1 & 2	B. Lots 6-20 on Plan 40836-C, Sheets 1-4
Book 2172, Page 001	<u># 141302</u>
Book 3260, Page 304, parcel 4	A. Land on Plan 39674-A
Book 6267, Page 214	B. Land on Plan 33913-A
Book 9941, Page 345	C. Lots 149-156 on Plan 20373-0
Book 3260, Page 302, parcels II & III	<u># 180965</u>
Book 3260, Page 302, parcel 1	A. Lot 1 on Plan 33913-B
Book 9442, Pages 47 & 51	(<i>plan may not be recorded</i>)
Book 9862, Page 197, parcels 1 & 2	<u># 139008</u>
Book 9884, Page 195	A. Lot 2 on Plan 39808-A, Sheet 2
	B. Lot 26 on Plan 39808-D
	<u># 139010</u>
	A. Lot 25 on Plan 39808-C

Background

In a decision dated 5/9/96, Cape Cod Commission (Commission) issued a Development of Regional Impact (DRI) decision, with conditions, to Mr. John Pfeffer which approved the construction and operation of a new, 18-hole private golf course on a 149 acre site that, part of which is in the Town of Brewster and part is in the Town of Harwich.

The 1996 DRI decision was modified by decisions dated 11/12/96, 3/9/98, 5/18/98, 8/9/99, 2/26/01, 4/29/02, 4/7/03, 6/11/07, and 11/30/09.

The Commission issued the project a Partial Certificate of Compliance dated 5/22/98 and a Final Certificate of Compliance dated 4/6/99.

Modification Request

On 6/19/12, Commission staff received a request from Douglas J. Pfeffer seeking to construct a 17 foot by 17 foot shelter on the back nine holes of the golf course. The shelter would provide space for two toilets and sinks, and shelter in case of inclement weather. It would be located within 50 feet of the west side of the Rogers/Nickerson House, adjacent to the 13th hole, and behind the 14th tee.

Mr. Pfeffer's letter states the facility would utilize the Title 5 septic system that currently serves the Rogers/Nickerson House (House), the House well water and electrical service. These utilities would be disconnected from the House.

Commission Jurisdiction

Section 13(c) of the Commission's *Enabling Regulations*, as amended May 2011, sets out the types of DRI modifications. A Minor Modification Type #1 is defined as "*revisions that are the result of more restrictive conditions imposed by a local board or technical corrections or changes that the Executive Director or his/her designee determine are de minimus changes to the project.*" The *Enabling Regulations* also state that Minor Modifications Type #1 "*shall be approved by that the Executive Director or his/her designee and reported to the Regulatory Committee and do not require further review by the Commission.*"

Determination on Modification Request

After consideration of the request by Mr. Pfeffer to construct a new 17 foot by 17 foot restroom/shelter on the back nine holes of the Cape Cod National Golf Course, the Commission's Executive Director has determined the requested changes constitute *de minimus* changes, and are approved as Minor Modifications Type #1.

Changes to 1996 DRI Decision

The following changes are thereby made to the Cape Cod National Golf DRI decision, as amended, as shown below to accommodate the proposed new 17 foot by 17 foot restroom/shelter on the back nine holes of the golf course using the utilities and water well from the Rogers/Nickerson House. New text is shown in **bold**. Deleted text is shown in ~~strikeout~~. All findings and conditions attached to the original decision, as amended, continue to apply except as modified herein.

New General Condition

G7. The Applicant is hereby authorized to construct a 17 foot by 17 foot shelter on the back nine holes of the golf course, to provide space for two toilets and sinks, located within 50 feet of the west side of the Rogers/Nickerson House, adjacent to the 13th hole, and behind the 14th tee. This restroom/shelter facility shall be of a style similar to the photos and other information submitted to the Cape Cod Commission on 6/19/12, and may utilize the Title 5 septic system that currently serves the Rogers/Nickerson House (House), the House water well, and electrical service.

Signatures


Paul Niedzwiecki, Executive Director

10/12/12
Date

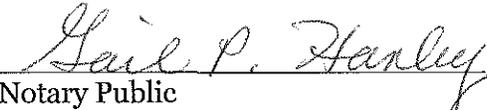
COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

Oct 12, 2012

Before me, the undersigned notary public, personally appeared

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


Notary Public

My Commission Expires: 9-28-18

