

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



CAPE COD
COMMISSION

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MINOR MODIFICATION TYPE # 1

Date: October 28, 2013

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

Applicant(s): Yarmouth Mayflower Place II, Inc. and Turino Associates LLC

Property Owners:

Yarmouth Mayflower Place II, Inc.
Francis J. Dimento, Jr. & Holli V. McAuliffe, Trustees of Town Realty Trust
Francis J. Dimento, Jr. & Holli V. McAuliffe, Trustees of Town Realty Trust
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Project Name:

Mayflower Place Expansion Development of Regional Impact

Project Location:

579 Buck Island Road, West Yarmouth, MA
164 Route 28, West Yarmouth, MA
23 Mill Pond Road, West Yarmouth, MA
24 Mill Pond Road, West Yarmouth, MA
3 Evergreen Road, West Yarmouth, MA
7 Evergreen Road, West Yarmouth, MA
0 Route 28, West Yarmouth, MA

Project Number:

TR-12035

Town Assessor's and Registry of Deeds Information:

See Exhibit A attached hereto

MODIFICATION OF DEVELOPMENT OF REGIONAL IMPACT DECISION

Summary

Pursuant to Section 13 of the Cape Cod Commission Enabling Regulations (Revised March 2013, with Revised Fee Schedule Effective July 1, 2013), the Development of Regional Impact (DRI) decision dated March 28, 2013 for the Mayflower Place Expansion project is hereby amended as a Minor Modification Type #1 to allow *de minimus* changes to the approved project, and/ or changes occasioned by more restrictive conditions imposed in town approvals, as follows: 1) reconfiguration of the project site and proposed open space occasioned by the town's abandonment of a portion of Mill Pond Road abutting the project site, and by parking changes associated with the independent living building occasioned by comments from the Yarmouth Conservation Commission; 2) architectural changes occasioned by comments and suggestions from the town's Design Review Committee; and 3) revision of the timing allowed to satisfy a Water Resources Condition related to stormwater infrastructure.

The DRI decision was previously modified by a Minor Modification Type #1 decision dated July 11, 2013 (collectively, "Decision").

All findings and conditions attached to the original decision and subsequent modifications continue to apply except as modified herein.

Background/ Reasons for Modification Request

1) Road Discontinuance/ Site & Open Space Reconfiguration

Condition GF8 of the Decision provides: "*Should the Town of Yarmouth abandon a portion of Mill Pond Road bordering the project site to the West (of said road), and enter into a "land swap" agreement involving the same with the Applicant, the attendant land division and re-assembly of the project site, including revision to the Conservation Restriction and Plan, may be approved as a Modification to this DRI decision according to the Modification section of the Commission's Enabling Regulations in effect at the time the modification is sought.*"

This condition contemplates discontinuance/ abandonment of a portion of Mill Pond Road, and modification of the Decision to reconfigure the project site and open space on account of the road discontinuance/ abandonment. On April 1, 2013, Town Meeting unanimously passed Article 28 of the Annual Town Meeting which provided:

ARTICLE 28: *To see if the Town will authorize the Selectmen to discontinue a portion of Mill Pond Road as a Public Way, said portion to be discontinued being that section running northerly from Route 28 to the intersection of Evergreen Road, and to convey the fee in the portion of the Mill Pond Road labeled as parcel "D" that is being discontinued to Yarmouth Mayflower Place II Inc., in consideration of a conveyance to the Town by Yarmouth Mayflower Place II Inc. of parcels labeled as "A" and "B", and a 20' wide easement for access to the Baxter Mill and to accept such other interests in real property as are necessary or desirable to provide public access to Baxter Mill all as shown on a plan filed with the Town Clerk and entitled "Mill Pond Road Abandonment Plan" dated February 7, 2013 prepared by Kelly Engineering Group, Inc., as may be amended; and permitting and construction of a parking lot, signage and handicap access path from the new parking area to the Grist Mill, the design of which is to be determined by the appropriate Yarmouth Boards and Committees. The portion of the discontinued Mill Pond Road labeled as parcel "C" on the plan entitled "Mill Pond Road Abandonment Plan" shall remain owned by the Town of Yarmouth. The discontinuance is to be done in conjunction with the granting of an easement in the discontinued way to the Town of Yarmouth for the construction and maintenance of municipal water supply and granting of easements to other*

entities for their utilities within the discontinued parcel "D"; and further to authorize the Selectmen to grant any and all utility easements.

The land swap and road discontinuance now having been approved, the Applicants have prepared an Approval Not Required (ANR) land division plan, prepared by Kelly Engineering Group, Inc. dated 9/9/13 ("ANR Plan") for Yarmouth Planning Board endorsement.

Basically, the Town of Yarmouth is deeding its interests in a portion of the discontinued former Mill Pond Road to the Applicants (that portion of the road shown as extending over Lot 1 on the ANR Plan), who will use this area to reconfigure parking for the memory care building near Rte. 28 (the former road pavement will be removed). The Applicants will in turn deed two small parcels to the Town (Parcels A & B shown on the ANR Plan). Lot 3 as shown on the ANR Plan, which includes said Parcels A & B, will be owned by the Town; Lots 1 & 2 will be owned respectively by the Applicants and constitute the project site. The Open Space will be located entirely on Lot 1. Lot 3 will contain parking for the Grist Mill, which the Applicants have agreed to permit, pay for and construct for the Town, as well as to deed an easement over a portion of the Open Space from said parking to the Grist Mill, and construct a walking path therein, as shown on the revised Conservation Exhibit Plan prepared by Kelly Engineering Group, Inc. dated 6/13/13. The DRI decision runs with Lots 1 & 2. Town-owned Lot 3 will not be subject to the DRI decision or the Conservation Restriction. Lots 1, 2 & 3 are also shown on the Plan of Land, prepared by Kelly Engineering Group, Inc., dated 10/7/13.

Though the Applicants are gaining some land area in the former roadway, there is a net loss to project site area because the applicant will deed parcels a& b shown on the ANR plan to the town, and there is an increase in land disturbance proposed with the project as modified necessary to reconfigure parking for the memory care building. This also results in a greater on-site open space deficiency than before because some of the land deeded to the town will be land formerly included in the approved open space. Accordingly, there will be an additional approximate 13,676 sq ft deficiency in required on-site open space, arrived at as follows:

- Original protected on-site open space from 1987 is 23.52 acres;
- Additional open space area on-site proposed as part of the project is 122,978 SF (2.82 ac+/-)
- All on-site open space area will be protected pursuant to a statutory conservation restriction.
- Total new disturbance per revised plans is 77,553 (1.78 ac+/-)
- Open space required per RPP = $77,553 \times 2 = 155,106$ SF
- Total on-site open space deficiency = $155,106 - 122,978 = 32,128$ SF
- Of the 32,128 sq ft, the applicant had previously agreed to pay \$33,000 for the original deficiency of 18,452 SF as a condition of the DRI Decision.
- The increased deficiency of 13,676 sq ft will require additional cash mitigation.
- Total mitigation in the revised condition will equal \$58,000.

In its review the Yarmouth Conservation Commission per Order of Conditions also requested relocation of two parking spaces associated with the independent living building, further away from wetland buffer zones.

- 2) Architectural changes requested per 5/17/13 Yarmouth Design Review Committee's memorandum

Independent Living Building

1. Independent Living windows changed to from Casement to Double-Hung
2. Replaced the eyebrow dormers with gable dormers.
3. Eliminated the soffit below the dormers.
4. Reduced the roof pitch to 7:12 while keeping the same ridge height.
5. Enlarged the smaller gable dormers

Memory Care Building

Enlarged gables to coincide with the outer edge of the pilasters below.

3) Water Resource Conditions

The Applicants request that they be allowed to satisfy water resources condition WRC6, which requires evidence of a minimum two foot separation between groundwater and the site stormwater system's infiltration point, prior to issuance of the final certificate of compliance rather than prior to issuance of the preliminary certificate of compliance. The Applicants have requested that condition WRC6 be revised accordingly. This constitutes a *de minimis* change that does not increase impacts or affect the outcome or intent of the condition. Revision of the condition will allow the Applicants to retain existing site vegetation (clearing is required to provide the required evidence) during construction to assist in sediment control and visual buffering of the construction. It also allows the Applicants to more efficiently schedule and deploy construction equipment and undertake construction and site work.

Modifications to Decision

Based on the foregoing, the following Findings and Conditions of the DRI Decision are hereby modified as follows (new, additional language is shown in **bold**; existing, deleted language is shown in **bold-strikeout**):

Findings

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 that the project meets Regional Policy Plan Best Development Practices (BDP) BDP AH1.16 (Priority for Affordable Rental Housing), with BDP WPH1.8 (Un-development), BDP TR1.10 (Transportation Safety), **and** BDP TR2.16 (Alternate Modes of Travel), ~~and BDP TR2.21 (Shared Parking)~~. In addition, the Commission finds that the probable benefits of the project include that the project provides additional independent living and memory care facilities on Cape Cod. The Commission also finds that, based on the January 30, 2013 and January 31, 2013 written testimony of Erik Tolley, Chairman of the Board of Selectmen, and Kathleen D. Williams, Town Planner, **and other information submitted for the record**, that the proposed project's probable benefits also include the following:

- o Direct and indirect job creation,
- o Temporary construction employment,
- o Increased property taxes,
- o Improved aesthetics by eliminating a long-term blighted property, the Mill Hill Club,
- o Permit and construct new parking for the Baxter Grist Mill **on land deeded, in part, by the Applicants,**
- o Permit and construct a handicap accessible walking path from the new Baxter Grist Mill parking area to the Baxter Grist Mill, **within an easement granted**

by the Applicants,

- Provide directional signage to the Baxter Grist Mill,
- Provide viewshed maintenance of the Baxter Grist Mill property,
- Management of invasive Phragmites species in the southwest corner of Mill Pond,
- A monetary contribution of sufficient funds by the Applicants to Town for use by the Fire Department to purchase a Light Tower with generator, and
- A monetary contribution of sufficient funds by the Applicants to Town for use by the Police Department to purchase a solar-powered speed sign.

GF9. The DRI decision shall apply to the land shown as lots 1 & 2 on the *Exhibit Plan of Land*, dated 10/7/13 and the *Approval Not Required Plan, Mayflower Place II, Inc. & Turino Associates, LLC, Buck Island Road & Mill Pond Road*, by Kelly Engineering Group, dated 9/9/13. The DRI decision shall not apply to lot 3 shown on said Plans, which either is currently partially, and ultimately will be entirely, owned by the Town of Yarmouth.

WETWPHF8. The proposed parking for the Memory Care building incorporates an existing parking area, but relocates it closer to **existing development the road** and out of the 100-foot wetland buffer, thus minimizing and reducing impacts to the wetland buffer. The Applicants propose to revegetate portions of the site located along **the former layout of the discontinued portion of** Mill Pond Road, including the former parking area, and the area where an old foundation, a vacant residence and garage are located.

OSF1. The Applicants have submitted calculations for the total area of new disturbance associated with the project, including new clearing adjacent to the main campus facilities, and new disturbance on the southeast portion of the site associated with parking for the Memory Care facility. The total area of new disturbance is **77,553 ~~73,218~~** square feet. Redevelopment of the Mill Hill Club site, and reuse of existing parking areas do not count toward the total area of new disturbance for the purposes of calculating open space mitigation.

OSF2. Because the project site is located within Significant Natural Resources Area, the open space mitigation required by MPS OS1.3 is twice the total disturbed area, or **155,106 ~~146,436~~** square feet.

OSF3. The Applicants have proposed to expand the acreage area subject to the existing Conservation Restriction on the site by an additional site area of **122,978 sq ft (2.82 ac +/-) ~~127,984 square feet (2.93 acres)~~**. These areas, annexed to the existing protected area, provide meaningful open space as they protect buffers to the Mill Pond and associated wetlands.

OSF4. There is a shortfall of open space mitigation of **~~18,452~~ 32,128** square feet which the Applicant cannot provide onsite. The Applicant has opted to provide cash mitigation for the purpose of open space preservation in the Town of Yarmouth as allowed by MPS OS1.3. The cash mitigation calculated using current Assessor's data for the Town of Yarmouth is \$78,640 per acre, or **~~\$33,000~~ \$58,000** for the shortfall.

OSF5. The Commission shall condition the project to ensure compliance with MPS OS1.3 by requiring the Applicant to expand the area of the existing Conservation Restriction on the site by an area of **122,978 sq ft (2.82 ac +/-) ~~127,984 square feet (2.93 acres)~~**, and to pay cash mitigation of **\$5833,000** to address the **32,128 ~~18,452~~** square feet shortfall in the onsite protected open space.

~~TF23. (R e s e r v e d) The proposed project meets Best Development Practice BDP TR2.21(Shared Parking) by the Applicant's proposal to dedicate four (4) spaces in the main parking lot of the proposed Memory Care facility for visitors to the Baxter Grist Mill; by labeling these spaces with a "GRIST MILL PARKING ONLY" sign, and by extending a five (5) foot walking path from the designated parking spaces to the existing Baxter Grist Mill walking path.~~

HPCCF3. Given the distance and vegetation between the historic Baxter Grist Mill and the proposed facility, as well as the proposed improvements to the parking area **for the memory care building**, which is set well back from Route 28, **and the construction of new dedicated parking for will be shared with** Baxter Grist Mill visitors, the proposed project will support preservation of the Baxter Grist Mill and is consistent with MPS HPCC1.1(Historic Structures) and MPS HPCC1.2 (Cultural Landscapes).

Conditions

GC8. All development shall be undertaken and constructed consistent with the following project plans and materials:

Site Development Plan Set, by Kelly Engineering Group

- o Plan Set Sheet 1, Title Sheet, dated 10/10/12, revised 3/5/13
- o Sheet 2, Overall Layout Plan, dated 10/10/12, revised ~~1/23/13~~ **9/25/13**
- o Sheet 3A, Existing Conditions Plan, Mayflower Place Independent Living, dated 10/10/12, revised ~~1/23/13~~ **9/25/13**
- o ~~Sheet 3B, Existing Conditions Plan, Mayflower Independent Living, dated 10/10/12, revised 1/23/13~~
- o Sheet 4, Layout & Zoning Plan, Mayflower Place Independent Living, dated 10/10/12, revised ~~1/23/13~~ **9/25/13**
- o Sheet 5, Grading Plan, Mayflower Place Independent Living, dated 10/10/12, revised ~~1/23/13~~ **9/25/13**
- o Sheet 6A, Utility Plan, Mayflower Place Independent Living, dated 10/10/12, revised ~~3/5/13~~ **9/25/13**
- o ~~Sheet 6B, Utility Plan, Mayflower Place Independent Living, dated 10/10/12, revised 3/5/13~~
- o Sheet 7, Existing Conditions Plan, Mayflower Place Memory Care, dated 10/10/12, revised ~~1/23/13~~ **6/26/13**
- o Sheet 8, Layout and Zoning Plan, Mayflower Place Memory Care, dated 10/10/12, revised ~~1/23/13~~ **6/26/13**
- o Sheet 9, Grading and Drainage Plan, Mayflower Place Memory Care, dated 10/10/12, revised ~~1/23/13~~ **6/26/13**
- o Sheet 10, Utility Plan, Mayflower Place Memory Care, dated 10/10/12, revised ~~1/23/13~~ **6/26/13**
- o Sheet 11, Detail Sheet, Mayflower Place, dated 10/10/12, revised ~~1/23/13~~ **5/26/13**
- o Sheet 12, Detail Sheet, Mayflower Place, dated 10/10/12, revised ~~1/23/13~~ **5/26/13**

Architectural Plans and Perspectives, Mayflower Place Expansion, TAT, dated 10/10/12

- Sheet T1.01, Project Cover Page, latest revision 2/12/13
- Sheet A1.01, Independent Living, First Floor, latest revision 2/12/13
- Sheet A1.02, Independent Living, Second Floor, latest revision 2/12/13
- Sheet A1.03, Independent Living, Roof Plan, latest revision 2/12/13
- Sheet A1.04, Memory Care, First Floor Plan, latest revision 2/12/13
- Sheet A1.05, Memory Care, Second Floor Plan, latest revision 2/12/13
- Sheet A1.06, Memory Care, Roof Plan, latest revision 2/12/13

- Sheet A4.01, Independent Living, Building Elevations, latest revision ~~2/12/13~~ **05/21/13**
- SheetA4.02, Independent Living, Building Elevations, latest revision ~~2/12/13~~ **05/21/13**
- SheetA4.03, Independent Living, Building Elevations, latest revision ~~2/12/13~~ **05/21/13**
- Sheet A4.04, Memory Care, Building Elevations, latest revision ~~2/12/13~~ **05/21/13**
- Mayflower Place Expansion, Independent Living Perspective from Buck Island Road, Looking Southeast, dated 12/4/12
- Mayflower Place Expansion, Independent Living Perspective from Buck Island Road, Looking Northwest, dated 12/4/12
- Mayflower Place Expansion, Memory Care Perspective from Route 28, Looking East, dated 12/4/12
- Mayflower Place Expansion, Memory Care Perspective from Route 28, Looking West, dated 12/4/12
- Mayflower Place Expansion, Materials Board, Independent Living, dated 11/9/12
- Mayflower Place Expansion, Materials Board, Memory Care, dated 11/9/12

Mayflower Place II, Site Landscape Plans, Hawk Design, dated 10/12/12, revised 1/24/13

- Title Sheet, dated 1/24/13
- Drawing L1, Site Reference Plan, dated 10/10/12, revised ~~1/24/13~~ **5/22/13**
- Drawing L2, Independent Living Planting Plan, dated 10/10/12, revised ~~1/24/13~~ **5/22/13**
- Drawing L3, Memory Care Planting Plan, dated 10/10/12, revised ~~1/24/13~~ **5/22/13**
- Drawing D1, Plant List and Planting Details, dated 10/10/12, revised ~~1/24/13~~ **5/22/13**
- Drawing D2, Planting Notes, dated 10/10/12, revised ~~1/24/13~~ **5/22/13**
- Drawing L4, Independent Living Lighting Plan, dated 10/10/12, revised 1/24/13
- Drawing L5, Memory Care Lighting Plan, dated 10/10/12, revised 1/24/13
- Drawing L6, Site Lighting Legend and Specifications, dated 10/10/12, revised 1/24/13

Conservation Exhibit Plan, Mayflower Place, by Kelly Engineering Group, dated 3/5/13
revised 6/13/13

Approval Not Required Plan, Mayflower Place II, Inc. & Turino Associates, LLC, Buck Island Road & Mill Pond Road, by Kelly Engineering Group, dated 9/9/13

Exhibit Plan of Land, Mayflower Place II, Inc. Buck Island Road, by Kelly Engineering Group showing Lots 1, 2 & 3 dated 10/7/13

Stormwater Management Report, Mayflower Place, by Kelly Engineering Group, Revised June 26, 2013

Energy Information

- ENERGY STAR Target Finder Results for Mayflower/Memory Care, printed 11/14/12
- ENERGY STAR Target Finder Results for Mayflower/Independent, printed 10/10/12
- Letter, Andrew Stebbins, TAT, dated 10/10/12, Mayflower Place Expansion MPS ED1.3
- Letter, Andrew Stebbins, TAT, dated 10/10/12, Mayflower Place Expansion, Green Design, 2 pages
- Letter, Andrew Stebbins, TAT, dated 11/20/12, MPS ED1.3, Revised Memory Care Bldg
- Letter, Andrew Stebbins, TAT, dated 10/12/12, MPS E1.4

- ENERGY STAR, Builder Options Package Notes, Memory Care, dated 10/12/12 (3 pgs)
- ENERGY STAR, Builder Options Package Notes, Memory Care, dated 10/12/12 (3 pgs)
- Statement of Energy Design Intent, Mayflower Independent, dated 10/10/12 (2 pgs)
- Plan A1.03 PV, Mayflower Place Expansion, Independent Living Schematic PV Layout, dated 10/12/12 by TAT
- LEED for Homes Simplified Project Checklist, Mayflower Independent, dated 1/1/11, 3 pages
- LEED 2009 for New Construction and Major Renovations, Independent, dated 10/10/12
- LEED for Homes Simplified Project Checklist, Mayflower Memory Care, dated 1/1/11, 3 pages
- LEED 2009 for New Construction and Major Renovations, Memory Care, dated 10/12/12

GC15. The Applicants shall undertake and provide the following as benefits associated with the project:

- **Deed parcels A & B, as shown on the *Approval Not Required Plan, Mayflower Place II, Inc. & Turino Associates, LLC, Buck Island Road & Mill Pond Road*, by Kelly Engineering Group, dated 9/9/13, to the Town of Yarmouth, which in conjunction with land already owned by the Town, will constitute Lot 3 as shown on said Plan;**
- **Permit and construct new parking for the Baxter Grist Mill on said Lot 3;**
- **Permit and construct a handicap accessible walking path from said new Baxter Grist Mill parking area to the Baxter Grist Mill, within an easement area to be granted by the Applicants to the town;**
- **Provide directional signage to the Baxter Grist Mill;**
- **Provide viewshed maintenance of the Baxter Grist Mill property as agreed with the Town of Yarmouth;**
- **Management of invasive Phragmites species in the southwest corner of Mill Pond as agreed with the Town of Yarmouth;**
- **A monetary contribution of sufficient funds by the Applicant to Town for use by the Fire Department to purchase a Light Tower with generator; and**
- **A monetary contribution of sufficient funds by the Applicant to Town for use by the Police Department to purchase a solar-powered speed sign.**

OSC1. To ensure compliance with MPS OS1.3, prior to issuance of the Preliminary Certificate of Compliance, the Applicants shall prepare a revised Conservation Restriction, consistent with M.G.L Chapter 184, Sections 31-33, inclusive, and an accompanying plan, benefitting the Town of Yarmouth as grantee, for Commission staff review and approval that permanently protects the existing conservation restricted 23.52 acres plus the additional proposed ~~2.93~~ **2.82** acres described in the record materials. The Conservation Restriction and plan shall be provided for review and approval by Commission Counsel prior to recording/registration.

OSC3. The Applicants shall pay to the *Barnstable County Treasurer* ~~\$5833~~,000 as a mitigation payment for the shortfall in required on-site open space, which payment shall be made prior to issuance of the Final Certificate of Compliance and held in escrow to be used to protect open space in Yarmouth consistent with MPS OS1.3.

WRC6. Prior to issuance of a **Final Preliminary** Certificate of Compliance, calculations

demonstrating compliance with MPS WR7.8 shall be submitted for Commission staff review and approval. In accordance with the Cape Cod Commission Technical Bulletin 92-001, the calculations shall determine that the maximum high groundwater level at the location of the proposed vegetated swales lies below the bioretention soil mix. Areas of the project within 300 feet of a tidally influenced water bodies shall include measurements of the water level fluctuation over 24 hours (12 hours during a full or new moon).

TC3. To ensure compliance with MPSTR1.7 (Bicyclists and Pedestrians Safety and Access/Egress Requirements) and MPSTR2.7 (Bicycle and Pedestrian Accommodations), prior to issuance of the Final Certificate of Compliance, the Applicants shall provide upgrades to the curbing and sidewalk along Town Brook Road along the site frontage as shown on the *Mayflower Place (Memory Care) Layout and Zoning Plan revised* dated ~~10/12/12~~ **6 / 26 / 13** and onsite bicycle racks and/or storage lockers.

~~TC11. (Reserved) To meet BDP TR2.21 (Shared Parking), the Applicant shall dedicate four (4) spaces in the main parking lot of the proposed Yarmouth Dementia Center for visitors to the Grist Mill. The Applicant shall also place a "GRIST MILL PARKING ONLY" sign at these spaces and shall extend a five (5) foot path from the designated parking spaces to the existing Grist Mill path.~~

ISSUANCE OF MODIFICATION DECISION

Executed this 28th day of October 2013.

Signature *Patricia Daley*

Print Name and Title Patricia Daley, Deputy Director

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss October 28, 2013

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

Gail P. Hanley
Notary Public
My Commission Expires:
9-28-18

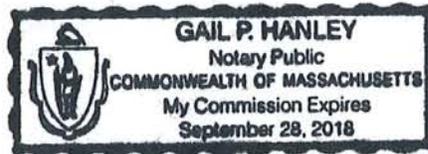


EXHIBIT A

Town Map and Parcel:

Assessor's Map 45, Parcel 78 (579 Buck Island Road)
Assessor's Map 37, Parcel 82 (164 Route 28)
Assessor's Map 45, Parcel 51 (23 Mill Pond Road)
Assessor's Map 37, Parcel 85 (24 Mill Pond Road)
Assessor's Map 37, Parcel 83 (3 Evergreen Road)
Assessor's Map 37, Parcel 84 (7 Evergreen Road)
Assessor's Map 37, Parcel 82.1 (0 Route 28)

Barnstable Registry of Deeds/Land Court:

579 Buck Island Road:

Lot D on Plan 8609-B, Certificate of Title #164296, and the west half of "Buck Island" (less the certain parcel sold to Maher) plus one additional acre, and Lot C in Plan Book 181, Page 89, Lots A, B, 1, 2, 3, 4, the fee in Bank Lane, the fee in the fifteen-foot path situated between Lots 13 and 14, all shown on a plan in Plan Book 181, Page 89, Lots 5 & 6 in Plan Book 45, Page 17, and a piece of cedar swamp (shown as Parcel II in Deed at Book 590, Page 511) all in Deed Book 14814, Page 281

164 Route 28:

Lots 37, 38, 39 & 40 in Plan Book 45, Page 17, Deed Book 4646, Page 316

23 Mill Pond Road:

Lot 7 in Plan Book 45, Page 17, Deed Book 4719, Page 224

24 Mill Pond Road:

Lot 36 in Plan Book 45, Page 17, Deed Book 2224, Page 205 (Parcel II)

3 Evergreen Road:

Lots 33 and one-half of 34 in Plan Book 45, Page 17, Deed Book 4616, Page 285

7 Evergreen Road:

Lot 35 and one-half of Lot 34 in Plan Book 45, Page 17, Deed Book 8759, Page 306

0 Route 28:

Parcel C in Plan Book 181, Page 89, Deed Book 14814, Page 281 (Parcel III).