

## MODIFICATION PROPOSAL

### THE PRESERVE AT THE WOODLANDS

#### OAK BLUFFS PLANNING BOARD – SPECIAL PERMIT AND SITE PLAN REVIEW APPROVALS – BOOK 1031, PAGE 611 (“Special Permit”)

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The applicant hereby requests the Town of Oak Bluffs Planning Board (hereinafter referred to as the “Board”) amend section IV “Conditions of Approval” of the Special Permit, as follows:

1. Conditions 2 & 3 shall be replaced with the following: “The applicant shall donate the sum of \$700,000 to the Oak Bluffs Municipal Affordable Housing Trust Fund to be paid upon the completion of the conveyance to the Applicant. The Applicant requests that any prior conditions regarding Affordable housing be considered null and void upon approval of this Modification.

The affordable housing monetary mitigation shall be used only for the following purposes:

- Capital expenses including land acquisition and construction of new affordable housing, either rental or home ownership opportunities.
- Programs offering housing assistance such as soft second mortgages, provided that there is shared equity to create new permanent affordable housing stock, including a provision that funds would be repaid into the program upon sale of the property and that the property remains in the affordable housing pool in perpetuity.

Conversely, the funds shall not be used for the following purposes:

- Project soft costs including consultants, administration, and similar costs directly related to the development of a specific affordable housing project.
  - Maintenance, heat, electricity, or other operating costs of existing affordable housing units or affordable housing project,
    - Rental subsidies
  - General staff, consultants, pre-development planning, or other administrative costs of affordable housing entities.”
2. Condition number 5 shall be amended by permitting the Applicant to relocate portions of “Chaise Way” and “Back Way Connector” as shown on the Site Plan attached hereto as Exhibit A.
  3. Add a Condition number 22: “There shall be a one hundred (100) foot setback for all structures from the rear lot line of Lots 12, 13, and 14, the first fifty (50) feet of which shall also be a no-cut zone restricted in each deed. The northerly set back of Lots 1 – 10 shall be a no-cut zone.”
  4. Add a Condition number 23: “The total bedroom count shall be limited to 156 bedrooms on the site, and each Lot shall install enhanced septic systems, or other technology as it becomes available, to insure the nitrogen loading from each system will be no more than 19 milligrams per liter per year.”

