

CR1 - 2010 – LITTLE HOUSE CAFE

2020 Proposed Modification

Modifications

The Applicant proposes to modify the conditions the MVC imposed on Little House Café's Conditions to Certificate of Occupancy, in its vote to NOT concur with a DRI referral in 2010, a copy of which is attached hereto. (CR1-2010). The following is the proposed modification:

- a. Delete Paragraph 3 from the Conditions.
- b. Amend Paragraph 4 of the Conditions to state the following:

“The funds in escrow shall be used for the costs of connecting to the Town Sewer System when it is available. It is understood and agreed that such costs may exceed the amount of the escrowed funds. The owners shall pay for any and all additional costs associated therewith. If the costs to connect are less than the escrowed funds, any remaining balance shall be refunded to the owner.”

Explanation

The Applicant is in the process of selling the property and business known as Little House Café. The operation has been in existing since 2010. There have been no adverse nitrogen impacts from this small restaurant operation. The Town Sewer expansion is on the horizon, with an extension currently in process to the Cape Cod Five Cents Savings Bank building just down the street from the Café. The Town must expand the sewer system to keep this business district viable, and to protect from further nitrogen impacts. Therefore it is not a question of if, but when, the Town will extend the system to a location where the Café can tie into. Therefore the original condition to force the Café to install a new septic system at a cost which could exceed \$30,000.00 is patently unfair, given the lack of any nitrogen impact from the current operation.

The applicant respectfully requests that the MVC remove condition 3, and amend condition 4 as requested.