



# CAPE COD COMMISSION

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DATE: October 15, 1992

TO: William O'Brien, authorized representative  
Stop & Shop Companies, Inc.

FROM: Cape Cod Commission

RE: Modification of Development of Regional Impact Decision  
dated October 10, 1991  
Cape Cod Commission Act, Section 12 and 13

PROJECT #: TR91016

APPLICANT: Lansing Realty Trust

PROJECT: Super Stop & Shop  
South Yarmouth, MA

MAP/PARCEL: Map 35/Lots 5, 6, 7  
Map 36/Lots 4 & 8

## MODIFICATION OF DEVELOPMENT OF REGIONAL IMPACT DECISION

The Cape Cod Commission hereby grants to Lansing Realty Trust a modification to a Development of Regional Impact approval with conditions originally approved on October 10, 1991 pursuant to Sections 12 and 13 of the Act. All conditions attached to the original decision continue to apply with the exception of condition #4 which has been modified below:

### Condition #4 (Transportation):

Prior to issuing a Certificate of Compliance, the Applicant shall make substantial progress towards completion of the following mitigation measures at locations A-C and make a \$5000.00 contribution to the town of Yarmouth to be used at locations A-D to offset traffic impacts created by the proposed development. The total cost of these improvements is estimated at \$479,500.00. The Applicant shall also bear the cost of project design, town review, construction management, inspection, and any required permits. The design of improvements A-D shall be approved by Cape Cod Commission staff, the town of Yarmouth Department of Public Works (DPW) and MDPW as to the roadways within their respective jurisdictions. The Applicant is responsible for the following:

#### A• Long Pond Drive/Forest Road

At the expense of the Applicant, a new fully actuated traffic signal shall be installed, Forest Road shall be widened to provide a northbound left-turn lane, a southbound left-turn lane, and channelization islands on Long Pond Drive for right turns shall be constructed.

#### B• Forest Road/Winslow Gray Road

At the expense of the Applicant, an upgraded fully actuated traffic signal shall be installed, Winslow Gray Road shall be widened to provide an eastbound right-turn lane, and Forest Road shall be widened to provide a northbound left-turn lane.

C. Route 28/Long Pond Drive (Interim)

At the expense of the Applicant, the existing signal shall be upgraded, minor widening for a westbound right-turn lane within the existing right-of-way on Route 28 shall be provided, and re-configuration of Long Pond Drive shall be completed to provide a southbound right and left-turn lane within the existing right-of-way on Long Pond Drive.

D. Station Avenue/Long Pond Drive

The Applicant shall contribute \$5000.00 to the town of Yarmouth for the purpose of future traffic improvements to be used either at the intersection of Long Pond Drive and Station Avenue or locations A-C.

Any work related to traffic improvements, as approved by the above agencies, which is incomplete at the time a Certificate of Compliance is sought, shall be subject to a performance guarantee. The amount of the guarantee shall be equal to that portion of the work which remains incomplete with the amount approved by Commission staff. The guarantee shall be in a form acceptable to Counsel of the Commission and shall be payable to the town of Yarmouth. All work shall be approved by Commission staff and the town of Yarmouth prior to the release of the guarantee.

The Development of Regional Impact decision issued October 10, 1991 pursuant to Sections 12 and 13 of the Cape Cod Commission Act on the above referenced project is incorporated into this modified decision by reference.

Alix Ritchie  
Alix Ritchie, Chair  
Cape Cod Commission

10/15/92  
Date

Commonwealth of Massachusetts

Barnstable, ss.

Subscribed and sworn to before me this Oct 15<sup>th</sup> day of 1992

Katharine G Peters  
Name, Notary Public

My Commission Expires:

My Commission Expires October 5, 1997