

CAPE COD COMMISSION

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BARNSTABLE, MA 02630
(508) 362-3828
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E-mail: frontdesk@capecodcommission.org

Date: February 14, 2000

Re: Development of Regional Impact Request
Cape Cod Commission Act

Applicant: Tedeschi Realty Corporation
14 Howard Street
Rockland, MA 02370

and

The Stop & Shop Supermarket Company
P.O. Box 1942
Boston, MA 02105

Project #: TR98036

Project: Sandwich Stop & Shop Plaza
Route 6A and Merchant's Road
Sandwich, MA

Lot/Plan: Lot 87/Parcel 1 Book 2438/page 198
Lot 87/Parcel 2 Land Court Title #69252
Lot 87/Parcel 3 Land Court Title #69363
Lot 87/Parcel 4 Book 10310/page 48

MODIFICATION OF DEVELOPMENT OF REGIONAL IMPACT DECISION

Pursuant to Section 12 of the Cape Cod Commission Act, the January 21, 1999 DRI Decision issued for the Sandwich Stop & Shop Plaza is hereby modified as a Minor Modification # 2 by the Regulatory Committee of the Cape Cod Commission on February 14, 2000, as follows:

1) **General Condition G1 is hereby modified as follows:**

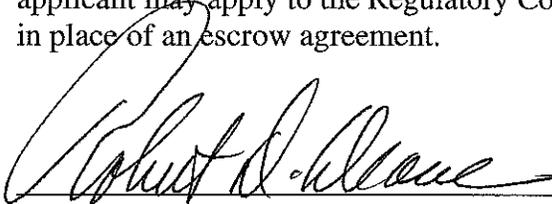
G1. The site shall be developed consistent with the Layout and Materials Plan, Sheet C-5 issue date 8/27/98, revised 12/30/98 **and 8/31/99**, the Site Electrical Plan, Sheet SE-1, issue date 8/27/98, revised 1/13/99 **and 8/31/99**, the Utilities Plan, Sheet C-7, issue date 8/27/98, revised 11/23/98, and the Landscape Plan, Sheet C-8, issue date 8/27/98, revised 12/21/98 **and 8/31/99**. The building shall be constructed consistent with the elevation drawings entitled "Proposed Exterior Elevations, Stop & Shop Plaza, Route 6A, Sandwich, MA, Sheets EL-1 (issue date June 22, 1998, revised December 22, 1998) **and superseded by Sheet PA11 issued 2/22/99 and revised 5/14/99**, EL-2 (issue date June 22, 1998, revised November 24, 1998 **and 5/14/99**) and EL-4 (issue date October 23, 1998, revised December 22, 1998) **and superseded by Sheet EL-4A issued 3/24/99 and revised 5/14/99**. All pylon signage and Stop & Shop wall signage shall be externally illuminated. All tenant wall signage shall be externally illuminated by the expiration date of existing lease agreements.

2) Natural Resources and Open Space Condition NR4 is hereby modified as follows:

NR4. The applicant shall provide a \$20,000 endowment to the holder of the conservation restriction (or, if donated, to the grantee) of the Roberti Farm parcel to help maintain and restore the property. The applicant shall provide proof of said donation prior to obtaining a final Certificate of Compliance from the Cape Cod Commission. **As an alternative, prior to obtaining a final Certificate of Compliance from the Cape Cod Commission, the applicant shall establish an escrow account in a form and content satisfactory to Commission Counsel to be held by either the Barnstable County Treasurer or a bank as escrow agent in the amount of \$20,000 which shall be released to the holder of the conservation restriction (or, if donated, to the grantee) of the Roberti Farm parcel when such recipient is identified and approved in writing by Commission staff to help maintain and restore the property.**

3) Historic Preservation/Community Character Condition HPCC8 is hereby modified as follows:

HPCC8. If all required Merchant's Road improvements, exterior lighting and/or landscape improvements are not complete at the time a partial or final Certificate of Compliance is sought from the Commission, any work which is incomplete shall be subject to an escrow agreement of form and content satisfactory to Commission counsel. The amount of the escrow agreement shall equal 150% of that portion of the incomplete work, including labor and materials, with the amount approved by Commission staff. The escrow funds shall be payable to Barnstable County **or bank as escrow agent** with the work approved by Commission staff prior to release of the escrow funds to the applicant. Escrow account funds may be released by the Commission in the form of partial disbursements as proof is provided that the work has been done as approved. The applicant may apply to the Regulatory Committee for approval to substitute a performance bond in place of an escrow agreement.



Robert Deane
Chairman, Regulatory Committee

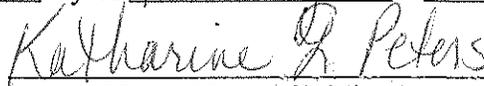
2/28/00

Date

Commonwealth of Massachusetts

Barnstable, ss.

Subscribed and sworn to before me this 28th day of February 2000



Name, Notary Public

My commission expires:

