



CAPE COD COMMISSION

3225 MAIN STREET
P.O. BOX 226
BARNSTABLE, MA 02630
(508) 362-3828
FAX (508) 362-3136

E-mail: frontdesk@capecodcommission.org

Date: March 18, 2002

To: Michael D. Ford, Esq.
P.O. Box 665
West Harwich, MA 02671

From: Cape Cod Commission

Re: Modification of Development of Regional Impact Decision
Cape Cod Commission Act, Sections 12 and 13

Applicant: The Stop & Shop Supermarket Company and Cape Cotuit Center, LLC
c/o Atlantic Retail Properties
71 2nd Avenue
Waltham, MA 02154

Project #: JR99013

Project: Cotuit Landing Redevelopment and Expansion
Route 28, Falmouth Road, Barnstable, Massachusetts

Book/Page: Parcel 2, 3, and 4: Cape Cotuit Center, LLC
Book 10805, Page 177

Parcel 6: Cape Cotuit Center, LLC
Lot 12-B on Plan Book 475, Page 4
Book 10805, Page 177

Certificate #: Parcels 1, 5, and 7: Cape Cotuit Center, LLC
L.C. 22824-J, Lots 112, 114 and 115
Certificate of Title 144821

Parcel 8: EDT Cotuit, LLC
Book 13230, Page 58 and
Book 12107, Page 258 and
Book 10805, Page 177

MODIFICATION OF DEVELOPMENT OF REGIONAL IMPACT DECISION

The June 21, 2001 DRI Decision issued for the Cotuit Landing Redevelopment and Expansion project and modification dated February 19, 2002 are hereby amended as a Minor Modification # 2 by a vote of the Regulatory Committee on March 18, 2002. All conditions attached to the June 21, 2001 decision and the February 19, 2002 modification continue to apply except as modified herein.



CONDITIONS

Condition T10 is hereby modified as follows:

T10. Route 28 construction shall be phased as described in a letter dated March 4, 2002 from Christopher M. Lynch of Lawrence Lynch Corp. to David Shedd of Vanasse Hangen Brustlin, Inc., and a Route 28 Improvement Plan (Proposed Construction Phasing) received March 11, 2002. Route 28 Reconstruction Phase I (March 11 to April 1, 2002) and Route 28 Reconstruction Phase II (April 2 to July 1, 2002) shall be completed prior to issuance of a partial Certificate of Compliance for Phase II of the Cotuit Landing Reconstruction and Expansion project ("the project"). At the time a partial Certificate of Compliance for Phase II of "the project" is requested, all sitework and landscaping associated with Route 28 Reconstruction Phases I and II shall be complete. Incomplete work associated with Route 28 Reconstruction Phase III (September 4 to November 15, 2002) shall be secured by escrow funds consistent with Condition HPCC4.

All catchbasins and/or utility covers shall be set at the binder course level until the top course of pavement is applied, at which time they shall be re-set.

HPCC6. Prior to issuance of a final Certificate of Compliance from the Commission, in-the-field verification of light levels shall be conducted by Commission staff to verify conformance with Technical Bulletin 95-001 and MPS 6.2.7. This shall also include verification that installed signage is in conformance with Condition HPCC7, below. **If a partial Certificate of Compliance for Phase II of "the project" is requested prior to in-the-field verification of light levels, conformance with this condition shall be secured by the escrow funds described in Condition T10.**

Jon Broedrick for
David Ansel, Chairman

6/27/02
Date

Commonwealth of Massachusetts
County of Barnstable

On this 27th day of JUNE, 2002, before me personally appeared TOM BROEDRICK to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Dorr Steven Fox
Notary
Commonwealth of Massachusetts

My Commission Expires: _____

