



CAPE COD COMMISSION

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DATE: September 20, 2002

TO: Patrick M. Butler, Attorney
Nutter, McClennen & Fish
1513 Iyanough Road
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Hyannis, MA 02601

FROM: Cape Cod Commission

RE: Modification of Development of Regional Impact Decision dated
October 20, 1994 and modified in decisions
dated November 14, 1994, February 13, 1995, April 24, 1995 and
June 12, 1997
Cape Cod Commission Act, Sections 12 and 13

APPLICANT: Falmouth Hospital

PROJECT: Falmouth Hospital - Outpatient & Maternity Center

PROJECT #: TR-94013

BOOK/PAGE: Book - 3384 Page - 215

MODIFICATION TO DEVELOPMENT OF REGIONAL IMPACT DECISION

The Development of Regional Impact (DRI) decision dated October 20, 1994 and modified in decisions dated November 14, 1994, February 13, 1995, April 24, 1995 and June 12, 1997, for the Falmouth Hospital Outpatient Care and Maternity Center project is hereby by a vote of the Regulatory Committee on September 17, 2002. All conditions attached to the original decision dated October 20, 1994 and modifications dated November 14, 1994, February 13, 1995, April 24, 1995 and June 12, 1997 shall continue to apply except as modified herein.

Modification Request

Finding 10 of the DRI decision (as amended) states "the hospital expansion is located within the zone of contribution to the Wellhead Protection Area (WHPA) to the proposed Beebe Woods town well." As such, condition 11 of the October 20, 1994 DRI decision (as modified) required that the basement "shell space" not be used to store hazardous materials or hazardous waste. In March, 1998 the hospital received an Occupancy Permit from the Town of Falmouth for an in-house "stat" laboratory in the basement space. Subsequently, in April, 2001, the Town of Falmouth voted to eliminate the Beebe Woods Well Site Water Resources Protection District. The modification request was to clarify the findings and conditions of the DRI decision.

Modifications

The Regulatory Committee, by vote on September 17, 2002, makes the following changes to the DRI decision (as previously modified):

Finding 10 of the October 20, 1994 DRI decision is stricken and replaced with the following:

"At the April, 2001 Town Meeting, the Town of Falmouth voted to change the Zoning Bylaw and amend the Zoning Map by eliminating the Beebe Woods Well Site Water Resources Protection District."

Condition 11 of the October 20, 1994 DRI decision is stricken and replaced with the following:

"If the Beebe Woods Well Site Water Resource Protection District is ever re-designated as such, or other action occurs that results in the Falmouth Hospital site being included in a Wellhead Protection District/Zone II, then the Hospital shall report such action to the Cape Cod Commission for review of the Hospital's compliance with the Hazardous Materials and Waste Management section of the Regional Policy Plan by the Commission or its designee."

David J. Ansel
Chair, Regulatory Committee

10/18/02
Date

**Commonwealth of Massachusetts
County of Barnstable**

On this 18th day of Oct, 2002 before me personally appeared

David Ansel, 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.

Katharine L. Peters
Notary
Commonwealth of Massachusetts

My Commission Expires: _____

