

CAPE COD COMMISSION

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E-mail: frontdesk@capecodcommission.org

DATE: November 3, 2003

TO: P.A. Landers, Inc.
In care of Attorney Jonathan Fitch
MacNeil & Fitch
Tudor Hill House
88 Route 6A
P.O. Box 549
Sandwich, MA 02563

RE: Modification of an Approved DRI Decision

APPLICANT: P.A. Landers, Inc.

PROJECT: Modification of Development of Regional Impact decision
P.A. Landers Sand & Gravel
Kiah's Way, Sandwich, MA

LOCUS: Map 53, Parcels E-4, E2-2

MODIFICATION TO DEVELOPMENT OF REGIONAL IMPACT DECISION

The Development of Regional Impact (DRI) decision dated December 5, 1991 issued by the Cape Cod Commission approved, with conditions, P.A. Landers, Inc. sand and gravel removal operation and a "sand and gravel processing plant" on part of a 33.3 acre site located off Route 130 at Kiah's Way in Sandwich.

The Commission, through its Regulatory Committee, approved on April 1, 2002 a minor modification #2 to the original DRI decision for the sole purpose of granting an extension of the timeframe of condition #13. Condition #13 was changed to state that the "approval shall be valid until November 8, 2003."

In a letter dated October 9, 2003, Attorney Jonathan Fitch, on behalf of P.A. Landers, requested a seven-year extension of the timeframe in condition #13. The Commission's Regulatory Committee considered this request to again modify the language of condition #13. On November 3, 2003, the Regulatory Committee voted to allow a further revision of condition #13, but limited it to two years to encourage a proposed

swap of land between the Town of Sandwich and P.A. Landers. The Regulatory Committee voted that this was a minor modification #2 under Section 7 of the Administrative Regulations (as revised).

Modification to P.A. Landers Decision

In accordance with the November 3, 2003 vote of the Regulatory Committee, the following modification is made to the December 5, 1991DRI decision (as modified):

Condition #13

"13. The gravel removal operation must commence within seven (7) years of the approval date. The approval shall be valid until ~~November 8, 2003~~ **November 8, 2005.**"

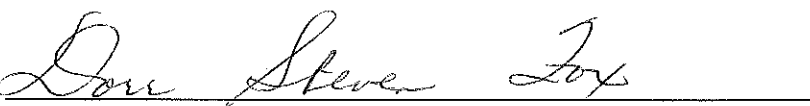

David J. Ansel

11/17/03
Date

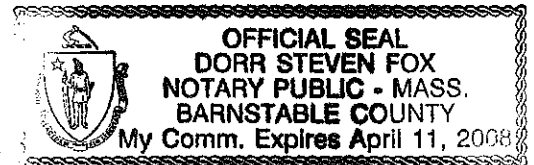
Vice
Chair, Regulatory Committee

**Commonwealth of Massachusetts
County of Barnstable**

On this 17th day of NOVEMBER, 2003, before me personally appeared FRANK HOGAN, to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that HE executed the same as HIS free act and deed.



Notary
Commonwealth of Massachusetts



My Commission Expires: