



CAPE COD COMMISSION

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E-mail: frontdesk@capecodcommission.org

DATE: June 21, 2004

TO: Attorney Patrick Butler
Nutter, McClennen and Fish, LLP
1513 Iyannough Road
Hyannis, MA 02601

FROM: Cape Cod Commission

RE: Development of Regional Impact
Cape Cod Commission Act, Sections 12 and 13

APPLICANT: Morris Tarkinow
The Tarkinow Group, Ltd.

PROJECT #: TR20031

PROJECT: BJ's Wholesale Club
Hadaway Road
Hyannis, MA

LOT/PLAN: Lots 7 & 8 on Plan recorded with Barnstable County Registry of Deeds in Plan Book 547,
Page 1. See also Deed in Book 5041/Page 284.

MODIFICATION OF DEVELOPMENT OF REGIONAL IMPACT DECISION

Pursuant to Section 12 of the Cape Cod Commission Act, the April 10, 2003 DRI Decision issued for the BJ's Wholesale Club project is hereby amended as a Minor Modification #2. All findings and conditions attached to the original decision dated April 10, 2003 continue to apply except as modified herein.

Condition NR/OS1 is hereby modified as follows:

NROS1. In accordance with NROS Finding 3, prior to the issuance a preliminary Certificate of Compliance, the applicant shall donate a ~~2.75~~ **2.42** acre parcel of land off of Old Neck Lane in Barnstable (as shown on Barnstable Assessors Map 235, parcels ~~11 and 12~~ **13**) either to the Town of Barnstable to be held under the care, custody, and control of the Conservation Commission, or to the Barnstable Land Trust. Commission Counsel shall approve the form and content of the deed prior to recording. The applicant shall also contribute ~~\$113,692~~ **\$135,254** (\$1.50 per sq. ft. x ~~1.74~~ **2.07** acres) to the Barnstable County Treasury

BJ's Wholesale Club/TR20031

Minor Modification #2

June 21, 2004



for the Barnstable Land Bank fund for open space acquisition prior to the issuance of a preliminary Certificate of Compliance.

Condition ED4 is hereby modified as follows:

ED4. Prior to the issuance of a preliminary Certificate of Compliance, design plans for the Hyannis Business Improvement District BID directional signage along Route 132 shall be approved by Commission staff, Town of Barnstable, and Mass Highway. **In the alternative, the applicant may make a contribution of \$3,000 to the Hyannis Business Improvement District for design plans for the BID directional signage along Route 132 prior to the issuance of a preliminary Certificate of Compliance.** Prior to the issuance of a final Certificate of Compliance, **Commission staff, the Town of Barnstable, and Mass Highway shall approve the design plans and this signage shall be installed.**

David J Ansel
David Ansel, Chair

6/24/04
Date

Commonwealth of Massachusetts

County of Barnstable

On this 25th day of JUNE, 2004, before me, the undersigned notary public, personally appeared DAVID J ANSEL, proved to me through satisfactory evidence of identification, which were PERSONAL KNOWLEDGE, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he)(she) signed it voluntarily for its stated purpose.

Dorr Steven Fox
Notary Public

Commonwealth of Massachusetts

My Commission Expires: _____

