



CAPE COD COMMISSION

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DATE: January 18, 2005

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 as further modified continue to apply except as modified herein.

The Commission's Regulatory Committee voted on January 18, 2005 to modify Conditions G10 and G11 as follows:

G10. Prior to receiving a Certificate of Occupancy from the Town of Barnstable, the applicant shall obtain a final Certificate of Compliance from the Commission. At the discretion of the Regulatory Committee and the Town of Barnstable Building Commissioner, the town may issue a temporary Certificate of Occupancy prior to the issuance of a final Certificate of Compliance for the stocking of non-perishable goods only.

G11. The project shall not be occupied open for business until a final Certificate of Compliance is received from the Cape Cod Commission.

BJ's Wholesale Club
Minor Modification #2
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Frank E. Hogan 2/11/05
Frank E. Hogan, Chair Date

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

February 10, 2005

Before me, the undersigned notary public, personally appeared FRANK HOGAN in his/her capacity as Chairman of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he/she signed such document voluntarily for its stated purpose. The identity of such person was proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, or personal knowledge of the undersigned.

Dorr Steven Fox
Notary Public

My Commission Expires

