



## 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](mailto:frontdesk@capecodcommission.org)

Date: August 7, 2006

To: Mr. Andrew L. Singer  
Singer & Singer, LLC  
P.O. Box 67  
Dennisport, MA 02639

From: Cape Cod Commission

RE: Modification to the Limited Development of Regional Impact  
Determination for Change of Use  
DRI Enabling Regulations, Sections 3 and 4

Applicant: Orleans Enterprises, Inc.  
16 O'Connor Road (a.k.a O'Connor Lane)  
Orleans, MA 02653

Project # CU #06010

Project: Orleans Toyota Redevelopment  
16 O'Connor Road (a.k.a O'Connor Lane)  
Orleans, MA 02653

Property Owner(s): Francis J. Russell, Trustee  
O'Connor Lane Realty Trust  
16 O'Connor Road (a.k.a. O'Connor Lane)  
Orleans, MA 02653

Map/Parcel: 47/95  
Land Court Cert. Of Title: 170075  
Lot/Plan: 11/36352B

---

### MODIFICATION TO THE DECISION OF THE CAPE COD COMMISSION

Modification to the Limited DRI Determination for Change of Use Decision  
Orleans Toyota Redevelopment – CU#06010  
August 7, 2006  
Page 1 of 4



The original Limited DRI Determination for a Change of Use Decision CU#06010, Orleans Toyota Redevelopment, dated June 12, 2006 (hereinafter Decision) is hereby amended by a vote of the Regulatory Committee of the Cape Cod Commission on August 7, 2006. All conditions attached to the original Decision continue to apply except as modified herein.

- 1. The Project Description on page 2 of the Decision is hereby amended by inserting the following paragraph after the second paragraph of the Project Description found on page 2:**

The applicant has proposed a total of 20,310 SF of exterior display area and 117 spaces for customer and employee parking. Approximately 6,400 SF of the exterior display area is to be located on the “dog leg” portion of the property, which is the area paralleling O’Connor Road and extending to the intersection with Lots Hollow Road. Significant landscaping has been proposed for this “dog leg” to screen the project from Lots Hollow Road as well as to screen the exterior display area located on this dog leg portion of the site.

- 2. The “proposed square footage for the new use” given in the Project Description on page 2 of the Decision is hereby stricken and replaced with the following:**

The proposed square footage for the new use is to be:

22,829 SF	first floor (main building)
4,089 SF	mezzanine floor (main building)
2,400 SF	stand alone showroom building
784 SF	stand alone car wash building
<u>20,310 SF</u>	<u>exterior display area</u>
50,412 SF	Total

- 3. Finding F-G3 on page 6 of the Decision is hereby stricken and replaced with the following:**

- F-G3.** The proposed project is to be constructed according to the following plans:
- *Site Plan – Automobile Sales and Service Business*, prepared for Orleans Toyota by Ryder & Wilcox, Inc., dated May 26, 2006 and revised June 12, 2006, and dated as received by Commission on 7/25/06.
  - *Building Renovations for Orleans Toyota*, prepared by ConServ Group Inc., dated 3/24/06 (sheets T-1, A-1, and A-3) and 2/3/06 (sheet A-2), and dated as received by Commission on 5/31/06.
  - *Planting and Landscaping Plan, Landscape Design* by Seth Wilkinson, MALD, Wilkinson Ecological Design, plan date 7/18/06, and dated as received by Commission on 7/25/06.

**4. Finding F-CC2 on page 10 of the Decision is hereby stricken and replaced with the following:**

**F-CC2.** The site is nearly entirely paved with minimal existing vegetation. A narrow, vegetated buffer is present between the site and Route 6, a regional roadway. The project plans and the Applicant have not indicated any removal of the remaining vegetation on site. The Applicant has proposed new plantings and landscaping for the “dog leg” and the island at the entrance to the parking lot at O’Connor Road according to the plan entitled Landscape Design by Seth Wilkinson, MALD, Wilkinson Ecological Design, plan date 7/18/06, and dated as received by Commission on 7/25/06. These plantings will serve to screen the project from Lots Hollow Road and to provide, in effect, screening of the exterior automobile display area on the “dog leg” from the adjacent roadways.

The Commission finds that the 6,400 SF of exterior display area located on the “dog leg” shall remain as presently proposed according to the *Site Plan – Automobile Sales and Service Business*, prepared for Orleans Toyota by Ryder & Wilcox, Inc., dated May 26, 2006 and revised June 12, 2006, and dated as received by the Commission on 7/25/06. Should the Applicant propose any expansion of or changes to its location that moves this exterior display area closer to Lots Hollow Road, it would require review as a Modification to this Decision according to Section 12 of the Enabling Regulations, dated as revised March 2005, as amended.

**5. Insert the following new paragraph between existing paragraphs one and two in the Conclusion on page 11 of the Decision:**

Prior to the issuance of a Certificate of Occupancy from the Town of Orleans, the Applicant must receive a Certificate of Compliance from the Cape Cod Commission. This provision is necessary to ensure that the project for which the Applicant received a Limited DRI Determination Decision (of no mandatory review required) was constructed according to the proposed plans referenced herein in Finding F-G3 and is consistent with the Findings of this Decision. The Applicant shall provide a minimum of fifteen (15) business days notice of the intent to seek a Certificate of Compliance from the Commission.

Frank H. Hogan  
Mr. Frank H. Hogan  
Chairman of the Regulatory Committee

8/24/06  
Date

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

8/24, 2006

Before me, the undersigned notary public, personally appeared Mr. Frank H. Hogan, in his capacity as Chairman of the Regulatory Committee of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he 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.

Gail P. Hanley  
Notary Public

My Commission Expires:

10/13/11