



CAPE COD COMMISSION

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Date: August 7, 2006

To: Mr. Myer Singer, Esq.
Singer and Singer, LLC
26 Upper County Road, P.O. Box 67
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From: Cape Cod Commission

RE: Modification of the Development of Regional Impact Decision dated
February 3, 2005, as modified
Cape Cod Commission Act, Sections 12 & 13

Applicant: WJG Realty Trust
1385 Hancock Street
Quincy, MA 02169

Project #: TR #20074

Project: Harwich Commons Redevelopment
East Harwich, Massachusetts

Book/Page: 10368/151
Certificate #: #126299
Lot/Plan: 68/39774-H; C/277/88; 387/66

MODIFICATION TO DEVELOPMENT OF REGIONAL IMPACT DECISION

The original Development of Regional Impact Decision TR#20074, WJG Realty Trust—Harwich Commons Redevelopment, dated February 3, 2005, as modified 12/12/05, 4/5/06 and 4/26/06 (hereinafter the Decision) is hereby further amended by a vote of the Regulatory Committee of the Cape Cod Commission on August 7, 2006. All conditions attached to the Decision continue to apply except as modified herein.

Modification to DRI Decision TR#20074
WJG Realty Trust—Harwich Commons Redevelopment
August 7, 2006
Page 1 of 3



1. **The following condition is hereby inserted to replace the original Condition C-G11 on page 22 of the Decision:**

C-G11. Prior to receiving a temporary Certificate of Occupancy for any portion of Retail A from the Town of Harwich the Applicant shall obtain a Partial Certificate of Compliance #3 from the Commission.

2. **Condition C-G11 on page 22 of the Decision is hereby stricken and replaced with the following:**

C-G12. Prior to receiving a permanent Certificate of Occupancy for Retail A and a final Certificate of Occupancy for the reconstruction/expansion of the Super Stop & Shop building from the Town of Harwich the Applicant shall obtain a Final Certificate of Compliance from the Commission. Unless otherwise stated in this Decision, the Project shall be constructed in its entirety in accordance with final plans listed above in C-G1 and all conditions of the Decision shall be met prior to issuance of a Final Certificate of Compliance for the proposed Project.

3. **Conditions C-G12, C-G13 and C-G14 on page 22 of the Decision are hereby renumbered to be C-G13, C-G14 and C-G15 respectively.**

4. **Condition C-HM1 on page 26 of the Decision is hereby stricken and replaced with the following:**

C-HM1. The Retail A building or any space in it shall not be leased to any business or use that uses, treats, generates, stores or disposes of hazardous materials and/or hazardous waste in excess of 25 liquid gallons or approximately 200 pounds dry weight equivalent at any time. Prior to issuance of Partial Certificate of Compliance #3 for the first tenant of the Retail A building, the Applicant shall submit a copy of the lease for the Retail A building for review and approval by Commission staff. If the Retail A building is to be occupied by more than one tenant, then prior to the issuance of Partial Certificate of Compliance #3 the Applicant shall also submit for review and approval by Commission staff a copy of the model lease for all subsequent tenants of Retail A that demonstrates the required limitations on hazardous materials.

Frank Hogan
Frank Hogan
Chair, Regulatory Committee
Cape Cod Commission

8/7/06
Date

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

8/7/, 2006

Before me, the undersigned notary public, personally appeared FRANK 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.

Dorr Steven Fox

Notary Public

My Commission Expires:

