



CAPE COD COMMISSION

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Date: October 2, 2006

To: Eliza Cox
Nutter, McClennen & Fish
1513 Iyannough Road
Hyannis, MA 02601-1630

From: Cape Cod Commission

RE: Modification of a Development of Regional Impact

Applicant: Joshua Zuckerman
Pleasant Bay Health and Living Center
383 South Orleans Road
Brewster, MA

Project: Pleasant Bay Assisted Living Facility
South Orleans Road, Brewster, MA

Project #: TR-20075

Book/Page: Book 10930 Page 75
Book 09773 Page 341
Book 8660 Page 197
Book 609 Page 28 (Parcel A)

Background

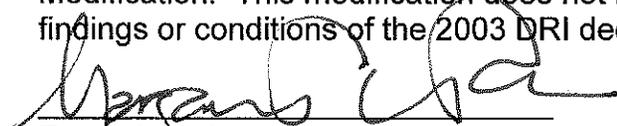
The above referenced project, the Pleasant Bay Assisted Living Facility, was approved as a Development of Regional Impact (DRI), with conditions, by a vote of the Cape Cod Commission (Commission) on January 9, 2003. In an E-mail received by the Commission on September 8, 2006, David Albrecht, PE, of Rizzo Associates, notes that the proposed site lighting for the project will change, such that the number of pole-mounted light fixtures along the entrance drive was being reduced. Commission staff received a set of site plans on September 21, 2006 dated July 20, 2006. The maintained foot-candle plan in this set indicates the number of pole lights along the entrance drive will be reduced, and the total number of fixtures on site will also be reduced.



Condition CC5 of the 2003 DRI decision allows the applicant to make changes to the project's exterior lighting design as construction proceeds. It also requires, however, that any such changes be reviewed and approved by Commission staff according to the Commission's DRI decision modification procedures before they are implemented in the field.

Determination

The Executive Director of the Cape Cod Commission has determined that the proposed revisions to the exterior lighting design - reducing the number of fixtures along the entrance drive - constitutes a *de minimus* change and is approved as a Type 1 Minor Modification. This modification does not require or authorize any changes to the findings or conditions of the 2003 DRI decision.



Executive Director

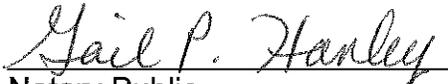
Date 10/2/06

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

10/2, 2006

Before me, the undersigned notary public, personally appeared Margaret L. Fenn in her capacity as Executive Director of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that 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 personal knowledge of the undersigned.



Notary Public

My Commission expires:

10/13/11