

CAPE COD COMMISSION

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Date: February 5, 2007

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 #: TR-20075

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

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	Book 09773	Page 341
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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. This DRI decision was modified by a Minor Modification Type #1 issued on October 2, 2006, which dealt with a reduction in the number of proposed exterior light fixtures.

In a meeting with Commission staff on January 29, 2007, Attorney Eliza Cox of Nutter, McClennen & Fish stated that the applicant wanted to change the exterior materials to be used for the assisted living building, garage and wastewater treatment building from the proposed wood or cement fiber siding and shakes to colored vinyl panels made by *Certainteed*.



On January 30, 2007, Commission staff contacted the Town of Brewster DRI Liaison, Assistant Town Administrator Jillian Douglass to determine the Town's position on the proposed change. Ms. Douglass said that the Town wanted to better understand and participate in the Commission's review of the proposed change to the exterior materials.

Commission staff determined that the matter should be brought before the Regulatory Committee at its February 5, 2007 meeting.

The Cape Cod Commission's Regulatory Committee at its February 5, 2007 meeting voted to confirm that the change to the exterior materials to be used for the Pleasant Bay Assisted Living Facility, garage and wastewater treatment building from wood or cement fiber siding and shakes to colored, embossed vinyl panels made by *Certainfeed* constituted a Type 1 Minor Modification of the 2003 DRI decision.

Determination

The Executive Director of the Cape Cod Commission has determined that the requested change to the exterior materials used for the above-referenced buildings constitutes a *de minimus* change and is approved as a Type 1 Minor Modification. The following change shall be made to finding CC4 of the 2003 DRI decision: "~~Proposed materials consist of wood or cement fiber siding and shakes, and asphalt shingle roofing.~~ Proposed forms and materials of these buildings are consistent with MPS 6.2.1."


Margaret L. Fenn, Executive Director

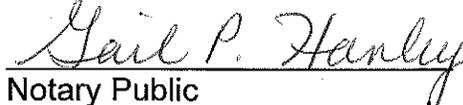
2/7/07
Date

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

2/7, 2007

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