



CAPE COD COMMISSION

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E-mail: frontdesk@capecodcommission.org

DATE: July 7, 2008

TO: Douglas Storrs, Vice-President
Mashpee Commons Limited Partnership

FROM: Cape Cod Commission

RE: Modification of Development of Regional Impact Decision dated March 4, 1993 and modified April 26, 1993, April 11, 1994, May 12, 1994, August 1, 1994, October 16, 1995, June 18, 1997, December 19, 2002, July 19, 2004 and January 8, 2007.
Cape Cod Commission Act, Sections 12 and 13.

APPLICANT: Mashpee Commons, Limited Partnership
PO Box 1530
Mashpee, MA 02649

OWNER: Mashpee Commons Limited Partnership
P.O. Box 1530
Mashpee, MA 02649

PROJECT: 151 North Market Street
Route 151/Great Neck Road North
Mashpee, MA 02649

PROJECT #: TR90009A

LAND COURT CERTIFICATE: #172447 (Lot #12, Plan No. 26950G)

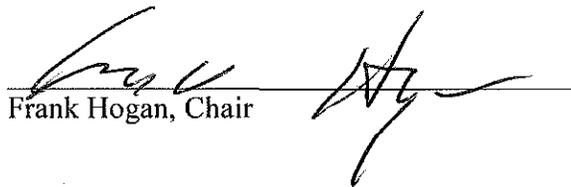
MODIFICATION TO DEVELOPMENT OF REGIONAL IMPACT DECISION

The Development of Regional Impact decision dated March 4, 1993 and modified April 26, 1993, April 11, 1994, May 12, 1994, August 1, 1994, October 16, 1995, June 18, 1997, December 19, 2002, July 19, 2004 and January 8, 2007 for the 151 North Market Street project is hereby amended by a vote of the Regulatory Committee on July 7, 2008. All findings and conditions attached to the original decision and modifications continue to apply except as modified herein.

Water Resources Condition #1 added as part of the January 8, 2007 Modification shall be modified as follows (bold text is added text, deleted text is struckout):



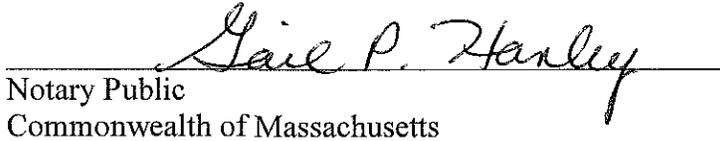
“The credit shall be reduced by 47.1 kilograms per year in accordance with the DRI approval for the Jobs-Whiting Neighborhoods decision dated December 14, 2006 (TR #98049). **On June 12, 2008, the Town of Mashpee requested permission from Mashpee Commons LP to connect the new library to the Mashpee Commons wastewater treatment facility (WWTF). The site of the new library is located at the corner of Jobs Fishing Road and Route 151 in Mashpee within the Marine Water Recharge Area to Popponeset Bay. Treating the wastewater from the new Library at the Mashpee Commons WWTF would produce less nitrogen than using a conventional Title 5 septic system. The following parameters for the calculation of the nitrogen loading credit for connecting the library are as follows: 1) use of average wastewater flows for the new Library (823 gallons per day (gpd)); 2) 35 ppm total nitrogen in septic system effluent; 3) 3 ppm total nitrogen in Mashpee Commons WWTF effluent. Use of these parameters result in an additional nitrogen loading credit of 36.4 kilograms per year. When added to the remaining nitrogen credit for the previous connection of the Mashpee Senior Center, Police and Fire station, the future credit associated with this condition shall be 39,976.3 kilograms per year.”**


Frank Hogan, Chair


Date

Commonwealth of Massachusetts
County of Barnstable

On this 24th day of July, 2008, before me, the undersigned notary public, personally appeared Frank Hogan proved to me through satisfactory evidence of identification, which were personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.


Notary Public
Commonwealth of Massachusetts

My Commission Expires: 10/13/11