



CAPE COD COMMISSION

3225 MAIN STREET
P.O. BOX 226
BARNSTABLE, MASSACHUSETTS 02630
(508) 362-3828
FAX (508) 362-3136
E-mail: frontdesk@capecodcommission.org

DATE: November 19, 2009

TO: Donald E. Megathlin
C. Talanian Realty Co.
137 Newbury St.
Boston, MA 02116

FROM: Cape Cod Commission

RE: Modification of Development of Regional Impact Modification decision dated 12/14/00 as modified 4/10/03 and 3/31/05.

PROJECT: South Cape Village
Mashpee, MA

PROJECT#: TR97007/MOD02030

LOT & CERTIFICATE/BOOK & PAGE:
Lot 3- 32122c, 33848, 475431, 1164450
Lot 2- 32122c, 33848, 47532, 116540
Lot 1- 33792, 3866, 035

OWNER: Lots 3 & 2 Chatal Realty Trust
Lot 1 Chatal Associates

MODIFICATION OF DEVELOPMENT OF REGIONAL IMPACT DECISION

Pursuant to Section 12 of the Cape Cod Commission Act (Act) c. 716 of the Acts of 1989, as amended, and Section 13(c)(i) of the Cape Cod Commission's Enabling Regulations Governing Review of Developments of Regional Impact (DRI), the South Cape Village Outlet Mall Development of Regional Impact decision (TR97007), dated December 14, 2000, and modified by the South Cape Village Phase I DRI Modification decision, (MOD02030), dated April 10, 2003, and the South Cape Village Phase II DRI Modification decision (MOD02030), dated March 31, 2005, is hereby amended to accommodate the construction of building E, 21 South



Street, and building F, 29 South Street. All findings and conditions attached to the original decision and modifications continue to apply, except as modified herein.

Minor Modification #1

Modified Conditions:

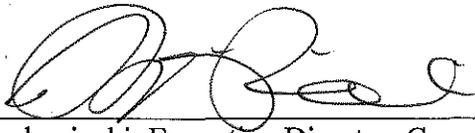
Condition G7 is hereby amended by adding the following plan references (as shown in bold underline) to the final approved plans:

G7 The proposed SouthCape Village Phase II Modification shall be constructed in accordance with the following final plans:

- Site Plan L1-L3, revised 3/5/03. Site Work Phase I Plan L4 revised 3/10/03.
- Proposed elevations, sheets A1, A-5, revised 3/5/03, Prellwitz/Chilinski Architects.
- Areas 1-3 Landscaping Planting Plan, dated 12/10/02, prepared by Mary LeBlanc Landscape Design, 4 sheets, L4-L9.
- Layout, Grading & Drainage, and Utility Plans by Coler & Colantonio, dated 12/2/02 and 12/11/02.
- Permissible Building Area, prepared by Prellwitz/Chilinski, dated October 15, 1999.
- Site Plan date 1/28/00 (approved for original DRI decision).
- Concept Plans – 10/7/99 Liquor Warehouse page 1, Deer Crossing page 2.
- Map 4.1 Conceptual Improvement Plan, Full Access/Egress, with Signal, Figure 26, 3/25/99.
- Drawings/Sheets C2-C7 (for South Cape Village Sovereign Bank) dated 10/15/07 prepared by Baxter Nye Engineering & Surveying.
- **“Site Construction Plans, Walgreens (building E) & Building F1 at South Cape Village” by Baxter Nye Engineering and Surveying, revised date 9/2/09, consisting of C-1 “Cover Sheet,” Sheet C-2 “Legend and General Notes,” Sheet C-3 “Existing Conditions Plan,” Sheet C-4 “Overall Site Plan,” Sheet C-5 “Site Layout and Materials Plan,” Sheet C-6 “Grading and Drainage Plan,” Sheet C-7 “Utility Plan,” Sheet C-8 “Details,” Sheet C-9 “Details,” and Sheet C-10 “Truck Turning Radius Exhibit.”**
- **Landscape Plans entitled “South Cape Village, Walgreens Building E” by Mary LeBlanc Landscape Design, revised date 9/2/09, consisting of Sheet L-1 “Ex. Conditions & Transplanting,” and Sheet L-2 “Proposed Planting.”**
- **Architectural plans for Building E, entitled “Proposed Walgreens, Mashpee, Massachusetts” by Moeser & Associates, Architect, consisting of Sheet ACP-1 “Proposed Floor Plan,” revised date 9/10/09, Sheet ACP-2 “South Street Elevation,” revised date 11/16/2009, Sheet ACP-3, “Parking Lot Elevation and Falmouth Road Elevation,” revised date 11/16/2009, and Sheet ACP-4 “Proposed Roof Plan,” revised date 11/16/2009.**
- **Architectural plans for Building F1 entitled “South Cape Village, Building F1 – Mashpee, MA” by Prellwitz/Chilinski Associates, Inc., revised date 9/2/09, consisting of Sheet A1 “F-1 and F-2 Site Plan and Section,” Sheet A2 “Roof Plan & Floor**

**Plan,” Sheet A3 “Building Elevations” and a second Sheet A3 “Building Elevations”
in color.**

The plan addition/revision reflects changes to buildings E and F1 such that the originally proposed 8,000 s.f. building E is to be constructed as a 13,991 s.f. Walgreens Pharmacy, and the originally proposed 10,000 s.f. building F1 is to be constructed as a 3,255 s.f. retail building to consist of 5 retail units and restrooms. The modification also includes minor changes in parking, lighting, and landscaping as identified in the above listed plans.



Paul Niedzwiecki, Executive Director, Cape Cod Commission

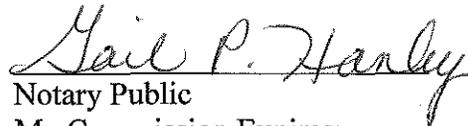
11/19/09
Date

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

11/19, 2009

Before me, the undersigned notary public, personally appeared Paul Niedzwiecki, in his/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 he/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 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.



Notary Public

My Commission Expires:

10.13.11