



CAPE COD COMMISSION

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Date: September 1, 2009
To: Industrial Tower and Wireless, LLC
40 Lone Street
Marshfield, MA 02050
From: Cape Cod Commission
RE: Modification of a Development of Regional Impact

Project Applicant: Industrial Tower and Wireless, LLC

Property Owner: Barnstable County Agricultural Society

Project: Wireless Telecommunications Facility, Barnstable Fairgrounds

Project Location: 0 Nathan Ellis Highway, Falmouth, MA

Project Number: TR-07022

Map and Parcel: Map 18-3 Parcel 001

Book and Page: Book 1411 Page 576

SUMMARY

The Cape Cod Commission's Executive Director hereby approves as a Minor Modification Type #1 the following changes to the following conditions of the May 29, 2008 Development of Regional Impact decision which approved, with conditions, the construction of a 150-foot wireless communications monopole located at 0 Nathan Ellis Highway, Falmouth, MA.

CHANGES to CONDITIONS (Bold text indicates added text)

C-3 Prior to the issuance of a Building Permit for development, the Applicant shall obtain a preliminary Certificate of Compliance from the Commission that states that all conditions in this decision pertaining to issuance of a Building Permit have been met. Prior to **the first wireless carrier's installation on** the monopole becoming operable for the cellular networks, the Applicant shall obtain a final Certificate of Compliance from



the Commission that states that all conditions pertaining to site work have been met. Prior to each subsequent wireless carrier's installation on the monopole becoming operable for that company's cellular network, the Applicant and carrier company shall obtain a final Certificate of Compliance from the Commission that states that all conditions pertaining to each carrier's installation have been met. Such Certificates of Compliance shall not be issued unless all conditions have been complied with. Notification of the request for a final Certificate of Compliance shall be given to the Commission at least 30 days in advance of the Project's start of operations, or the start of operations of each carrier, to allow time for staff to inspect the site and ascertain that all conditions have been met.

C-19 Prior to issuance of a Final Certificate of Compliance for the first carrier's installation on the monopole becoming operable for the cellular networks, Commission staff shall conduct a site inspection to verify compliance with Conditions C-12, C-13, C-14, C-15, C-16, C-17 and C-18. If, based on the inspection, the site is found not to be in compliance with these requirements, then the Applicant shall modify the Project to conform to this decision. Such modification shall take place prior to issuance of a the first Final Certificate of Compliance. Prior to issuance of a Final Certificate of Compliance each subsequent carrier's installation on the monopole becoming operable for the cellular networks, Commission staff shall conduct a site inspection to verify compliance with Conditions C-12, C-13, C-14, C-15, C-16, and C-17. If, based on the inspection, the site is found not to be in compliance with these requirements, then the Applicant or carrier shall modify the Project to conform to this decision. Such modification shall take place prior to issuance of the Final Certificate of Compliance for that carrier's installation.

Paul Niedzwiecki
Paul Niedzwiecki, Executive Director

9/1/09
Date

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

9/1, 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.

Gail P. Hanley
Notary Public

My Commission Expires: 10.13.11