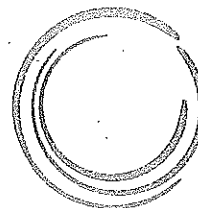


3225 MAIN STREET • P.O. BOX 226  
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD  
COMMISSION

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(508) 362-3828 • Fax (508) 362-3136 • [www.capecodcommission.org](http://www.capecodcommission.org)

Date: September 30, 2011

To: Eliza Cox, Esq.  
Nutter McClennen & Fish LLP  
PO Box 1630  
Hyannis, MA 02601

From: Cape Cod Commission

Re: Modification of a Development of Regional Impact

Applicant: Community Health Center of Cape Cod, Inc.  
107 Commercial Street  
Mashpee, MA 02649

Co-applicant: Town of Mashpee, as Property Owner  
Joyce Mason, Town Manager  
16 Great Neck Road North  
Mashpee, MA 02649

Project & Location: Mashpee Community Health Center  
107 Commercial Street  
Mashpee, MA 02649

Project #: HDEX#11009

Book/Page: Book 587 Page 553  
*See also Ground Lease recorded in Book 22000, Page 1*

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#### INTRODUCTION

The above referenced project, Mashpee Community Health Center, was approved, with conditions, as a Project of Community Benefit Hardship Exemption, by a vote of the Cape Cod Commission (Commission) on August 4, 2011.

Condition GC8 of the Commission's Limited DRI Hardship Exemption decision ("the decision") requires that prior to the issuance of a Building Permit, 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 Preliminary Certificate of Compliance have been met. Such Certificate of Compliance shall not be issued unless all conditions connected to the Preliminary Certificate of Compliance have been complied with.

Eliza Cox, Attorney for Mashpee Community Health Center, submitted in writing a minor modification request on September 9, 2011, and provided a narrative of the proposed changes to the approved project, along with the revised plans. The changes include the installation of a new 8 foot high stockade fence and additional plantings along a portion of the south-west property line to buffer the expanded parking area from an abutting residential property, installation of solar panel arrays on the south elevation of the addition, as shown on Sheet A700 of the architectural plan set, alterations to the proposed Route 28 emergency connection at the request of the Mashpee Fire Department, a change to the light fixture in the southwest corner of the property, noted as being on a separate timer to diminish lighting impacts on an abutting property owner, an additional emergency egress from the north side of the addition together with a walkway, revisions to the stormwater plans as a result of the Planning Board permitting process, and a potential bus shelter and walkway along Commercial Street being constructed by the Cape Cod Regional Transit Authority per the request of the Planning Board.

#### DETERMINATION

The Executive Director of the Commission has determined that the request constitutes *de minimus* changes according to Section 13(c)(i) of the Commission's *Enabling Regulations* (Revised March 2011) and are approved as a Type 1 Minor Modification. The following changes shall be made to Finding GF7 and Condition GC6 of the original 2011 Project of Community Benefit Hardship Exemption Decision.

#### MODIFICATIONS TO THE 2011 DECISION

The following changes shall be made to a finding and condition of the 2011 Limited DRI Hardship Exemption decision to reflect the requested changes to the project. New or added text is shown in **bold**. Deleted text is shown in ~~strikeout~~.

#### *Finding GF7*

The project will be constructed in accordance with the following plan set (dated 3/25/11) from Stantec, received by the Commission on ~~May 18, 2011~~ **September 9, 2011** as follows(attached to this decision as Exhibit A and incorporated by reference):

- Sheet C-1, Proposed Layout Plan (last revised ~~5/17/11~~ **8/12/11**)
- Sheet C-2, Existing Conditions Plan (last revised 5/6/11)
- Sheet C-3, Grading, Drainage, & Utilities Plan (last revised ~~5/17/11~~ **8/12/11**)
- Sheet C-4, Ruck Construction Details (last revised 5/6/11)
- Sheet C-5, Leaching Field Construction Details (last revised 5/6/11)
- Sheet C-6, Septic Construction Details (last revised 5/17/11)
- Sheet C-7, Construction Details (last revised ~~5/6/11~~ **8/12/11**)
- Sheet C-8, Construction Details (last revised ~~5/6/11~~ **8/1/11**)
- Sheet C-9, Erosion & Sediment Control Plan (last revised ~~5/17/11~~ **8/12/11**)
- Site Lighting Plan, Drawing Number ES001, dated ~~4/29/11~~ **7/15/11**
- **Sheets G000, A200, A201, A202, A700 and A701, Architectural Plans: "100% Construction Documents 8/12/11 Mashpee Expansion 107 Commercial Street Mashpee, MA 02649" dated 8/12/11**
- **Landscape Plan: "Planting Plan and Revegetation Plan," Drawing Number L-100, dated 8/12/11 and revised 9/30/11**

Condition GC6

The project will be constructed in accordance with the following plan set (dated 3/25/11) from Stantec, received by the Commission on ~~May 18, 2011~~ **September 9, 2011** as follows(attached to this decision as Exhibit A and incorporated by reference):

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Executive Director

9/30/11  
Date

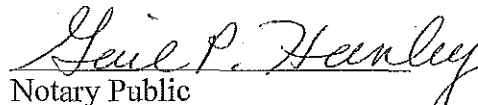
**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss

9/30, 2011

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