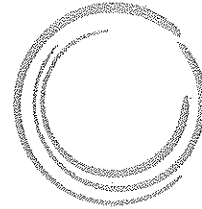


3225 MAIN STREET • P.O. BOX 226  
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD  
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • www.capecodcommission.org

**Minor Modification Type #1**

DATE: December 12, 2012

TO: Raymond W. Caterino  
Northern  
20 Candlewood Lane  
P.O. Box 995  
Dennisport, MA 02639

FROM: Cape Cod Commission

RE: Modification of a Development of Regional Impact

PROJECT APPLICANTS: Raymond W. Caterino

PROPERTY OWNER: Raymond W. Caterino

PROJECT # TR-90037

PROJECT: Crowell Golf Driving Range/Longest Drive

LOCATION: Golf Driving Range, 131 Great Western Road, Dennis

BOOK / PAGE: Book: 9728 Page: 267  
Book: 12748 Page: 172

**Background**

A Development of Regional Impact decision (DRI Decision) was rendered on October 11, 1990 approving with conditions a golf driving range at 131 Great Western Road in Dennis. The Decision described the project to be constructed on 19 acres of a 37-acre parcel that was used for sand excavation by Crowell Construction Company. The project was originally referred to the Commission by the Dennis Planning Board as a mandatory referral of greater than 40,000 square feet of outdoor commercial space.

**Modification Request**

The Applicant states in its current request that he is seeking to exchange equal or nearly equal pieces of land of property with an abutting parcel of land to the East of the Driving Range. Based on plans provided from Down Cape Engineering, the two pieces of land to be exchanged are .70 acres each in size.

### **Commission Jurisdiction and Modification Types**

Section 13(c) of the Commission's *Enabling Regulations*, as amended March 2011 (Revised Fee Schedule Effective July 1, 2012), sets out the types of DRI modifications. A Minor Modification Type #1 is defined as "revisions that are the result of more restrictive conditions imposed by a local board or technical corrections or changes that the Executive Director or his/her designee determine are *de minimus* changes to the project." The *Enabling Regulations* also state that Minor Modifications Type #1 "shall be approved by that the Executive Director or his/her designee and reported to the Regulatory Committee and do not require further review by the Commission."

### **Determination on Modification Requests**

After consideration of the request by Mr. Caterino to exchange a .70 piece of land of property with an abutting property owner of land to the East of the Driving Range, the Commission's Executive Director has determined the requested change constitute a *de minimus* change, and is approved as a Minor Modification Type #1.

### **Changes to 1900 DRI Decision**

The following change is thereby made to the Crowell Golf Driving Range/Longest Drive DRI Decision, as shown below to accommodate the proposed exchange of .70 acres of land.

All findings and conditions attached to the original decision, as amended, continue to apply except as modified herein.

The following new conditions shall be added:

#### **6) Site Plan for Land Exchange**

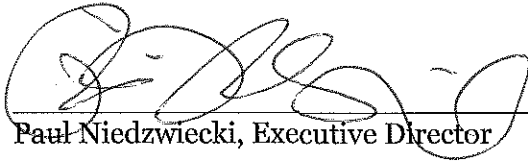
The site plans referred to in the Materials Submitted for the Record section of the DRI Decision as *4 sheets of Site Plans by DownCape Engineering, Inc. dated March 13, 1990*, shall be amended by the *Proposed Plan of Land, #131 & #141 Great Western Road (Being a Re-Division of Lot #1 and Lot #2 on Plan Book 476 Pg 93) in South Dennis, MA, Prepared for OpenField Development Trust*, plan prepared by down cape engineering, inc., dated February 6, 2012 by Daniel A. Ojala, received by the Commission on November 20, 2012 which shows an exchange of .70 acres of land with abutting property to the East.

#### **7) Uses of Land Received by the Crowell Golf Driving Range/Longest Drive**

The .70 acres of land received in exchange with the abutting property to the East shall be limited to the uses articulated in the October 11, 1990 original DRI Decision.

**SEE NEXT PAGE FOR SIGNATURES**

**SIGNATURES**

  
Paul Niedzwiecki, Executive Director

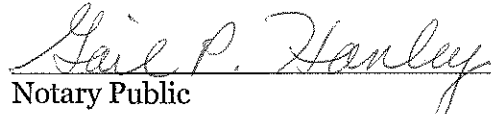
12/13/12  
Date

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss

Dec 13, 2012

Before me, the undersigned notary public, personally appeared Paul Niedzwiecki in his/her capacity as the Cape Cod Commission's Executive Director, 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:

9-28-18

