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BARNSTABLE, MASSACHUSETTS 02630



CAPE COD
COMMISSION

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MINOR MODIFICATION TYPE #1

DATE: January 15, 2013

TO: Michael A. Santos
APCON, Inc.
4830 Route 28
Cotuit, MA 02653

FROM: Cape Cod Commission

RE: Modification of a Development of Regional Impact Decision dated January 29, 1998 and modified on September 22, 1998, August 30, 1999, October 7, 1999, March 12, 2001, November 17, 2008, March 3, 2009, September 4, 2009, January 1, 2010 and August 30, 2012

Cape Cod Commission Act, Sections 12 and 13

OWNER: Leo J. Fein, General Manager
Cape Cod Mall / Simons Malls
769 Iyannough Road, Hyannis, MA 02601

PROJECT: Cape Cod Mall Renovation and Expansion (TR96025)

BOOK/PAGE: Book 1357/Page 1143
Book 1357/Page 1152
Book 7942/Page 272

LOT/PLAN:

Lot 10/Plan 18367-D	Cert. #73925	Lot --/Plan 35455-A	Cert. #44428
Lot 18/Plan 29992-E	Cert. #73925	Lot 12/Plan 13216-I	Cert. #124185
Lot 20/Plan 29992-E	Cert. #73925	Lot 13/Plan 13216-I	Cert. #124185
Lot 21/Plan 29992-E	Cert. #73925	Lot 14/Plan 13216-I	Cert. #124185
Lot 22/Plan 29992-E	Cert. #73925	Lot 11/Plan 13216-I	Cert. #124185
Lot 26/Plan 29992-E	Cert. #73925	Lot 10/Plan 13216-I	Cert. #124185
Lot 13/Plan 18367-D	Cert. #73503	Lot 12/Plan 29719-B	Cert. #78644
Lot 16/Plan 29992-D	Cert. #41206	Lot 11/Plan 29719-B	Cert. #78644
Lot 17/Plan 29992-D	Cert. #41206	Lot 19/Plan 29992-E	Cert. #108683
Lot 23/Plan 29992-E	Cert. #73503	Lot 25/Plan 29992-E	Cert. #104912
Lot 24/Plan 29992-E	Cert. #39492/41206	Lot 27/Plan 29992-E	Cert. #104912
Lot 2/Plan 34491-B	Cert. #44869	Lot A-1/Plan 21173-B	Cert. #129187
Lot 1/Plan 34491-B	Cert. #137708	Lot A-2/Plan 21173-B	Cert. #129187
Lot 14/Plan 29992-D	Cert. #119830	Lot 94/Plan 17786-K	Cert. #76834
Lot 15/Plan 29992-D	Cert. #119830	Lot 49/Plan 17786-D	

MODIFICATION OF DEVELOPMENT OF REGIONAL IMPACT DECISION

Pursuant to Section 13 of the Cape Cod Commission *Enabling Regulations* (Revised March 2011/New Fee Schedule Effective 7/1/12), the Development of Regional Impact decision for the Cape Cod Mall renovation and expansion dated January 29, 1998 and modified on September 22, 1998, August 30, 1999, October 7, 1999, March 12, 2001, November 17, 2008, March 3, 2009, September 4, 2009, January 1, 2010, and August 30, 2012 is hereby amended to allow a change to the exterior lighting design for the T-Murphy's Sports Bar.

All findings and conditions attached to the original decision and subsequent modifications continue to apply except as modified herein. New text is shown in **bold**. Deleted text is shown in ~~strikeout~~.

Community Character Finding I13: Exterior lighting, including any lighting for exterior signs, is consistent with Minimum Performance Standard 6.2.7 and the Commission's Exterior Lighting Technical Bulletin based a 8/22/12 letter from Daveta Associates Architects, 31 Upland Road, Somerville, MA including a revised Front and Right Side Elevation drawing **for the T-Murphy's Sports Bar** showing goose-neck fixtures for sign lighting **and one shielded downright over the main outside entrance. No changes are proposed or authorized to any other part of the Cape Cod Mall's exterior lighting design.**

Signatures

Paul Niedzwiecki, Cape Cod Commission Executive Director

1/15/13
Date

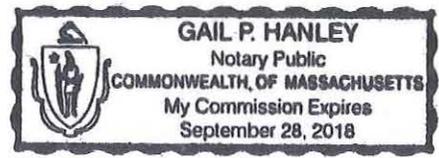
COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

Jan 15, 2013

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