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CAPE COD
COMMISSION

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DRI Permit Extension Decision- South Cape Village, Mashpee

Date: October 1, 2015

To: DPF Mashpee LLC (Applicant/ Owner)
c/o Eliza Cox, Esq.
Nutter McClennen & Fish LLP
1471 Lyannough Road
P. o. Box 1630
Hyannis, Massachusetts 02601-1630

Re: Development of Regional Impact- Permit Extension

Project/ South Cape Village (CCC Nos. TR97007 and MOD 02030)
Project Site: Route 28 (Falmouth Road) & Donna's Lane, Mashpee

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1. The above-referenced Project has the benefit of a Cape Cod Commission development of regional impact decision, TR97007, dated December 14, 2000, which was subsequently modified several times, including two major modifications (noted as CCC Project No. MOD02030) dated, respectively, April 10, 2003, and March 31, 2005 (collectively, the "DRI Permit").
 2. By virtue of the terms and conditions of the DRI Permit and the Commonwealth's Permit Extension Act, the DRI Permit will expire March 31, 2016.
 3. The DRI Permit approved construction of up to 160,000 square feet of shopping center space in designated building footprint areas, together with associated landscaping, parking, drainage and other site and transportation improvements.
 4. Most of the shopping center has been constructed; however there is one designated building footprint area/phase, approved under the DRI Permit for approximately 12,000 square feet of floor area, which remains unconstructed (which uncompleted phase is shown on the plan submitted with the Applicant's DRI Permit extension request entitled "Master Plan, Sheet EX1.0, dated September 14, 2015, prepared by Baxter Nye Engineering and Surveying for DPF MASHPEE LLC c/o Dividend Capital Diversified Property Fund Inc.").

5. The Applicant/ Owner recently purchased the Project/ Project Site from the original permittee Mashpee Investors, LLC in April 2015 (See deed recorded with the Barnstable County Registry of Deeds in Book 28780, Page 94, and with the Barnstable County Registry District of the Land Court as Document Number 1,266,509).

6. The extension is requested to allow the Applicant sufficient time to plan and construct the final building phase ("Building Area 'G'") approved under the DRI Permit. The Applicant has requested a five year extension to the DRI Permit pursuant to Section 7 of the Commission's DRI Enabling Regulations, stating in its request that, rather than immediately obtain all local permits and start construction of this additional building area within the remaining 7 months of the DRI Permit, it desires to complete a thorough assessment of the needs of the shopping center and thoughtfully plan and design the remaining building program. The DRI Enabling Regulations authorize the Commission's Committee on Planning and Regulation, upon appropriate request and after public hearing, to grant an extension of a DRI Permit for up to five years.

7. The DRI Permit contains Conditions requiring Cape Cod Commission staff review of each building/ phase of the Project to ensure compliance with the DRI approval. As such, when the proposed building and program are finalized, Commission staff will review the proposal to ensure consistency with the DRI Permit, including of the final phase yet unconstructed.

8. The requested extension will not result in any changes to the findings or conditions of the DRI Permit.

9. The Committee on Planning and Regulation (CPR), after public hearing and for good cause shown by the Applicant, hereby grants a five year extension to the DRI Permit in accordance with Section 7(c)(xiv) of the Commission's Enabling Regulations. Pursuant to this extension, the period for the Applicant to obtain local permits, licenses and approvals pursuant to the DRI Permit, for development authorized under and subject to said DRI Permit, shall now expire **March 31, 2021**.

Signature page(s) follow

SIGNATURE(S)

Executed this 1st day of October 2015.

For the Commission by:
Chair, Committee on Planning and Regulation

Royden E. Richardson
Signature

ROYDEN E. RICHARDSON
Print Name

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss October 1, 2015

Before me, the undersigned notary public, personally appeared Royden Richardson,

in his/her capacity as CPR Chair 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 [X] personal knowledge of the undersigned.

E. Perry

Notary Public

My Commission Expires:

SEAL

