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CAPE COD
COMMISSION

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APPLICANT: MASHPEE COMMONS LIMITED PARTNERSHIP
ARNOLD B. CHACE, JR.
MASHPEE COMMONS II, LLC
GNRS-MA, LLC
C/O ELIZA COX, ESQ., NUTTER MCCLENNEN & FISH LLP
1471 IYANNOUGH RD./ P.O. BOX 1630, HYANNIS, MA 02601

**RE: DETERMINATION ON APPLICANT'S NOTICE OF INTENT TO FILE A
DEVELOPMENT AGREEMENT WITH THE CAPE COD COMMISSION**

PROJECT: MASHPEE COMMONS EXPANSION (CCC FILE #DA19035)

PROPERTY: 27 STEEPLE STREET, MASHPEE, MA 02649
ASSESSORS MAP 68 PARCELS 5 & 6; MAP 73 PARCELS 6, 10, 12 & 34;
MAP 74 PARCELS 6, 7, 12, 16, 17, 18, 20, 20A, 20B, 22, 24, 28, 29, 32, 34, 35, 37,
38, 39, 40 & 41; MAP 75 PARCELS 1 & 10

DATE: MARCH 5, 2020

FINDINGS

The Cape Cod Commission finds as follows:

1. Pursuant to Section 5 of Chapter D of the Code of Cape Cod Commission Regulations of General Application/ Development Agreement Regulations (November 2014), the Applicant submitted to the Cape Cod Commission (Commission) a Notice of Intent (NOI) to file a Development Agreement with the Commission dated December 12, 2019. In filing the NOI, the Applicant requests a determination from the Commission that its proposed development is eligible and suitable for consideration under a Development Agreement
2. Under its Development Agreement, the Applicant would propose mixed use development of the Property at various densities, along with supporting amenities, infrastructure and improvements such as parkland and open space (Project).
3. The Property consists of approximately 186.67 acres of contiguous land in Mashpee currently owned by the Applicant, which land includes the existing development known as Mashpee Commons. The Applicant owns approximately 250 acres total in Mashpee.
4. The Property is located in a Community Activity Center Placetype as mapped

Mashpee Commons Expansion
DA NOI Determination– March 2020

by the Commission pursuant to the 2018 Regional Policy Plan.

5. The Project would exceed one or more mandatory Development of Regional Impact (DRI) review thresholds set out in Chapter A of the Code of Cape Cod Commission Regulations of General Application, and thus would otherwise require DRI review by the Commission.
6. No municipal development permits are pending for the Project, and the Applicant is investigating what review might be required for the Project under the Massachusetts Environmental Policy Act.
7. The Mashpee Planning Board and Mashpee Selectboard have voted to support the Applicant's request for a Development Agreement with the Commission (See written correspondence from the Planning Board dated August 15, 2019 and from the Selectboard dated February 11, 2020).
8. At its February 6, 2020 meeting on the NOI, the Committee on Planning and Regulation (CPR) voted to recommend to the Commission that the proposed development is suitable for consideration under a Development Agreement.
9. The Commission held a hearing on the NOI March 5, 2020.
10. The Project meets the criteria for consideration as a Development Agreement with the Commission under Section 5 of the Development Agreement Regulations:
 - a. The Property includes a large land area of approximately 186 acres, consisting of multiple parcels under the common control of the Applicant;
 - b. The Project would involve multiple uses and structures; future phases not fully or definitively defined; and would likely be permitted and constructed over a period of time that would exceed seven years;
 - c. The Project would benefit from a comprehensive review of its foreseeable and planned elements to allow for efficient planning and implementation of infrastructure needs.

CONCLUSION/ DETERMINATION

The Commission hereby determines that the Project is eligible and suitable for consideration under a Development Agreement with the Commission, and the Applicant may proceed to file a Development Agreement Application with the Commission for the Project, in accordance with the Commission's Development Agreement Regulations, within one year of the date of this written determination.

(Signature page follows)

SIGNATURE PAGE

Executed this _____ day of March 2020.

For the Cape Cod Commission by:

Signature

Print Name and Title

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

March _____, 2020

Before me, the undersigned notary public, personally appeared _____, in his/her capacity as _____ 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:

SEAL