

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



CAPE COD
COMMISSION

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DEVELOPMENT OF REGIONAL IMPACT MINOR MODIFICATION TYPE #1

DATE: FEBRUARY 13, 2018

TO: ATTY ELIZA COX, NUTTER MCCLENNEN & FISH LLP
1471 IYANNOUGH ROAD, P.O.BOX 1630, HYANNIS, MA 02601

PROJECT APPLICANT/
OWNER: WATERHOUSE PROPERTIES LLC

PROJECT: ATLANTIC SUBARU FKA SUBARU OF NEW ENGLAND (TR99025)

SITE/ LOCATION: 122 & 124 WATERHOUSE ROAD, BOURNE, MA 02532

TITLE REFERENCE: DEED BOOK 28594 PAGE 56
PLAN BOOK 454 PAGE 48, LOT 1

DEED BOOK 28401 PAGE 169
PLAN BOOK 407 PAGE 83, LOT 3

ASSESSOR'S ID: MAP 27 PARCELS 152 AND 153

Pursuant to Section 13 of the Cape Cod Commission (Commission) Enabling Regulations Governing Review of Developments of Regional Impact (Revised November 2014, with Revised Fee Schedule Effective July 1, 2017), the Development of Regional Impact decision dated April 13, 2000 (as modified by decisions dated March 26, 2001, May 21, 2001, and August 4, 2016) ("DRI Decision") for the above-referenced Project is hereby further modified by this Minor Modification Type #1 decision, the issuance of which authorizes the proposed Project changes described herein, where the Executive Director, through Commission staff, has determined that such changes are *de minimus*.

The DRI Decision approved the construction and subsequent expansion of an automobile dealership and associated site improvements, service facilities, parking/display areas, and landscaping at the Project Site.

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As the Applicant advanced its permitting plans to construction drawings, it recognized that certain design changes were necessary to allow for the efficient and sensible use and operation of the Project. Accordingly, the Applicant requested further modification to the DRI Decision on February 7, 2018, seeking authorization for the following plan changes associated with the service bay addition, such changes depicted and described on revised plans and in other materials submitted to the Commission in support of the modification request:

- Grading and fill to raise the floor of the service bay addition flush with the floor of the existing building;
- Expansion of the service bay addition by 990 square feet to accommodate an interior drive corridor for access to the new service bays, with a single entrance on the north side of the addition and a single exit on the south side of the addition rather than separate individual doors to each new service bay;
- Accompanying site plan changes in the southwest portion of the Site to facilitate the changes to the service bay addition, including changes to grading, drives, parking, and interior pedestrian connections and the addition of a retaining wall.

These changes have already been reviewed and approved by the Town of Bourne Planning Board through an Amended Site Plan Review/Special Permit Decision No. 05-2014C, dated February 2, 2018.

All findings and conditions in the DRI Decision, including the time period established in which to obtain local permits pursuant to the DRI Decision, continue to apply except as modified herein.

The Project changes shall be undertaken and the Project subsequently maintained in accordance with the following plans, which are hereby incorporated into the Approved Project Plans under the DRI decision and shall, as the context requires, either substitute for or supplement previously-Approved Project Plans referenced in the DRI Decision. To the extent there is conflict between the plans referenced below and previously-Approved Project Plans, the following plans shall control:

Overall Site Plan, Atlantic Subaru Improvements Permitting Plans, sheet C-4, prepared by Horsley Witten Group Inc., dated June 2016, revised December 13, 2017;

Grading and Drainage Plan (1), Atlantic Subaru Improvements Permitting Plans, sheet C-5, prepared by Horsley Witten Group Inc., dated June 2016, revised December 13, 2017;

Fire Access Plan, Atlantic Subaru Improvements Permitting Plans, sheet F-1, prepared by Horsley Witten Group Inc., dated July 2015, revised January 30, 2018;

Addition & Renovation Atlantic Subaru, prepared by William Starck Architects Inc., dated December 12, 2017, consisting of:

First Floor Plan, sheet A1.1;

Second Floor Plan, sheet A1.2;

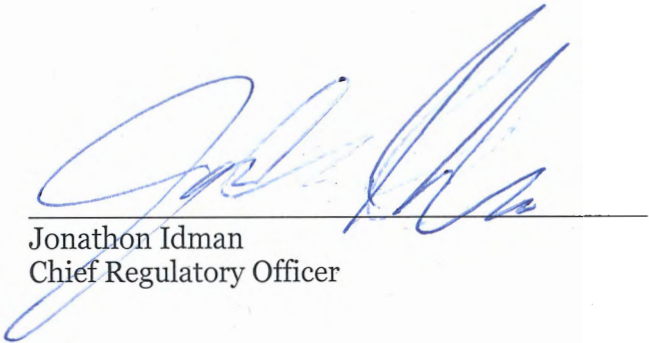
Exterior Elevations, sheets A4.1 and A4.2.

SEE NEXT PAGE FOR SIGNATURES

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SIGNATURES

Executed this 13th day of February 2018.



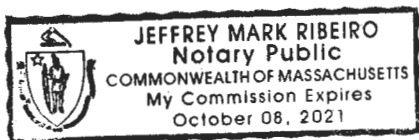
Jonathon Idman
Chief Regulatory Officer

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

February 13, 2018

Before me, the undersigned notary public, personally appeared Jonathon Idman, in his capacity as Chief Regulatory Officer of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he 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.



SEAL



Notary Public