Application Cover Sheet

CAPE COD COMMISSION

Cape Cod Commission
3225 Main Street, PO Box 226
Barnstable, MA 02630
Tel: (508) 362-3828 • Fax: (508) 362-3136

For Commission Use Only
Date Received:
Fee ($):
Check No:
File No:

A Type of Application (check all that apply)

- ☑ DRI Exemption
- ☐ Request for Joint MEPA/DRI Review
- ☐ Development of Regional Impact (DRI)
- ☐ Hardship Exemption
- ☐ Decision Extension
- ☐ DRI Scoping
- ☐ Jurisdictional Determination
- ☐ Decision Modification

B Project Information

Project Name: Southwind Plaza

Total Site Acreage: 31.13 AC

Project/Property Location: 65 Independence Drive & 990 Iyannough Road, Hyannis, MA

Zoning: HB, B, IND, GP, Solar Overlay

Brief Project Description:

Include total square footage of proposed and existing development, gross floor area, number of lots existing or to be created, specific uses, description of existing conditions, as applicable (attach additional sheets if necessary).

There are not any physical building or structural changes proposed to the existing development, called Southwind Plaza. The applicant proposes to divide the existing parcel into six (6) proposed lots.

C Owner(s) of Record

List the following information for all involved parcels. Provide copies of each Deed and Purchase and Sale Agreement and/or evidence of leasehold interest, if applicable, for all involved parcels. Proof of ownership/legal rights for Applicant(s) to proceed with the proposed development must be documented prior to the Commission deeming any application complete. List the local, state, or federal agencies from which permits or other actions have been/will be filed (attach additional sheets if necessary).

Map/Parcel	Owner's Name	Lot & Plan	Land Court Certificate of Title #	Registry of Deeds Book/Page #
295 / 15-X01	CR SOUTHWIND LLC	Record Plan Book 617 Page 35		Bk 36772 Pg 301
295 / 15-X02	CR SOUTHWIND LLC			
294 / 4	CR SOUTHWIND LLC			

There **ARE/ARE NOT** (circle one) court claims, pending or completed, involving this property (if yes, please attach relevant information).

Is there an existing CCC Decision for the Property? ☑ yes ☐ no (if so, recording information for decision, please attach relevant information).

D Certification

I hereby certify that all information provided on this application form and in the required attachments is true and accurate to the best of my knowledge. I agree to notify the Cape Cod Commission of any changes on the information provided in this application, in writing, as soon as is practicable. I understand failure to provide the required information and any fees may result in a procedural denial of my project.
NOTE: For wireless communication facilities, a licensed carrier should be either an applicant or a co-applicant.

APPLICANT

Applicant(s) Name: CR Southwind LLC Tel: 443-921-4409 Fax: _____

Address: 1427 Clarkview Road, Suite 500, Baltimore, MD 21209

Signature: _____ AVP of Continental Realty Corporation, Agent of Owner Date: 10/21/25

CO-APPLICANT

Co-Applicant(s) Name: _____ Tel: _____ Fax: _____

Address: _____

Signature: _____ Date: _____

CONTACT

Contact: John W. Kenney, Esquire Tel: 508-771-9300 Fax: _____

Address: 1550 Falmouth Road, Suite 12, Centerville, MA 02632

Signature: _____ Date: 10/28/25

PROPERTY OWNER

Property Owner: CR Southwind LLC Tel: 443-921-4409 Fax: _____

Address: 1427 Clarkview Road, Suite 500, Baltimore, MD 21209

Signature: _____ AVP of Continental Realty Corporation, Agent of Owner Date: 10/21/25

BILLABLE ENTITY

Name: CR Southwind LLC Tel: 443-921-4409 Fax: _____

Address: 1427 Clarkview Road, Suite 500, Baltimore, MD 21209

QUITCLAIM DEED

Property: 65 Independence Drive and 990 Iyannough Road/Route 132, Barnstable (Hyannis), Massachusetts

BV SOUTHWIND, LLC, a Texas limited liability company, with a mailing address c/o Bandera Ventures, 5820 W Northwest Highway, Suite 200, Dallas, Texas 75225 ("**Grantor**"), for consideration paid and in full consideration of Forty-Four Million One Hundred Thousand and No/100 Dollars ($44,100,000.00) hereby GRANTS to CR Southwind, LLC, a Delaware limited liability company, with an address of 1427 Clarkview Road, Suite 500, Baltimore, MD 21209 ("**Grantee**"), with QUITCLAIM COVENANTS, all of Grantor's right, title and interest in and to the land and all improvements thereon located at 65 Independence Drive and 990 Iyannough Road/Route 132 in Hyannis, Barnstable County, Massachusetts (the "**Property**") more particularly described on Exhibit A attached hereto and made a part hereof.

Together with all right, title and interest of Grantor in and to any land lying in the bed of any street (open or proposed) adjacent to or abutting or adjoining the Property.

Together with all rights, privileges, rights of way and easements appurtenant to the granted premises, to the extent now in force and applicable.

This conveyance is made subject to and with the benefit of those easements, conditions, agreements and restrictions of record insofar as they may lawfully affect the Property, and all unpaid taxes and assessments, known or unknown, insofar as they may lawfully affect the Property.

Being the same premises conveyed to Grantor by Quitclaim Deed dated May 5, 2022, and recorded with the Barnstable County Registry of Deeds in Book 35097, Page 287 and filed as Document No. 1,063,184, on Certificate of Title No. 229850; see Enforsed Notice of Voluntary Withdrawal recorded in Book 35877, Page 51 and filed as Document No. 1,483,903.

Grantor is not classified as a corporation for federal income tax purposes for the current fiscal year.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

MASSACHUSETTS STATE EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS
Date: 01-09-2025 @ 12:07pm
Ctl#: 239 Doc#: 1206
Fee: $150,822.00 Cons: $44,100,000.00

BARNSTABLE COUNTY EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS
Date: 01-09-2025 @ 12:07pm
Ctl#: 239 Doc#: 1206
Fee: $134,946.00 Cons: $44,100,000.00

IN WITNESS WHEREOF, the Grantor has duly executed this Quitclaim Deed as a sealed instrument as of this 6 day of January, 2025, to be effective as of January 8, 2025.

GRANTOR:

BV SOUTHWIND, LLC,
a Texas limited liability company

By: _____
Name: Charles A Anderson
Title: Manager

STATE OF TEXAS)
) SS.
COUNTY OF DALLAS)

On this 6th day of January, 2025, before me, the undersigned notary public, personally appeared, the above Charles A Anderson, the Manager of BV SOUTHWIND, LLC, a Texas limited liability company, proved to me through satisfactory evidence of identification, which was personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose in my presence as Manager of BV SOUTHWIND, LLC.

GIVEN under my hand and Notarial Seal this 6th day of January, 2025 .

_____
Notary Public, State of Texas

My Commission Expires: Ashley Monroe My Commission Expires 4/13/2026 Notary ID 133681728

[Signature Page to Quit Claim Deed]

EXHIBIT A

Parcel I (Fee)

The land with the buildings thereon and being shown on a plan of land entitled "81-X Plan of Land Independence Park #990 Iyannough Road (Route 132) and #65 Independence Drive in the Town of Barnstable Massachusetts (Barnstable County)" prepared for Richard A. Ellis The Flatley Company, dated May 1, 2007 and prepared by BSC Group, 349 Main Street, Unit D, Route 28, W. Yarmouth, MA 02673, Scale 1" = 80', and recorded with the Barnstable County Registry of Deeds in Plan Book 617, Page 35.

And also being more particularly described as follows:

The Properties defined by this section are situated in Hyannis, Barnstable County, Massachusetts, 02601 and numbered 990 Iyannough Road (Route 132), Whole Foods Parcel, and 65 Independence drive and Iyannough road, Southwind plaza. The land with buildings thereon, containing 1,356,114 square feet more or less and 31.13 acres more or less, is known as the shopping center.

The following is intended to be a running description of these properties:

Beginning at the intersection of Independence Drive and Attucks Lane Extension at the point of curvature of a curve tangent to Independence Drive layout, shown as "Point of beginning shopping center" on this plan, thence by a curve turning to the left running along the sideline of Independence Drive with an arc length of 747.61', and a radius of 586.42', to a point;

Thence South 22°48'51" East a distance of 200.00' running by the westerly sideline of Independence Drive, to a point;

Thence with a curve turning to the right with an arc length of 336.48', and a radius of 591.19';

Thence South 09°47'47" West a distance of 314.25' running by the sideline of Independence Drive to a lot corner;

Thence North 59°06'45" West a distance of 42.35' by land n/f Ruth C. Moy to a corner;

Thence North 30°54'00" East a distance of 35.65' by land n/f Ruth C. Moy;

Thence North 59°18'45" West a distance of 200.02' by land n/f Ruth C. Moy;

Thence South 30°53'19" West a distance of 310.78' by land n/f Ruth C. Moy to a point;

Thence South 30°53'15" West a distance of 124.17' by land n/f Ruth C. Moy to the sideline of Iyannough Road to a corner;

Thence North 59°06'45" West a total distance of 436.29' by the northerly sideline of Iyannough Road to a corner;

Thence North 12°52'45" East a distance of 534.23' by land n/f AMR Real Estate Holdings LLC to a corner;

Thence North 80°29'31" West a distance of 269.36' by land n/f AMR Real Estate Holdings LLC to a lot corner;

Thence North 12°27'34" East a distance of 88.90' by land n/f 1040 Iyannough Road LLC to a point;

Thence North 13°01'42" East a distance of 300.36' by land n/f Festival of Hyannis LLC to a point;

Thence North 14°41'13" East a distance of 385.18' by land n/f Festival of Hyannis LLC to a point;

Thence North 13°59'16" East a distance of 382.92' by land n/f Festival of Hyannis LLC to the sideline of Attucks Lane Extension;

Thence North 22°24'17" East a distance of 49.99' by the easterly sideline of Attucks Lane Extension;

Thence with a curve turning to the right with an a length of 40.65' and a radius of 35.01' by Attucks Lane Extension;

Thence with a curve turning to the right with an arc length of 196.97', with a radius of 850.00' by Attucks Lane Extension;

Thence North 55°37'28" East a distance of 16.45' by Attucks Lane Extension;

Thence South 76°07'42" East a distance of 351.59' by Attucks Lane Extension;

Thence with a curve turning to the right with an arc length of 203.63', with a radius of 295.00' by Attucks Lane Extension;

Thence South 06°49'35" West a distance of 54.97' by Attucks Lane Extension to the point of beginning.

There is included in the above description parcels of registered land shown as Lot 1-A LCC Plan 13216B, Lot 1-E on Subdivision Plan 13216C and that certain parcel being shown as Lot 11 on Land Court Plan No. 33817C.

Total Lot area 1,355,756 square feet, (31.1 acres)

Parcel II - (Easement)

Together with the rights, benefits and easements contained in:

a) Agreement between Thomas J. Flatley and the Trustees of the Campbell/Massachusetts Trust dated September 19, 1997 and filed as Document No. 739724 and recorded in Book 11700, Page 171;

b) Agreement between Thomas J. Flatley and the Trustees of the Campbell/Massachusetts Trust dated September 19, 1997 and filed as Document No. 739725 and recorded in Book 11700, Page 179; and

c) Grant of Easement to Thomas J. Flatley dated March 7, 1997 and recorded March 11, 1997 in Book 10644, Page 344.

Property: 65 Independence Drive, Barnstable (Hyannis), Massachusetts, Assessors Map 295, Lot 015-X01, Map 295, Lot 015-X02 and 990 Iyannough Road/Route 132, Map 294, Lot 4.

JOHN F. MEADE, REGISTER
BARNSTABLE COUNTY REGISTRY OF DEEDS
RECEIVED & RECORDED ELECTRONICALLY

PROJECT NARRATIVE

TO: Cape Cod Commission

FROM: John W. Kenney, Esq.

APPLICANT: CR Southwind LLC

SUBJECT: Request for Development of Regional Impact Exemption

The subject property is the location of the Southwind Plaza located on Route 132 (Iyannough Road), Independence Drive, and Attucks Lane Extension in Hyannis. The original development involved nine (9) separate parcels of land. Some of the parcels were Registered Land and the remaining parcels were Unregistered Land. A prior owner consolidated the nine parcels into one (1) lot in 2007 (see copy of "81X Plan of Land" recorded in Plan Book 617, Page 35 attached hereto). The Registered parcels have been de-registered.

The single lot created by the "81X Plan" contains 31.1 acres +/-. CR Southwind LLC acquired title to the property on January 9, 2025. The company now seeks approval to divide the property into six (6) separate lots (see plans attached). The purpose of the division is to facilitate refinancing of the lots and/or sale of individual lots. There are no changes to any of the buildings or infrastructure on the property proposed. The project is merely a division of land.

The division of the over 30-acre parcel triggers a Development of Regional Impact ("DRI") review under Cape Cod Commission guidelines. Furthermore, the property was the subject of two prior DRI reviews and a request for a DRI Exemption. The first review occurred in 1993 (TR 930014 — see page 1 of Decision attached). The subject matter of this review was a 20,000 square foot addition to the 175,860 square feet of the existing plaza. The addition was approved on December 16, 1993.

The next DRI review took place in 1996 (TR 960010 — see copy of page 1 of the Decision attached). This review concerned new construction greater than 10,000 square feet of gross floor area. The new construction was approved on December 5, 1996.

The request for a DRI Exemption took place in 2023 (File No. 23018 – see copy of the Decision attached). The review concerned the division of the property into four (4) new lots. The exemption was granted but the process with Barnstable did not advance past the Informal Site Plan Review stage due to an unfortunate circumstance where one of the previous owners passed. The property has now conveyed to the new owners, and they are proposing to divide the property into six (6) lots.

A portion of the property was also the subject of litigation between Home Depot, U.S.A. Inc. and the Cape Cod Commission (see Home Depot, U.S.A. Inc. v. The Cape Cod Commission, Land Court Case No. 02 MISC 2816). An agreement for judgment entered in 2003. It was amended and restated in 2006, and amended three more times in 2010, 2015, and 2021.

Although the division of the more than 30-acre parcel and two prior DRI reviews trigger the thresholds for a DRI review of the current proposal, the Applicant is requesting a DRI Exemption because the proposal will have no impact on regional resources. As stated hereinabove, no further

development is proposed to the plaza. The division of the existing lot into six (6) lots will also not impact the prior DRI Decisions which will remain in effect.

If the DRI Exemption is granted, the proposed division must go back to the Town of Barnstable for Formal Site Plan Review. The proposal would then have to go before both the Barnstable Zoning Board of Appeals (some lot lines cut through buildings creating the need for relief) and the Barnstable Planning Board.

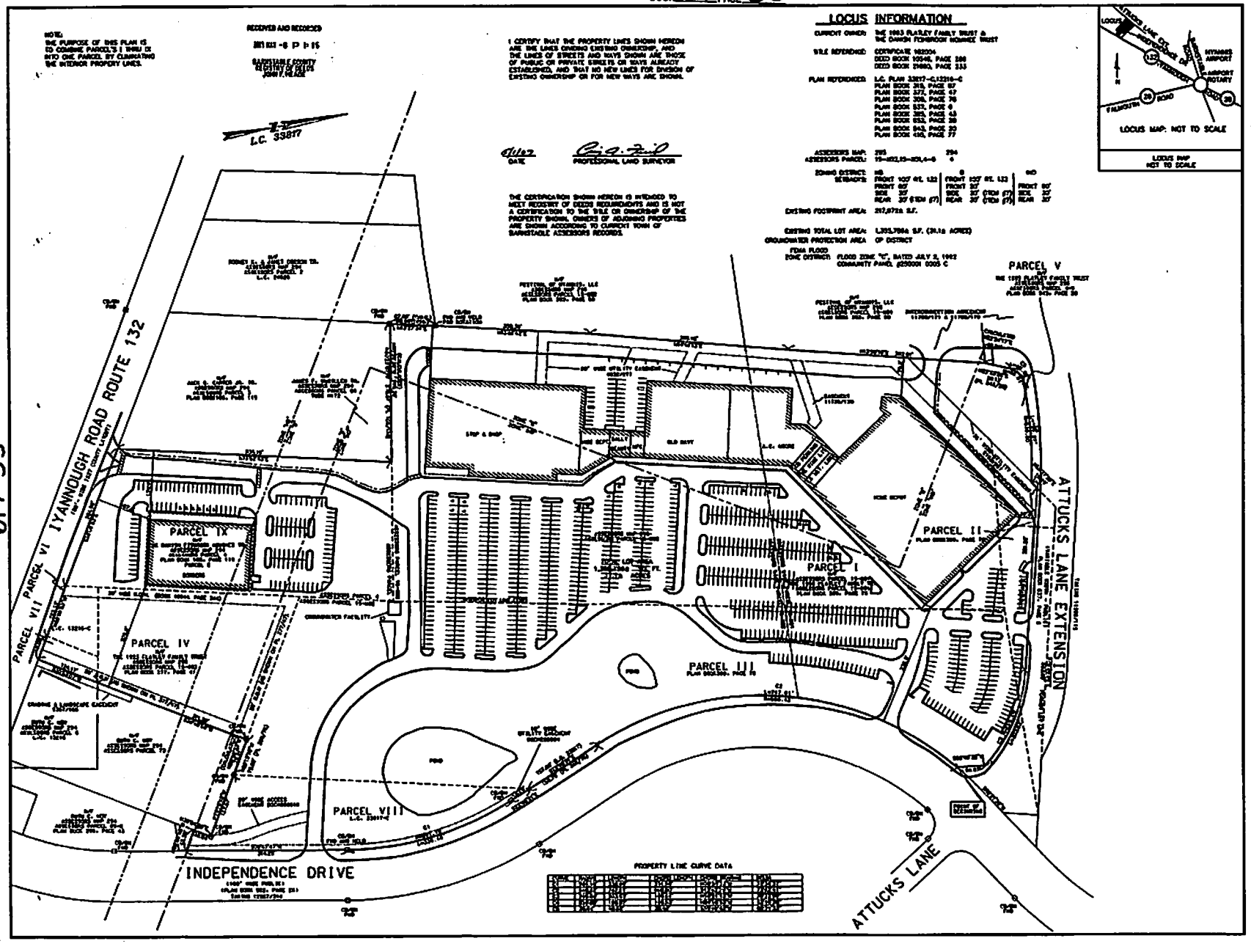
Based upon the foregoing, we respectfully request that you support the Applicant's request for a DRI Exemption since the division of land will have no impact on regional resources.

Respectfully submitted,

John W. Kenney, Esq.
Attorney for CR Southwind LLC

BOOK 617 PAGE 35

617-35



FOR REGISTRY USE ONLY

I CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS.

PROFESSIONAL LAND SURVEYOR DATE

CRAIG A. FIELD FOR THE BSC GROUP

81-X
PLAN OF LAND

INDEPENDENCE PARK

990 IYANNOUGH ROAD (ROUTE 132) AND #65 INDEPENDENCE DRIVE

IN THE

TOWN OF BARNSTABLE
MASSACHUSETTS

(BARNSTABLE COUNTY)

MAY 1, 2007

REVISIONS		
NO.	DATE	DESC.

PREPARED FOR:

RICHARD A. ELLIS
THE FLATLEY COMPANY
50 DRINKTREE HILL OFFICE PARK
BRAINTREE, MA 02184-8754

BSC GROUP
349 Main Street
Unit D, Route 28
W. Yarmouth, Massachusetts 02673
508 778 8919

© BSC Group, Inc.

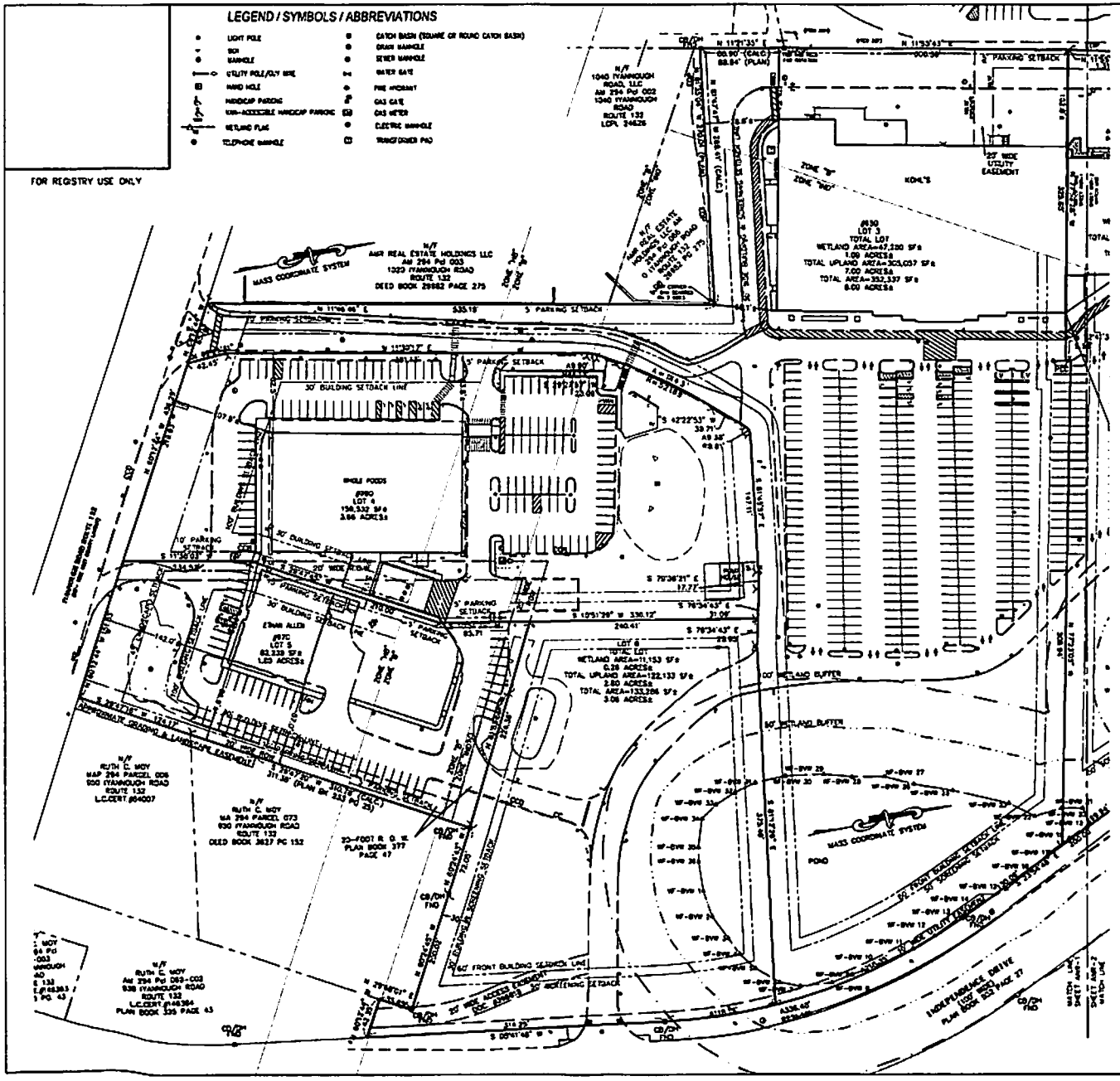
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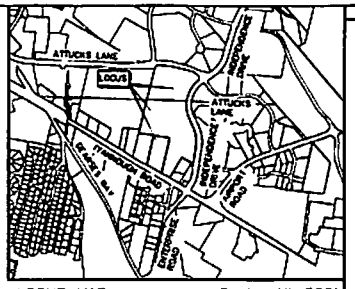
FILE: 5211-81LDVG

DWG. NO: 5800-02

JOB. NO: 4-5211.00

SHEET 1 OF 1





LOCUS MAP Scale: 1"=500'

GENERAL NOTES:

1. THE ACCESS OF THIS PLAN IS TO DIRECT THE EXISTING LOTS SHOWN AS ASSESSOR PARCEL 295-093-RCL, 295-015-RCL AND ASSESSOR PARCEL 294-004 INTO LOT L, LOT 2, LOT 3 AND LOT 4 SHOWN HEREON.
2. LOCUS AND IS COMPRISED OF: PER CURRENT ASSESSOR'S RECORDS
   OWNER OF RECORD: LLC
   DEED BOOK 28572 PAGE 321
   RECORD PLAN BOOK 617 PAGE 35
   ASSESSOR'S MAP 295, PARCEL 13-RCL, RCL, and 294 PARCEL 4
3. ZONING INFORMATION

ZONING DISTRICTS	HB	B	RO
MIN. LOT AREA	15,000 SF	N/A	80,000 SF
MAX. BLDG COVERAGE	30%	100%	50% *NOTE PREVIOUSLY APPROVED
MIN. LOT WIDTH	100'	N/A	200'
MIN. YARD SETBACKS	FRONT=40' 47.12	FRONT=100' 47.12	
	FRONT=25'	FRONT=25'	FRONT=80'
	SIDE=15'	SIDE N/A	SIDE=30'
	REAR=25'	REAR N/A	REAR=30'

   OVERLAY DISTRICTS OF - GROUNDWATER PROTECTION
   SOLAR FACILITIES RAC OVERLAY DISTRICT
4. A TITLE SEARCH HAS NOT BEEN PERFORMED FOR THIS SITE. THERE MAY BE RIGHTS BY OTHERS, EASEMENTS, ENCROACHMENTS, RIGHT OF WAYS, COVENANTS, RESTRICTIONS, ETC. NOT DEPICTED IF DETERMINED TO BE NECESSARY, A TITLE SEARCH SHALL BE PERFORMED BY OTHERS AND SUPPLIED TO MALLON LAND SURVEYING, LLC.
5. THE PROPERTY LINE INFORMATION SHOWN IS BASED ON CURRENT AVAILABLE RECORD INFORMATION CONSISTING OF PLANS AND DEEDS. THE EXISTING FEATURES SHOWN HEREON WERE OBTAINED FROM AN ON THE GROUND FIELD SURVEY PERFORMED BY MALLON LAND SURVEYING, LLC.
6. BY GRAPHIC PLOTTING ONLY, THE PARCEL SHOWN HEREON LIES WITHIN ZONE X (UNSHADED) ON THE FEMA FLOOD INSURANCE RATE MAP (F.I.R.M.) COMMUNITY PANEL NUMBER 25001C 0269 J EFFECTIVE DATE JULY 16, 2014.

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS

SHANE MALLON, P.L.S. DATE

BARNSTABLE PLANNING BOARD

BARNSTABLE PLANNING BOARD APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED

DATE: _____

NO DETERMINATION AS TO COMPLIANCE WITH THE ZONING ORDINANCE REQUIREMENTS HAS BEEN MADE OR INTENDED BY THE ABOVE ENDORSEMENT

MALLON LAND SURVEYING LLC.
Registered Professional Land Surveyors
8 Commons Drive
Carver, Massachusetts 02330
Phone (508) 455-0285
MALLONLANDSURVEYING@GMAIL.COM

STAMP: DISCUSSION

CONSULTANT

CONSULTANT

PREPARED FOR
CROCKER DESIGN GROUP
2 SHARP STREET- UNIT A
HIGHAM, MA 02043

PROJECT TITLE
65 INDEPENDENCE DRIVE & 990 IYANNOUGH ROAD
BARNSTABLE, MA

BY	DATE	DESCRIPTION
A	7/17/2025	ADDED PB #2023

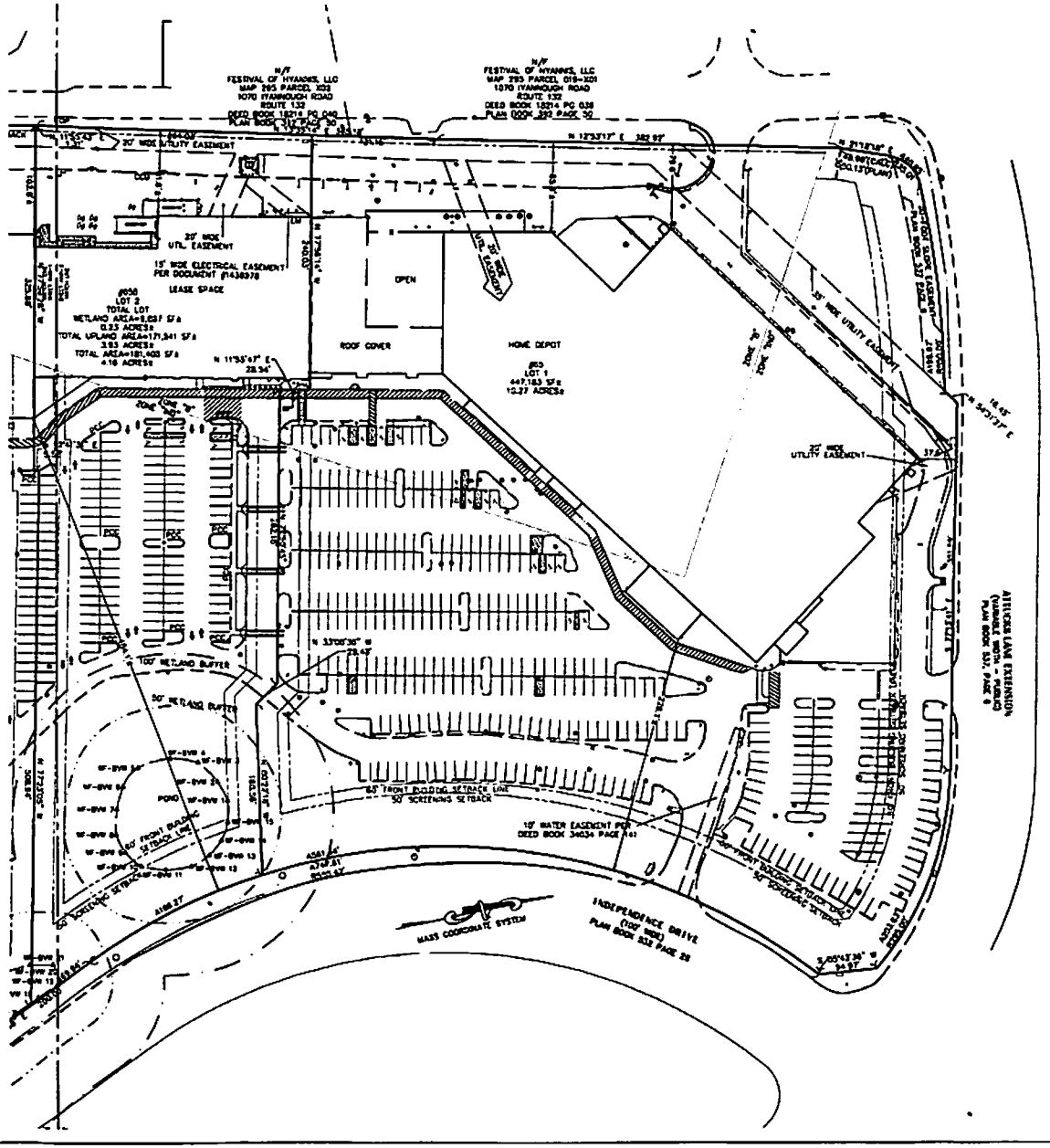
SHEET TITLE
APPROVAL NOT REQUIRED PLAN OF LAND

SHEET NO
ANR-1.0

DATE JUNE 18, 2025

50 0 50 100
SCALE IN FEET
SCALE 1"=50'

DRAWN BY: BM CHECKED BY: SM
JOB NO FILE



MALLON
LAND
SURVEYING LLC.

Registered Professional
Land Surveyors

8 Commons Drive
Carver, Massachusetts 02330

Phone (508) 465-0285

MALLONLANDSURVEYING@GMAIL.COM

STAMP

DISCUSSION

STAMP

CONSULTANT

CONSULTANT

PREPARED FOR
CROCKER DESIGN GROUP
2 SHARP STREET- UNIT A
HIGHAM, MA 02043

PROJECT TITLE
65 INDEPENDENCE DRIVE &
990 IYANNOUGH ROAD
BARNSTABLE, MA

	DATE	DESCRIPTION
A	7/12/2023	PLANNING BOARD

SHEET TITLE
APPROVAL NOT REQUIRED PLAN OF LAND

SHEET NO
ANR-2.0

DATE JUNE 16, 2023

50 0 50 100
SCALE IN FEET

SCALE 1"=30'

DRAWN BY SM CHECKED BY SM

JOB NO FILE

GENERAL NOTES:

1. THE INTENT OF THIS PLAN IS TO COMBINE THE EXISTING LOTS SHOWN AS ASSESSOR PARCEL 265-015-001, 265-015-002 AND ASSESSOR PARCEL 264-004 INTO LOT 1, LOT 2, LOT 3 AND LOT 4 SHOWN HEREON.

2. LOCUS AREA IS COMPRISED OF:
   PER CURRENT ASSESSOR'S RECORDS:

   OWNER OF RECORD: MMG, LLC
   DEED BOOK 35772 PAGE 267
   RECORD PLAN BOOK 637 PAGE 28
   ASSESSOR'S MAP 265, PARCEL 15-001, 002; MAP 264 PARCEL 4

3. ZONING INFORMATION:

ZONING DISTRICTS	HB	B	BD
MIN. LOT AREA	15,000 SF	N/A	80,000 SF
MAX. BLDG COVERAGE	35%	12.5%	35% *AS PREVIOUSLY APPROVED
MAX. SITE COVERAGE	80%	80%	80%
MIN. LOT WIDTH	100'	N/A	200'
MIN. YARD SETBACKS	FRONT=40' ST. 132	FRONT=100' ST. 132	
	FRONT=25'	FRONT=25'	FRONT=60'
	SIDE=15'	SIDE N/A	SIDE=30'
	REAR=20'	REAR N/A	REAR=30'

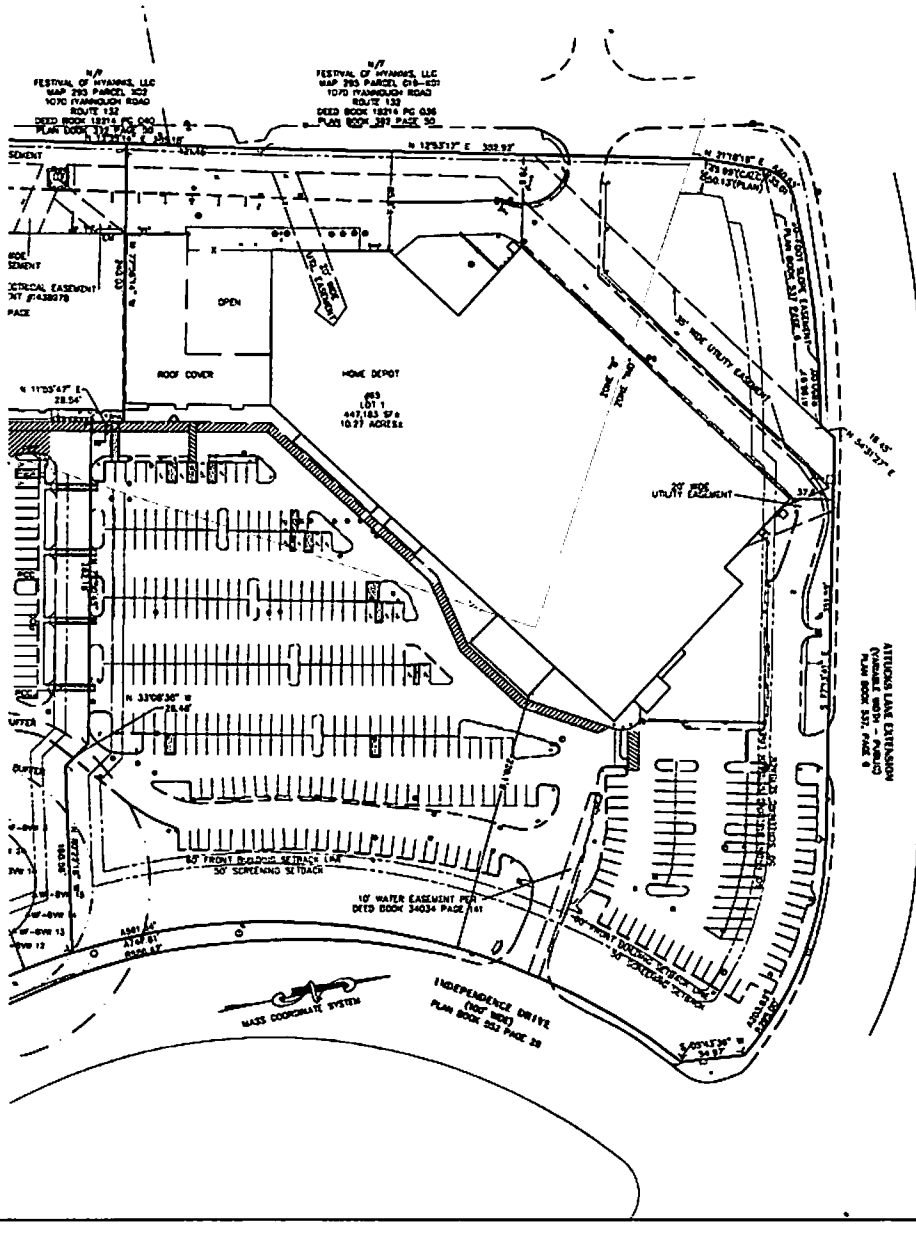
   OVERLAY DISTRICTS OP – GROUNDWATER PROTECTION
   SDUR PHOTOVOLTAIC OVERLAY DISTRICT

4. A TITLE SEARCH HAS NOT BEEN PERFORMED FOR THIS SITE. THERE MAY BE RIGHTS OF WAYS, EASEMENTS, LIENCES, RESTRICTIONS, RIGHT OF WAYS, EASEMENTS, RESTRICTIONS, ETC. NOT EXPRESSED. IF DETERMINED TO BE NECESSARY, A TITLE SEARCH SHALL BE PERFORMED BY OTHERS AND SUPPLIED TO MALLON LAND SURVEYING, LLC.

5. THE PROPERTY LINE INFORMATION SHOWN IS BASED ON CURRENT AVAILABLE RECORD INFORMATION CONSISTING OF PLANS AND DEEDS. THE EXISTING FEATURES SHOWN HEREON WERE OBSERVED FROM AN ON THE GROUND FIELD SURVEY PERFORMED BY MALLON LAND SURVEYING, LLC.

6. BY GRAPHIC PLOTTING ONLY, THE PARCEL SHOWN HEREON LIES WITHIN FLOOD ZONE X (UNSHADED) ON THE FEMA FLOOD INSURANCE RATE MAP (F.I.R.M.) COMMUNITY PANEL NUMBER 25001C 0269 J EFFECTIVE DATE JULY 16, 2014.

EXISTING BUILDING COVERAGE	112,863± SF (25.9%)		
EXISTING PAVEMENT COVERAGE	215,813± SF (49.6%)		
EXISTING SITE COVERAGE	334,676± SF (74.5%)		
EXISTING TOTAL LOT AREA	447,183± SF 10.27± AC		
	HB	B	BD
BUILDING COVERAGE	N/A	77,743± SF (48.57%)	45,327± SF (13.82%)
PAVEMENT COVERAGE	N/A	54,638± SF (34.97%)	161,574± SF (55.78%)
FRONTAGE	N/A	N/A	1,472.53 FT
PARKING SPACES	353		
ASSESSOR'S RESIDENCE ZONE	ZONE 9		



LEGEND / SYMBOLS / ABBREVIATIONS

☼	LIGHT POLE	⊕	CATCH BASIN (SQUARE OR ROUND CATCH BASIN)
⊸	SIGN	⊕	DRAIN MANHOLE
⊕	MANHOLE	⊕	SEWER MANHOLE
⟷	UTILITY POLE/GUY WIRE	⋈	WATER GATE
▣	HAND HOLE	♦	FIRE HYDRANT
♿	HANDICAP PARKING	⋈	GAS GATE
♿	VAN-ACCESSIBLE HANDICAP PARKING	▤	GAS METER
⚑	WETLAND FLAG	⊕	ELECTRIC MANHOLE
	TELEPHONE MANHOLE	▣	TRANSFORMER PAD

MALLON
LAND
SURVEYING LLC.

Registered Professional
Land Surveyors

8 Commons Drive
Carver, Massachusetts 02330

Phone (508) 465-0285

MALLONLANDSURVEYING@GMAIL.COM

STAMP: DISCUSSION

STAMP

CONSULTANT

CONSULTANT

PREPARED FOR
CROCKER DESIGN GROUP
2 SHARP STREET- UNIT A
HIGHAM, MA 02043

PROJECT TITLE
65 INDEPENDENCE DRIVE &
990 IYANNOUGH ROAD
BARNSTABLE, MA

DATE	DESCRIPTION
9/15/2025	ENGINEERS REVIEW

SHEET TITLE
APPROVAL NOT REQUIRED PLAN OF LAND

SHEET NO
ANR-3.0

DATE AUGUST 28, 2025

50 0 50 100
SCALE IN FEET

SCALE 1"=50'

DRAWN BY: MM CHECKED BY: MM

JOB NO FILE

GENERAL NOTES:

1. THE INTENT OF THIS PLAN IS TO SHOW THE EXISTING LOTS SHOWN AS ASSESSOR PARCEL 299-013-001, 299-013-002 AND ASSESSOR PARCEL 294-004 INTO LOT 1, LOT 2, LOT 3 AND LOT 4 SHOWN HEREON.

2. LOCUS AREA IS COMPRISED OF:
   PER BARNSTABLE ASSESSOR'S RECORDS:

   OWNER OF RECORD: MALLON, LLC
   DEED BOOK 35772 PAGE 301
   RECORD PLAN BOOK 617 PAGE 35
   ASSESSOR'S MAP 299, PARCEL 13-301, 302; MAP 294 PARCEL 4

3. ZONING INFORMATION:

ZONING DISTRICTS:	HB	B	RC	
MIN. LOT AREA:	43,000 SF	N/A	80,000 SF	
MAX. BLDG COVERAGE:	30%	100%	50%	*62% PREVIOUSLY APPROVED
MAX. SITE COVERAGE	80%	100%	80%	
MIN. LOT WIDTH	100'	N/A	200'	
MIN. YARD SETBACKS:	FRONT=40' SIDE=15' REAR=20'	FRONT=100' SIDE N/A REAR N/A	FRONT=60' SIDE=30' REAR=30'	

   OVERLAY DISTRICTS OF - GROUNDWATER PROTECTION
   SOLAR PHOTOVOLTAIC OVERLAY DISTRICT

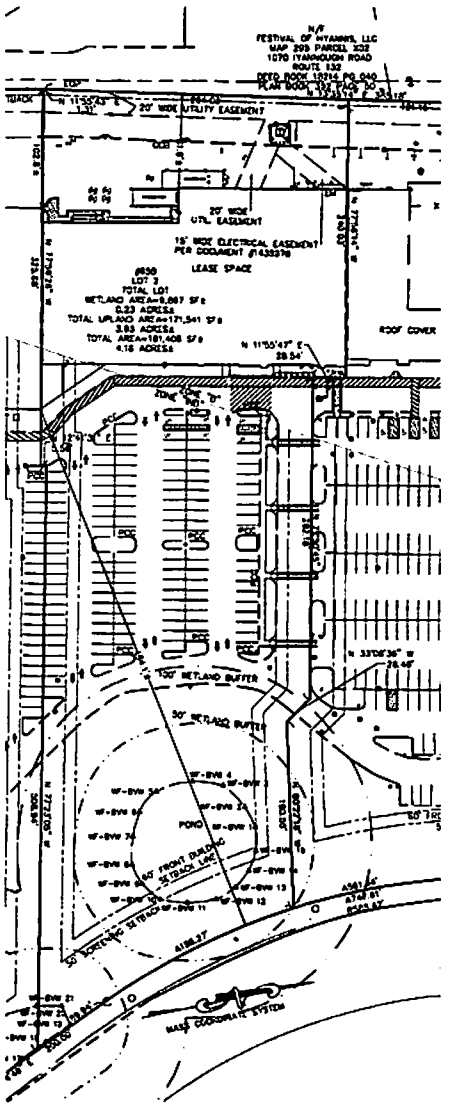
4. A TITLE SEARCH HAS NOT BEEN PERFORMED FOR THIS SITE. THERE MAY BE RIGHTS OF WAYS, EASEMENTS, TAKINGS, MORTGAGES, RIGHT OF WAYS, COVENANTS, RESTRICTIONS, ETC. NOT DEPICTED. IF DETERMINED TO BE NECESSARY, A TITLE SEARCH SHALL BE PERFORMED BY OTHERS AND SUPPLIED TO MALLON LAND SURVEYING, LLC.

5. THE PROPERTY LINE INFORMATION SHOWN IS BASED ON CURRENT AVAILABLE RECORD INFORMATION CONSISTING OF PLANS AND DEEDS. THE EXISTING FEATURES SHOWN HEREON WERE OBTAINED FROM AN ON THE GROUND FIELD SURVEY PERFORMED BY MALLON LAND SURVEYING, LLC.

6. BY GRAPHIC PLOTTING ONLY, THE PARCEL SHOWN HEREON LIES WITHIN FLOOD ZONE X (UNSHADED) ON THE FEMA FLOOD INSURANCE RATE MAP (F.I.R.M.) COMMUNITY PANEL NUMBER 25001C 0269 J EFFECTIVE DATE JULY 16, 2014.

EXISTING BUILDING COVERAGE	38,777± SF (11.41% OF UPLAND)	
EXISTING PAVEMENT COVERAGE	84,214± SF (48.05% OF UPLAND)	
EXISTING SITE COVERAGE	122,991± SF (70.53%)	
EXISTING WETLANDS	8,867± SF (5.44% OF TOTAL LOT)	
EXISTING UPLAND	171,541± SF (94.56% OF TOTAL LOT)	
EXISTING TOTAL LOT AREA	181,408± SF 4.16± AC	

	HB	B	RC
BUILDING COVERAGE	N/A	39,439± SF (33.64%)	2389 SF (1.23%)
PAVEMENT COVERAGE	N/A	25,332± SF (30.22%)	63,682± SF (34.13%)
WETLAND AREA	N/A	N/A	8,867± SF (100%)
FRONTAGE	N/A	N/A	256.31 FT
PARKING SPACES	127		
WETLAND SENSITIVE ZONE	ZONE B		



LEGEND / SYMBOLS / ABBREVIATIONS

●	LIGHT POLE	■	CATCH BASIN (SQUARE OR ROUND CATCH BASIN)
●	SIGN	●	DRAIN MANHOLE
●	MANHOLE	●	SEWER MANHOLE
⊢—○	UTILITY POLE/GUY WIRE	⋈	WATER GATE
⊡	HAND HOLE	◆	FIRE HYDRANT
♿	HANDICAP PARKING	⛽	GAS GATE
♿	VAN-ACCESSIBLE HANDICAP PARKING	⊠	GAS METER
⚑	WETLAND FLAG	⊙	ELECTRIC MANHOLE
	TELEPHONE MANHOLE	⊡	TRANSFORMER PAD

MALLON LAND SURVEYING LLC.

Registered Professional Land Surveyors

8 Commons Drive
Carver, Massachusetts 02330

Phone (508) 483-0285

MALLONLANDSURVEYING@GMAIL.COM

STAMP: DISCUSSION

STAMP

CONSULTANT

CONSULTANT

PREPARED FOR
CROCKER DESIGN GROUP
2 SHARP STREET- UNIT A
HIGHAM, MA 02043

PROJECT TITLE
65 INDEPENDENCE DRIVE & 990 IYANNOUGH ROAD
BARNSTABLE, MA

	DATE	DESCRIPTION
A	9/5/2023	ASSESSOR'S ADDED

SHEET TITLE
APPROVAL NOT REQUIRED PLAN OF LAND

SHEET NO
ANR-4.0

DATE AUGUST 29, 2023

50 0 50 100
SCALE IN FEET

SCALE 1"=50'

DRAWN BY: BM CHECKED BY: BM

JOB NO. FILE

GENERAL NOTES:

1. THE INTENT OF THIS PLAN IS TO COMBINE THE EXISTING LOTS SHOWN AS ASSESSOR PARCEL 265-413-001, 265-413-002 AND ASSESSOR PARCEL 264-004 AND LOT 1, LOT 2, LOT 3 AND LOT 4 SHOWN HEREON.

2. LOCUS AREA IS COMPRISED OF:
   PER BARNSTABLE ASSESSOR'S RECORDS

   OWNER OF RECORD(S): LLC
   DEED BOOK 26772 PAGE 307
   RECORD PLAN BOOK 617 PAGE 25
   ASSESSOR'S MAP 265, PARCEL 13-001, 002; MAP 264 PARCEL 4

3. ZONING INFORMATION

ZONING DISTRICT	HB	B	RO
MIN. LOT AREA	15,000 SF	N/A	80,000 SF
MAX. BLDG COVERAGE:	30%	30%	20% *(23 PROVIDED APPROVED)
MAX. SITE COVERAGE	50%	50%	50%
MIN. LOT WIDTH	120'	N/A	200'
MIN. YARD SETBACKS	FRONT=40', 47.1'/2	FRONT=100', 47.1'/2	
	FRONT=30'	FRONT=30'	FRONT=40'
	SIDE=10'	SIDE N/A	SIDE=30'
	REAR=20'	REAR N/A	REAR=30'

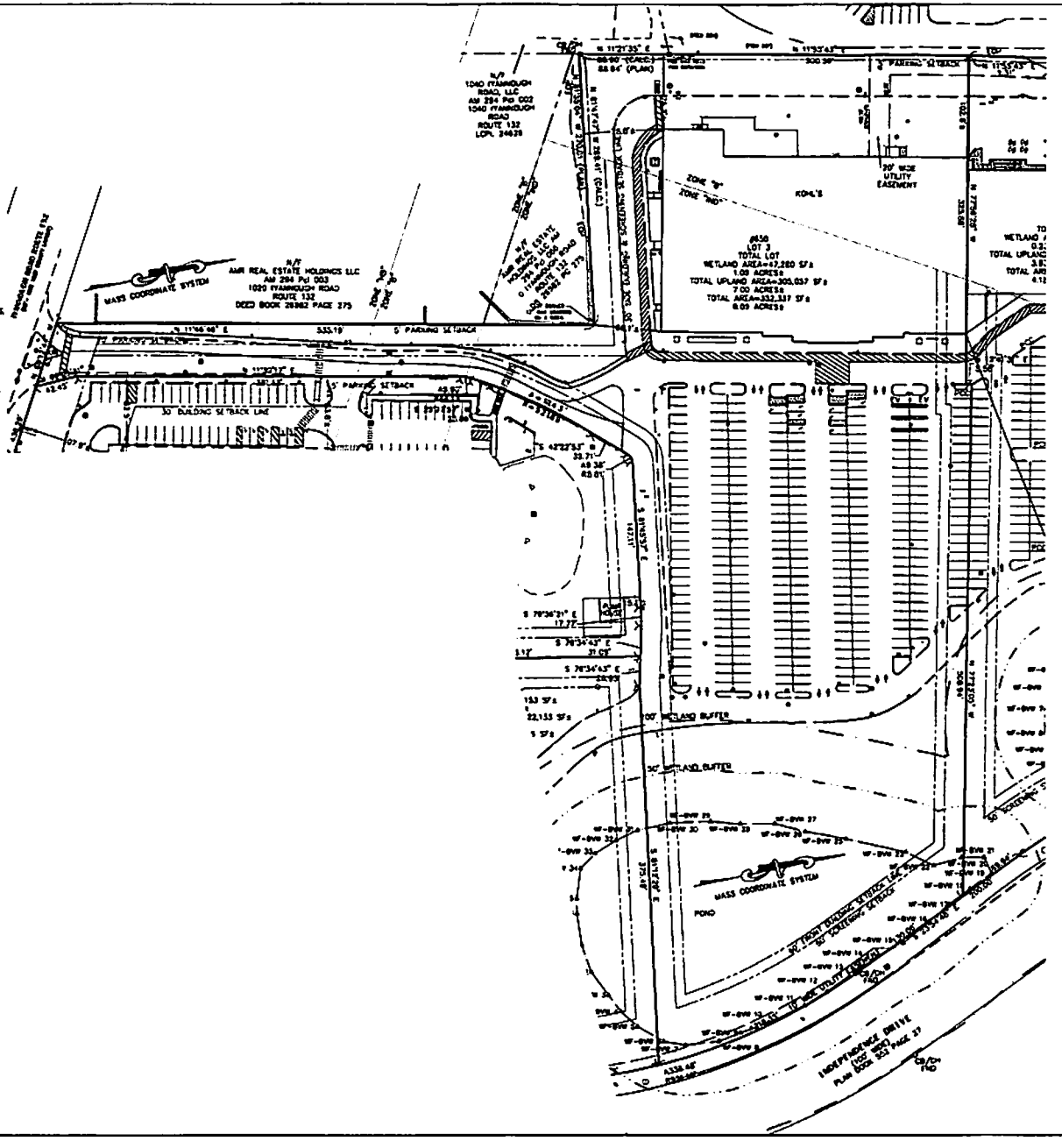
OVERLAY DISTRICTS OP = GROUNDWATER PROTECTION
SOLAR PHOTOVOLTAIC OVERLAY DISTRICT

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5. THE PROPERTY LINE INFORMATION SHOWN IS BASED ON CURRENT AVAILABLE RECORD INFORMATION CONSISTING OF PLANS AND DEEDS. THE EXISTING FEATURES SHOWN HEREON WERE OBTAINED FROM AN ON THE GROUND FIELD SURVEY PERFORMED BY MALLON LAND SURVEYING, LLC.

6. BY GRAPHIC PLOTTING ONLY, THE PARCEL SHOWN HEREON LIES WITHIN FLOOD ZONE X (UNSHADED) ON THE FEMA FLOOD INSURANCE RATE MAP (F.I.R.M.) COMMUNITY PANEL NUMBER 25001C 0301 J EFFECTIVE DATE JULY 16, 2014.

EXISTING BUILDING COVERAGE	33,310± SF (16.1% OF UPLAND)		
EXISTING PAVEMENT COVERAGE	103,233± SF (50.0% OF UPLAND)		
EXISTING SITE COVERAGE	136,543± SF (66.1%)		
EXISTING WETLANDS	67,589± SF (1.6 AC OF TOTAL LOT)		
EXISTING UPLAND	203,257± SF (4.6 AC OF TOTAL LOT)		
EXISTING TOTAL LOT AREA	272,837± SF 6.264 AC		
	HB	B	RO
BUILDING COVERAGE	N/A	24,277± SF (24.5%)	32,033± SF (11.8%)
PAVEMENT COVERAGE	11,752 (71.9%)	21,021± SF (21.1%)	103,539± SF (37.9%)
WETLAND AREA	N/A	N/A	67,589± SF (12.5%)
FRONTAGE	N/A	N/A	413.66 FT
PARKING SPACES	201		
WETLAND SENSITIVE ZONE	ZONE II		



LEGEND / SYMBOLS / ABBREVIATIONS

- LIGHT POLE
- SIGN
- MANHOLE
- UTILITY POLE/GUY WIRE
- HAND HOLE
- HANDICAP PARKING
- NON-ACCESSIBLE HANDICAP PARKING
- WETLAND FLAG
- TELEPHONE MANHOLE
- CATCH BASIN (SQUARE OR ROUND CATCH BASIN)
- DRAIN MANHOLE
- SEWER MANHOLE
- WATER GATE
- FIRE HYDRANT
- GAS GATE
- GAS METER
- ELECTRIC MANHOLE
- TRANSFORMER PAD

MALLON LAND SURVEYING LLC.

Registered Professional Land Surveyors

8 Commons Drive
Carver, Massachusetts 02330

Phone (508) 465-0285

MALLONLANDSURVEYING@GMAIL.COM

STAMP: DISCUSSION

STAMP

CONSULTANT

CONSULTANT

PREPARED FOR:
CROCKER DESIGN GROUP
2 SHARP STREET- UNIT A
HIGHAM, MA 02043

PROJECT TITLE
65 INDEPENDENCE DRIVE & 990 IYANNOUGH ROAD
BARNSTABLE, MA

	DATE	DESCRIPTION
1	7/12/2023	CONSULTANTS ADDED

SHEET TITLE
APPROVAL NOT REQUIRED PLAN OF LAND

SHEET NO
ANR-5.0

DATE AUGUST 28, 2023

50 0 50 100
SCALE IN FEET

SCALE 1"=50'

DRAWN BY: BM CHECKED BY: BM

JOB NO: FILE:

GENERAL NOTES:

1. THE INTENT OF THIS PLAN IS TO COMBINE THE EXISTING LOTS SHOWN AS ASSESSOR PARCEL 203-013-001, 203-013-002 AND ASSESSOR PARCEL 204-004 INTO LOT 1, LOT 2, LOT 3 AND LOT 4 SHOWN HEREON.

2. LOCUS AREA IS COMPRISED OF:
   PER CURRENT ASSESSOR'S RECORDS

   OWNER OF RECORD: ANR, LLC
   DEED BOOK 39772 PAGE 301
   RECORD PLAN BOOK 617 PAGE 25
   ASSESSOR'S MAP 204, PARCEL 13-001, ACC MAP 204 PARCEL 4

3. ZONING INFORMATION

ZONING DISTRICTS:	HB	B	BD	
MIN. LOT AREA	15,000 SF	N/A	60,000 SF	
MAX. BLDG COVERAGE:	30%	30%	30%	*BLDG PREVIOUSLY APPROVED
MAX. SITE COVERAGE	80%	80%	80%	
MIN. LOT WIDTH	100'	N/A	200'	
MIN YARD SETBACKS	FRONT=50' IF LOT FRONTS ON ROUTE 132	FRONT=100' IF LOT FRONTS ON ROUTE 132	FRONT=100' IF LOT FRONTS ON ROUTE 132	
	FRONT=30'	FRONT=30'	FRONT=100'	
	SIDE=15'	SIDE N/A	SIDE=30'	
	REAR=30'	REAR N/A	REAR=30'	

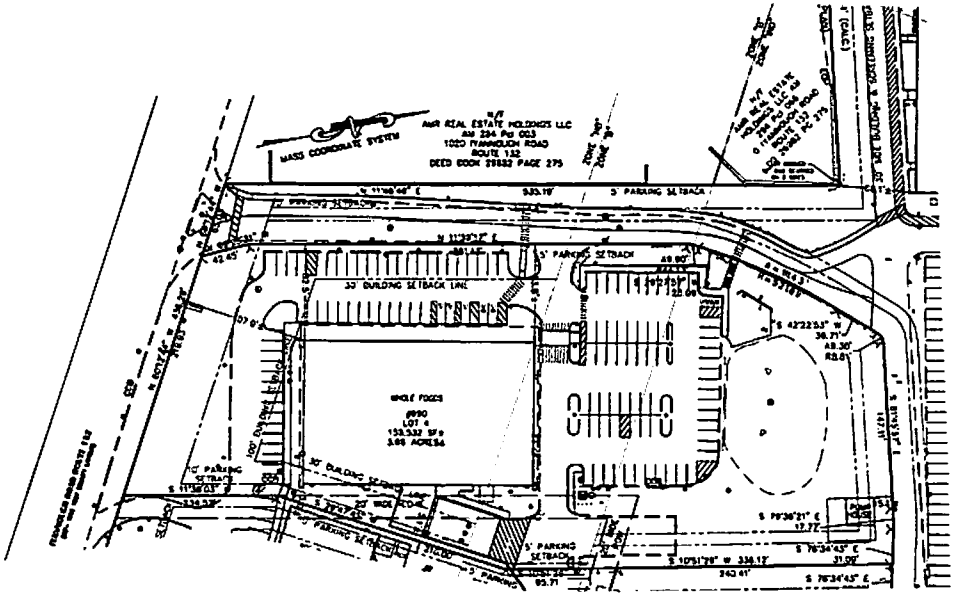
   OVERLAY DISTRICTS OP - GROUNDWATER PROTECTION
   SDAP PHOTOVOLTAIC OVERLAY DISTRICT

4. A TITLE SEARCH WAS NOT BEEN PERFORMED FOR THIS SITE. THERE MAY BE RIGHTS OF WAYS, EASEMENTS, TAKINGS, AGREEMENTS, RIGHT OF WAYS, COVENANTS, RESTRICTIONS, ETC. NOT DEPICTED. IF DETERMINED TO BE NECESSARY, A TITLE SEARCH SHALL BE PERFORMED BY OTHERS AND SUPPLIED TO MALLON LAND SURVEYING, LLC.

5. THE PROPERTY LINE INFORMATION SHOWN IS BASED ON CURRENT AVAILABLE RECORD INFORMATION CONSISTING OF PLANS AND DEEDS. THE EXISTING FEATURES SHOWN HEREON WERE OBTAINED FROM AN ON THE GROUND FIELD SURVEY PERFORMED BY MALLON LAND SURVEYING, LLC.

6. BY GRAPHIC PLOTTING ONLY, THE PARCEL SHOWN HEREON LIES WITHIN FLOOD ZONE X (UNSHADED) ON THE FEMA FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NUMBER 25001C 0008 J EFFECTIVE DATE JULY 16, 2014.

EXISTING BUILDING COVERAGE	32,324± SF (18.53%)		
EXISTING PAVEMENT COVERAGE	98,439± SF (41.64%)		
EXISTING SITE COVERAGE	88,763± SF (60.17%)		
EXISTING TOTAL LOT AREA	153,532± SF 3.524 AC		
	HB	B	BD
BUILDING COVERAGE	27,357± SF (17.82%)	2,967± SF (1.93%)	N/A
PAVEMENT COVERAGE	11,751± (7.65%)	83,387± SF (78.31%)	98,439± SF (28.84%)
FRONTAGE	219.93 FT	N/A	N/A
PARKING SPACES	124		
HANDICAP SPACES	ZONE B		



LEGEND / SYMBOLS / ABBREVIATIONS

●	LIGHT POLE	⊕	CATCH BASIN (SQUARE OR ROUND CATCH BASIN)
▪	SIGN	⊕	DRAIN MANHOLE
⊕	MANHOLE	⊕	SEWER MANHOLE
⟶◇	UTILITY POLE/GUY WIRE	⋈	WATER GATE
⊕	HAND HOLE	◆	FIRE HYDRANT
	HANDICAP PARKING	⛽	GAS GATE
	NON-ACCESSIBLE HANDICAP PARKING	GM	GAS METER
	WETLAND FLAG	⊕	ELECTRIC MANHOLE
	TELEPHONE MANHOLE	▭	TRANSFORMER PAD

MALLON
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Registered Professional
Land Surveyors

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Phone (508) 465-0285

MALLONLANDSURVEY@GMAIL.COM

STAMP

DISCUSSION

STAMP

CONSULTANT

CONSULTANT

PREPARED FOR
CROCKER DESIGN GROUP
2 SHARP STREET- UNIT A
HIGHAM, MA 02043

PROJECT TITLE
65 INDEPENDENCE DRIVE &
990 IYANNOUGH ROAD
BARNSTABLE, MA

	DATE	DESCRIPTION
A	9/1/2023	EASEMENTS ADDED

SHEET TITLE
APPROVAL NOT REQUIRED PLAN OF LAND

SHEET NO
ANR-6.0

DATE AUGUST 28, 2023

50 0 50 100
SCALE IN FEET

SCALE 1"=50'

DRAWN BY: BM CHECKED BY: BM

JOB NO. FILE

GENERAL NOTES:

1. THE INTENT OF THIS PLAN IS TO SHOW THE EXISTING LOTS SHOWN AS ASSESSOR PARCEL 285-013-001, 285-019-002 AND ASSESSOR PARCEL 294-009 AND LOT 1, LOT 2, LOT 3 AND LOT 4 SHOWN HEREON.

2. LOCUS AREA IS COMPRISED OF:
   PER CURRENT ASSESSOR'S RECORDS:

   OWNER OF RECORD: LLC
   DEED BOOK 36772 PAGE 301
   RECORD PLAN BOOK 617 PAGE 25
   ASSESSOR'S MAP 285, PARCEL 13-001, 002; MAP 294 PARCEL 4

3. ZONING INFORMATION

ZONING DISTRICT:	HB	B	RC	
MIN. LOT AREA	15,000 SF	N/A	80,000 SF	
MIN. BLDG COVERAGE:	30%	40%	30%	*BOS PREVIOUSLY APPROVED
MIN. OPT COVERAGE	30%	30%	30%	
MIN. LOT WIDTH	100'	N/A	200'	
MIN. YARD SETBACKS	FRONT=40' OR LIC	FRONT=100' OR LIC		
	FRONT=30'	FRONT=30'	FRONT=40'	
	SIDE=12'	SIDE N/A	SIDE=30'	
	REAR=30'	REAR N/A	REAR=30'	

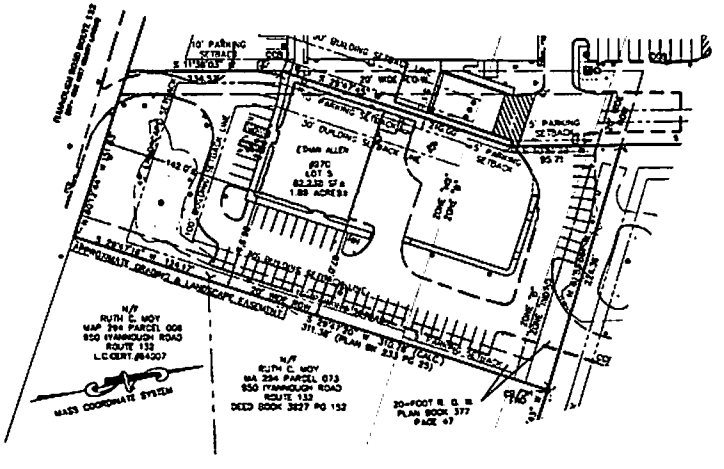
   OVERLAY DISTRICTS OP - GROUNDWATER PROTECTION
   SOLAR PHOTOVOLTAIC OVERLAY DISTRICT

4. A TITLE SEARCH HAS NOT BEEN PERFORMED FOR THIS SITE. THERE MAY BE RIGHTS BY DEEDS, EASEMENTS, MORTGAGES, RIGHT OF WAYS, CONDEMNATIONS, RESTRICTIONS, ETC. NOT DEPICTED. IF DETERMINED TO BE NECESSARY, A TITLE SEARCH SHALL BE PERFORMED BY OTHERS AND SUPPLIED TO MALLON LAND SURVEYING, LLC.

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6. BY GRAPHIC PLOTTING ONLY, THE PARCEL SHOWN HEREON LIES WITHIN FLOOD ZONE X (UNSHADED) ON THE FEMA FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NUMBER 25001C 0288 J EFFECTIVE DATE JULY 16, 2014

EXISTING BUILDING COVERAGE	8,000± SF (0.18±AC)		
EXISTING PAVEMENT COVERAGE	38,871± SF (0.89±AC)		
EXISTING SITE COVERAGE	46,771± SF (1.07±AC)		
EXISTING TOTAL LOT AREA	82,328± SF 1.89± AC		
	HB	B	RC
BUILDING COVERAGE	8,000± SF (9.71%)	N/A	N/A
PAVEMENT COVERAGE	38,871± SF (47.21%)	8,417± SF (43.77%)	2,000± SF (50.31%)
FRONTAGE	151.33 FT	N/A	N/A
PARKING SPACES	38		
APPROVED EXISTING ZONE	ZONE B		



LEGEND / SYMBOLS / ABBREVIATIONS

○	LIGHT POLE	■	CATCH BASIN (SQUARE OR ROUND CATCH BASIN)
⌐	SIGN	●	DRAIN MANHOLE
●	MANHOLE	●	SEWER MANHOLE
⟷	UTILITY POLE/GUY WIRE	⋈	WATER GATE
⊟	HAND HOLE	●	FIRE HYDRANT
♿	HANDICAP PARKING	⋈	GAS GATE
♿	VAN-ACCESSIBLE HANDICAP PARKING	⊟	GAS METER
⚑	WETLAND FLAG	●	ELECTRIC MANHOLE
	TELEPHONE MANHOLE	▣	TRANSFORMER PAD

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Land Surveyors

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Phone (508) 465-0285

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STAMP

DISCUSSION

STAMP

CONSULTANT

CONSULTANT

PREPARED FOR
CROCKER DESIGN GROUP
2 SHARP STREET- UNIT A
HIGHAM, MA 02043

PROJECT TITLE
65 INDEPENDENCE DRIVE &
990 IYANNOUGH ROAD
BARNSTABLE, MA

A	SDR	7/13/2020	ADDRESS ADDED
		DATE	DESCRIPTION

SHEET TITLE
APPROVAL NOT REQUIRED PLAN OF LAND

SHEET NO
ANR-7.0

DATE AUGUST 28, 2020

50 0 50 100
SCALE IN FEET

SCALE 1"=50'

DRAWN BY: SDR CHECKED BY: SDR

JOB NO. FILE

GENERAL NOTES:

1. THE INTENT OF THIS PLAN IS TO DIVIDE THE EXISTING LOTS SHOWN AS ASSESSOR PARCEL 253-013-001, 253-013-002 AND ASSESSOR PARCEL 254-004 INTO LOT 1, LOT 2, LOT 3 AND LOT 4 SHOWN HEREON.

2. LOCUS AREA IS COMPRISED OF:
   PER CURRENT ASSESSOR'S RECORDS

   OWNER OF RECORD: LLC
   DEED BOOK 39972 PAGE 324
   RECORD PLAN BOOK 617 PAGE 35
   ASSESSOR'S MAP 253, PARCEL 13-001, 002 MAP 254 PARCEL 4

3. ZONING INFORMATION

ZONING DISTRICTS:	HB	B	RC	
MIN. LOT AREA	15,000 SF	N/A	80,000 SF	
MAX. BLDG COVERAGE:	30%	100%	50%	*62% PREVIOUSLY APPROVED
MAX. SITE COVERAGE	80%	90%	90%	
MIN. LOT WIDTH	125'	N/A	200'	
MIN. YARD SETBACKS	FRONT=40' BY 4.22	FRONT=125' BY 4.22		
	FRONT=30'	FRONT=30'	FRONT=40'	
	SIDE=12'	SIDE N/A	SIDE=30'	
	REAR=30'	REAR N/A	REAR=30'	

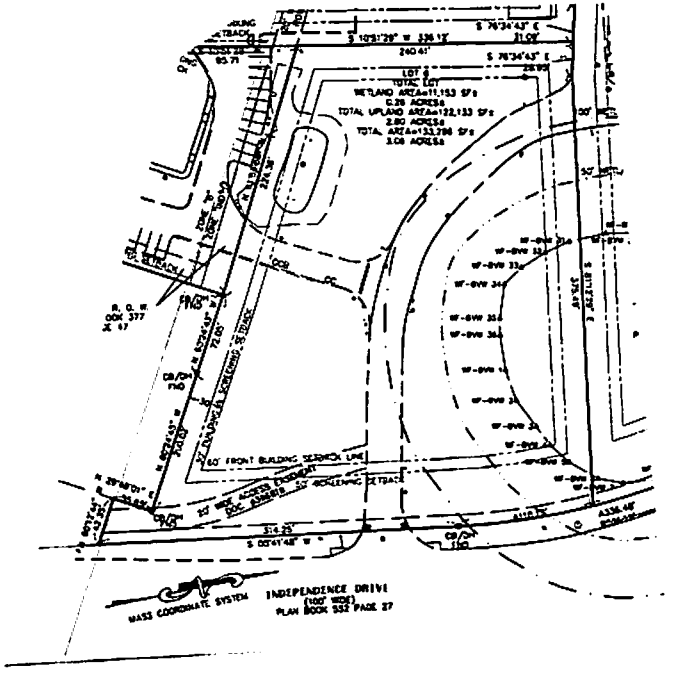
   OVERLAY DISTRICTS OF - GROUNDWATER PROTECTION
   SOLAR PHOTOVOLTAIC OVERLAY DISTRICT

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EXISTING BUILDING COVERAGE	N/A		
EXISTING PAVEMENT COVERAGE	17,721± SF (13.25%)		
EXISTING SITE COVERAGE	17,721± SF (13.25%)		
EXISTING TOTAL LOT AREA	133,733± SF 3.084 AC		
	HB	B	RC
BUILDING COVERAGE	N/A	N/A	N/A
PAVEMENT COVER	N/A	N/A	17,721± SF (13.25%)
FRONTAGE	452.38 FT	N/A	N/A
EXISTING WETLANDS	11,153± SF (8.37% OF TOTAL LOT)		
EXISTING UPLAND	122,133± SF (91.63% OF TOTAL LOT)		
PARKING SPACES	0		
WETLANDS SENSITIVE ZONE	ZONE II		



LEGEND / SYMBOLS / ABBREVIATIONS

●	LIGHT POLE	■	CATCH BASIN (SQUARE OR ROUND CATCH BASIN)
○	SIGN	●	DRAIN MANHOLE
■	MANHOLE	●	SEWER MANHOLE
⊢—○	UTILITY POLE/GUY WIRE	⋈	WATER GATE
⊡	HAND HOLE	◆	FIRE HYDRANT
♿	HANDICAP PARKING	⛽	GAS GATE
♿	VAN-ACCESSIBLE HANDICAP PARKING	⊠	GAS METER
	WETLAND FLAG	●	ELECTRIC MANHOLE
	TELEPHONE MANHOLE	⊡	TRANSFORMER PAD

MALLON LAND SURVEYING LLC.

Registered Professional Land Surveyors

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Carver, Massachusetts 02330

Phone (508) 465-0285

MALLONLANDSURVEYING@GMAIL.COM

STAMP: DISCUSSION

STAMP

CONSULTANT

CONSULTANT

PREPARED FOR
CROCKER DESIGN GROUP
2 SHARP STREET- UNIT A
HIGHAM, MA 02043

PROJECT TITLE
65 INDEPENDENCE DRIVE & 990 IYANNOUGH ROAD
BARNSTABLE, MA

	DATE	DESCRIPTION
A	10/7/2025	AMENDED ANR

SHEET TITLE
APPROVAL NOT REQUIRED PLAN OF LAND

SHEET NO
ANR-8.0

DATE AUGUST 29, 2025

50 0 50 100
SCALE IN FEET

SCALE 1"=50'

DRAWN BY BW CHECKED BY BW

JOB NO. FILE

CAPE COD COMMISSION

3225 MAIN STREET
P.O. Box 226
BARNSTABLE, MA 02630
508-362-3828
FAX: 508-362-3136

Date: December 16, 1993

To: Thomas J. Flatley

From: Cape Cod Commission

Re: Development of Regional Impact, Section 12, Cape Cod Commission Act

Project #: TR 930014

Project: Southwind Plaza 20,000 Square Foot Retail Expansion

Applicant: Thomas J. Flatley

Lot/Parcel: 1A & 1E

Land Court Certificate of Title #: # 101815 - Book # 831, Page 55

Decision of the Cape Cod Commission

Summary

The Cape Cod Commission (Commission) hereby approves with conditions the application of The Flatley Company for a Development of Regional Impact (DRI) permit, with 8 conditions under Section 12 and 13 of the Commission Act (Act), c. 716 of the Acts of 1989, as amended. This decision is rendered pursuant to a vote of the Commission on December 16, 1993.

Project Description

The proposed Southwind Plaza project is a 20,000 sq. ft. addition to the Southwind Plaza strip mall in Barnstable. The existing plaza has a footprint of 175,860 square feet and the additional retail space would bring the mall to 195,860 square feet. The Southwind Plaza Mall is located adjacent to the intersection of Route 132 and Independence Way with the proposed expansion occurring to the back side of the mall between the Stop and Shop and the Bradlees. The site is within the Industrial Park referred to as Independence Park and lies within the Wellhead Protection Area in the Town of Barnstable. The applicant has stated that they do not currently have a tenant for the space once it is constructed.

ORIGINAL PRINTED ON RECYCLED PAPER

CAPE COD COMMISSION

3225 MAIN STREET
P.O. BOX 226
BARNSTABLE, MA 02630
(508) 362-3828
FAX (508) 362-3136
E-mail: 74280.3152@compuserve.com

Olsen
Kaufman
Wightman, Chair
Benway
Ritchie
Atty.
Travelo YES
Lambros
(Prince)

Date: December 5, 1996

Applicant: Gibbs Management Corp.
50 Braintree Hill Office Park
P.O. Box 850226
Braintree, MA 02185-0226

Project #: TR960010
Project: Victory Fish
990 Iyanough Road, Route 132
Hyannis, MA

Re: Development of Regional Impact (DRI)
Cape Cod Commission
DRI Thresholds and Enabling Regulations

Lot/Parcel: 294-04, Bk. 7815, p. 108
Owner:. Gibbs Management Corp.

DECISION OF THE CAPE COD COMMISSION

SUMMARY

The Cape Cod Commission (Commission) hereby approves with conditions the application of Gibbs Management Corporation for the Victory Fish redevelopment project, TR960010, as a Development of Regional Impact (DRI) under the DRI thresholds and Enabling Regulations as "new construction with a gross floor area greater than 10,000 square feet." The decision is rendered pursuant to a vote of the Commission on December 5, 1996.

Bk 21761 Ps108 #7810
02-07-2007 @ 10:52a

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss:

LAND COURT
Misc. 281116

HOME DEPOT U.S.A., INC.

Plaintiff

v.

THE CAPE COD COMMISSION

Defendant

LAND COURT
FILED
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M.R. BOOK 10132 PAGE 57

MOTION FOR RELIEF FROM JUDGMENT AND FOR ENTRY OF AMENDED JUDGMENT

The parties move, pursuant to Massachusetts Rules of Civil Procedure 58(a) and 60(b)(5) and (6), that the judgment which entered on July 25, 2003 be vacated and that a new judgment in the form attached hereto be entered. The July 25, 2003 judgment was entered pursuant to an agreement between the parties settling all of their differences and specifically provided in paragraph 18 thereof that the parties would meet to review and reassess the reporting and other requirements of their Agreement in light of information and experience developed during the first two years that the Agreement was in effect.. The parties have made such a reassessment and now wish to amend the agreement to reclassify certain products which have minimal hazardous characteristics and to modify certain reporting and other requirements in light of the parties' actual experience with the Agreement. Accordingly, the parties have amended and restated the Agreement which was the predicate for the July 2003 judgment. As a result it is no longer equitable that the July 2003 judgment have prospective application and there are good and

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CAPE COD
COMMISSION

DEVELOPMENT OF REGIONAL IMPACT EXEMPTION DECISION

DATE:	October 26, 2023
PROJECT:	Southwind Plaza ANR, Barnstable (File No. 23018)
APPLICANT & PROPERTY OWNER:	BV Southwind, LLC c/o Bandera Ventures 5820 W. Northwest Highway, Suite 220, Dallas, TX 75225
PROPERTY/SITE:	990 Iyannough Road/Rt. 132, Barnstable, MA 02601 (Assessor's Map 294; Block 004) 65 Independence Drive, Barnstable, MA 02601 (Assessor's Map 295; Block 015; Lot X02) (Assessor's Map 295; Block 015; Lot X02)
TITLE REFERENCE:	BCRD Book 35097, Page 287

SUMMARY

The Cape Cod Commission ("Commission") hereby grants Development of Regional Impact ("DRI") Exemption, with Conditions, to BV Southwind, LLC for the division of approximately 31.13 acres of land at 990 Iyannough Road (Rt. 132) and 65 Independence Drive ("Property"; "Project Site") pursuant to a vote of the Commission at its meeting on October 26, 2023.

FINDINGS

The Cape Cod Commission hereby finds and determines as follows:

F1. The Applicant is proposing to subdivide approximately 31.13 acres of land into four (4) separate parcels at Southwind Plaza in Hyannis ("Project"). The parcels proposed to be divided are shown on the plan titled "Plan of Land Independence Park, Existing Conditions",

dated 3/17/2023, labeled Lot 1 (9.70 acres), Lot 2 (14.89 acres), Lot 3 (3.62 acres), and Lot 4 (2.92 acres).

F2. The Applicant submitted an application to the Town of Barnstable seeking Site Plan Review to divide the parcels as described above. The Commission received a mandatory DRI referral for the Project from the Town of Barnstable Building Commissioner on July 20, 2023.

F3. The Project literally qualifies as a DRI because it meets or exceeds the DRI review threshold appearing in Section 3(c) of the Enabling Regulations Governing Review of Developments of Regional Impact, *Chapter A of the Code of Cape Cod Commission Regulations of General Application*, as amended November 17, 2021 ("Enabling Regulations"). Said Section 3(c) provides:

"Any development that proposes to divide parcel(s) of land totaling 30 acres or more in common ownership or control on or after September 30, 1994, including assembly and recombination of lots [and is]...not otherwise exempted from review under Section 22(e) of the Act."

F4. Where a proposed development literally qualifies as a DRI, Section 12(k) of the Cape Cod Commission Act and Section 7 of the Enabling Regulations state:

"Any applicant may apply to the Commission for an exemption from Commission review... where the location, character and environmental effects of the development will prevent its having any significant impacts on the values and purposes protected by the Act outside of the municipality in which the development is to be located."

F5. The Applicant submitted a DRI Exemption application for the Project to the Commission on September 29, 2023. The application was determined to be complete on October 2, 2023.

F6. The location, character and environmental effects of the Project will prevent it having any significant impacts on the values and purposes specified under the Act.

A. The Project is a division of land and does not propose any physical building or structural development work.
B. The Project is consistent with values, goals and purposes of the Cape Cod Commission Act and the Regional Policy Plan.

CONCLUSION

Based on the above Findings, the Commission hereby further finds and determines that, though the Project literally qualifies as a DRI, it may nonetheless be exempted from Commission DRI review because the Project will have no significant impacts on the values and purposes specified in Section 1 of the Cape Cod Commission Act outside of the municipality in which it is proposed due to the Project location, character, and environmental effects. As such, the Commission hereby grants the DRI Exemption requested by BV Southwind, LLC for the Project described herein, subject to the Conditions, below.

CONDITIONS

C1. This Decision shall be final when the appeal period set out in Section 17 of the Cape Cod Commission Act has elapsed without appeal (or if such an appeal has been filed, when the appeal has been finally settled, dismissed, adjudicated, or otherwise disposed of in favor of the Applicant). Thereafter, pursuant to Section 12(k) of the Act, BV Southwind, LLC has three (3) years from the date of this written decision to exercise the right granted hereunder.

C2. A copy of the Decision, when final and prior to commencement of the Project, shall be recorded with the Barnstable County Registry of Deeds.

C3. This Decision applies only to the division of land as described herein. If further development that meets or exceeds the mandatory DRI Review thresholds under *Chapter A of the Code of Cape Cod Commission Regulations of General Application* is proposed on the Property, the development shall be referred to the Commission.

SIGNATURE PAGE FOLLOWS

SIGNATURE PAGE

Executed this 30th day of October 2023

For the Cape Cod Commission by:

Harold W Mitchell

Harold Mitchell, Chair

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

October 30, 2023

Before me, the undersigned notary public, personally appeared Harold Mitchell, in his capacity as Chair and on behalf of the Cape Cod Commission, whose name is signed on the preceding or attached 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.

Lisa P. Dillon

Notary Public

My Commission Expires: 8/28/26

LISA P. DILLON
NOTARY PUBLIC
Commonwealth of Massachusetts
My Commission Expires
August 28, 2026

BARNSTABLE REGISTRY OF DEEDS
John F. Meade, Register