

ATTACHMENT 1 DEVELOPMENT OF REGIONAL IMPACT (DRI) APPLICATION

SECTION I. DRI REVIEW PROCEDURES:

STEP ONE: PRE-APPLICATION MEETING

It is strongly recommended that Applicants contact the Cape Cod Commission (Commission) regulatory staff to set up a pre-application meeting. This meeting is best held prior to the Applicant's filing of development plans at the local level. Its purpose is to provide an important opportunity for staff, Applicants and the town to discuss the application requirements and the DRI review process. Applicants should bring any conceptual plans, sketch plans, studies, or information on the property and/or development proposal to this meeting. This is especially important for the Applicant in order to receive clear direction prior to investing in design and engineering costs. Additionally, the pre-application meeting may help to reduce the likelihood of problems or delays later in the review process. (Note that if, in the Commission staff's opinion, the Applicant has all required materials prepared and is ready to proceed with filing at this meeting, then the pre-application meeting may also serve as the Application Filing Appointment, provided that the Applicant has filed for a local development permit and the Commission has received a referral for the proposed project (see Step Two).)

STEP TWO: APPLICATION FILING APPOINTMENT

Applicants shall file all Required Submittals (according to Section II below) with the Commission at its office during an Application Filing Appointment, which must be scheduled **at least two business days** in advance with the Chief Regulatory Officer, or his/her designee. Applicants **shall submit 3 sets** (one original, plus 2 unbound copies) of all required information and **one set of plans** (see Section III for additional copying requirements) and a CD containing the application information in PDF format. **Application packages submitted will not be accepted at this appointment unless they contain the Application Cover Sheet and its required filing materials.**

STEP THREE: REVIEW OF ACCEPTED DRI APPLICATIONS

Once accepted at the Application Filing Appointment, DRI Applications will then be reviewed for *completeness* by regulatory, planning and technical staff. In order to be deemed *complete*, a DRI Application must contain all items listed below in Section II. Required Submittals (unless waived by the Executive Director or his/her designee).

This review of submitted materials is to ensure that all materials have been provided and that Commission staff have the information necessary to proceed with writing a Staff Report in preparation for a substantive public hearing.

Substantive public hearings will not be scheduled until Commission staff determines that a DRI Application is deemed *complete*. If a DRI Application is determined to be incomplete, a Hearing Officer may be required to open the public hearing for procedural purposes only (no presentations will be made, and no testimony will be taken at these hearings). Failure to submit a complete DRI Application in a timely manner may result in a procedural denial.

STEP FOUR: DRI CONSISTENCY REVIEW

Once an application is deemed *complete*, a substantive public hearing will be scheduled and Commission staff shall review the application for its consistency with the Act, Regional Policy Plan (RPP), Districts of Critical Planning Concern regulations, municipal development bylaws, and certified Local Comprehensive Plans and prepare a staff report. The RPP and associated technical bulletins applicable to the Commission review of the proposed development shall be those in effect at the date of the first substantive public hearing.

SECTION II. REQUIRED SUBMITTALS:

- 1. Application Cover Sheet and its Required Filing Materials.**
- 2. Massachusetts Historical Commission (MHC) Notification Form.** Applicant must complete and submit a Project Notification Form (PNF) to the MHC (PNF may be obtained from Commission staff or from MHC's web site). (*state.ma.us/mhc/mhcform/formidx.htm*)
 - a. If the proposed project involves demolition or alteration of a historic structure, current photographs of the historic structure and elevation drawings showing all proposed building facades should be included with the PNF. (This will allow MHC to provide comments on the PNF more quickly.) Copies of all submitted materials must be provided to the Commission.
 - b. Submit proof of receipt of PNF by the MHC.
- 3. Certification of Local Filing.** Provide certification of filing copies of **this** completed application with the Town Clerk, Building Inspector, DRI Liaison, Planning Board, and any other local board before which a permit is pending or action is required for this proposed project. It is the ongoing responsibility of the Applicant to continue to provide these municipal agencies and boards with all materials provided to the Commission throughout the DRI review process.
- 4. Required Plans.**
 - A. **Plan Size Requirements.** For each plan submitted, provide each of the following:
 - Copy of plan(s) sheet size 24" x 36"
 - Copy of plan(s) reduced to fit sheet size 11" x 17"
 - B. **General Requirements:**
 - All plans should be drawn at a scale of 1" = 40', however other scales which provide sufficient detail are acceptable.
 - If the plan requires more than one sheet, a cover sheet at the scale of 1"= 200' showing the entire property must be included.
 - Include a locus map at 1:25,000 scale with the outline of the entire property clearly shown.
 - Legal Data to Appear on **ALL** Submitted Plans, as appropriate:
 - 1. Name and address of Applicant and authorization of owner if different from Applicant.
 - 2. Name and address of owner(s) of record, if different from Applicant.
 - 3. Name and address of person(s) or firm preparing the plan.
 - 4. Current zoning classification of property, including exact zoning boundary if the development site is in more than one district.
 - 5. Property boundary line plotted to scale. Distances, angles, and area should be shown.

6. North arrow, scale, and date.
7. Property lines and names of owners of adjoining parcels.
8. Location, width, and purpose of all existing and proposed easements, setbacks, reservations, and areas dedicated to public use within and adjoining the property.
9. Date of plan(s) and subsequent revisions.
10. Plans must be stamped with original stamp of registered architect, landscape architect, or professional engineer, as appropriate.

C. **Existing Conditions Plans.** Shall show the following:

1. **EXISTING** topography at contour intervals of no more than five feet.
2. Hydrologic features on-site or within 300 feet of the project boundary, including water bodies, wetlands, vernal pools, and floodplains.
3. Vegetative cover, including existing wooded areas, existing landscaped areas, and other significant features.
4. Indicate by survey point any trees that may qualify as Specimen Trees (Refer to definition of *Specimen Tree* in 2009 Regional Policy Plan.)
5. Where applicable, indicate in a table the square footage or acreage of the following: developed areas, open space or undisturbed areas, and wetlands.
6. Use, location, and dimensions of major buildings and/or structures, including but not limited to parking and loading areas, fences, walls, and docks.
7. Location and width of existing rights of way, roads, and paths, including site access. Information should include road geometry, sight distances, and emergency vehicle access.
8. Location of any existing sewage disposal facilities, water supply facilities and stormwater utilities.
9. Electric, gas, telephone lines, cable TV and appurtenances, and any other easements.
10. Identify historically significant sites, buildings, and/or features.

D. **Proposed Development Plans.** Shall show the following:

1. Grading and drainage plan showing **PROPOSED** topography at appropriate contour intervals. Erosion Control Measures (hay bales, fences, etc.) proposed for use should be noted. (Note that proposed grading and drainage must be shown on a **separate sheet** from the existing conditions.)
2. Location, proposed use and dimensions of all buildings and other structures, such as retaining walls, fences, docks, outdoor storage tanks, air-conditioning units, and waste disposal units. Include total square footage of impervious building area.
3. Location and arrangement of site access and egress, including parking, loading, outdoor storage areas and all paths for pedestrian travel within the site. Information should include profiles and cross-sections of roadways and sidewalks showing grades and widths. Include total square footage of impervious area from all paved surfaces.
4. Indicate in a table the square footage or acreage of the following: developed areas, open space or undisturbed areas, and wetlands.
5. Location, design and construction of all water, sewage disposal, stormwater disposal, oil, electric, gas and solar energy facilities.
6. General landscaping plan and planting schedule, including the treatment of buffer areas, the location, quantity, types, and size of all plant materials, and natural areas to be retained.
7. Elevation drawings (to scale) of all building façades that also specify all exterior building materials.
8. A roof plan showing the direction of all roof slopes, all roof materials, and the location of all rooftop equipment.

9. Floor plans of proposed buildings and other structures for all floors (as requested by Commission staff).
10. Samples of all proposed exterior materials are required for projects not using traditional wood or brick building materials. A materials board must include samples of all proposed exterior wall, trim, and roof materials, as well as their proposed colors.
11. Location, size, materials, and design of all outdoor lighting facilities and signs.

5. Supporting Studies, Reports, or Information.

Note that the Commission's regulatory staff may initially waive some of the following requirements due to the location, size, or type of development. Guidance on these items, and the timing of their filing, may be obtained at the pre-application meeting.

A. Detailed Project Description. Clearly describe the scope of work, including the relationship of the proposal to the existing conditions on-site and the existing and proposed uses. Also:

- Clearly discuss the impacts of your project and how they will be mitigated.
- Explain how the project benefits the community and the region by meeting or exceeding the Regional Policy Plan's Minimum Performance Standards and Best Development Practices.

B. Written Design Narrative. The narrative should present the Applicants analysis of the context of the project's surroundings and the relationship of the project to this context (including a discussion of approaches taken and the success and appropriateness of the selected approach). Clearly explain the design concept, alternatives considered, and how the proposed project's siting and building design are consistent with Technical Bulletin 96-001, *Designing the Future to Honor the Past, Design Guidelines for Cape Cod*, as amended and with the Addendum to Technical Bulletin 96-001, *Contextual Design on Cape Cod: Design Guidelines for Large-Scale Development* (where applicable). Include information regarding materials, colors, and construction methods to be used.

C. A traffic impact analysis in accordance with Technical Bulletin 96-003, *Guidelines for Transportation Impact Assessment*, as amended.

D. A nitrogen loading analysis for existing and proposed conditions in accordance with Technical Bulletin 91-001, *Nitrogen Loading*, as amended.

E. Proposed monitoring well plan (sampling schedule), showing well locations, top of casing elevations, water table elevation, and other relevant information (if applicable).

F. Copies of any ground water discharge permits or wastewater treatment pilot project approvals from the Department of Environmental Protection, or any ground water investigations or studies.

G. Information on 21-E site assessments concerning environmental contamination on or affecting the project site (if available).

H. A plant and wildlife habitat assessment in accordance with Technical Bulletin 92-002, *DRI Guidelines for Natural Resources Inventory*, as amended.

I. Project, employment, and economic impact information in accordance with Technical Bulletin 04-002, *DRI Economic Development Technical Bulletin*, as amended.

J. Information on how the project will satisfy the Regional Policy Plan's affordable housing requirements, and, where applicable, Technical Bulletin 09-001, *DRI Guidelines for Mitigation Credit and Reduction of Minimum Performance Standard AH3.2*, as amended and/or Technical Bulletin 10-001, *DRI Guidelines for Calculation of Mitigation for DRIs in "Other" Category for Minimum Performance Standard AH3.1*, as amended.

K. Information on the sales price and/or rent including the methodology and assumptions used, breakdown on the number of bedrooms, size of bedrooms for affordable housing units and provisions for special needs housing.

- L. Information on the types, amounts, methods of generation, use, storage, treatment, and disposal of solid wastes and/or hazardous materials and/or hazardous wastes.
- M. Information on the provisions of open space in accordance with Technical Bulletin 94-001, *Guidelines for Calculation & Provision of Open Space in DRIs*, as amended.
- N. For projects involving a structure that is listed on the National or State Register of Historic places, or that is a historic structure, submit photographs of the existing property, buildings, and the surrounding properties.
- O. Information on construction sequencing for any rehabilitation or alteration work proposed on a structure that is listed on the National or State Register of Historic Places.
- P. Information on exterior lighting in accordance with Technical Bulletin 95-001, *DRI Guidance for Exterior Lighting Design*, as amended.
- Q. Information on the project's energy use in accordance with Technical Bulletin 09-002, *DRI Guidelines for Energy Compliance*, as amended.
- R. For projects involving telecommunications facilities (monopoles, self supporting or guyed towers, etc.), information in accordance with Technical Bulletin 97-001, *Guidelines for DRI Review of Wireless Communication Towers*, as amended.

SECTION III. IMPORTANT NOTES:

If you have any questions or require assistance in completing this application form, please contact a member of the Commission's Regulatory staff at (508) 362-3828. A copy of the current Regional Policy Plan and Commission regulations are available at the Commission office or on the web at www.capecodcommission.org.

Copying Requirements

Note that additional copies of all submitted materials will be requested prior to scheduled meetings and hearings throughout the review process in accordance with the schedule below; however, the project Regulatory staff will contact the Applicant to discuss the required copies at each stage in the DRI review process:

- Once the DRI Application is deemed *complete* and the project Regulatory staff has scheduled a public hearing, the Applicant should provide eight (8) copies of the completed application (for inclusion in the Commission's files and distribution to Commission Subcommittee members).
- Fourteen (14) calendar days prior to any scheduled Subcommittee public hearing or meeting, eight (8) copies and one (1) electronic copy of any supplemental materials, revised reports or plans should be provided.
- Seven (7) business days prior to a final hearing before the full Commission, up to nineteen (19) copies of all materials should be submitted for distribution by Commission staff to Commission members.

If the Applicant fails to provide the necessary copies in a timely manner, any copies that must be produced by the Commission will be charged to the DRI Applicant in accordance with the *Schedule of Fees*.

In the event that a significant volume of copying needs to be undertaken by the Commission that necessitates the services of an outside vendor, the Applicant will be charged for this copying.

In an effort to reduce use of paper, the Commission can accept certain application materials electronically and/or on a CD. Also, in an effort to reduce non-recyclable materials, the Commission would prefer that all materials be submitted on recycled content paper and be printed double-sided. Additionally, please avoid the use of metal or plastic ring binders and plastic report covers.

Applicant's Responsibility to Provide Requested Information in a Timely Manner

The Commission staff and Commission members may not consider documents or information that are not submitted at least fourteen (14) calendar days prior to any scheduled public hearing or meeting. Additionally, failure to provide information in a timely manner may result in cancellation of such meeting or hearing. This rule is intended to ensure that all documents received by the Commission will have ample time to be reviewed by project staff and to be routed to and reviewed by all necessary Commission/Subcommittee members.

Applicant's Responsibility to Pay Costs of Legal Notices and Other Fees

The Applicant is responsible to pay for the actual costs of publishing and mailing legal notices throughout the review process. Please see the *Schedule of Fees* (within the *Enabling Regulations*) for these and other charges that are the responsibility of the Applicant. All fees must be paid in full prior to issuance of a Certificate of Compliance from the Commission.

Prior to a Decision of the Commission

Before a final public hearing is scheduled before the Cape Cod Commission, Applicants must request and receive a letter from the relevant Town Planner informing the Commission that the Applicant's project complies with local zoning.