



CAPE COD COMMISSION

3225 MAIN STREET
P.O. BOX 226
BARNSTABLE, MA 02630
(508) 362-3828
FAX (508) 362-3136

E-mail: frontdesk@capecodcommission.org

DATE: May 9, 2006 ¹⁷

TO: Richard Hunter, Chairman
Chatham Airport Commission

FROM: Cape Cod Commission

RE: Modification of a Development of Regional Impact Hardship Exemption

APPLICANT: Chatham Airport Commission
C/o Town of Chatham
549 Main Street
Chatham, MA 02633

PROJECT #: TR-04012

PROJECT: Chatham Airport Safety Improvements Projects
Chatham Municipal Airport
240 George Ryder Road
Chatham, MA 02633

BOOK: 731 PAGE: 188

Background

The Chatham Airport Safety Improvements Projects was approved, with conditions, by a vote of the Cape Cod Commission (Commission) on June 23, 2005. The project was approved as a Development of Regional Impact Hardship Exemption (HDEX). One of the project subparts contemplated in the HDEX decision (as modified on 6/13/06) includes possible construction of four (4) additional T-hangar buildings adjacent to the existing hangars. Conditions in the HDEX decision (as modified) envisioned that each project subpart would need a separate Preliminary and Final Certificate of Compliance, to ensure consistency with the relevant parts of the HDEX decision (as modified) that pertain to that project subpart. Conditions EXL1, EXL2 and EXL3 of the HDEX decision (as modified) require that the Airport make changes to



existing exterior light fixtures prior to the Commission's issuance of a second Preliminary Certificate. Condition HMW1 requires that the Airport submit a revised Stormwater Pollution Prevention Plan (SWPPP) prior to issuance by the Commission of a Preliminary Certificate for the second project subpart.

In discussions with the private company (Homes for Airplanes, LLC) that is going to construct the first two of the six potential T-hangars, and operate it under lease to the Airport, it has become clear that the implementing the changes to the existing Airport light fixtures may not be complete and ready for Commission staff inspection before Homes for Airplanes, LLC would like to commence construction of the two T-hangars. The revised Airport SWPPP may also not be provided to the Commission before Homes for Airplanes, LLC would like to commence hangar construction. Also, based on site visits by Commission staff, it is advisable to modify condition EXL1 to relieve the Airport from having to change the lights on the existing T-hangars.

Determination

The Chief Regulatory Officer of the Cape Cod Commission has determined that the following revisions to the exterior lighting conditions and to one hazardous materials/waste condition of the original Hardship Exemption decision (as modified) constitutes *de minimus* changes, and is approved as Type 1 Minor Modifications. The following changes shall be made to conditions EXL1, EXL2, EXL3 and HMW1 of the original Hardship Exemption decision (as amended).

Changes to Original Decision

Conditions

EXL1. Prior to issuance of the ~~second~~ third Preliminary Certificate of Compliance, the Applicant shall, in consultation with Commission staff, replace the ~~300 watt halogen~~ lights on the existing ~~T-hangars existing prior to issuance of this decision, and~~ Maintenance Hangar; the three 150 watt spot lights used to illuminate the main apron, the entrance to the Airport Manager's office, and airfield entrance gate; and the three mercury vapor lights to illuminate the existing unpaved parking lot to the North side of the terminal complex. Lights selected to replace those named in this condition shall conform to the requirements of Technical Bulletin 95-001 (as amended).

EXL2. Prior to issuance of the ~~second~~ third Preliminary Certificate of Compliance, Commission staff will conduct a field site visit to ensure the work described in condition EXL1 has been completed, and that the exterior lighting is consistent with Technical Bulletin 95-001.

EXL3. The Applicant shall submit to Commission staff information consistent with Technical Bulletin 95-001 for any new lights for any new proposed buildings described in this decision. Commission staff will review these fixtures for consistency with Technical Bulletin 95-001. Unless Commission staff reviews and approves the

exterior light fixtures for proposed new buildings as consistent with Technical Bulletin 95-001, the Certificate affecting the construction or occupancy of the building of the third project subpart shall not be issued by the Commission.

HMW1. The Applicant shall submit for the Commission's records a revised Stormwater Pollution Prevention Plan which addresses fueling and maintenance of construction equipment; sets specific goals for materials substitution and employee education in hazardous materials/waste management; and provides for periodic reviews of chemical ordering and materials vending procedures. Unless and until the Commission receives and approves the revised Stormwater Pollution Prevention Plan as consistent with this condition, the ~~second~~third Preliminary Certificate of Compliance shall not be issued by the Commission (for the ~~second~~third project subpart that is chosen by the Applicant).

Dorr Fox
Chief Regulatory Officer

5/11/07
Date

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

5/11, 2007

Before me, the undersigned notary public, personally appeared Dorr Fox in his capacity as the Cape Cod Commission's Chief Regulatory Officer, 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 personal knowledge of the undersigned.

Gail P. Hanley
Notary Public

My Commission expires: 10/13/11