

## **ATTACHMENT 2 DRI EXEMPTION APPLICATION**

This attachment is for an APPLICATION pursuant to section 12(k) of the Cape Cod Commission Act, chapter 716 of the Acts of 1989 (Act), as amended, for a DEVELOPMENT OF REGIONAL IMPACT (DRI) EXEMPTION from Commission review of a proposed development which literally qualifies as a DRI but 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 the municipality in which the development is to be located.

### **SECTION I. FILING PROCEDURES:**

#### **STEP ONE: PRE-APPLICATION MEETING**

It is strongly recommended that Applicants contact the Cape Cod Commission (the Commission) regulatory staff to set up a pre-application meeting. Its purpose is to provide an important opportunity for staff, Applicants and the town to discuss the application requirements and the DRI Exemption 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 (see Step Two). Note that while an application for a local development permit is not required to apply for a DRI Exemption, it is strongly recommended.

#### **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). **Application packages submitted will not be accepted at this appointment unless they contain the Application Cover Sheet and its required filing materials.** Please note that Commission staff may waive some of the requirements of Section II. of the DRI Application Form at the pre-application meeting.

#### **STEP THREE: REVIEW OF ACCEPTED DRI EXEMPTION APPLICATIONS**

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

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. Staff will notify the Applicant in writing within fourteen (14) calendar days of receipt whether the DRI Exemption Application has been deemed

*complete*. This letter begins the 45-day timeclock to hold and complete the public hearing process on a DRI Exemption Application. This letter will include the date, time and place of the public hearing to consider the DRI Exemption request. Staff will also notify the Applicant in writing if the DRI Exemption Application is determined to be *incomplete*, and will specify the materials/information still required. Substantive public hearings will not be scheduled on a DRI Exemption request until Commission staff determines that a DRI Exemption Application is *complete*.

#### **STEP FOUR: DRI EXEMPTION REVIEW**

Once a DRI Exemption application is deemed *complete*, it is reviewed by the Commission staff as to whether 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 the municipality in which the development is to be located. The Regional Policy Plan and technical bulletins in effect at the time of opening of the first public hearing on the project will be used as a guide in making this determination.

#### **SECTION II. REQUIRED SUBMITTALS:**

- 1. Application Cover Sheet and its Required Filing Materials.**
- 2. Required Submittals in Section II of Attachment 1, DRI Application.**
- 3. Documents and analysis supporting the request for a DRI Exemption.** Provide a clear and concise written statement/narrative supporting the request for a DRI Exemption showing that 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 the municipality in which the development is to be located and which the Applicant otherwise deems relevant to the Commission's decision.
- 4. Certification of local filing.** Provide certification of filing copies of **this** completed application with the Planning Board, Building Inspector, Town Clerk 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 Exemption review process. See Attachment H

#### **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](http://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 planner will contact the Applicant to discuss the required copies at each stage in the DRI Exemption review process:

- Once the DRI Exemption Application is deemed *complete* and the project planner has scheduled a public hearing, the Applicant should provide seven (7) copies of the completed application (for distribution to Commission Subcommittee members).
- Fourteen (14) calendar days prior to any scheduled Subcommittee public hearing or meeting, seven (7) copies 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 (staff will advise Applicant of exact number required).

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 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 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 Administrative 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 final Certificate of Compliance from the Commission.