



# MAKING A DRI APPLICATION

This document outlines the steps that an applicant must follow in order to apply to the Martha's Vineyard Commission for approval of a DRI. It should be used in conjunction with the document *The DRI Process*. This document gives details about the Step 2 of the five steps of the DRI process explained in that document.

## **Step 2a** **Obtain Documents**

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Before preparing your application, you should obtain or consult the following documents. Please confirm with the DRI Coordinator that you have the latest version of each document.

- The DRI Process
- DRI Application Form
- MVC Regulations (these regulations outline administrative aspects of the DRI process – presently undergoing revision)
- Chapter 831 – This is the MVC's enabling legislation. Refer in particular to sections 14 and 15 that outline the criteria that the Commission uses in weighing the potential benefits and detriments of a proposal.
- Traffic Impact Study Requirements
- Affordable Housing Policy
- The Island Plan
- Fee Schedule

## **Step 2b** **Attend a Pre-Application Meeting with Staff**

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You should contact the Commission's DRI Coordinator to set up a pre-application meeting with MVC staff at which the staff will review the submission requirements and can answer the Applicant's technical and procedural questions. You should bring any plans, studies or information on the property and/or proposal to this meeting. Staff of the referring municipal agency (e.g. the administrator of a Planning Board) may be invited to attend to clarify help clarify procedures.

## **Step 2c** **Fill out a DRI Application Form and Prepare Your Application**

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You should start to fill out the application form and prepare the other materials that constitute a complete application. Detailed instructions are described in the second part of this document.

## **Step 2d**

### **Meet the Land Use Planning Committee**

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Once your application is advanced, the DRI Coordinator will arrange a Pre-Hearing Meeting with the Land Use Planning Committee (LUPC), a sub-committee of the Commission, where you will be given an opportunity to explain your proposal, to discuss the project informally with Commissioners and staff, to get feedback as to some of the issues and concerns that should be addressed during the public hearing. At this meeting The LUPC will determine the scope of the required transportation study and will indicate what additional studies or information are needed to complete your application.

Notification for this meeting is posted in each of the town halls and sent to the permit granting boards in the town where the project is located. While this meeting is open to the public, public comment is not generally allowed. Occasionally, in the interest of clarification, a member of the public may be asked a question, or may be allowed to comment. No comments made by the public at this time are considered part of the public hearing record.

There may be several meetings between the LUPC and the applicant before the committee is assured that the proposal is clear and the application can be completed.

## **Step 2e**

### **Complete and Submit Your Application**

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Your complete application, including the fee, and all attachments, should be filed with the Martha's Vineyard Commission at the Commission office during an Application Filing Appointment to be scheduled with the DRI coordinator. If you have any questions or require assistance in completing this application form, please contact the DRI Coordinator at 508-693-3453.

Applications submitted for filing can only be accepted at this filing appointment if they are complete. Complete applications are defined as those that satisfy the requirements outlined in this document and as specified at the Pre-Application Meeting of the Land Use Planning Committee. Providing a complete application, including the required information and fees, will allow the Commission to act in a timely manner.

The application will then be submitted to the MVC Executive Director who will certify its completeness and authorize the scheduling of a Public Hearing.

Often, a site visit is scheduled during the LUPC meeting to allow the Commissioners a chance to familiarize themselves with the property. The DRI Coordinator will fill out the Site Visit Checklist indicating how the site should be prepared before the visit. The Commissioner may use this time only to ask the Applicant questions of clarification specific to the site. The public is welcome to attend the site visit but is asked to refrain from comment.

# THE DRI APPLICATION

The Application is made up of the Application Form as well as all accompanying documents including a list of abutters, the application fee, plans of the existing situation and development proposal, document describing the proposal and its impacts and various studies as required by the Commission.

## **1. The DRI Application Form**

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One copy, duly signed and dated, should be submitted. The following are some notes about how to fill out various sections.

- In section 1.4, for wireless communications towers, a licensed carrier should be either an applicant or co-applicant.
- In section 5, (Owners of Record,) provide information for all parcels (attach additional sheets if necessary). Under Certificate of Title, indicate the book and page numbers of the Land Court or Registry of Deeds certificate of title.
- In section 7, list public agencies from which a permit or approval has been or will be sought (e.g. Planning Board, ZBA, Board of Health, etc.). The Commission strongly encourages DRI Applicants to file applications with all permit-granting boards before completing the MVC DRI application in order to allow these boards to become familiar with the proposal and be in a position to communicate their concerns to the Commission during the public hearings. The project may require the filing of an Environmental Notification Form under the Massachusetts Environmental Policy Act (MEPA). For information, call the Executive Office of Environmental Affairs (617-626-1020). Please attach relevant MEPA documents.

## **2. List of Abutters**

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A list of abutting property owners within 300 feet of the boundaries of the development site and their addresses. Include both local and off-Island

addresses when applicable. This list must be certified by the town's assessor's office and must be submitted on the grid sheet provided which corresponds to the Standard Label Format designed to print on Avery Labels #5160. Town Assessor's offices may take up to 10 days to certify an abutters list. If there are more than 50 abutters, in addition to the certified list, Applicants must provide three sets of the certified list on self-adhesive labels.

## **3. Application Fee**

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The DRI Coordinator will calculate the fee based on the latest Fee Schedule. The payment should be certified check payable to the Martha's Vineyard Commission.

## **4. Plans of the Existing Situation and Proposed Development**

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The following sets of plans must be provided.

- Three identical complete sets of plans on 11" x 17" sheets, plus one additional set for each town board from whom a permit will be sought. The sets for the town boards will be sent to them early in the process in order to solicit comments. If the project is approved, one approved set will be returned to you, one set will be sent to the referring agency, and one set will be kept by the MVC.
- A set of plans in digital format should be provided, if available.
- For most projects, one set of larger-scale plans should be submitted for easier readability. These plans, of a sheet size such as 24" x 36", must be folded to a maximum size of 8½" x 14" for filing purposes.
- It is advisable that a set of the most pertinent larger-scale plans be brought to the Public Hearing, for display purposes. It is useful to mount these plans on foamcore and to use color to improve readability.

#### Information to be included on all plans

- Name and address of Project.
- DRI Number.
- Name of person or firm preparing the plan, if different from the applicant.
- North arrow and scale.
- Property boundary line.
- Date of plan and subsequent revisions.

#### Information to be included on Plan(s) of Existing Conditions

- **Locus** – location of the project.
- **Zoning** – current zoning classification of property, including exact zoning boundary if the development site is in more than one district.
- **Limits** – property boundary line showing distances, angles and areas.
- **Coastal features** – including water bodies, wetlands, vernal pools and floodplains.
- **Topographic features** – showing contour intervals of no more than five feet.
- **Vegetative cover** – including existing wooded areas, significant mature trees and other significant features.
- **Buildings/structures** – location, dimensions and use of existing buildings and other structures.
- **Site landscaping** – existing landscaping features including fences, docks, retaining walls and major landscaping features.
- **Roads and parking** – location and width of existing rights of way, roads and paths including road geometry; existing parking and loading areas; regular and emergency site access including sight distances.
- **Water and sewage** – location, size and flow direction of sewage disposal facilities, water supply facilities and culverts.
- **Utilities** – major electric, gas and telephone lines and appurtenances.
- **History/archeology** – identify historically or archaeologically significant sites, buildings and/or features. If there are any structures listed on the National or State Register of Historic Places that are to be altered, provide existing conditions and architectural elevations.

#### Information to be included on Plans of Proposed Development

- **Context** – plan of the area showing proposed building(s), subdivision lines and basic landscaping on the property, as well as abutting properties showing property lines, buildings and abutters' names.
- **Site** – proposed topography (including appropriate contour intervals, proposed drainage and erosion control measures. This information can be combined with the map of existing topography if it can be clearly depicted.
- **Buildings and structures** – location, proposed use and dimensions of buildings (including floor plans) and other structures, such as retaining walls, fences, docks, outdoor storage tanks, air-conditioning units and waste disposal units. Architectural perspective or elevation drawings of proposed buildings including identification of materials used.
- **Access and roads** – 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.
- **Landscaping** – general landscaping plan and planting schedule, including the treatment of buffer areas, the location and types of trees to be planted, and natural areas to be retained.
- **Infrastructure** – location, design and construction of all water, sewage disposal, oil, electric, gas and solar energy facilities. Proposed monitoring well plan showing locations, elevations, and water table
- **Lighting and signage** – location, size, and design of all outdoor lighting facilities and outdoor signs.

## 5. Description of Proposed Development and Summary of Impacts

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The application should include a written report that describes the proposal and summarizes its impacts. This report should be a maximum of 10 pages (8½"x11") long and should follow the proposed table of contents as closely as possible. A template in Word format is available from the Commission that can be completed by the Applicant.

- **Project Description:** A complete description of the key features of the project including information not included on drawings and results of studies. This section should include:
  1. Context
  2. Site
  3. Access, traffic and transportation
  4. Buildings and structures
  5. Landscaping
  6. Infrastructure (including water and septage)
  7. Lighting and signage
- **Project Impacts:** This section should summarize the impacts of the proposal. Applicants are encouraged to demonstrate the project's benefits to the community and the Island as a whole and to indicate how possible detriments have been mitigated. To facilitate analysis by the Commission, the impacts should be organized according to the criteria outlined in Chapter 831, namely:
  1. Impact on the environment (section 15b) – wastewater and groundwater; open space, natural community and habitat; night lighting and noise
  2. Impact on persons and property (section 15c) – traffic and transportation (summary of the Traffic Impact Analysis); scenic values; character and identity; impact on abutters
  3. Impact on the supply of needed low and moderate-income housing (section 15d)
  4. Impact on municipal services and burden on taxpayers (c831, a15e)
  5. Efficient use or burdening of other (non-municipal) public facilities (section 15f)
  6. Consistency with and ability to achieve town, regional, state plans & objectives. (sections 14b, 15g and 15h)
  7. Conformity to zoning (section 15c)
  8. Conformity to DCPC regulations (section 14d)

## 6. Traffic Impact Analysis

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The Applicant shall prepare and submit a proposed Scope of Traffic Study and may be required to engage an engineering firm to prepare a Traffic Impact Analysis (TIA) in accordance with the checklist of steps in the Model Scope of Traffic Study (obtain from the Commission's Transportation Planner of on the website).

- **Preparation of Proposed Scope of Traffic Study:** Prior to proceeding with a TIA, the Applicant shall submit a proposed Scope of Traffic Study for the approval of the Land Use Planning Committee (LUPC). The Applicant may propose to omit items within the checklist of steps, may propose to carry out the study without engaging an engineering firm, or may propose not to carry out the TIA at all, explaining in writing the reasons why items could be omitted or why the study is not necessary. The MVC Staff and, if necessary, the MVC's engineer shall review the proposed scope of study and provide written comments to the LUPC.
- **LUPC Determination of Scope of Traffic Study:** The LUPC will determine the Scope of Traffic Study. It may waive completion of certain items listed in the Model Scope of Traffic Study, waive the use of an engineering firm, or may waive completion of the TIA in its entirety. The criteria for determining the Scope of Traffic Study include the approximate number of trips generated, the project's location on or near road with congestion or geometry problems or within a residential area.
- **Preparation of Traffic Impact Analysis:** The Applicant will prepare the TIA according to the Scope of Traffic Study approved by the LUPC and submit it to the Commission. The DRI Application is not complete until the TIA has been submitted.
- **Commission Review of the Traffic Impact Analysis:** The TIA shall be reviewed by the MVC staff and, if necessary, by the MVC engineer who shall submit to the Commission a technical memorandum summarizing the analysis.
- **Commission Engineer:** The MVC shall bill the Applicant for any charges rendered by the MVC engineer for review and comments on

the Applicant's scope of study and/or traffic impact analysis. The MVC will provide the Applicant with a budget estimate for any required work to be performed by the MVC engineer. Said bill for services rendered shall be paid prior to rendering a Decision on the project.

Note that the MVC Transportation Planner will be available for a limited number of hours (normally 4 to 8 hours per application) to assist the applicant with this study. For simple applications, this may be sufficient to run computer models that will estimate the traffic impacts. For more complex proposals, the use of a consultant may be necessary in which case the technical staff will advise on preparation of the Scope of Traffic Study and in analyzing the report submitted by the Applicant or consultant.

## **7. Water Resource Impact Information**

The following information must be submitted in order to allow the Commission's Water Resources Planner to prepare an analysis of the project's nitrogen loading and stormwater management as well as proposed treatment methods.

For all projects:

- Total lot area;
- Building footprint and area of impervious; surfaces for access and parking.
- Stormwater management system design.

*Note: If there is any discrepancy between this document and the official documents of the Martha's Vineyard Commission such as Chapter 831, the DRI Regulations, or the DRI Checklist, the latter take precedence.*

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For residential projects:

- Number of dwellings and bedrooms.

For commercial projects:

- Floor area and Title 5 design flow;
- Engineering plan for wastewater disposal or description of disposal system;
- Statement by an engineer indicating the lot is adequate for the required wastewater system installation;

The Commission may require that the Applicant hire professionals to carry out more extensive studies or that it reimburse the Commission if the latter needs to hire a professional to review the study.

## **8. Affordable Housing Mitigation**

The Commission's Affordable Housing Policy identifies the appropriate mitigation efforts for various types of project.

## **9. Other Studies or Information**

Depending on the nature, scale, and location of the proposal, the LUPC may require that the Applicant carry out, or hire a professional to carry out, additional studies (including proposed mitigation measures) such as:

- Impact on natural habitat (vegetation, wildlife, surface wetland features);
- Impact on views;
- Impact on municipal and other public services;
- Fiscal impact on the town.