Outlook

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**Re: CCC 24022, owners are Frederick Jensen, Elizabeth Tomic and others**

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**From** Jordan Velozo <jordan.velozo@capecodcommission.org>
**Date** Sun 12/1/2024 10:31 AM
**To** betsy tomic <betsytomic505@gmail.com>
**Cc** mail@bssdesign.com <mail@bssdesign.com>

Good morning Ms. Tomic,

I hope you had a nice Thanksgiving. I'm writing because it has come to my attention that we are quickly approaching the end of the hearing period on this Project (Boxberry Hill Road ANR) and we do not have an application at this time.

Pursuant to Section 13 of the Commission's Enabling Regulations, a Development of Regional Impact may be procedurally denied, without prejudice, when: the Applicant fails to submit a complete DRI application; the Applicant fails to pay the entire filing fee specified in Section 14, Schedule of Fees; or other instances where the project fails to progress continuously and expeditiously through required regulatory processes and the Commission determines that a procedural denial without prejudice may be properly granted.

If a procedural denial is issued, a decision will be recorded against the property that includes a statement that the Town of Falmouth may not review or issue permits, licenses, or approvals for the Project and that no building, site, or development work may be undertaken until the Project has been reviewed and approved by the Commission as a Development of Regional Impact.

The Applicant and/or Property Owner for the Project may address a standing committee of the Cape Cod Commission regarding the status of the Project prior to any procedural denial. If you or any other interested party would like to discuss this matter and/or address a standing committee, please contact me at 508-744-1253 or replying to this email. If I do not hear from you, we will proceed to schedule a hearing and notify you of the date and time, should you wish to attend.

Best,
Jordan

Jordan Velozo
Chief Regulatory Officer
Cape Cod Commission
508-744-1253
jordan.velozo@capecodcommission.org

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**From:** betsy tomic <betsytomic505@gmail.com>
**Sent:** Thursday, October 3, 2024 3:23 PM
**To:** Jordan Velozo <jordan.velozo@capecodcommission.org>
**Subject:** Re: CCC 24022, owners are Frederick Jensen, Elizabeth Tomic and others

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am in Italy and not taking calls.  Sorry I don't understand this .  I'll spend time when I return on the 14th

Betsy Tomic
Home/Mobile: 914.815.7001

On Thu, Oct 3, 2024 at 8:43 PM Jordan Velozo <jordan.velozo@capecodcommission.org> wrote:

> Ms. Tomic,
>
> I just tried calling your number. Could you please give me a call back when you have a moment? I don't understand what you are referencing with the zoning change or the potential sale.
>
> The division by ANR plan triggers Development of Regional Impact review. Also note that the DRI Decision recorded against the property prohibited further development (including division) of the property without prior DRI Review by the Commission. Due to the ANR plan, the property is not in compliance with the conditions of that DRI Decision. Failure to comply with all conditions of that decision is cause to revoke or modify the decision.
>
> Jordan
>
> Jordan Velozo
> Chief Regulatory Officer
> Cape Cod Commission
> 508-744-1253
> jordan.velozo@capecodcommission.org
>
> ---
>
> **From:** betsy tomic <betsytomic505@gmail.com>
> **Sent:** Thursday, October 3, 2024 11:38 AM
> **To:** Jordan Velozo <jordan.velozo@capecodcommission.org>
> **Subject:** Re: CCC 24022, owners are Frederick Jensen, Elizabeth Tomic and others
>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
> Thank you for your email and Fee Schedule.
>
> So I pay the $13 thousand plus fee now to have the Commission make a DRI decision. For now the acres are simply being changed from agricultural to residential. There are no plans for building.
>
> So if I sell the land in two years, the purchaser would not have to ask the CCC to do a DTI and pay the fee ?  What if the purchaser plans to build a house?

Betsy Tomic
Home/Mobile: 914.815.7001

On Thu, Oct 3, 2024 at 3:23 PM Jordan Velozo <jordan.velozo@capecodcommission.org> wrote:

> Ms. Tomic,
>
> See the following fee schedule: https://www.capecodcommission.org/resource-library/file/?url=/dept/commission/team/Website_Resources/regulatory/FY2025%20CCC%20Fee%20Schedule.pdf
>
> Also see Section 6(c)(xi) of the Commission Enabling Regulations, which reads:
>
> (xi) Failure to Pay Fee - Failure of an Applicant to pay the filing fee specified in Section 14 Schedule of Fees, will result in a determination that the DRI application is incomplete. No Substantive Public Hearing will be held to consider such incomplete application, pursuant to Section 6(c)(iii). Pursuant to Section 13, a procedural denial of the proposed development may result if such fee is not paid by the close of the 90-day public hearing period.
>
> Thank you,
> Jordan
>
> Jordan Velozo
> Chief Regulatory Officer
> Cape Cod Commission
> 508-744-1253
> jordan.velozo@capecodcommission.org
>
> ---
>
> **From:** betsy tomic <betsytomic505@gmail.com>
> **Sent:** Wednesday, October 2, 2024 5:13 PM
> **To:** Jordan Velozo <jordan.velozo@capecodcommission.org>
> **Subject:** Re: CCC 24022, owners are Frederick Jensen, Elizabeth Tomic and others
>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
> What is the reason for the fee?
>
> Betsy Tomic
> Home/Mobile: 914.815.7001
>
> On Wed, Oct 2, 2024 at 4:32 PM Jordan Velozo <jordan.velozo@capecodcommission.org> wrote:
>
> > Ms. Tomic,
> >
> > It was nice speaking with you today.

The division is proposed on a parcel subject to two prior DRI Decisions, dated 1999 and 2000 (see *Boxberry Hill Road Subdivision* and *Yuricich ANR*, CCC File Nos. 99001/20006, attached).

As you make an application, please be sure to fill out this form: https://www.capecodcommission.org/resource-library/file/?url=/dept/commission/team/Website_Resources/regulatory/applications/Application%20Cover%20Sheet%20Revised%204-2-19.pdf

Please also include a check for the application fee, payable to Barnstable County Treasurer. As I calculate the fee, based on the proposed four lots ANR plan, the fee is as follows:

$13,734 + (412* 4) = **$15,382**

I recommend reading through this Guidance Document carefully. However, please submit materials ELECTRONICALLY. The mailing labels and the application fee are the only items that we need hard copies of.

Be sure you understand the implications of this Open Space Technical Bulletin (and other relevant Technical Bulletins).

Thanks,
Jordan

Jordan Velozo
Chief Regulatory Officer
Cape Cod Commission
508-744-1253
jordan.velozo@capecodcommission.org

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**From:** Jordan Velozo <jordan.velozo@capecodcommission.org>
**Sent:** Wednesday, October 2, 2024 4:10 PM
**To:** betsy tomic <betsytomic505@gmail.com>
**Cc:** Bill Tomic Bill Tomic <billtomic86@gmail.com>
**Subject:** Re: CCC 24022, owners are Frederick Jensen, Elizabeth Tomic and others

Ms. Tomic,

I hope you're well. I am writing to follow up on the voicemail I just left you. I am available to speak with you about the DRI pending before the CCC. Please give me a call whenever is convenient for you. Please note that, because no application has been filed, there will be a proforma (procedural) hearing, opened by hearing officer on Friday, October 4, 2024 at 10:00 a.m.

***This proceeding will be for procedural purposes only. There will be no presentations, testimony, or substantive action taken.***

You may access this link for more information on how to attend the proceeding: https://www.capecodcommission.org/calendar/event/dri-review-boxberry-hill-road-falmouth/2024-10-04/1000

Please feel free to reach out with any questions.

Jordan

Jordan Velozo
Chief Regulatory Officer
Cape Cod Commission
508-744-1253
jordan.velozo@capecodcommission.org

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**From:** Jordan Velozo
**Sent:** Saturday, September 28, 2024 5:25 AM
**To:** betsy tomic <betsytomic505@gmail.com>
**Cc:** Bill Tomic Bill Tomic <billtomic86@gmail.com>
**Subject:** Re: CCC 24022, owners are Frederick Jensen, Elizabeth Tomic and others

Ms. Tomic,

Thank you for reaching out. I am out of the office this week but will be in touch next week to discuss this.

Best,
Jordan

> On Sep 27, 2024, at 4:05 AM, betsy tomic <betsytomic505@gmail.com> wrote:
>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
> Dear Ms. Velozo:
>
> I am supposed to submit an application for a DRI to the CCC. However, we have no plans to build anything. We did two things to create some clarity in a jointly owned 30 plus acre property:
> 1. we had Tom Bunker create actual plans for lots along the road. (most of the property is NOT on the road.)
> 2. we changed the plots from Agricultural to Residential.
>
> The property is owned by 5 people, and we are trying to lay the groundwork to separate the property to individuals.
>
> I left a simple voice mail for you. Hope to hear from you today or Monday.

--

**Betsy (Elizabeth) Tomic**

betsytomic505@gmail.com
Home:  914- 815- 7001
16 Rockledge Ave, 4R2
Ossining, NY 10562