



Cape Cod Commission and the TOWN OF PROVINCETOWN

February 2005

Representation on the Cape Cod Commission provides each Cape Cod town with opportunities to participate in setting regional policy and to advocate for the town's interests in land use planning and regulatory matters at regional, state, and federal levels.

The Cape Cod Commission provides services and coordinates activities in these major areas:

- **planning and community development**, which includes community character, design, and historic preservation; economic development; and natural resources and land protection;
- **affordable housing**;
- **geographic information systems**;
- **transportation**;
- **waste management**; and
- **water and coastal resources**.

PROVINCETOWN NOTES:

Provincetown benefits from its membership in the Cape Cod Commission by being able to take advantage of the Commission's planning and technical expertise (see specifics that follow) and by being able to influence the outcome of development proposals that occur both within its boundaries and outside of them.

Regional Planning and Technical Assistance

Planning and Community Development

- The Commission prepares, revises, and implements the Cape Cod **Regional Policy Plan** and supports the development, revision, and implementation of **Local Comprehensive Plans**.
- To support local planning and growth management efforts, the Commission prepares **model bylaws** for towns to consider adapting to their needs. The Commission recently coordinated a regional land-based wind-energy study, which included preparation of a technology assessment, suitability maps, and a model bylaw.
- The Commission coordinates the region's involvement in **natural hazards pre-disaster mitigation planning**. As part of that effort, the Commission is helping each Cape town develop a local plan and has developed a regional plan to keep the area eligible for possible future state and federal funds.
- The Commission provides assistance with community character issues and prepared a manual, **Designing the Future to Honor the Past**, to help guide the design of developments in communities.
- In cooperation with other economic development and business groups, the Commission prepares the annual **Comprehensive Economic Development Strategy (CEDS) for Cape Cod**, which helps make Cape towns eligible for funds from the US Economic Development Administration to support job-creating infrastructure projects. The vision set forth in the strategy document is for community sustainability.

PROVINCETOWN NOTES:

- *The Commission provides technical assistance for the Provincetown LCP, which was certified in 2000.*
- *Beginning in fall 2001, the Commission worked together with the Provincetown Planning Board and the Local Comprehensive Plan Implementation Committee (LCPIC) to update the zoning bylaw and general bylaw to address their consistency with the LCP. As a result, over 35 zoning articles were approved at 2002 Town Meeting. The zoning bylaw revision work continued in 2003 and 2004; the Commission provided assistance in drafting affordable housing bylaws and revisions to other zoning bylaws.*
- *In 2002, Barnstable County awarded a \$25,000 LCP implementation grant to address the timing of the construction of affordable housing units in multi-unit developments, to develop bylaws for accessory structures to be used for affordable housing, and to create a locally regulated historic district.*
- *The Commission recently assisted the Provincetown Police Chief with the preparation of a draft (now near completion) of a Local Pre-Disaster Mitigation Plan.*
- *In 2003, the Commission provided assistance with historic preservation issues. In previous years, the Commission met with the Provincetown Historical Commission to discuss preservation planning efforts and a policy for referral of historic structures.*
- *The Commission has worked with Provincetown on wireless technology issues in several ways. In 1999, the Commission reviewed the town's proposed wireless bylaw. In 2000 and 2001, the Commission helped organize the Lower Cape Wireless Working Group on a regional effort to coordinate the siting of wireless facilities. The final report*

...continued on next page

Planning and Community Development, cont.

- Since the passage of the Cape Cod Land Bank bill in 1998, the Commission has provided **support for local Land Bank committees** by organizing regular meetings and special workshops, collecting and sharing land-acquisition data, and providing a Web site of related information. The Commission also coordinates **Cape Cod Pathways** and organizes Cape Walk and Walking Weekends to highlight Cape Cod's natural and scenic resources.

analyzed existing and future wireless telecommunications needs and made recommendations for policies, regulations, and actions.

- *Working closely with local planning officials in 2000, the Commission completed a buildout analysis for Provincetown. The analysis, funded by the Massachusetts Executive Office of Environmental Affairs, projected current zoning into the future to assess the final impacts of residential, commercial, and industrial growth when all remaining developable land is built. The analysis allowed the town to examine the cumulative potential impacts of growth and to reconsider current zoning and other bylaws. Similarly, in 1997 the Commission completed the Outer Cape Capacity Study to determine how much growth the towns of Eastham, Wellfleet, Truro, and Provincetown could accommodate without compromising their natural resources, municipal facilities, and community character.*

- *In 1999, the Commission provided technical assistance to Provincetown to include MacMillan Wharf on the list of projects in the Cape Cod Overall Economic Development Program (now known as the CEDS). Inclusion on the list made the wharf project eligible for \$1 million in funding from the US Economic Development Administration.*

- *In 2001, the Commission supported a state Community Development Block Grant application for Provincetown and participated in the public process for development of zoning standards in the Cape Cod National Seashore.*

- *In 2000, the Commission provided a natural resources analysis of the Locke property, a nine-acre parcel ultimately referred by the town to the Commission as a discretionary referral for a proposed 18-lot subdivision.*

- *In 1999, the Commission prepared a \$500,000 state Self Help grant application at the request of the town Board of Selectmen for the acquisition of a parcel of land abutting Shank Painter Road.*

Affordable Housing

- The Cape Cod Commission coordinates **Barnstable County's special affordable housing programs**; the **HOME Consortium**, which was established in 1993 to attract federal and state funds to the region through the HOME Program, the Down Payment Closing Cost Assistance Program, and the Homeowner Repair Program; the **Soft Second Loan Program**; and a **Technical Assistance Program**.
- The Commission also monitors **Chapter 40B developments** Capewide and provides technical comments to local boards reviewing Chapter 40B proposals in their communities.
- The Commission participates on the **Leadership Council to End Homelessness** and on the regional committee developing a Ten-year Plan to End Homelessness.

Geographic Information System (GIS)

The Cape Cod Commission serves as a service center for regional Geographic Information System (GIS) data and maps. The Commission also processes **data updates** and contributes to regional programs. Technical assistance for Cape Cod towns ranges from copies of **data layers** to more-involved **maps with drafts and revisions**. Towns with their own systems often request Commission-created data, especially for neighboring towns. Towns without their own systems often request printed maps

PROVINCETOWN NOTES:

- *Provincetown received \$570,000 in Barnstable County HOME Consortium funds (second on the Cape only to the Town of Barnstable) for the development of affordable housing projects between July 1994 and January 2005. Funded projects have included Foley House, 27 Conwell Street, 27 Nelson Avenue, 32 Conwell Street, 58 Harry Kemp Way, and Meadow Road.*
- *Five Provincetown households received \$16,980 in HOME Down Payment/Closing Cost Assistance between July 1994 and January 2005.*
- *In 2004, the Commission provided technical comments on proposed affordable accessory apartment zoning bylaws for Provincetown.*
- *In 2002, the Commission provided nine Soft Second Program loans for first-time home buyers.*
- *In 2001, the Commission awarded \$3,000 to the town through the Commission's Affordable Housing Technical Assistance Program.*
- *In 2000, the Commission worked with the town to amend its Land Bank program through the state legislature so that 10 percent of the funds could be dedicated to affordable housing.*

PROVINCETOWN NOTES:

- *This year, the Commission is working on a digital update of GIS zoning layers and is providing support for Pictometry software use Capewide.*
- *In 2004, the Commission provided digital data for Provincetown's own GIS and data assistance for a Massachusetts Executive Order 418 grant.*
- *In 2003, the Commission provided a map of a former right-of-way along Route 6 that was being considered as a potential affordable housing site.*

...continued on next page

Geographic Information System (GIS), cont.

to be used for educational purposes (such as posters at town meetings) or GIS data to be used by hired consultants.

Also that year, the Commission updated the protected open space GIS layers, data for use in the town's GIS, and digital data for the Assessor's Office.

• In 2002, the Commission created a map of existing restricted areas for operation of personal watercraft (jet skis) and a map of existing building footprints for the town assessor and for use in the town's wastewater management plan. The Commission also updated the town zoning map.

• In 2001, the Commission provided Truro GIS data for Provincetown's GIS, helped a town-contracted wireless telecommunications consultant, assisted with a bikeway map, and provided flood maps to local officials. That year the Commission also completed the town's buildout analysis and mapping as part of a statewide initiative by the Massachusetts Executive Office of Environmental Affairs.

• In 2000, the Commission provided the town's Regulatory Office with an update of the zoning map, assisted with the town's GIS set up and with a lot-by-lot Title 5 GIS analysis, and provided GIS assistance with local wireless telecommunication siting issues.

• In 1999, the Commission updated the town's parcel and assessor's data and produced a new zoning map for the town.

• In the mid 1990s, the Commission provided assistance with the town's establishment of its own GIS.

Transportation

• The Commission staffs the work of the **Cape Cod Transit Task Force**, a collaboration of local, regional, state, and federal officials and members of the private sector with an interest in improving Cape Cod's year-round needs for public transportation, reducing dependency on automobiles, and mitigating summer traffic impacts.

PROVINCETOWN NOTES:

• Recently the Commission, on behalf of the Cape Cod Transit Task Force, coordinated local transit workshops and community meetings about a new "FlexRoute" transit service for the Outer Cape, which is scheduled to begin in 2006. The Commission also

...continued on next page

Transportation, cont.

The task force issued a Five-Year Public Transportation Plan in 2002 and is continuing to work to enhance and to improve coordination of Cape transit services.

- The Commission maintains and updates the **Regional Transportation Plan** and prepares the annual **Transportation Improvement Program (TIP)**, which are the primary means by which federal and state funds are allocated to the Cape's transportation needs.
- The Commission conducts **annual summer traffic counts** in all Cape towns; these data are particularly valuable to planners, engineers, departments of public works, and police.
- The Commission has participated in the **Rural Roads Initiative** for the Cape and Islands, which emphasizes context-sensitive design for regional roadways. Inspired by this effort, the state is now addressing the subject through Governor Romney's **Highway Design Manual Task Force**, which is charged with creation of a new highway design manual consistent with the Governor's "Communities First" initiative.

Waste Management

- The Commission provides support to Cape towns on **solid and hazardous waste** management issues.

helped the Cape Cod National Seashore obtain \$3.4 million for the purchase of an alternative fuel bus fleet for the Outer Cape. The Commission also assisted in the development and implementation of new bus service expanding the Provincetown-to-Truro shuttle to serve the Provincetown Municipal Airport and Race Point Beach.

- *Over the years, the Commission has performed traffic and turning-movement counts at selected roadways and intersections, including portions of Bradford Street, Conwell Street, Province Land Road, Race Point Road, Route 6A, Shank Painter Road, Snail Road, and Standish Avenue.*
- *In 2004, the Commission issued the final report for the "Route 6 Outer Cape Traffic Flow and Safety Study," a study of traffic congestion and safety issues along the Route 6 corridor from the Orleans/Eastham rotary to Provincetown.*
- *In 2001, the Commission developed proposals for alternative routes for a bikeway from downtown Provincetown to the Cape Cod National Seashore. The year before, the Commission provided technical assistance regarding bicycle safety at the Seashore bike trail conflict area with the Provincetown Transfer Station. The Commission completed the "Conwell Street Corridor Safety Study" in 2000.*
- *Also in 2000, the Commission conducted a study of marine transportation and developed a strategic plan for fast-ferry services, including a business and marketing plan. The fast-ferry service is currently operating in the summer.*

PROVINCETOWN NOTES:

- *In 2004, the Commission finalized the review of a feasibility study, begun in 2002, for a co-composting facility for Barnstable County and the five Outer Cape towns, including Provincetown. The*

...continued on next page

Waste Management, cont.

study determined that a facility was not feasible at the time, and it recommended that alternatives to reduce the generation of municipal solid waste and to limit costs for its disposal be pursued.

- *In 2002 at the request of the Provincetown Assistant Director of Public Works and the Board of Selectmen, the Commission performed a feasibility study comparing commercial contract costs to potential town costs to purchase equipment and provide the staffing necessary to fully operate the transfer station and process and haul municipal solid waste and recyclables to the SEMASS facility and off-Cape recycling facilities.*

Water and Coastal Resources

- Informed by its coastal and freshwater water-quality studies, the Commission participates in **regional and local wastewater planning**. The Commission currently provides support for the Barnstable County Blue Ribbon Panel on Regional Wastewater and the Barnstable County Wastewater Implementation Committee. These efforts are to explore and discuss regional opportunities for effective wastewater management and to receive input for the development of a regional wastewater management plan for Cape Cod.

- The Commission is a technical partner in the **Massachusetts Estuaries Project**, a state, regional, and local cooperative to address water quality in the Cape's embayments. The project will determine embayment-specific nitrogen-loading management criteria and provide preliminary restoration scenarios. The School of Marine Science and Technology at the University of Massachusetts-Dartmouth is conducting the project for the Massachusetts Department of Environmental Protection.

PROVINCETOWN NOTES:

- *The Commission is currently coordinating public outreach and education activities about the Wastewater Management Tools Study released in 2004.*

- *In 2001, the Commission provided technical assistance for the Provincetown Wastewater Facility Plan and, in 2000, provided site review groundwater modeling for the plan.*

- *The Commission participated in the multi-year US Geological Survey (USGS) groundwater modeling project for the Outer Cape. The work included installation of more than a dozen water-table observation wells and deep water-supply investigation wells.*

- *In the last two years, the Commission has coordinated water quality "snapshots" (sampling and analyses) of Bennett, Clapps, Duck, Grassy, Great, and Pasture ponds.*

- *In 2003, the Commission completed a multi-year study and report on the hydrogeology of vernal pools, kettle hole ponds, and groundwater withdrawal impacts in the Cape Cod National Seashore area.*

...continued on next page

Water and Coastal Resources, cont.

- The Commission coordinates the **Cape Cod Pond and Lake Stewardship Program** to study and protect freshwater water quality and, in 2003, published the *Cape Cod Pond and Lake Atlas*, the most comprehensive count of ponds and review of pond depth and water quality ever completed for the region.
- The Commission works to identify future **public water supplies** and protect existing and future ones. As part of this effort, the Commission monitors groundwater levels in wells across the Cape each month.
- The Commission has supported the work of the Bays Legal Fund and the Science Advisory Panel to ensure adequate permitting and protection of **Cape Cod and Massachusetts Bays** in light of the Massachusetts Water Resources Authority (MWRA) sewage treatment operation for Boston Harbor.
- *The Commission has provided technical assistance to Provincetown on public water-supply issues. In the late 1990s, the Commission coordinated the Lower Cape Water Management Task Force, which included the four Outer Cape towns, the Cape Cod National Seashore, and the Commission. The task force analyzed water quality problems and evaluated optimum regional water-supply solutions. The Commission provided technical assistance and financial support for several years and published a final report in 1997.*

Regulatory Reviews of Developments of Regional Impact

In Provincetown:

Projects that have completed the DRI review process:

- **Provincetown Fine Arts Work Center** - In 1990, the Commission approved a hardship exemption for the demolition and reconstruction of the center.
- **Provincetown Transfer Station** - In 1992, the Commission approved a hardship exemption for the municipal solid waste transfer station/recycling center off Route 6.
- **Pilgrim House** - In 1993, the Commission denied a hardship exemption but approved a DRI for the hotel/restaurant redevelopment (a 20-room inn, office, and lounge) on Commercial Street.
- **273 Commercial Street** - In 1994, the Commission approved a DRI exemption for the demolition and reconstruction of a home in the historic district.
- **Shank Painter ANR** - In 1995, the Commission approved a hardship exemption for a subdivision of 34.2 acres into five lots off Route 6 and Province Road.
- **97 Commercial Street** - In 1997, the Commission approved a hardship exemption for the relocation and demolition of a historic structure.
- **Shank Painter Subdivision** - In 1997, the Commission approved a DRI for a 19-lot subdivision modified to six lots on 34.2 acres off Route 6.
- **Provincetown Municipal Airport** - In 2000, the Commission approved a DRI for short-term improvements (runway safety areas, turf/aviation aprons, access road, and lights) for the airport.
- **Locke Property** - In 2000, the Commission procedurally denied without prejudice a DRI for a 20-lot subdivision for 18 new single-family homes on 8.99 acres off Commercial Street/Route 6A.
- **Provincetown Wastewater Management Facilities Plan** - In 2001, the Commission approved a DRI for a comprehensive wastewater plan with downtown sewers, a new treatment facility, and leaching fields.
- **Hitchcock Cottage** - In 2002, the Commission approved a DRI for demolition of a one-story cottage and construction of a new two-story house on piles at 351A Commercial Street.

The Commission also reviewed these projects, which were later withdrawn: 28–32 Standish Street; Cape Cod School of Art; Fish and Yea Condominiums/ 345A-347 Commercial Street; 260 Commercial Street; and 651A Commercial Street. Other major technical comments were provided to the Massachusetts Environmental Policy Act (MEPA) office for an offshore wind power proposal and the Lands End Marine project in Provincetown.

In Truro and Wellfleet:

Projects that have begun the DRI review process:

- **Wellfleet Wastewater Treatment Facility**

Projects that have completed the DRI review process:

- **Truro Transfer Station** - In 1990, the Commission approved a hardship exemption for the Truro municipal solid waste transfer station.

...continued on next page

- **Taves Farm** - In 1992, the Commission approved a hardship exemption for an organic farm and vineyard near Route 6 and South Hollow Road in Truro.
 - **Outer Cape Mini-Storage** - In 2000, the Commission approved a DRI exemption for the construction of a second self-storage building at an existing facility on Route 6 in Truro.
 - **Cingular Wireless Communications Facility** - In 2002, the Commission approved a DRI for the construction of 190-foot-tall wireless communications tower plus equipment shelters at the Truro landfill site.
 - **Costa Storage Facility** - In 2002, the Commission approved a DRI exemption for the construction of one storage building on Route 6 in Truro.
-
- **Wellfleet Transfer Station** - In 1990, the Commission approved a hardship exemption for the municipal solid waste transfer station.
 - **Massachusetts Audubon Society** - In 1992, the Commission approved a DRI for a new visitor center at the Wellfleet Bay sanctuary.
 - **Nextel Tower/Gross Hill Road** - In 1999, the Commission approved a DRI for a 140-foot-tall wireless communications monopole and equipment shelters at a substation site in Wellfleet.
 - **Wellfleet Harbor Actors Theater** - In 2004, the Commission approved a hardship exemption (as a "Project of Community Benefit") for a new year-round theater and performing arts facility on Route 6 in Wellfleet.