

**Provincetown Planning Board
and
LCP Implementation Committee Joint Meeting**

December 12, 2001

5:00 p.m.

**Planning Board: Mindy Baransky, Ellen Battaglini, Anne Howard,
and Richard Olson (excused at 6:00 p.m.)**

LCPIC: Mindy Baransky, Sally Brophy, Anne Howard, and Ted Malone

Town Staff: Warren Alexander and Judith Oset

Cape Cod Comm: Martha Hevenor

At the last Planning Board meeting the Board was asked to share their thoughts, etc. on the proposed change in the by-laws as it affected licensing shows which contained nudity. They, in turn, asked for input from the Licensing Board; they received none.

Anne Howard called the meeting to order at 5:10 p.m.

Agenda Item

Overview of proposed zoning amendments related to the Rte 6 corridor, overview and proposals as related to the water resource district, and update regarding proposals for a new health care complex.

Judith Oset gave a brief overview speaking about the people who were going to present to the combined Boards this evening.

First presenter was Mark White from the Environmental Partners Group who has been working with our DPW in identifying new water sources for the town. DPW requested that they address future needs as well as present needs. It was once thought that the aquifer was not suitable. The water quality under Mt. Gilboa, Shankpainter Pond and Site Y – also the Spaghetti Strip area, was generally similar. The quality of the Spaghetti Strip area was deemed superior in that it had no color and no odor. The Spaghetti Strip is located right in the middle of the lens. Desalination is also being looked at. The Board of Selectmen (BoS) will be given a packet of information and will make an informed decision.

Next Dennis Anderson and Eileen Thomas presented an up-date of the proposal from their prospective. Dennis gave the mini-history of the Manor starting with its origins in the Grace Gouveia Building; it began as a home for the disadvantaged. The ground breaking for the Manor happened in 1976 with the first patients being admitted in 1981. In 1978 the home was already behind state regs. The current lack of hospital stays has now driven up the acuity (level of care) needed. In 1995-96 the Manor was certified by Medicare. In 1999 the BoS asked the people in charge to consider a set of goals. The BoS wished to cap the deficit at \$50K and to look into alternative solutions (managerial?) A Determination of Need (DoN) was submitted in January 1, 2001 which identified the problems and estimated a \$1.5-\$2M fix. However, the DoN assumed the Manor would be at the same site. When that didn't prove feasible, the only alternative was to find a new site.

Dennis continued stating that the visitation rate for the patients is 85-90% because families are nearby. Site Y would allow a parallel build (occupancy allowed while new facility was being built). The biggest service gap the current Manor has is outpatient rehab; Orleans is the closest facility. Provincetown also needs an assisted living facility. Affordability is key. The Request for Proposal (RFP) sent out puts together certain entities contained in a 3 part campus. Priorities necessary are: skilled nursing, outpatient rehab, and assisted living. Four responses have been

received from companies interested in running the new facility as a “not-for-profit.”

There are 60 beds at the current facility (actually only 53 since 7 beds have been given over to office space) and the future planning calls for 72 beds. The urgency in their presentation is that they need a letter, as part of the DoN, stating that zoning of the “to-be-built” site is approved of by the Town regulatory boards.

Robert Cabral, Chairman of the Board of Directors of the Manor, also reiterated the need.

Mark Latour, Assistant Town Manager, addressed the group as well. He basically repeated much of what had been said and further simplified the basic proposal by saying it was the Town’s attempt to take care of its elderly citizens. The first move was to eliminate site Y from the water district by drafting an article to change the water resource district and secondly to develop a highway corridor of the district dividing it into H zones.

Ted Malone said he was very concerned about not addressing the Growth Management issue as part of the process. He felt there was no way it can be constructed without that. Ted also wondered aloud if there were some other areas of water that would be appropriate as water resources? That question was not really answered.

Warren Alexander, the Building Commissioner, suggested making it a special permit. i.e. special use exempted from the growth management by-law by a special permit.

Agenda Item

Continued discussion of strategy for implementation of the vote of Town meeting to approve the following article:

The Town vote to raise and appropriate the sum of \$20,000, to be expended under the direction of the Director of Regulatory Management for the funding of the Cape Cod Commission's assistance to the Town, the Planning Board and the Local Comprehensive Plan Implementation Committee, under a Memorandum of Understanding, in performing a comprehensive update of the Town of Provincetown Zoning By-laws, Subdivision Regulations, and Sign Code in a manner consistent with the Local Comprehensive Plan. Said update of the by-laws and regulations to be subject to public hearings conducted by the Planning Board and approval by Town Meeting Vote.

Approval of Minutes

Motion: Ted Malone made a motion to approve the minutes of the November 14th meeting. Mindy Baransky seconded and the motion passed unanimously.

Martha Hevenor addressed the two Boards after the Manor presentation concluded. She thanked everyone for laying the ground work for her and the others at the Cape Cod Commission (CCC). Talking about the process – again – she told the group that she has put together a draft of a time-line strategy. In meeting with others at the CCC it seemed most constructive to accomplish her mission in two phases. The first phase would relate to formatting and definitions with the more substantive items planned for the second phase. Her major consideration is that the CCC is committed to completing this project and the work has been ongoing.

Judith Oset in further simplifying the ongoing work to be done by the CCC agreed that the first phase would deal with formatting and definitions with phase two dealing with the more confrontational issues which need to be addressed.

Ms. Hevenor is most concerned about the timeframe. She wanted the exact meeting date of the Town Meeting; it is the first Monday in April. There was a bit more conversation about timeframe.

Anne Howard said she was prepared to have the CCC come back with a draft of the by-law problems which had been discussed and not with suggestions. Anne further said, “You’re the expert and we want whatever you hammer out to vote on.”

There was yet more banter regarding the tight timeframe and Anne repeated that initially the Boards thought formatting and definitions would be the two things to present at the Town Meeting.

The discussion then moved off to the Sprint problem and their request to waive the balloon test for the repeaters they

are proposing on Mt. Gilboa.

Motion: Mindy Baransky made a motion stating that Sprint may waive the balloon test. Ellen Battaglini seconded it and it was unanimously passed.

Anne Howard wants more discussion on regulations and fees for consultants. To be continued.

Roger Keene who had been sitting in the audience for the double meeting asked to speak as a representative of the Historical District Study Committee (HDSC). He cited a rule? (40C) which has a requirement that sometime between now and the first of April the HDSC and Planning have to have a joint meeting. Ted said under the “community character section” of the Local Comprehensive Plan, he’d like to have input.

MARK YOUR CALENDARS.FOR WEDNESDAY, DECEMBER 19TH.

3:30 P.M. SITE VISIT ON OPPEN LANE (rgt next to driveway of Best
Western on Bradford Street extension)
4:30 P.M. PLANNING BOARD MEETING

The meeting adjourned at 7:05 p.m.

Respectfully submitted

Evelyn Gaudiano

Evelyn Rogers Gaudiano