

**TOWN OF PROVINCETOWN
COMMUNITY PRESERVATION COMMITTEE**

TUESDAY, MARCH 14, 2006
JUDGE WELSH MEETING ROOMN

Vice Chairman Mona Anderson convened the meeting at 9:12 a.m. noting the following attendees:

Members present: Mona Anderson, Vice Chairman; Howard Burchman, Bill Dougal; Tim Hazel; Stephen Milkewicz

Absent CPC Member: Elaine Anderson, Chairman; Eric Dray; Nancy Jacobsen; (excused absences)

Other Attendee: Keith Bergman, Town Manager

Recorder: Cynthia Curran

The following are meeting minutes, in brief:

PUBLIC STATEMENTS

There were none.

DISCUSSION: PROJECT UPDATE ON APPLICATION 200601

Howard Burchman said that he thought that it was reasonable to set a timeline for the applicants to adhere to. He said that if the applicant fails to commence a project by a certain time, then the funds could be recaptured to use for other projects. He said HUD gives three years. Bill Dougal said that the Town Meeting vote would have to include these stipulations. Mr. Burchman said that the Town Counsel could advise on the wording. Tim Hazel agreed with the deadline idea, but thought that regular reports should also be required to keep the Committee up to date on what is happening. Mr. Burchman said that they could extend the deadline if they thought the project was viable and in the public interest. Bill Dougal questioned whether the CPC funds were the sole down payment for the project. He wondered whether the CPC funds were at risk if the project got in trouble. He said that their money would be the first in and the first lost. Howard Burchman said that the CPC funds were the down payment for the Cumberland Farms land. Bill Dougal wondered about the funds for the development of the project. Howard Burchman said that if the CPC funds were, for example, one tenth of the total budget, then each time there was a "draw down", only one tenth of the money should come from the CPC funds. Tim Hazel said that he would appreciate learning about how the financial arrangements are handled. Keith Bergman said that it is set up in the Purchase and Sales agreement. With the Manor project, at the closing the number of affordable housing units completed will determine the funds paid out. Howard Burchman asked if the money is paid in advance for construction. Mr. Bergman said he would have to check into it, but he said with grants, the applicant submits a voucher and is reimbursed.

Bill Dougal said that he understands that due to funding sources, the income mix for this project may vary from their ideal mix. He said that he would like more discussion on long-term strategic planning to meet their goal. Mona Anderson said that the Massachusetts Housing Partnership (MHP) would give them an idea of the housing mix. Keith Bergman said that they had a meeting with Cumberland Farms in Canton. They will be going to the DEP and filing a statement. It is Cumberland Farms responsibility to clean up the land. Their remediation expert said that he thought that it would cost only \$70,000 to \$100,000 to clean up the site. The Town's engineer had based his figures on a more elaborate capping because that is what had to be done on another site for the Town. Mr. Bergman said that they might want to take advantage of the topography of the site so that the building would not seem too tall. This might involve more than a three-foot capping. Mr. Bergman said that Susan Connelly would supply a conceptual design plan for the project. This would be submitted to Cumberland Farms so that they could see if their capping plan would be suitable for the project. He said that Susan Connelly is looking into the income mix for the site and is preparing a matrix showing different mixes and different strategies. He said that middle-income housing is important to the town. He said that commercial rentals could perhaps help fund the site. They will have to see how much of their own money the Town will have to spend to get a certain mix of incomes. Cumberland Farms has extended the initial offer to the end of March. They have agreed to then give another ninety-day extension through June. They will probably not get a ruling from the DEP concerning the capping before Town Meeting. He said that it is the Town's desire to have Cumberland Farms be responsible for the capping. Mr. Bergman said that the foundation of the building can be part of the capping and that the plan may have underground parking. Mona Anderson asked if they knew how deep the contamination goes. Mr. Bergman said he would have to look at the reports. He said that he will get copies of the report for the Committee.

Mr. Bergman said that in their discussions with Cumberland Farms they learned that Cumberland Farms is not looking for any particular mix of incomes for the affordable housing. This means that there will be a minimum of deed restrictions.

Mona Anderson said that some people have asked her if there will be apartments for single-family households. Mr. Bergman said that they are planning on having one, two and three bedroom apartments. Susan Connelly is working on the possible mix of numbers of bedrooms. Ms. Anderson asked if they had thought about an on-site playground. Mr. Bergman didn't think they had, but said that it could be considered. Steve Milkewicz said that it was near other Town owned land that could perhaps be made into a playground. Mr. Bergman said that the site would be a short walk to the elementary school so they will need to have crosswalks and signals and other changes to make it safe for the children. Keith Bergman said that the MHP will take them through the process and eventually the Town will issue an RFP for a developer for the site. The PHA's focus is low-income housing so they are agreeable to having the Town (BOS) issue the RFP with their input. Howard Burchman asked if that meant that a for-profit entity may develop the site. Mr. Bergman said that it might happen if that were the best way to achieve their goals. Bill Dougal asked if the building design and scale would be part of the RFP. Mr. Bergman said that he wasn't sure. He said it could depend on the capping also. Mr. Dougal was concerned about 40B. Mr. Bergman said that Susan Connelly of the MHP would help with the limits of the RFP. Mona Anderson asked whether some of the units would be sold if the site were run by a for-profit entity. Mr. Bergman said that they would all be rentals.

Bill Dougal asked about the sewer connection. Mr. Bergman said that it is in the works. A conduit will be put under the highway while other work is being done there, so they don't have to dig twice. Most of the work will wait until the project is farther along.

[Keith Bergman left at 9:47 a.m.]

Mona Anderson wondered if the CPC could see the purchase and sale agreement. She said it was important to see what the DEP says about the cleanup. Bill Dougal said that it is a rapidly changing process. He said that they must try to make sure that they are comfortable with what happens. He said that if there are commercial units, the Committee must make sure that they are rented at a price that won't upset local retailers. Tim Hazel said that they could only have so much control. He said that the RFP will establish the criteria. Bill Dougal said that there are certain standards that the community wants. The more the applicants know about the criteria, the easier it will be for them. Mona Anderson said that they cannot control every detail and must be willing to compromise. She thought that they should first focus on the environmental issues. She did not want them to get involved in too many things at once and become overwhelmed. She said their homework would be to read the engineers' report on the contamination.

Mona Anderson also said that the Committee should be "cc'd" on every document and on the minutes of every meeting concerning this project. Tim Hazel said that they need financial timeliness and quarterly reports to get the information they need. He said that they shouldn't have to go looking for the information and need to set up a system where they will get regular reports. Mona Anderson said that most meetings generate minutes, so they should be able to get them. She would also like to see copies of memos between Keith Bergman and the BOS about this project. Bill Dougal said that they should be able to get copies of everything that is a public record. Steve Milkewicz said that they should get "cc'd" and also get quarterly reports. Mona Anderson said that they may need to have monthly reports. Bill Dougal said that more information is better and that he wants this project to succeed. Tim Hazel said that perhaps the chair or a designee could attend some of the other meetings. Howard Burchman said that it was important to stick to their mission.

Mona Anderson that they would like to ask the Town Manager for an overview of the Shankpainter Laundromat/Affordable Housing project. Even though it was not considered at the time because the deadline for applicants had passed, they would still like to know more about the project. She said that they would ask the chair to request more information from the Town Manager.

MOTION: Move to request that the CPC receive any written communication regarding the Shankpainter/Cumberland Farms project (Application 200601).

Motion by: Bill Dougal Seconded by: Howard Burchman Yea 5 Nay 0

Steve Milkewicz said that regarding the playground, there were other possible places to play in the area, including the skateboard park. Mona Anderson said that they needed open space around the apartment building as well as a playground for little children. Bill Dougal said that they will need stoplights and sidewalks installed in the area. Other members agreed. Mona Anderson said that safety is a big consideration. Bill Dougal said that sidewalks could be part of the RFP. The Town would put in the stoplights. Steve Milkewicz said that they should plan for these safety measures. They should not be an afterthought.

Mona Anderson said that the next meeting will be on March 28th.

REVIEW OF MINUTES

The review of the minutes was tabled, because there was no quorum of members who were present at the last meeting.

MOTION: Move to adjourn the meeting at 10:28 a.m..

Motion by: Howard Burchman **Seconded by:** Tim Hazel **Yea 5 Nay 0**