

Economic Development Permits

General Bylaws Section 5-15-4

Guidelines and Procedures

These procedures are to be used in conjunction with the Provincetown General Bylaws Section 5-15-4 to 5-15-6, Economic Development Permits.

Economic Development Permit: An Economic Development Permit will allow an owner to obtain an increase in Title 5 Design Flow/water usage for a property based on the economic benefit to the town. The Board of Selectmen shall award an Economic Development Permit after a public hearing.

Procedure:

Step 1: Application Economic Development Permit

Application for an Economic Development Permit (attached) shall be made in writing to the Permit Coordinator. The applicant must attach all pertinent information required to illustrate the case.

Step 2: Properties NOT on the sewer – Health Agent Review

The Permit Coordinator will refer the application to the Health Agent for determination that the proposed increase in use/flow can be handled by the existing or proposed Title 5 system on site. The Health Agent will then send the determination back to the Permit Coordinator. If the Health Agent determines that the request for an increase in Title 5 Design Flow/water usage for the specific property is not feasible the application may not move forward.

Properties on the sewer – Department of Public Works (DPW) Review

The Permit Coordinator will refer the application to the DPW for feasibility review to determine whether the increase in Title 5 usage can physically be accommodated within the Town's wastewater infrastructure system. If the DPW determines that the request for an increase in Title 5 Design Flow/water usage for the specific property is not feasible the application may not move forward.

Step 3: Board of Selectmen Review

The Permit Coordinator will review the application for completeness and schedule a public hearing before the Board of Selectmen (BOS). After hearing the applicant and any other information that will inform their decision the BOS may then either deny the application or award an Economic Development Permit. The Selectmen shall make the required findings that the proposal is consistent with the criteria referenced in Board of Selectmen Policy Statement 2017-03-13 and may place conditions upon the approval. The Permit will be recorded against the property and may be revoked subject to non-compliance with any of the stated conditions. As a matter of policy, the Board of Selectmen may require the applicant to provide Certifications of Compliance with the conditions of the permit at their discretion.

Step 4: Regulatory Review

The applicant will submit applications as required for approvals, permits, special permits, variances and or licenses to all appropriate Boards. (i.e Zoning Board, Licensing Board...).

Step 5: Growth Management Allocation Permit

The Permit Coordinator will determine if there are sufficient gallons in Category 4a to issue a Growth Management Allocation Permit. If there are insufficient gallons, the applicant will be placed in the queue until such time that gallons become available. If there are sufficient gallons a Growth Management Allocation Permit will be issued.

Step 6: Water and Sewer Board

For properties located on the sewer, the approved permit will be forwarded to the Water and Sewer Board for approval of the increase in assigned flow and the betterment will be adjusted moving forward.

Policy Statement

2017-03-13 [This Policy supersedes Policy # 2009-02-09]

Economic Development Permit Criteria [General By-laws Section 5-15-4]

It shall be the policy of the Provincetown Board of Selectmen that the number of permits that will be available in any given year will vary and is not predictable. The Board may choose to reserve some fixed gpd quantity of Economic Development permits for future applications, and is under no obligations to make awards.

Projects that are consistent with the Local Comprehensive Plan and

- Support, create or enhance year-round employment opportunities/incomes and/or
- Support an extended employment season of at least 9 months and/or
- Help to diversify Provincetown's year-round economic base and/or
- Feature solutions to known barriers to year-round economic success e.g. Transportation, energy cost, water consumption, housing cost and/or
- Provides a measurable public benefit e.g. public restrooms and/or
- Create, expand or maintain the provision of transient occupancy rooms (commercial) available to visitors and/or
- Create seasonal or year-round employee/business owner housing will be favored.

Due to the Selectmen's current policy on the Sewer System's State of Limited Capacity, smaller projects on the sewer system will be favored over larger ones, and the consideration of the remaining planned gallons dedicated to Economic Development Permits within the remaining sewer capacity could be considered grounds for denial.

The Provincetown Board of Selectmen shall require all past and future EDP holders to certify every 3-years in the form of a notarized certification, the form of which shall be provided by the Town Manager, signed under the pains and penalties of perjury, that the EDP use they are approved for is still active without any changes of any kind. Upon approval of this policy, all current EDP holders must provide said certification by June 30, 2017, and then every three years thereafter. If the approved use is no longer being used for the originally approved purpose or any changes have occurred, the Selectmen shall hold a show-cause hearing and the EDP holder may lose all or some rights assigned under the original permit. Further, any sewer betterments paid by the EDP holder shall not be reimbursed by the Town, and all future betterment payments shall remain due to the Town even in the event of the loss or change of the original EDP at a show-cause hearing.

Adopted: March 13, 2017

In favor: Richter, Yingling, Andrews, Anthony

Opposed: None.

Other Municipal and State Approvals received to date (for reference only)	
	date _____
	date _____
	date _____
	date _____
	date _____
	date _____
	date _____
	date _____
	date _____
	date _____

Plan Submittal Checklist (use all that apply)	
<input type="checkbox"/>	Site Plan (including property line survey and utilities as required by Building Commissioner and Health Agent)
<input type="checkbox"/>	Existing floor plan (to scale)
<input type="checkbox"/>	Proposed schematic floor plan (to scale)
<input type="checkbox"/>	Existing equipment / fixture / seating plan (to scale)
<input type="checkbox"/>	Proposed schematic equipment / fixture / seating plan (to scale)
<input type="checkbox"/>	Condominium/Co-op/ Landlord authorization (if applicable)
<input type="checkbox"/>	
<input type="checkbox"/>	

For Official Administrative Use Only

Board Vote at Public Meeting held on _____ ^{date}			
Sitting Board Member	For	Against	Abstained
Approve and assign an Economic Development Permit for _____ gallons	Deny request of assigned gallons		

Conditions of Approval (insert all that apply)
1. Subject to approval from all applicable local, state and federal regulatory agencies
2. If no building permit has been submitted to the building department within one year from this approval, then approval for the assignment of gallons is not longer valid.
3. _____

The Honorable Board of Selectmen	

chair _____	_____