Approved 2/12/2026

CAPE COD COMMISSION

26 Shank Painter Rd (CCC File No. 25017) Development of Regional Impact Review Subcommittee Meeting

Minutes | Wednesday, December 10, 2025 at 4:30 p.m.

Provincetown Town Hall, Provincetown, MA

Summary of Actions Taken:

- The subcommittee heard presentations from the Applicant, Commission Staff, and took public comments on the Project.
- The subcommittee voted to continue the hearing until Tuesday January 27, 2026 at 1:00 pm. This hearing will be held via Zoom.

The Chair, Peter Okun, opened the Subcommittee meeting.

Mr. Okun said that the meeting is being recorded for the purpose of taking minutes. He asked that anyone else recording announce themselves. No one responded.

Mr. Okun announced that the Cape Cod Commission is holding this Development of Regional Impact Subcommittee Hearing on the 26 Shank Painter Rd Housing project (Commission File Number 25017), which proposes a new four-story building containing 40 home ownership units.

He noted that anyone wishing to testify will be welcome to do so during the public comment portion of the meeting.

The Chair took attendance; it was noted as follows:

- Peter Okun, *Chair*, Present
- Douglas Fromm, Present
- Kevin Grunwald, Present
- David Mead-Fox, Present
- Michele Vion, Present

Applicant Presentation:

The Chair recognized Eliza Cox of LaTanzi, Spaulding and Landreth, representing the Applicant, Ecotekture Salient Partners, LLC. Ms. Cox provided a brief overview of the proposed development and expressed her intent to address concerns raised in the staff comments dated December 3, 2025.

Christine Barker, Ecotekture Salient Partners, LLC, introduced project architect Jeffry Burchard of Machado Silvetti (present) and described the composition of the wider project team. Ms. Barker provided an overview of the project's timeline noting that a request for proposals was

issued by Provincetown in April 2023 and that in July 2023 the Provincetown Select Board awarded the project to Ecotekture Salient Partners.

Architect Jeffry Burchard reviewed the project details noting that the Shank Painter area is characterized by larger parcels and larger institutional and commercial structures. The project seeks to boost pedestrian, multimodal access, and multiunit residential development consistent with Shank Painter Overlay District and form-based zoning code.

Mr. Burchard noted that the project is composed of two parcels with primary frontage on Shank Painter Road and a secondary entrance on Brown Street. The project overlaps with a Commission mapped Community Activity Center. He notes that the project design addresses issues of elevation within the flood zone and is consistent with the form-based code for the overlay district.

Mr. Burchard indicated that the 40 proposed units are distributed across the floor plan, 75% of which will be offered at some level of affordability. With regards to sustainability, the proposed project is compliant with the Massachusetts Stretch Code and they are targeting a LEED Silver designation. The configuration of the roof makes it solar ready and building materials will largely be recycled or renewable. Energy efficient windows, lighting, and appliances will be used throughout the project.

He further described the transportation benefits including the presence of EV chargers on site and linkage to town-led improvements to Shank Painter Road including making the road more pedestrian and bicycle friendly.

Eliza Cox addressed comments offered in the December 3 Staff Report. With regards to object Coastal Resilience Objective 3 (CR3) regarding minimizing flooding. Ms. Cox noted that the proposed project is within a mapped Community Activity Center. She asserted that this type of development is encouraged here and it is consistent. The proposed design reduces the impervious surface area and incorporates a new, state-of-the-art stormwater management system. It makes use of pervious paver walkways to minimize runoff.

With regards to energy objectives, Ms. Cox notes that submetering is still being investigated by the applicant. Project is being designed to meet LEED Silver certification.

Ms. Cox responded to staff concerns about Housing objectives noting that 15 of the units are restricted to between 80% and 150% AMI and at least one will be restricted to at or below 80% AMI. An additional 15 units will be restricted to between 151% and 245% AMI. Only 10 (25%) will be available at market rate. The composition of the units was largely dictated by town that indicated a need for studio and one-bedroom units.

Subcommittee member Michele Vion asked why larger units were not restricted. Ms. Cox responded that with so many of the units restricted, offering the larger units at market rate was critical to the economic viability of the project.

Ms. Cox also addressed the project benefits highlighting that it took an innovative development approach with shared public/ private goal of creating a financially viable affordable housing development.

Staff Presentation:

The Chair recognized Alex Peterson, Legal and Regulatory Specialist, for the Cape Cod Commission staff's presentation. Mr. Peterson explained that the staff presentation will address the goals and objectives of the 2018 Regional Policy Plan (RPP), amended in March 2021, with respect to the proposed Project. He laid out the relevant thresholds for mandatory DRI review and the necessary findings the Commission must make to approve the Project.

He said the RPP categorizes areas on Cape Cod by Placetypes, based on similar built and natural characteristics. Some placetypes are mapped and others are identified based on narrative descriptions. He shared an aerial view of the project site which showed that it is within a mapped Community Activity Center placetype. He said Community Activity Center placetypes are generally dense, walkable, and considered appropriate for mixed use multifamily residential development under the RPP.

Mr. Peterson said that staff recommend that the following goals and objectives of the RPP are material and applicable to the Project: Water Resources, Community Design, Coastal Resiliency, Transportation, Energy, Climate Mitigation, and Housing. He briefly addressed each objective, explaining which features of the project design were consistent with the RPP standards, and Commission staff's suggestions to address any inconsistencies. A more detailed explanation of RPP consistency is available in the staff report dated 12/3/2025.

Mr. Peterson explained that the project is not subject to any District of Critical Planning Concern (DCPC) regulations, and that the Commission needs to review for consistency with municipal development bylaws and Provincetown's 2024 certified Local Comprehensive Plan (LCP). The Provincetown Town Planner provided a letter, dated August 29, 2025, which details consistency with the Town's LCP and compliance with municipal development bylaws.

Subcommittee Discussion:

The Chair asked for questions or comments from members of the subcommittee.

The Chair recognized Douglas Fromm. Mr. Fromm noted that Coastal Resiliency Objectives 2 and 3 (CR 2 & 3) had been addressed. Regarding Energy Objective 1 (EN1), he requested a clarification regarding the roof top solar and requiring documentation. Eliza Cox responded that at present the project is designed with a solar ready roof. They understand that a condition would be placed that either solar be installed on the roof or evidence of entering into a green power purchasing agreement prior to occupancy of the building.

Mr. Fromm then asked why the applicant would not install the solar on the roof at the time of construction? Christine Barker responded that the construction budget was very tight and, as a result, the solar panels were not included.

Mr. Fromm requested that the applicant explain the green energy purchase agreement. Ms. Cox responded that the applicant would support including a requirement for the installation of solar panels and/or entering into a green energy purchase agreement with a provider as a condition of the certificate of compliance.

Mr. Fromm inquired about Housing Objective 4 (HO4) and the rationale for setting aside 10 units. Ms. Cox cited a Housing Needs Assessment commissioned by the town and undertaken by the Donohue Institute (UMass Dartmouth). The project only has 10 units at market rate. The larger market rate units are needed to ensure the economic viability of the project.

The Chair recognized David Mead-Fox. Mr. Mead-Fox expressed concerns that the proposed building elevation may not be sufficient as many of the worst sea level rise and storm predictions even as far out as 2070 have been surpassed in recent times. Could the building elevation and mechanical equipment be raised from their present proposed levels?

Mr. Mead-Fox also requested more information on the role of the parking coordinator. If the area is already maxed out for parking, what more can be done? Eliza Cox responded and said that the project prioritizes people over parking and that the applicant did not want to reduce the number of units to provide for additional parking within such a limited space. Christine Barker also noted that there was a great deal of thought put into parking for delivery and service vehicles on site and that there were several alternative parking options on town-owned parking lots within a short walk that could accommodate the needs of building residents. Residential parking permits are available for purchase from the town. Ms. Cox added that the applicant will need a special permit from the town to address the reduction in parking spaces.

Mr. Mead-Fox requested to look at the project numbers to determine if there is any way to move forward with solar.

The Chair recognized Kevin Grunwald. Mr. Grunwald asked for more information about the 3 parking spaces on the site and how they will be allocated to residents. Christine Barker responded that they will not be allocated to residents. They will be exclusively for charging and loading/unloading. Jeffry Burchard further clarified that 2 of the 3 spaces on site are accessible and will be marked as such requiring a handicapped parking permit. The third spot is the charging/ loading space.

Mr. Grunwald asked how was the need for rental units versus ownership units documented in the town's Housing Needs Assessment and how will the HOA fee fit into the affordability equation? Ms. Barker responded that a cursory look at HOA fees for each unit indicated that they will be very low compared to other places in town. Mr. Grunwald followed up by asking if HOA fees will be factored into the affordability for the housing applicant. Ms. Barker responded that they would be.

Mr. Grunwald asked whether there was community input into the design of the building. Ms. Barker that there was public awareness of the building and the project was approved by Town Meeting with the present drawings included. The building is consistent with other newly designed and constructed buildings in town, e.g. PAAM and the new Police Station.

Mr. Grunwald – The applicant's presentation included reference to consistency with seasonal communities regulations. Confirming that these regulations have not yet been approved and that the reference is to proposed regulations. Ms. Barker confirmed that to be true.

The Chair recognized Michele Vion. Ms. Vion raised concerns that offering the larger units at market rate could be a lightning rod and make the project appear that it is failing to meet the needs of families. She identified parking as a concern and hoped that the town would be able to address the larger need for parking. She also noted that this development is in the A Zone, and would like to understand more about the risk for development in the A Zone.

David Mead-Fox expressed a desire to hear from the town on the following issues: parking, coastal resiliency, and how the proposed housing meets the needs of the community.

Alex Peterson responded that because the proposed project increases the size of the development on-site, it should meet the standard for new development within the A zone which requires an overriding public purpose, no feasible alternative, and minimization and mitigation of impacts to coastal resources. As considered in its Staff Report, Commission staff suggest that the applicant has met the requirement under Coastal Resiliency 1 (CR1) objective.

Peter Okun asked why the project went from rental to ownership? How much does someone need to make for these various units? What are the actual numbers for what residents can expect to pay? Christine Barker notes that the Average Median Income (AMI) is determined by Barnstable County. Their project objective is to bring to the local housing market units that are not available. Ms. Barker further notes that most of the units proposed would sell for under $500,000 and none will sell for more than $700,000. The goal is to create something for the community that does not exist now.

Mr. Okun expressed confusion about the 3 parking spaces and asked about the EV charging spaces. How long will it take to charge a vehicle? How will that one charging station/ loading space be managed? Jeffry Burchard responded that there is also alternative space on site to accommodate delivery trucks and others needing to load and unload vehicles. EV charging stations are arranged primarily so that if a resident needs an accessible parking space, they will have access to that space.

Mr. Okun asked how the EV charging fits our requirements. Alex Peterson responded that the Cape Cod Commission does not have a standard for the specific details for the type or quantity of EV charging stations in Technical Bulletins. Those details would be addressed by local government.

Public Comment:

Federal, Local, and State Officials

The Chair invited a representative of the town to provide further information.

Alex Morse, Town Manager, Provincetown (resident, 5 Brown Street) noted that this is a town property. The proposed design is consistent with the design that the town approved for the new Police Station which is not far from this project site. There are other housing projects coming online in town. The average market rate condo in Provincetown costs over $800,000. He emphasized that they have a missing middle problem in town and the private market is not

addressing it. Town survey results indicated a real interest in ownership of homes in Provincetown versus rentals.

He further noted that the town is expanding housing programs including down payment assistance to people potentially at 200% AMI. The program is currently capped at 100% AMI.

There is very limited available land and property in Provincetown, the town is promoting density and building up. With regards to parking, Mr. Morse noted that there are public parking spaces available right across the street and that some of those spaces are expected to be converted to resident only permit parking. The town is also considering upgrading other existing parking for residential use. He acknowledged that the town needed to address parking holistically.

The Chair invited further questions from the subcommittee. He recognized David Mead-Fox. Mr. Mead-Fox asked whether there was a way to have a single development be a "stake in the ground" to get to a better place for coastal resiliency. What is the town thinking regarding coastal resiliency? Mr. Morse noted the desire to see a commitment to sustainability and resiliency. He believes that the architecture and design here is far ahead of what they presently have. The town-wide coastal resiliency plan has just been completed and now the town now has an advisory commission. Further, Provincetown is on track to be one of the first fully sewered communities on Cape Cod including that neighborhood.

The Chair recognized Kevin Grunwald. Mr. Grunwald asked about the town's short-term rental regulations. How would they apply to this project? Mr. Morse indicated that the town has a registration process for short-term rentals. He noted that in this context, only the 10 market rate units would be eligible to seek a short term rental certificate. He said that this housing is for locals who live and work here.

Mr. Grunwald asked how does this project impact water in town. Mr. Morse noted that Truro and Provincetown received a grant to do water forecasting for both communities factoring in potential inclusionary projects in the projections. Mr. Morse did affirm that they planned for this project and that there is enough capacity.

The Chair recognized Michele Vion. Ms. Vion asked whether there will be housing restrictions to prioritize municipal employees? Mr. Morse indicated that the 30 units will have year-round deed restrictions and will be offered via a lottery.

The Chair asked for comments from any other federal, local, or state officials.

Leslie Sandberg, member, Provincetown Select Board - Ms. Sandberg indicated her concern about housing for all income levels and was particularly interested in meeting the needs of the people who are serving the community. She is supportive of this public-private project and anticipates it being a model for others to consider.

Public

The Chair opened the hearing for comments from members of the general public. Members of the public who signed in and indicated their interest in speaking were called up first followed by others wishing to speak.

Reverend Edgar Miranda, Provincetown United Methodist Church – Reverend Miranda noted that the church abuts the project site. He expressed concern about parking and potential impacts on the many community services that the church provides on a daily basis. He does not believe that 3 spots are sufficient to meet the need for parking for this new residential building. He raised concerns about how disputes over parking would be addressed.

Rev. Miranda also noted that the church shares a common roadway with 26 Shank Painter. The Chair suggested that the Reverend speak with the developer or the town manager regarding this matter.

Town Manager Alex Morse responded by noting that the church has the right to manage who parks there. He also suggested that the town and the church have a conversation about how to improve the church parking.

The Chair recognized David Mead-Fox. Mr. Mead-Fox asked about the role of the transportation coordinator? Eliza Cox responded that the HOA would identify a transportation coordinator who would be responsible for posting bus schedules in a common area on site and might have a role in dealing with the 3rd parking space on site.

Carol Bergen, 496 Commercial Street, Provincetown – Ms. Bergen identified herself as a town employee who presently rents. She counts herself among the missing middle and feels that this project would be perfect for her.

Michael Gaucher, 20 Nelson Avenue, Provincetown – Mr. Gaucher is thrilled that this project is for municipal employees. He wanted to know whether remote workers are eligible for purchase in this building? Alex Morse responded that there will be a local criteria – a potential buyer must have local connection or contribution to the local community.

Maria Morelli, 963 Commercial Street, Provincetown – Ms. Morelli was concerned about income levels. For those with 200 to 225 AMI, there are more people in this category than there are available units. Same issue exists for those that fall within the 80% AMI category. Also indicated that she does not want to subsidize remote workers.

Further Subcommittee Discussion:

The Chair asked for additional comments, questions, and requests from members of the subcommittee.

The Chair recognized himself and asked what happens when someone purchases a deed restricted property and then wants to sell it. Do they work with the town?

Mackenzie Perry, Provincetown Housing Director, responded. Ms. Perry noted that the town monitors those deed restricted properties on an annual basis. A homeowner must verify that

they continue to live there year round. Once a deed-restricted property is under ownership, the town does not track where that owner derives their income, however, they must continue to make that their primary residence and live their year round. The deed restrictions enable the town to take actions if there is an attempt to sell one of these homes without notifying the town.

The individual owner will let the town know that they plan to sell. The property goes back into the lottery system. They apply a specific formula for pricing the property for re-sale.

The Chair recognizes David Mead-Fox. Mr. Mead-Fox suggests that the following be addressed at the next hearing:

- Elevating mechanical systems
- Flood and Sea Level Rise projections
- Partial/ Full Solar installation
- Flesh out role of parking/ transportation coordinator position.

The Chair recognized Douglas Fromm. Mr. Fromm noted that he was pleased to see the town support for this project and impressed that 30 of the 40 proposed units would be deed restricted for local workers. He would like to see more on parking, greater clarity on drop off versus EV space, and solar installation.

The Chair asked whether they could consider a draft decision at the next meeting. Alex Peterson indicated that they could, however, other members of the subcommittee indicated that they were not prepared to consider a draft decision at this time.

The Chair asked for a motion to continue the public hearing to Tuesday, January 27, 2026, at 1:00 pm to be held virtually via Zoom. Mr. Fromm made the motion. Ms. Vion seconded the motion. No roll call vote, the decision was unanimous.

- Peter Okun, *Chair*, Yes
- Douglas Fromm, Yes
- Kevin Grunwald, Yes
- David Mead-Fox, Yes
- Michele Vion, Yes

The motion carried and the hearing was continued.

Materials Used:

- Applicant Presentation dated 12/10/2025
- Staff Presentation dated 12/10/2025