

**TOWN OF PROVINCETOWN – SELECT BOARD  
MEETING MINUTES – REGULAR MEETING  
MARCH 11, 2019, 2019 6:00 PM  
TOWN HALL – JUDGE WELSH ROOM**

Chair Andrews convened the open meeting at 6:00 pm noting the following:

Select Board attending: Chair Cheryl Andrews, Vice Chair Robert Anthony, Members John Golden, Lise King and Louise Venden

Excused:

Other attendees: Town Manager David B. Panagore, Assistant Town Manager David Gardner, Select Board Secretary Elizabeth Paine

Recorder: Elizabeth Paine

***Consent Agenda – Approval without objection required for the following items:***

- A. *Treasurer’s Transfer - Beautification Gift Fund (#1605), to approve the use of gifted funds to pay \$526.00 to O’Brien & Sons for memorial bench project expenses.*

**Without objection Chair Andrews waived the reading of the consent items and without objection they were approved unanimously by the Select Board.**

**1. Public Hearings:**

- A. Public Hearing - Continued Public Hearing from November 26, 2018 and January 14, 2019– Bas Relief Restoration – To hear public comment on the proposed plan for the Bas Relief restoration**

Community Housing Specialist & Grant Administrator Michelle Jarusiewicz gave a brief update of the project. The project currently has one bid that was received on March 7<sup>th</sup>; it is within the budget and is currently under review. If all goes well, the work will begin in the spring into the fall. The Board asked about the progress of the memorial and Chair Andrews made a suggestion to consider locating a Native American Memorial at the First Landing Park. The Board discussed holding another public hearing to broaden the scope of the discussion to include other locations.

**MOVE that the Select Board close the current public hearing and re-notice another hearing to broaden the scope of topic.**

**Motion: LV    Seconded: LK**

**VOTED**

**In Favor:        5  
Opposed:        0  
Abstain:         0**

**B. Economic Development Permits:**

**Staff report: EDP Status under state of Limited Capacity**

Assistant David Gardner gave a brief status update of the Economic Development. The availability of economic development under the state of limited capacity and growth management is limited until we are able to complete the tank expansion when we will be able to access the rest of the gallons. Currently we have several permits in the cue, three that are scheduled tonight, two scheduled for March 25<sup>th</sup> and two large requests that on hold until the 155,000 gallons expansion project is completed. The expansion project is expected to take 18 to 24 months. We have been tracking our request since 2007; we average about 2,923 gallon requests a year. In the past we have phases of construction, requests get put on hold, and when the expansion is complete, we accommodate the requested need. We have just shy of 12,000 gallons, if you approved all the applications for tonight and the request from March 25<sup>th</sup>; we would have just under 2,000

gallons remaining at the end of the year. Since 1996 our growth has remained relatively stable, the effect of growth on water is very little. Hopefully the overall water down turn reflects a trend in water conservation or leak detection; the fluctuations are most likely water loss or due to weather. Our infrastructure constraints continue to be the primary influence on our resource on growth management. The Board expressed some of their concerns.

- 1. 18-04 – 212-214 Commercial Street – 1620 Brewhouse by Ben deRuyter of New Art Realty Corp. (applicant and owner), to increase the assigned Title 5 flow to the property by 4,671 gallons per day to add 89 seats and a brewery to the existing restaurant and 174 seat theater.**

Owner Ben deRuyter, General Manager Jack Havenbuckle and designer Ryan Webber present for the hearing. Mr. deRuyter introduced a brief summary of the project and the history behind it. The Brew house opened in 2015, and since it was opened, there has been a desire to brew in-house beer. The proposal is to eliminate the wall, renovate the theater and turn that into a year round theater, and expand the restaurant. Erica Gioquios and David Keene spoke in support of the project. The Select Board asked for additional information on the water consumption for brewers.

**MOVE that the Select Board vote to approve Economic Development Permit 18-04 for 212-214 Commercial Street dba 1620 Brewhouse, by Ben deRuyter applicant/owner on behalf of the New Art Realty Corp, based on findings that the proposed use is consistent with the criteria set forth in Selectmen’s Policy 2017-03-13, specifically:**

- **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**

**subject to the attached permit with conditions as submitted**

**Motion: Louise Venden            Seconded: Lise King**

**VOTED**

**In Favor:        5**  
**Opposed:        0**  
**Abstain:         0**

- 2. 19-01 – 141 Bradford Street – Provincetown Brewery by Chris Hartley (applicant), on behalf of 141 Bradford Real Estate LCC (owner) to increase the assigned Title 5 flow to the property by 3,140 gallons per day to add 95 seats to convert the former retail establishment to a brewery / restaurant / bar.**

Chris Hartley, Owner and CEO and Steven Azar were present for the meeting. Mr. Hartley has been working for the last two years to create a craft brewery in Provincetown. The brewery will employ an additional 3 employees, they are committed to donate 15% of the proceeds to a nonprofit and the can will advertise the causes. The remodel will include a brewery, taproom, and will be getting rid of the existing parking spots and turn it into a beer garden. The brewery will be opening during the morning and closing down at 11 pm. The brewing created onsite will be consumed on site. Any regionally sold beer will be brewed off site. Thomas Shirk spoke in support of the project. The Select Board discussed with the applicant the parking and brewery water use.

**MOVE that the Select Board vote to approve Economic Development Permit 19-01 for 141 Bradford Street dba Ptown Brewery, by Chris Hartley (applicant) on behalf of 141 Bradford Real Estate LLC (owner), based on findings that the proposed use is consistent with the criteria set forth in Selectmen’s Policy 2017-03-13, specifically:**

- **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**

**subject to the attached permit with conditions as revised.**

**Motion: Louise Venden      Seconded: Robert Anthony**

**VOTED**

**In Favor:      5  
Opposed:      0  
Abstain:      0**

- 3. 19-02 – 170 Commercial Street – Joe’s Coffee by Glenn Siegmund (applicant), on behalf of TGT Realty Trust (owner) to increase the assigned Title 5 flow to the property by 257 gallons per day to add 16 seats and the existing coffee house and restaurant.**

Glenn Siegmund, one of the new owners as of February. The new owners are proposing 16 more seats to expand the outdoor seating and extended opening from 6 month to 9 months with better seating arrangement. Currently there are 8 stools inside; proposing to bring in café seating for 20.

**MOVE that the Select Board vote to approve Economic Development Permit 19-02 for 170 Commercial Street Unit 2 dba Joe’s Coffee, by Glenn Siegmund (applicant) on behalf of TGT Realty Trust (owner), based on findings that the proposed use is consistent with the criteria set forth in Selectmen’s Policy 2017-03-13, specifically:**

- **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**

**subject to the attached permit with conditions as submitted.**

**Motion: Lise King      Seconded: John Golden**

**VOTED**

**In Favor:      5  
Opposed:      0  
Abstain:      0**

- C. April 1, 2019 Annual ~~and Special~~ Town Meeting Warrant Articles. To hear public comment on articles submitted by the Select Board per the Provincetown Charter 2-3-g. Board recommendations may be voted.**

Chairman Andrews continued the public hearing until later in the meeting between 7 and 8

**2. Public Statements:**

- Bruce Mason, Alden Street – I want to address the cross walk near the police station, the current cross walk is diangle, I think, many cars do stop but it would be helpful if they added additional lines to make it straight across. I walk a lot and have gotten hit once on Alden Street, by a bicycle; I think it would behoove the town if we had more signage around town as most roads are shared. The way coming down from the monument is very tight and there needs to be some signs for safety sake. I am opposed to the funicular that I think will take away from the Bas Relief.
- Rachel White – I would like to welcome the new member, my main concern is to have bronze patina and not bright gold on the Bas Relief. We need as many as we can for people to get on boards; I am hoping we get more people to come forward. The land of the funicular, do they own the land, and how did they get it, who signs it?

**3. Select Board Member’s Statements:**

- **Lise King** – On the way home from New York with son for his Unite Nation presentation, they drove through what seemed like a huge fog bank in S. Wellfleet. Concerned about the smell, her son decided to call it in. This morning, I read about the two people who died in the fire, and it really kind of hit me. We really need to watch out for one another and my heart goes out to the friends and family of those who died in the fire and our colleagues in

Wellfleet. Just remind us all to pay attention, take care of each other and if you see something, say something.

- **Louise Venden** – certain like to second that, and say that we are so thankful to have such an alert and dedicated fire department on the outer cape. I found out earlier that the newest member had received some hateful mail. It seems to me that there seems to be a continue trend to attack people. Here we have values that we respect everyone. Anyone in this town deserves to be respected. There is no place in Provincetown for those type of actions. Agenda item for a facilitator or consultant to work with this board, to work more collaboratively. Opening and closing statements should not be a place where actions are decided other than asking for placing an item on a future item.
- **Robert Anthony** – I want to concur with my fellow colleagues’ statement. It is very important to look in the mirror and think about what we are doing when we are reaching out in a hurtful or harmful way.
- **John Golden** – It is an unfortunately situation, I moved here a long time ago and it seemed to be a lighter and brighter place. I hope we can move on from all of this.
- **Cheryl Andrews** – general theme is that we take care of each other and that is how you behave. Town Manager, would you folks give some thoughts on prepping a memo to give the town of Truro on the decision we have made this evening, so they have the material from us? Is there a way to determine when the transfer of deed happened to the monument?

**4. Joint meeting/Presentations:**

**5. Appointments:**

**A. Year Round Market Rate Rental Housing Trust: Michela Carew-Murphy**

Ms. Carew-Murphy disused her reasons for applying for the Trust and her eagerness to be a part of the finding a solution to some of the major housing issues Provincetown is facing. The Select Board discussed with Ms. Carew-Murphy their appreciation for her willingness to serve, a few expressed their concerns her accreditations.

**B. Planning Board: Michela Carew-Murphy**

Ms. Carew-Murphy discussed her time on the HDC and how much she has enjoyed participating in a board, she also expressed her desire to grow and learn and felt the Planning Board would be a step in the right direction for her. The Select Board commented on some of her votes for the HDC and questioned her on conflict of interest.

**6. Requests:**

**A. Continued discussion from February 25th meeting regarding VSB Matching Marketing Grants requested by Chairman Andrews**

The Select Board continued their discussion from February 25<sup>th</sup>. The Board discussed how much involvement the Select Board should be involved and when. Chairman Andrews asked Board members to email Secretary Paine 5 talking points the member wishes to discuss at next regular meeting.

**B. Select Board Liaison for Stellwagen Bank Advisory Committee requested by Louise Venden**

**MOVE that the Select Board vote to appoint Louise Venden as Liaison to Stellwagen Bank Advisory Committee, for a term of one (1) year commencing immediately.**

**Motion: Lise King      Seconded: Robert Anthony**

**VOTED**

**In Favor:        5**  
**Opposed:        0**  
**Abstain:         0**

**7. Town Manager / Assistant Town Manager:**

**A. Police Station Supplemental Financing**

Town Manager Panagore asked if the Board had any questions about the memo that was included in the packet. Chairman Andrews asked why not wait until after the bids are opened. Member Venden feels this was just a financial mechanism used to fund a project. Member King would like further clarification and to know the numbers before voting. The Board made no motions and decided to schedule a meeting for Saturday, March 30, 2019 at 10 am.

**B. Opening and closing of the paid parking season**

Town Manager Panagore asked for consent to opening the parking season May 1<sup>st</sup> for charged parking spots. Chairman Andrews asked that the opening and closing dated be placed on the annual traffic hearing.

**C. Town Manager's Report**

Town Manager Panagore gave brief summary of bi-weekly reports.

**D. Contract Report**

Town Manager Panagore asked if anyone have any questions about upcoming contracts he will be executing this week.

**8. Minutes: Approve minutes of previous meetings.**

**Motion: Move that the Select Board approve the minutes of:  
March 1, 2019 11:30 am (Regular) [x] as printed [ ] with changes so noted  
Motion: JG Seconded: RA**

**VOTED**

**In Favor: 4  
Opposed: 0  
Abstain: 1 (ca)**

**9. Closing Statements/Administrative Updates:**

- Lise King –
- Louise Venden –
- Robert Anthony –
- John Golden –
- Cheryl Andrews –

Without objection the meeting was adjourned at 10:01 pm

Minutes transcribed by: Elizabeth Paine

Meeting can be viewed at: <http://view.earthchannel.com/PlayerController.aspx?&PGD=provincetv&eID=1491>