

**TOWN OF PROVINCETOWN – SELECT BOARD  
MEETING MINUTES – REGULAR MEETING  
MARCH 25, 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. *Authorize the Town to transfer \$20,218 of unspent bond proceeds from April 2011 ATM article #3-5, DPW Fleet to be applied to debt service per MGL c.44 Sec. 20.*
- B. *Approve the Parade Permit Application submitted by Nicole Spencer, on behalf of the Heroes in Transition, Inc., 22 Bates Road, Suite 135, Mashpee, MA 02649, for the Ruck4Hit Cape Cod Relay, to be held on Friday, May 3, 2019 from 3:00 p.m. to 10:00 p.m.*
- C. *Approve the Parade Permit Application submitted by Emily McGranachan, on behalf of the Family Equality Council, 475 Park Ave South, Suite 2100, New York, NY, 10016 for the Family Pride Parade, to be held on Friday, August 2, 2019 from 2:00 p.m. to 4:00 p.m.*
- D. *Approve the Parade Permit Application submitted by Paul Curley, on behalf of the American Lung Association, 260 W. Exchange Street, Suite 102B, Providence, RI, 02903 for the 35<sup>th</sup> Annual Autumn Escape Bike Trek, to be held on Sunday, September 29, 2019 from 10:00 a.m. to 3:00 p.m.*
- E. *Approve the Parade Permit Application submitted by Hadley Luddy, on behalf of the Homeless Prevention Council, Inc., 14 Old Tote Road, Orleans, MA 02653 for the HPCC Walk for Home, to be held on Saturday, June 8, 2019 from 10:00 a.m. to 11:00 a.m.*
- F. *Appoint Jared Keasbey as a regular member to the Recycling & Renewable Committee with a term to expire on December 31, 2019.*

Secretary Paine asked to pull 00A, as there was a typo found in the motion. Without objection Chair Andrews waived the reading of the consent items and without objection they were approved all but 00A unanimously by the Select Board.

**1. Public Hearings:**

- A. Continued from March 11, 2019 & March 18, 2019 - Per the Provincetown Charter 2-3-g, to hear comment from the public on April 1, 2019 Annual ~~and Special~~ Town Meeting Warrant Articles sponsored by the Select Board and vote their recommendations. (Votes May Be Taken)

Note: The public comment portion of this hearing has been closed. The Board will deliberate on their recommendations.

**MOVE that the Select Board vote to recommend Article 13A.**

**Motion: Louise Venden**

**Seconded: Robert Anthony**

**VOTED**

**In Favor: 5**

**Opposed: 0**

**Abstain: 0**

Move that the Select Board vote to recommend Article 16

This hearing will be continued to April 1, 2019 5:30 pm.

B. Economic Development Permits:  
Staff Report: EDP Update.

Assistant Town Manager David Gardner updated the Economic Development Permit Category Balance under the State of the Limited Capacity to include the approved permits at the March 11, 2019 meeting.

1. 19-04 – 361 Commercial Street (Coffee House) –by Steve Benjamin (applicant) on behalf of Tonga Trust T. Gandolfo (owner) to increase the assigned Title 5 flow to the property by 290 gallons per day to add 20 seats to convert the former retail establishment to a coffee house / restaurant.

Steven Benjamin and Richard Collins were present to request Title 5 flow to convert the property at 361 Commercial Street into a coffee house. Hope the coffee house will create 4-5 year round jobs. John Crain, Washington Ave, very excited to hear about a year-round coffee house being proposed. Select Board Member Venden noticed there was a 1 bedroom apartment on the property.

**MOVE that the Select Board vote to approve Economic Development Permit 19-04 for 361 Commercial Street dba 361 Coffee House and Espresso Bar, by Steven Benjamin applicant on behalf of the Tonga 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] [as revised].**

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

**VOTED**

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

2. 19-05 – 258 Commercial Street – Saki/Velvet by Steven Schnitzer (applicant) on behalf of Saki LLC (owner) to increase the assigned Title 5 flow to the property by 1,353 gallons per day to add 112 theater seats to the existing night club and 42 seats to convert the existing retail space to a bar/lounge.

Steven Schnitzer and Paloma Hobart, present, requesting an additional 1,353 gallons per day to add additional seating to the theater and retail space. Mr. Schnitzer is asking to continue the portion of the increase that is for the front section of the project, Saki. Allan Katsline, 129 Bradford, supporting the expansion of the theater to allow more use. This request would increase the shared flex seating arrangement and in additional allow them to have shows during the day. Theater seats are only rated at 5 gallons a day. The Board asked for clarification on when the theater hours would be in effect.

**MOVE that the Select Board vote to approve Economic Development Permit 19-05 for 258 Commercial Street dba Saki/Velvet, by Steven Schnitzer applicant/owner on behalf of Saki LLC, 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 to allow for the 112 Theater Seats.

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

**VOTED**

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

**Move that the second portion of the application be continued to April 8, 2019**

**Motion: John Golden                      Seconded:            Louise Venden**

**VOTED**

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

**C. Aquaculture License Areas, Renewals, Transfers and Applications: to receive comments from the public on the following requests pursuant to MGL C.130,§57-60:**

- 1) VOTE to redefine the recreational shellfishing area labeled on maps as “East End – Area in Provincetown Harbor from Allerton St. to the Truro town line” to “East End – Area in Provincetown Harbor from Allerton St. to Harbour Drive.”

Stephen Wisbauer present for the public hearing gave a brief summary of the public hearing request.

**MOVE that the Select Board vote to redefine the recreational shellfishing area labeled on maps as “East End – Area in Provincetown Harbor from Allerton St. to the Truro town line” to “East End – Area in Provincetown Harbor from Allerton St. to Harbour Drive.**

**Motion: John Golden Seconded: Louise Venden**

**VOTED**

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

- 2) VOTE to renew the following aquaculture licenses and permits for two (2) years as per Town regulations: Tidal Grant #106 issued to Loretta Stewart, Tidal Grant #108 issued to David Flattery, Tidal Grant #111 issued to Ted Cormay , Tidal Grant #112 issued to Jean Horner and ADA Grant #10 issued to A.Famiglietti, J.Staniscia and T.Cormay.

**MOVE that the Select Board vote to renew the following aquaculture licenses and permit for two (2) years as per Town regulations:**

- Tidal Grant #106 issued to Loretta Stewart**
- Tidal Grant #108 issued to David Flattery**
- Tidal Grant #111 issued to Ted Cormay**
- Tidal Grant #112 issued to Jean Horner**
- ADA Grant #10 issued to A.Famiglietti/J.Staniscia/T.Cormay**

**Motion: John Golden Seconded: Robert Anthony**

**VOTED**

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

- 3) VOTE to renew the following aquaculture license and permit for five (5) years as per Town regulations: Tidal Grant #5 issued to John Francis Santos. VOTE to transfer the following aquaculture licenses as per Town regulations: Tidal Grant #105 transferred from Famiglietti/Stanscia/Cormay to Famiglietti/Stanscia and Tidal Grant #111 transferred from Famiglietti/Stanscia/Cormay to Cormay.

**MOVE that the Select Board vote to transfer the following aquaculture licenses as per Town regulations:  
Tidal Grant #105 transferred from Famiglietti/Stanscia/Cormay to Famiglietti/Stanscia  
Tidal Grant #111 transferred from Famiglietti/Stanscia/Cormay to Cormay  
John Golden Robert Anthony**

**VOTED**

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

- 4) Vote to approve the following aquaculture license applications for two (2) years as per Town regulations: Tidal Grant #116 approve for George Hitchcock, Tidal Grant #117 approve for Ryan PremDas, Tidal Grant #118 approve for Daniel DeGruttola, Tidal Grant #119 approve for David Flattery, East End Area Grant #201 approve for David Flattery and ADA Grant #9 approve for A.Famiglietti/J.Stanscia

**MOVE that the Select Board vote to approve the following aquaculture license applications for two (2) years as per Town regulations:**

**Tidal Grant #116 approve for George Hitchcock  
Tidal Grant #117 approve for Ryan PremDas  
Tidal Grant #118 approve for Daniel DeGruttola  
Tidal Grant #119 approve for David Flattery  
East End Area Grant #201 approve for David Flattery  
ADA Grant #9 approve for A.Famiglietti/J.Stanscia  
John Golden Robert Anthony**

**VOTED**

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

- D. Pole Hearing – Applicant Jessica Elder on behalf of Eversource requesting permission to locate underground cable, conduits and manholes, including the necessary sustaining and protecting fixtures in, under, along and across the following public way or ways: Atwood Ave, Provincetown. To install 25’ of conduit and cable by way of boring under town road to bring electrical service to 15 Atwood Ave, according to plan file marked Plan No. 2300708 dated 01/29/2019.**

Jessica Elder, Eversource and Mark Bouche, owner, requesting simply handhole to bring a line from the pole to the house.

**MOVE that the Select Board vote to approve the installation of 25’ of conduit and cable by way of boring under town road to bring electrical service to 15 Atwood Ave, according to plan files marked Plan No. 2300708 dated 01/29/2019**

**Motion: LV Seconded: LK**

**VOTED**

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

**2. Public Statements:**

- Carrie Nataro, 512 Commercial Street, and family, present to express disappointment over the Select Board’s deliberation about the Wampanoag memorial and to express concerns about the future of Provincetown’s population.
- Fred Latasa-Nicks, speaking on behalf on the PBG as the PBG president, gave a brief overview on the requests of the PGB. The marketing and matching grants submitted this year is very specific to marketing. The intended of the request, the marketing grant request is to expand new marketing efforts hoping to drive tourism in the shoulder season.
- Rick Cappler, aka Wave, spoke about the Wampanoag memorial. The commemorative stone is site specific for the Bas Relief. Found tone of speaker’s offensive, design and location should be decided by Wampanoag. It has been four months since the Nov 28<sup>th</sup> meeting and today.
- Brenda Hayward, Racial Justice Minister, placing a historical monument on the back road of Provincetown is not acceptable and dishonors a great nation.
- Isaac Lopez, Racial Justice Provincetown, reading a letter on behalf of April Baxter, feels moving the Wampanoag memorial is white washing the project.

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

- **Louise Venden** – would like to thank everyone to speak at the public statements. Wishing Duane Steele a happy birthday. Prepared a summary of the Growth Management Report, if the Board approves the entire request, the town will be down to less than 600 gallons. The town has approved the tank expansion. The forum at seashore point was not particularly well attended and there will be another forum on Wednesday and I encourage anyone who has questions about the warrant to attend.
- **Robert Anthony** – Listening to Ms. Nataro, there is a desire to work in the town, I think you would be a tremendous assent to volunteer for one of the boards.
- **John Golden** – I am new to the board and I don’t know the background of the memorial, but I will be looking into it further.
- **Lise King** – I would like to thank everyone for public statements tonight, and the way you viewed the design and materials. There are a lot of complications with the memorial that is in process. I came new to the project and we are working diligently behind the scene. Still in a process of looking at all the option and trying to do the right thing. There is a lot of distressing news in the news for mental health, and just remind everyone to be there for loved ones.
- **Cheryl Andrews** – thank you to the public speakers who came to speak at the meeting.

**4. Joint meeting/Presentations:**

**5. Appointments:**

**6. Requests:**

**A. Boston Post Cane Proclamation – Miriam Margolies Stubbs – Requested by COA Director Chris Hottle**

**MOVE that the Select Board vote to approve the request of Director Chris Hottle, Council on Aging, to proclaim Friday, April 5, 2019, as Miriam Margolies Stubbs Day, in celebration of Miriam Margolies Stubbs, born on April 15, 1920, becoming the recipient of the “Boston Post Cane.”**

**Motion: Cheryl Andrews      Seconded: Robert Anthony**  
**VOTED**

**In Favor: 5**

**Opposed: 0**  
**Abstain: 0**

**B. 2019 Pavement Management Plan Update – Requested by Town Engineer Robert Capurso**

Town Engineer Robert Capurso and DPW Director Richard Waldo were present for the meeting. Mr. Capurso gave a brief update to the Board on the roads that will be repaved for the spring repaving project. The tentative start date will be April 24<sup>th</sup> and should take about 3-4 weeks. The DPW will notify the public with flyers, notices on cars, door to door handouts and emails. Chairman asked about notification process. Weekly DPW email blasts give updates on projects currently being worked on.

**C. BOS Facilitator/Workshop requested by Select Board Member Louise Venden**

Select Board Member Venden is proposing a workshop to help the Board communicate with one another. Asks for the board to consider and vote on whether or not they wish to do this as well. Chairman Andrews feels that the BOS is a very different board, workshops have served us well, but I don't know what your intent is and how much time is requires, and what is the goal? Select Board Member Venden's hopes that this will allow work to be done and move this forward. The hope is to address the process to prioritize the goals. This board has not spent enough time on housing or zoning bylaws. We are talking a onetime work shop to address key issues. The conversation would be about process and how we set up meetings, and manage our time well. Town Manager Panagore stated that many boards do this annually to help boards communicate and work together. Help figure out process and timing. To help board be more productive. Vice chair Anthony mentioned during his time as police chief the workshops he used to attend during his time being a chief and how it helped bring a different perspective to problems at hand. He thinks perhaps there needs to be a new perspective on the role of the Select Board and is in support of the proposal. Member King recognizes she asks a lot about processes. Select Board Member Golden, is in support of this, good way to process.

**MOVE to engage Jeffrey Nutting as a facilitator to meet with the Select Board at the earliest convenience.**

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

**VOTED**

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

**D. Continued discussion from February 25<sup>th</sup> and March 11<sup>th</sup> meetings regarding VSB Matching Marketing Grants requested by Chairman Andrews**

Select Board Member Venden seconded John's motion because the questions brought up are policies that should be discussed separately from the currently grant process. We should not hold up these grants to have these discussions. Staff starts the grant process in October. Town Manager believes that some of the question can be address sooner, the question becomes, and do you want the staff to provide a 20-year review of the VSB grant process. Select Board Member thinks looking at the 20 year look back will be very helpful. Select Board Member Venden wonders if we need to look back 20 years, but does feel the evaluation should include the PBG and Chamber. Chairman Andrews would like to see a quick drill down on the debating topics, overall thinking of the grant awarding. TM – what is illuminating is the votes of the grants. The general trends would be shown in the votes.

**MOVE that the Select Board vote to approve the following FY 2020 Matching Marketing Grants as recommended by the Visitor Services Board:**

<u>Matching Marketing Grants</u>	
<u>Organization</u>	<u>FY20 Recommended</u>
Center for Coastal Studies	\$4,500

Fine Arts Work Center	\$4,500
Pilgrim Monument & Provincetown Museum	\$2,700
Provincetown Art Assoc. & Museum	\$4,500
Provincetown Business Guild	\$15,000
Provincetown Chamber of Commerce	\$15,000
Provincetown LGBTQ Welcome & Resource Center	\$7,500
Provincetown Theater	\$4,500

**Motion: John Golden                      Seconded: Louise Venden**  
**VOTED**

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

**Move that the Select Board**

**E. Pilgrims’ First Landing Park Update – Requested by Town Manager David B. Panagore**

**MOVE that the Select Board direct the Town Manager to work with staff to create a clearer design concept for the park and prepare a press release for approval.**

**Motion: Cheryl Andrews                  Seconded: Robert Anthony**  
**VOTED**

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

**F. Police Station Supplemental Funding – Ballot Question – Requested by Town Manager David B. Panagore**

**MOVE that the Select Board vote, pursuant to MGL C.59, §21C(g), to insert the attached ballot question(s) onto the June 18, 2019, Annual Town Election, as presented by the Town Manager.**

**Motion:                      Seconded:**  
**VOTED**

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

**A. Authorize the Town to transfer \$20,218 of unspent bond proceeds from April 2011 ATM article #3-5, DPW Fleet to be applied to debt service per MGL c.44 Sec. 20.**

**Move that the Select Board Authorized the Town to transfer \$20,218 of unspent bond proceeds from April 2011 ATM article #3-5, DPW Fleet to be applied to debt service per MGL c.44 Sec. 20.**

**Motion: Cheryl Andrews                  Seconded: Robert Anthony**  
**VOTED**

**In Favor:            5**

**Opposed: 0**  
**Abstain: 0**

**7. Town Manager / Assistant Town Manager:**  
**A. Town Manager's Report**

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

**B. 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:**

February 25, 2019 5:00 pm (Special)	[ x ] as printed	[ ] with changes so noted
February 25, 2019 6:00 pm (Regular)	[ x ] as printed	[ ] with changes so noted
March 11, 2019 5 pm (Special)	[ x ] as printed	[ ] with changes so noted
March 18, 2019 5 pm (Special)	[ x ] as printed	[ ] with changes so noted

**Motion: LK      Seconded: RA**

**VOTED**

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

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

- **Louise Venden** – Was at the flower show in Boston and saw an amazing little kiosk with Provincetown 400 pamphlets. Would like another update on Provincetown 400 Task Force
- **Robert Anthony** –
- **John Golden** – we will see you all at town meeting
- **Lise King** – thank everyone who has supported my son during his project.
- **Cheryl Andrews** – thank you for allowing an extra meeting for interview process. Would like to schedule a separate meeting on April 12<sup>th</sup> specifically for interviews. We still have events that we will be sponsoring and the big question would be what would be the additional ad-ons.

Without objection the meeting was adjourned at 9:31 pm

Minutes transcribed by: Elizabeth Paine

Meeting can be viewed at: <http://view.earthchannel.com/PlayerController.aspx?&PGD=provincetv&eID=1510>