

**TOWN OF PROVINCETOWN – SELECT BOARD
MEETING MINUTES – REGULAR MEETING
APRIL 8, 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 and Select Board Secretary Elizabeth Paine

Recorder: Elizabeth Paine

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

- A. *Treasurer’s Transfer –As Commissioners of the J. A. Francis Trust Fund, approve the use of gifted funds to pay a scholarship award of \$6,000.00 to Timothy Burns.*
- B. *Treasurer’s Transfer – As Commissioners of the J. A. Francis Trust Fund, approve the use of gifted funds to pay a scholarship award of \$5,000.00 to Katarzyna Sapinska.*
- C. *Reappoint David Wagner as a regular member of the Zoning Board of Appeals with a term to expire on December 31, 2021.*
- D. *Approve the Parade Permit Application submitted by Brandon Motta on behalf of the Provincetown Recreation Department’s annual 4th of July parade to be held Thursday, July 4th, 2019 starting at 11 a.m.*
- E. *Approve the Parade Permit Application submitted by Bob Sanborn on behalf of the Provincetown Business Guild’s “Sashay from the Shack to Tea” to be held Saturday, June 1, 2019 starting at 4:00 p.m.*
- F. *Approve the Conservation Restriction from The Compact of Cape Cod Conservation Trusts, Inc. on a 1.86-acre parcel located at 56 Snail Road.*

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

1. Public Hearings:

- A. Continued Public Hearing from March 25, 2019 - 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. (Page 58)

Please note: At the March 25, 2019 Public Hearing the Select Board approved the additional gallons to add 112 theater seats to the existing night club.

Chair Andrews read the public hearing notice.

MOVE that the Select Board vote to continue the hearing until April 25, 2109

Motion: LV Seconded: JG

VOTED

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

- B. Curb Cut - Application by William N. Rogers II, requesting approval to install a **Curb Cut at 452 Commercial Street** (Assessor’s Map 12-4, Parcel 42), Provincetown, MA.

Select Board Member John Golden read the public hearing notice.

William Roger present to request the curb cut for the property at 452 Commercial Street. Town Manager Panagore informed the board that staff does not recommend approving this curb cut.

Public Statement

- Grace O'Malley: Speaking out against the approval of the curb cut.

Select Board Statement

- John Golden: I think curb cuts should be the purview of the planning board and does not think curb cut should be approved at this location.
- Robert Anthony: Is the parking on Bank Street part of the association? Is there no extra parking on your property?
- Louise Venden: How many units are in the condo and how long as it been a condo association? It appears there are two tandem parking along the front.
- Lise King – I am against taking out lawns to create more parking spaces.
- Cheryl Andrews – I would talk to them about restoring the front to green and ask for the curb cut on the side driveway on the left.

MOVE that the Select Board vote, pursuant to the Provincetown General By – Law Chapter 11, Section 6-2 to deny the request by William B. Rogers II, for a curb cut at 425 Commercial Street as presented.

Motion: LV Seconded: LK

VOTED

In Favor: 5
Opposed: 0
Abstain: 0

- C. Curb Cut – Application by Angela McCarthy, requesting approval to install a **Curb Cut at 199 Bradford Street** (Assessor's Map 12-4 Parcel 64) Provincetown, MA.

Select Board Member John Golden read the public hearing notice.

Angela McCarthy present for the hearing. There are two apartments on the property, my mother, sister and I have three cars and this would allow everyone to have their own parking. I am not planning on altering the property. Town Manager Panagore informed the board that while the Fire Chief, Police Chief, and DPW Director recommend approving the curb cut, the Building Commissioner and Planner did not. The Building Commissioner and Planner feel the first curb cut allows for enough parking and adding additional parking would require a site plan review.

Select Board Statement

- John Golden – is this a single family home, adding additional cars backing out onto Bradford Street and I see this as problematic. We are just saying no to the new curb cut, they can go to the planning board and add additional parking on the one side of the building.
- Louise Venden – what is your future plan for the property? Could you speak on the removal of all your trees? The applicant might have a chance to address some of the issues that have been raised and if there is some way this can be reworked, I would be happy to hear it again.
- Lise King – I also have shared concerns about the additional parking. I am going deny the application and the applicant can go to the Planning Board.
- Robert Anthony – you said there would be four vehicles accessing that property. What are the additional concerns that the Building Commissioner and Planner addressing.
- Cheryl Andrews – starting to agree with John that perhaps curb cuts needs to go to the Planning Board.

MOVE the Select Board vote, pursuant to the Provincetown General By-Law Chapter 11, Section 6-2 to deny the request by Angela McCarthy, for a curb cut at 199 Bradford Street as presented.

Motion: Lise King Seconded: John Golden

VOTED

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

2. Public Statements:

- Michelle Jarusiewicz – making two public service announcements. Provincetown has a traditional low income resale. Camoin Associates will be holding a Public Forum April 17th in the auditorium at 6 pm.
- Ian Edwards – In support of the EDC Application. Producer of a number of startup events.
- Jay Gurewitsch – also in support of the EDC grants
- Robert Borkowski- Shoal Hope Cider Works – gave brief summary of why he is requesting a can seamier to help expand business.
- Kristen Walker, Provincetown Film Society, requested an EDC grant for the Jamaican Film festival. Several other sponsors are involved in this festival and it is important to do a program for the Jamaican community.

3. Select Board Member's Statements:

- **Robert Anthony** – Last Monday's vote was not a detriment of the Provincetown Police force. My main concern is the men and women who work in the force. I have been there I have worked with them. Today I read an email that almost crossed the line; it comes to a point where enough is enough. How much do you need to do for this community to get a respect? I will do everything in my power while I am sitting here to get those young men and women a facility that they will be sitting here. Right now it is a day to day basis. What has gone on during this whole process is outrageous for the town of Provincetown to participate in. Where is the human aspect of this?
- **John Golden** – I agree with a lot of what Bobby has to say, it is unfortunately this had to happen. The majority of the board was in favor of it; it is unfortunately that all this work needs to be restarted. Now there is a question of housing and all town land is up for grabs. All of those things where in place, and now we are back to the beginning. There were a lot of boards who work hard to bring it to fruition.
- **Lise King** – I have noticed a trend since I was elected a year ago; this is a lot of work. The comments that have been passed to me, it is very easy to a rock thrower and tear things apart. It is really hard to build something and create something. For those of you making sport about theorizing, it is a lot of years. There are so many specific details that are required to learn. It is really time for folks to stop paying attending to those inflammatory rock throwers. I can tell you I disagree with my other board members, but I do not doubt their commitment to the town. I was told that sitting up here would change my relationship with this town and they were right. It is a lot of work and a big commitment, but I am very concerned about the tone and tenure going on behind the scenes. On the topic of the police station, no one is saying no, what we are saying is the 2/3 majority needed to pass the appropriation did not pass.
- **Louise Venden** – I am shocked about Select Board Anthony's statement, but not surprised. We of us subject ourselves to ridicule, but I think the majority of people in this town agree with us. We are not here to serve ourselves. About the police station, I am very sorry about the way the process went forward, distress about the increases and what the building will serve. I want the town staff to focus on building housing and supporting the small businesses that thrive and struggle in this town. We have so many minority people in this community; we need to find out what the real needs are for transportation and housing for these workers. I went Shrek Junior this weekend and it was inspiring.
- **Cheryl Andrews** – Chair Andrews brought ceremonial hard hat that was given to town officials for the library opening and seashore point. She did not bring the shovel as she received during the sewer opening. It takes years of hard work to come to consensus, in a small town like this, with lots of different ideas; projects sometimes do

take time to be completed. Yes we can get things done with consensus, and I totally agree with Chief Anthony, that I am going to work hard to get another project done.

4. Joint meeting/Presentations:

EDC called the meeting at 7:14 pm

Economic Development Committee Chair Regina Cassidy was joined by Rita “Hersh” Schwart, Trevor McCarthy, Julie Knapp and Steven Baker as well as Community Housing Specialist & Grant Administrator Michelle Jarusiewicz. Steven gave brief summary on the point system and how the EDC decided upon the grant amounts. The Boards discussed increasing funding for the grant program, different criteria for the next round and the possibility of doing two rounds in case applications come in for later than the initial process.

MOVE that the Select Board vote to approve the following Economic Development FY2019 Grant Requested as recommended by the Economic Development Committee as presented.

Motion: Louise Venden Seconded: John Golden

VOTED

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

5. Appointments:

A. Visitor Services Board – Rita “Hersh” Schwartz

Ms. Schwartz, termed out after 12 years on the VSB and is a volunteer on different boards. The Board and Ms. Schwartz talked about the direction of the VSB and how she sees thinks she could contribute to the Board

B. Cape Light Compact – Nathaniel Mayo

Nathaniel Mayo, as a Provincetown native, has been involved in legislation affairs and would like to be involved with the Cape Light Compact. The Board and Mr. Mayo discussed how they think he would contribute. The Board thanked Mr. Mayo for applying.

MOVE that the Select Board vote to appoint Nathaniel Mayo as the Provincetown representative to Cape Light Compact with a term to expire on June 30, 2021

Motion: John Golden Seconded: Lise King

VOTED

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

C. Cape Cod Commission – Cheryl Andrews

Cheryl Andrews has submitted her application in for reappointment.

MOVE that the Select Board vote to reappoint Cheryl Andrews as the Provincetown representative to the Cape Cod Commission with a term to expire April 22, 2022.

Motion: John Golden Seconded: Louise Venden

VOTED

In Favor: 4
Opposed: 0
Abstain: 0

6. Requests:

A. Housing Action requested by Select Board Member Louise Venden

Select Board Member Venden brought this request forward. She presented several ideas on how to help housing grow. Provincetown has more vacant units verse occupied units. Town Manager Panagore went over some of the incentives that the town is already doing as well as ideas currently being explored. The Select Board and the Town Manager talked about different ideas and tax incentive. Select Member King asked for clarification, does the accessory dwelling rented to year round housing, does this allow tax credits?

Town Manager asked where the Select Board would like to go with the VFW. There is a current contract that has been signed and is supposed to have their first on site meeting May 15. Select Board Anthony asked if there was a motion for the VFW that designates it for? The property could only be sold for the purpose of housing, otherwise could be used for any other municipal use.

Chair Andrews asked the opinion of the board moving forward on the police station. Select Board Venden, Golden and Vice Chair Anthony support having a subcommittee come back to the Board with a draft plan. Vice Chair Anthony asked to have the building committee to come to the Select board with 5 sites that were previously looked at. Town Manager asked for direction to give the building committee. There is a matrix of options that the building committee could give but asks for direction from the Select Board.

Vice Chair Anthony would like to move forward with the consultant to survey the VFW site for housing. Chair would like to keep the option of the VFW as a building option for the Police Station. Select Board King would like to see a survey to see why the voters voted no on the projects. Chair Andrews and Vice Chair Anthony would be willing be

MOVE that the Select Board authorize two member of the Select Board as well as two members of the building committee who would be willing to serve with town staff to go back and evaluate the refinement of the Jerome Smith site and budget and any other sites that have been looked at or evaluated in order to come forward with options for us to move forward on a police station.

Motion: LV Seconded: JG

VOTED

In Favor: 5
Opposed: 0
Abstain: 0

9:45 pm. David Panagore announced he would be leaving the Town of Provincetown on May 10th as he had been offered a job with the State.

The board thanked and compliments David on his leadership and what he has accomplished since becoming Town Manager.

B. Discuss Year Round Rental Housing Trust Memorandum of Understanding requested by Select Board Member Louise Venden

Cont. to another meeting.

C. Discuss Policy regarding Select Board Member Public Statements without Select Board authorization or knowledge requested by Select Board Member Louise Venden

Cont. to another meeting.

D. Pending Topics – Discuss Calendar for the remainder of the term requested by Chairman Cheryl L. Andrews

Cont. to another meeting.

E. Rescission of Police Station Ballot Question voted on March 25, 2019 requested by Town Manager David B. Panagore

Cont. to another meeting.

F. Schedule Facilitator Workshop with Jeff Nutting requested by Town Manager David B. Panagore

The Board agreed to schedule the meeting on July 10th.

7. Town Manager / Assistant Town Manager:

A. Massachusetts Office of Public Collaboration (MOPC) Civil Discourse preliminary report.

Cont. to another meeting.

B. Airport construction schedule update

Cont. to another meeting.

C. Town Manager's Report

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

8. Minutes: Approve minutes of previous meetings.

9. Closing Statements/Administrative Updates:

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

Without objection the meeting was adjourned at 9:55 pm

Minutes transcribed by: Elizabeth Paine

Meeting can be viewed at: <http://view.earthchannel.com/PlayerController.aspx?&PGD=provinctv&eID=1523>