

**TOWN OF PROVINCETOWN – SELECT BOARD
MEETING MINUTES – REGULAR MEETING
AUGUST 26, 2019, 6:00 PM
TOWN HALL – JUDGE WELSH ROOM**

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

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

Excused:

Other attendees: Acting Town Manager David Gardner and Select Board Secretary Elizabeth Paine

Recorder: Elizabeth Paine

1. Public Hearings:

A. FY2020 Property Tax Rate Classification

Principal Assessor Scott Fahle presented to the Select Board the FY2020 Property Tax Rate Classification. Mr. Fahle asked the Board to vote pursuant to MGL C. 40 §56. The Select Board may choose to stay at the 25% or make changes. The Board asked about the theory behind a split rate tax and the exemption for property owners who rent to full time Provincetown resident. April 1, 2020 is the deadline for the residential exemption.

Public Statements:

- **Patricia Miller** – Pearl St, president of Provincetown Part Time Resident Association – As a group, agree with assessor’s recommendation to keep the rate at 20%, we would like to see the exemption faded out. It is very controversial, with little evidence that the stated goals have been met.
- **Rachael White** – How would this effect single family homes with no rental income?
- **Scott Fahle** – Properties are valued strictly on the property, not on the income.
- **Scott Van Hove** – Part time resident of Provincetown, feels the exemption should be eliminated and if it isn’t, the qualifications should be tightened. Also feels that if the property is rented with AirBNB, the property should not qualify for the exemption.
- **Susan Brown** – 47a Commercial Street – Four generation coming to Provincetown at this property, does not like being called a part time homeowner.
- **Peter Gallagher** – I have two properties, I am happy to pay the property tax, because this is the price we pay for peace in the valley.

Select Board Statements:

- **Lise King** – How long do tax assessors like to see tax incentives in place to see the effects.
- Scott Fahle – 5 to 10 years.
- **Lise King** – in my opinion there should be a percentage used threshold for the property being used for short term rentals that qualifies them for commercial use verse residential.
- **Louise Venden** – I was a part time resident for 13 years before becoming a full time resident. A lot of those condos rent their condos out. The additional services provided is higher because of the second homes here. There are benefits and burden beyond paying in taxes for the town to provide these services. I just hope we can find peace, this level of anger and resentment isn’t going to get us there. I will not vote in favor of increasing but I hope we can use our tax policies to help small businesses.

- **Lise King** – there was a comment about a threshold of 750K, but there is not a lot of properties under that amount correct?

MOVE that the Select Board vote, pursuant to MGL C.40, §56, as follows relative to the FY 2020 property tax:

1. **Establish a residential factor of "1" Establishing a residential factor of 1 would keep the tax rate the same for all classes of property.**
2. **To not to adopt a split tax rate.**
3. **To adopt a "residential exemption" of 25 %.**
4. **To not to adopt a "small business exemption"; and**
5. **To identify \$759,377.03 in unused property tax levy capacity.**

**Move: John Golden Seconded: Lise King
Vote 5-0-0**

- B. Economic Development Permit 19-08 – The Purple Feather, 334 Commercial Street, by Peter Okun of Broken Wheel Farm LLC and Juergen Zimmermann of Zimmermann Restaurant LLC (applicants), on behalf of Purple Point LLC (owner) to increase the assigned Title 5 flow to the property by 480 gallons per day to convert the existing 32 fast food restaurant seats to full service restaurant seats**

Applicant Juergen Zimmermann is present at the hearing, he is asking the Board to allow him to convert the fast food seats to full service seats to allow for the restaurant to serve breakfast and lunch. Currently the meals are not served on china, but on paper products. Hopes that it would add to the shoulder seasons. Hopes this would allow the business to stay open year round. The Board asked to what extent would changing your menu change the way people would dine at the Purple Feather, what is the difference in the classification in fast food restaurant seats and full service restaurant seats? Jeffrey Ribeiro gave a brief staff report, staff does not recommend at this time to reallocate gallons, right now we only have 798 gallons available for EDP, 7,685 gallons for public health, 14, 651 gallons for housing, and 5,000 gallons for municipal.

Public Statements:

No Comment

Select Board Statements:

Louise Venden – we are all in favor of meeting the needs of people in this town. At some point we need to see if there is another way to fund this project. If we do additional housing at the VFW and inclusionary housing is built and is allocated, we cannot run the tank totally dry without having a discussion about remaining gallons.

John Golden – I like the idea of lights being on in the East End of town. To me if lights are on in the street, means the town is up and running. We are not talking about a huge amount of gallons, and from the amount of waste produced in a to-go restaurant is a lot. There is a lot of things that go on in town and my hope would be that you did stay open 9 months.

David Abramson – on the next agenda, I want to review the policy statement, and Harbor Hill needs to be added on to this, and we need to look at the VFW property. Sewer expansion, without the USDA Grant, I don't think the user could support that?

David Gardner – the rooms tax currently subsidizes the betterment costs.

Lise King – I am in favor to approve this. Seems to be in keeping with our beliefs.

Robert Anthony – I am in favor of any business of any business trying to make it viable to the year round community. I think in the future; I think they should be put in the cue.

Motion: Move that the Select Board vote to approve Economic Development Permit 19-08 for 334 Commercial Street dba The Purple Feather, by Peter Okun (applicant) on behalf of Broken Wheel Farm 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 submitted.**

Move: Lise King Seconded: John Golden

Vote 5-0-0

2. Public Statements:

- **Bruce Mason** – Spoke on behalf of the Wampanoag Memorial. Many hurt feelings on the path but this should not prevent movement.

3. Select Board Member's Statements:

- **Lise King** – There is progress being made behind the scene for the Wampanoag Memorial. Carnival Celebration and Parade, felt honored to participate and carry the flag. There a lot of bad news happening right now and participating in the parade was really joyous. Thank everyone for doing a great job.
- **Louise Venden** – Really enjoyed being in the parade, call out the seashore point who put on a float, I really thought it was fabulous. Really great parade and celebration. The range and diversity of tourism in this town, we need to pay attention to all of it. We are such a welcoming community.
- **John Golden** – Probably one of the best carnivals I have seen in a long time. There was a lot of diversity. I was so heartened how the carnival week has come back. Floats were amazing.
- **Robert Anthony** – Echo statements from colleagues, take my hat off to all the public safety who put it all together and the DPW who cleaned it all up afterward.
- **David Abramson** – Really great week, nice to see a re invigorated PBG, great job by town staff who cleaned up afterward. Nice to see the streets the next morning. We are going to have to talk hard about sewer expansion and what that means for the town.

4. Joint meeting/Presentations:

A. Lower Cape Housing Institute Presentation

Andrea Aldana, here to formally invite you to the Lower Cape Housing Institute, specifically designed for public officials. The 6 Sessions will begin October 2nd and take place in Eastham in the evening. The Select Board thanked Andrea for the presentation.

5. Appointments:

6. Requests:

A. Scholarship Committee – Discussion regarding eligibility criteria

Scholarship Committee Chair Julia Perry present to discuss with the Board the three scholarships offered; John Anderson Francis Family Scholarship, Captain Joseph F. Oliver Scholarship and Town Scholarship. The John Anderson Francis Family Scholarship and Captain Joseph F. Oliver Scholarship are not just for High School Seniors but for students going all the way to post graduation. The money coming out of these scholarship is not going to pay for the cost of a college education, but the money is useful to cover incidental expenses that they did not anticipate. Town Scholarship is awarded to a single Provincetown resident student; the student is chosen by essay submission. Capt. Joseph Oliver is available to any student residing in Provincetown or Truro and successfully completed the first year of college. John Anderson’s language in the will refers only to a student who goes to the Provincetown High School, Town Council has interrupted that a student has to go to the school system until they are graduating 8th grade, there is no residency requirement. The Select Board thanked Julia for the presentation and spoke about the benefit of receiving scholarship. The Select Board, staff and Julia talked about ways to increase public awareness of the scholarships and increase outreach to get some more people to contribute to the Town Scholarship.

7. Town Manager / Assistant Town Manager:

A. Town Manager’s Report – Administrative Updates

a. Biweekly Staff Report –

Acting Town Manager David Gardner gave a brief summary of events that included Town posted overflow parking signage to try and decrease traffic on Bradford St. Charter Bill has been sent to the Governor for signatures, Board of Health met to speak on the presence of rats, letter has been received by Tribal Council in regards with the Wampanoag Memorial, Crop Swap’s kick off is next week and the next phase of Bas Relief will occur next week, trees will be removed and replaced with trees occurring to the planting plan.

8. Minutes: Approve minutes of previous meetings.

Motion: Move that the Select Board approve the minutes of:

July 22, 2019 6 pm (Regular) [] as printed [x] with changes so noted

August 12, 2019 6:00 pm (Regular) [] as printed [x] with changes so noted

Motion: JG Secoded: RA

VOTED

In Favor: 5

Opposed: 0

Abstain: 0

9. Select Board Closing Matters:

A. Matters to discuss

1. Closing Statements
2. Pending Agenda Request Items

3. Other – Other matters that may legally come before the Board not reasonably anticipated by the Chair 48 hours before the meeting.

- **Lise King** – Thank PBG and Chair Dave Abramson for allowing us to participate in the parade and include the town. Kids will be back in school before we meet again, and look out for the kids on the road.
- **Louise Venden** – Thank Dave Abramson for letting us wrap up the meeting by 9:10.
- **John Golden** – I'm good.
- **Robert Anthony** – I'm good, thank you Dave.
- **David Abramson** – I'm good too.

John Golden motioned to adjourn.

Without objection the meeting was adjourned at 9:45 pm

Minutes transcribed by: Elizabeth Paine