



Minutes

The Provincetown Licensing Board Public Meeting of **Tuesday, January 14, 2020** at 5:15 pm in the Auditorium, Town Hall, 260 Commercial Street.

Members Present: Robert F. Cameron (RC), Chair; Shawn Byrne (SB), Vice-Chair; Carol D. Santos (CS).

Excused Absence: Bernice Steisel (BS); Donald R. German (DG), Alternate.

Staff: Linda Fiorella (LF), Licensing Agent; Jennifer Nolette, Enforcement Officer.

Meeting Agenda

Public Hearings

None.

Public Statements

None.

SB made a motion to take the Amend/Transfer Licenses and New Licenses before Other Business. CS seconded the motion and it passed, 3-0-0; SB, CS, RC.

Amend/Transfer License

Lodging

1. Provincetown Management, LLC, Timothy Vojtasko, mgr., to Gary Nobel **Snug Cottage**, 178 Bradford St., Provincetown, MA 02657

Emily Flax presented; said she is a real estate broker representing the sale of Snug Cottage from Provincetown Partners to Gary Nobel, who, she said, is originally from California with some guest house experience and is very excited about joining the Town's business community.

SB made a motion to approve as presented, CS seconded the motion and it passed, 3-0-0; SB, CS, RC.

New License

Retail

1. Rileygirl, Inc., Chris Roberts, mgr., ***Provincetown General Store***, 212 Commercial St., Provincetown, MA 02657

Chris Roberts presented; said he and his wife, owners of Puzzle Me This since 2016 have an application pending to open a new venture they are calling The Provincetown General Store in the space formerly occupied by Norma Glamp's card shop, opposite the Post Office; said their emphasis will be on locally produced products that represent the Cape well, including greeting cards, wrapping paper, beachy things and handmade objects, home goods and a small section of pre-packaged, commercial foods. Mr. Roberts added that he and his wife are both members of the Provincetown Business Guild and the Chamber of Commerce.

SB made a motion to approve as presented. CS seconded the motion and it passed, 3-0-0; SB, CS, RC.

Other Business

Discuss possible revisions to Special Licenses and establishment of consistency

RC opened the discussion by referencing previous suggestions to have a pre-printed list of talking points and noted that various LB members have differing sets of contacts; asked if parceling out tasks to explore further locally licensed businesses could be helpful; referenced Michelle Crone who often attends LB meetings wearing Monument attire, to which LF responded that she thought anyone had the ability to attend meetings in a representative fashion, but that she would look further into it.

CS said she thought RC's idea was a good one and that she would like to see a list of research topics. SB offered up art galleries, and RC added the Hawthorne Barn and 20 Summers, as topic suggestions. SB said he would take a stab at gathering the list and send it out to the Board.

Board Composition

LF said she would follow up to learn if DG had become a Full member and two Alternates approved, as well. RC spoke of the need for a 5-person year-round Board and questioned if BS might return to Alternate status as she is unable to be in attendance for three or four months of the year, to which CS agreed. SB concurred and suggested that of the two candidates for Alternate position, one might be able to be on hand for the full twelve months.

Taxi Issues

LF said of the incident involving the baby-seat, that former Licensing Agent Aaron Hobart has related to her that this is not a direct LB concern.

Pertaining to taxi driver, Neil Hennigan of Atlantic Rides, LF reported that she was unable to have a phone conversation with Mr. Hennigan after he had answered the phone and then hung-up, regarding his part in a previously filed complaint, but said she has since sent him a certified letter indicating his license would not be renewed until he had presented at meeting concerning the outstanding complaint; added that there might be indications Mr. Hennigan has expressed interest in leaving Town and would contact the LB should he file an application for renewal of his taxi license.

Noise Bylaw Waiver

RC said that in his meeting with Chief Jim Golden, it was suggested the Noise Bylaw Waiver was perhaps a useless measure; sought opinions on the matter from the LB regarding the Waiver and in the context of complaints that have arisen from events at Motta Field and the Pilgrim Monument and Provincetown Museum. LF said she understood complaints have not been continuous following these mentioned but recognized the concern. RC said that the biggest problem is making a determination as to what constitutes an abuse of noise.

Officer Nolette asked after the precise nature of the recent complaints, which LF elaborated on as two events going on at the same time – one at Motta Field and another at PMPM – one of which had a noise bylaw waiver on file, and one which did not, but said that it was not feasible to determine which event was the source of the complaints. Ms. Nolette asked if there was a level that could be set in order to provide a proper guideline for noise control.

LF stated that eliminating or amending the Noise Bylaw Waiver would have to go through Town Meeting, although it is in the LB's purview to deny an application as it has leeway to make determinations. RC suggested the LB might decide to be more selective in granting Noise Bylaw waivers and asked if the PD might not be tasked with investigating noise abuse if a waiver is on file. Officer Nolette said they are inclined to make an appearance and make requests for reductions in sound levels, but noted the event staff may also opt to raise the volume after a shortened period.

LF offered to notify the PD each time a Noise Bylaw Waiver or Special Entertainment License is granted and Officer Nolette said these notifications can come to herself and the Chief.

Ped-Cab Issues from 2019

Per cab inspections, LF said that after the loss of PD staff from LB meetings, the Licensing Agent had taken over the task of inspection but asked if it could now return to the PD. Officer Nolette said inspections could come back to the PD and requested LF send the particulars to her attention.

RC noted the number of ped-cab complaints last year and said numbering cabs had been a measure introduced and passed on to the Chief; said a log is required to be on file pertaining to which drivers are on duty and assigned to which pedi-cab and asked if a photo i.d. could now be required, as well. SB agreed and said he could understand how the public would naturally reach out first to the PD with a complaint. RC said one of the problems for enforcement is that a Community Service Officer is unable to write a citation but asked if the LB could be kept in the loop of complaints of violations through this staff position.

RC suggested a meeting with the Community Service Officers on issues of compliance and notifications which Officer Nolette said was a good idea. LF agreed and said a mid-season meeting could also be effective based on new recruits and operators, as well as changing PD staff.

Enforcement

Welcome Police Officer Jennifer Nolette as new Police Officer Liaison

The LB welcomed Officer Nolette to the LB meeting detail and thanked her for her service.

Code Compliance

None.

Officer Nolette left the meeting at 5:57pm.

Renew License

SB made a motion to consider all the Lodging Renewal License requests as a group. CS seconded the motion and it passed, 3-0-0; SB, CS, RC.

SB read the Lodging Renewal License requests into the record as follows:

Lodging

1. Ju Mar LLC, Loren Holtz, mgr., d.b.a. ***Secret Garden Inn***, 300A Commercial St., Provincetown, MA 02657
2. Rose & Crown, LLC, Austin Fiszal, mgr., d.b.a. ***Rose & Crown Guest House***, 158 Commercial St., Provincetown, MA 02657
3. Anchor Inn LLC, Christopher Andrews, mgr., d.b.a. ***Anchor Inn***, 175 Commercial St., Provincetown, MA 02657
4. Deborah Dionne, mgr., d.b.a. ***Cape Codder Guests***, 570 Commercial St., Provincetown, MA 02657
5. Yi Zhao-Weiner, mgr., d.b.a. ***Howards End Guest House***, 5 Winslow St. Provincetown, MA 02657
6. Cook Street Hospitality, Inc, Patrick Flaherty, mgr., d.b.a. ***Inn at Cook Street***, 7 Cook St., Provincetown, MA 02657
7. Somerset House Inn, LLC, Robert Klytta, mgr., d.b.a. ***Somerset House Inn***, 378 Commercial St., Provincetown, MA 02657
8. ALBB LLC, Robyn & Audri Bazlen-Weglarz, mgrs., d.b.a. ***Admiral's Landing***, 158 Bradford St., Provincetown, MA 02657
9. Bulleta Services, LLC, Peter C. Bullis, mgr., d.b.a. ***The Chicago House***, 6 Winslow St., Provincetown, MA 02657
10. Bulleta Services, LLC, Peter C. Bullis, mgr., d.b.a. ***The Captain's House***, 350A Commercial St., Provincetown, MA 02657
11. Provincetown Management, LLC, Timothy Vojtasko, mgr., d.b.a. ***Snug Cottage***, 178 Bradford Street
12. Hooper and Graves, Inc., Paul Graves, mgr., d.b.a. ***Carpe Diem Guesthouse & Spa***, 12 Johnson St., Provincetown, MA 02657

13. Hooper and Graves, Inc., Paul Graves, mgr., d.b.a. ***Carpe Diem Guesthouse & Spa***, 14 Johnson St., Provincetown, MA 02657

14. White Wind Hospitality Inc., Michael Valenti, mgr., d.b.a. ***White Wind Inn***, 174 Commercial St., Provincetown, MA 02657

CS made a motion to approve the Lodging Renewal Licenses as presented. RC seconded the motion and it passed, 3-0-0; CS, RC, SB.

RC read all the remaining Renewal License requests into the record as follows:

Art Gallery

1. Gaa Gallery LLC, Erin Woodbrey/Bettina Rosarius mgrs., d.b.a. ***Gaa Gallery***, 494 Commercial St., Provincetown, MA, 02657
2. SJC, Inc., Jennifer Ellingwood, mgr., d.b.a. ***Sarah Jessica Fine Arts***, 342 Commercial St., Provincetown, MA 02657

SB made a motion to approve the Art Gallery Renewal Licenses as presented. CS seconded the motion and it passed, 3-0-0; SB, CS, RC.

Common Victualer

1. NOMA GOODS, LLC., Claudio Gervasi, mgr., d.b.a. ***East End Market***, 212 Bradford St. Provincetown, MA 02657
2. Tong Baba's Food Inc., Chuang Tong, mgr., d.b.a. ***Kung Fu Dumpling***, 293 Commercial St. Provincetown, MA, 02657

SB made a motion to approve the Common Victualer Renewal Licenses as presented. CS seconded the motion and it passed, 3-0-0; SB, CS, RC.

Parking Lot

1. Lands End Marine Supply, Inc., Craig O Russel, mgr., d.b.a. ***Lands End Marine Supply***, 337– 345 Commercial St., Provincetown, MA 02657

SB made a motion to approve the Parking Lot Renewal License as presented. CS seconded the motion and it passed, 3-0-0; SB, CS, RC.

Correspondence

None.

Minutes

SB made a motion to approve the LB meeting minutes for December 10, 2019. CS seconded the motion and it passed, 3-0-0; SB, CS, RC.

Old business

None.

New Business

None.

Licensing Board Statements

CS thanked RC for his first meeting as Chair and RC thanked former Chair Frank Thompson for his service to the LB.

Licensing Agent Statements

None.

SB made a motion to adjourn the meeting at 6:04pm. CS seconded the motion and it passed, 3-0-0; SB, CS, RC.

Respectfully Submitted,
Jody O'Neil