



a

Licensing Board

Minutes

The Provincetown Licensing Board Special Public Meeting of **Wednesday, July 8, 2020** at 2:00pm in the Judge Welsh Room, Town Hall, 260 Commercial Street.

Meeting Agenda

NOTE: THIS IS A REMOTE PARTICIPATION MEETING

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Provincetown Licensing Board will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Provincetown website, at <https://www.provincetown-ma.gov/>.

For this meeting, members of the public who wish to watch/listen and participate in the meeting may do so in the following manner:

1. Watch on PTV GOV Channel 18, as well as an online livestream of PTV GOV at <http://www.provincetowntv.org/watch.html>
2. To listen and participate in this meeting, dial **(833) 579-7589** When prompted, enter the following conference number: **700 865 94#**. When prompted, state your name, then press #. Please do not speak until the chair or the meeting moderator asks for public comments or questions. If possible, please mute your phone until you are called upon to speak.

No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Provincetown website an audio or video recording or other comprehensive record of proceedings as soon as possible after the meeting.

Members Present by remote: Robert F. Cameron (RC), Chair; Shawn Byrne (SB) Vice-Chair; Bernice Steisel (BS); Donald R. German (DG); Julie Knapp (JK), Alternate; Russell L. Dutra (RD), Alternate.

Staff: Linda Fiorella (LF), Licensing Agent, Moderator.

LF gave opening remarks at 2:05pm and called for quorum by roll call.

RC called the meeting to order, then gave the meeting over to LF who read the rules governing Public Meeting under current State guidelines, pursuant to the coronavirus pandemic.

Public Hearings

None.

Public Statements

None.

Other Business

None.

Enforcement

None.

Code Compliance

RC asked when there might be more information concerning the pool bar alcohol service situation as discussed at the previous meeting. LF said she would inquire of Aaron Hobart, Compliance Officer, and report back by the next meeting.

Amend/Transfer License

Weekday and Sunday Entertainment License

1. Crown & Anchor, Inc., Richard Murray, mgr., d.b.a. ***Crown & Anchor***, 247 Commercial St., Provincetown, MA 02657 [*CONTINUED from July 7, 2020*]

LF said she and Building Commissioner, Anne Howard, conducted a site inspection at the premises and signed off on the plan; reported that it was confirmed by Morgan Clark, Health Director, that food would need to be served at the Crown & Anchor in order for the entertainment license to be held valid and operations proceed.

RC polled the Board for suggested hours of operations. Dr. Murray said there will be two shows at 7pm and 9pm and that the 9pm show will be over by 10pm and they will stop serving by then and work to shut down for the day. RC asked if Dr. Murray was considering any sound barriers. Dr. Murray replied that it was difficult to provide such barriers based on the beach location of the property, but noted the limited time-frame of operations and positioning of amplifiers or speakers to curtail the sound direction; said he was in compliance with the need to serve food along with alcohol and detailed the entrance and exit routes with security on hand; only 85 people are allowed on the deck at one time, including performers.

JK asked per gatherings on the beach-side of the fence and how such crowds might be dispersed if over the gathering limit as mandated by the State currently. Dr. Murray said he's been allowing free entertainment for diners at Ross's Grill for the last 20 years and has no plans to change such access to his performances. Discussion continued on the desired closing time as a condition of approval.

RC made a motion to approve the amended entertainment license for Crown & Anchor, Inc., Richard Murray, mgr., d.b.a. *Crown & Anchor*, 247 Commercial St., Provincetown, MA 02657 to allow for entertainment at the pool area during the State of Emergency until November 1, 2020 with the condition that all shows end by 10:15pm.

SB seconded the motion and it passed, 5-0-0; RC, SB, BS, DG, JK.

RD recused himself, citing his work for Dr. Murray.

2. Pilgrim House, LLC, Ken Horgan, mgr. d.b.a. ***Sage Inn & Lounge***, 336 Commercial St., Provincetown, MA.

Mr. Horgan, owner and GM; David Nelson Burbank, Events & Entertainment Manager; and Russ King, aka, Miss Richfield, performer, presented.

Mr. Horgan said the inspection is scheduled for tomorrow at noon and their shows will follow the exact same time-frame as the Crown & Anchor with two shows nightly at 7 & 9 and a requested hard-stop for 10:15pm; cited the support of neighbors in terms of any potential for sound issues as their property is contained, and that noise complaints would only be coming from their own hotel guests, which, he said, behooves them to be sensitive on the topic; two access points will be employed so that people can exit without having to congregate; doing their own on-site ticketing and adopting all State guidelines for masks and social distancing; no plans to add any additional lighting or amplification; added the establishment is open year-round and has a full service kitchen so providing food is not an issue and all food would be presented with disposable materials and that Miss Richfield's costuming and show composition would also adhere to safety mandates.

JK asked per the seating outlay in terms of numbers. LF said the final number will be determined at the time of inspection.

SB made a motion to approve the amended entertainment license for Pilgrim House, LLC, Ken Horgan, mgr. d.b.a. *Sage Inn & Lounge*, 336 Commercial St., Provincetown, MA to allow for entertainment at the pool area during the State of Emergency until November 1, 2020 pending inspection and with all shows concluding by 10:15pm.

BS seconded the motion and it passed, 5-0-0; RC, BS, SB, JK, RD.

DG left the meeting at 2:30pm.

3. Pack Ventures, LLC, Paul Melanson, mgr., d.b.a. ***Tin Pan Alley***, 269 Commercial St., Provincetown, MA. [*WITHDRAWN; less than 25' available, as mandated in guidelines*]

New License

None.

Renew License

None.

Correspondence

None.

Minutes

None.

Old business

None.

New Business

RD asked per the pop-op art displays that appear along the side of the road; citing one on Conwell and another on Allerton St. with a lean-to-type hut attached to the pavement and string lights around it, selling paintings; a third was found up on Cemetery Road; said that a lock-box is in place to take items and pay on the honor system in at least one location.

RC said he knew the Allerton display did have a permit in place through a previous owner that had been transferred; noted a discussion had taken place over the matter and that there was another such display in effect on Winthrop St., but that he understood there was a process in place.

RD noted that the Conwell and Standish St displays are on private property by that the Allerton set-up is right on the roadway and expressed concerns for safety. LF said there is a measure in place to allow for a temporary display for up to two-days in a one-week time-frame regarding presentations on private property, but not for a continuous arrangement without a proper permit and related that an outdoor artist license is a different concern.

Licensing Board Statements

SB suggested inviting Compliance Officer, Aaron Hobart, to the next meeting and thanked today's presenters for doing their homework in making a case for their entertainment licenses. RC concurred in having Mr. Hobart on hand at the next meeting and LF said she would extend an invitation for 7/14.

Licensing Agent Statements

LF thanked the applicants for being prepared and understanding the parameters and restrictions that the pandemic has incurred on their licensure. RC agreed and said those who are in compliance have further encouraged him to follow up with those who are not.

SB made a motion to adjourn the meeting at 2:46pm. BS seconded the motion and it passed, 5-0-0; SB, BS, RC, JK, RD.

Respectfully Submitted,
Jody O'Neil