



Minutes

The Provincetown Licensing Board Public Meeting of **Thursday, October 1, 2020** at 5:00 pm 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: **972 009 630#** 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); Russell L. Dutra (RD), Alternate.

[NOTE: BS arrived to the meeting at 5:37pm; DG, at 5:45pm.]

Excused Absence: Julie Knapp, Alternate

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

LF gave opening remarks at 5:00pm and called for quorum by remote.

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 corona virus pandemic.

Public Hearings

None.

Public Statements

None.

Other Business

LF announced a new request for a special entertainment license from Jay Critchley to waive a butter notification for an event at 183-185 Commercial Street which, she said, can be placed on the meeting Agenda for October 13th, or discussed today. RC asked the Board for its input on the hearing. SB said he would be willing to address the request, as did RD, but who also questioned the number of special requests coming in over the course of the pandemic.

Enforcement

None.

Code Compliance

White Wind Inn

LF reported a recent unlicensed entertainment event at the White Wind Inn; said she contacted the new owners to inform them that a fine would be issued and where after the owners apologized, acknowledged they would need to request a special entertainment license for any future events.

Police Report: Alcohol Violation at Local Bar

LF referenced a police incident report wherein a local establishment had alcohol at the bar at about 2:30 am and that, per Covid-19 regulations, the establishment should be closed to the public by 11:30pm and the business shuttered by 1:00am or 1:30am; asked if the Board would elect to issue a fine or have the owners on the line for a hearing.

RC stated his wish that a fine rather than an appearance be imposed as calling in and hearing from the public on account of their infractions is getting redundant. SB agreed on a fine, as did BS and RD.

RD asked when the right to suspend a license would come into play as this violation pertains to the new owners of the Post Office Café and suggested the situation could only get worse by next summer if something is not done about the problem. LF stated for the record that new ownership of the Post Office Café could not be verified at this time, to which RD added that he understood the sale had not officially gone through yet. LF said she felt that suspending a license for one violation might be a bit extreme. RD said he would not seek to necessitate a meeting with the owners.

SB said he felt RD spoke a good point in his request to confirm the procedural steps to multiple violations. LF said she thought fines went to three before a call to revoke or suspend and/or issue an appearance at a hearing took root.

Amend/Transfer License

None.

New License

Special Entertainment

1. Petition from Patrick Patrick mgr., d.b.a. ***Marine Specialties*** for a ***Special Entertainment License*** to host an outdoor market featuring arts and crafts and micro-business vendors on the side of the building at ***235 Commercial St.***, Provincetown MA 02657 on October 10-12, 24-25, and October 30 – November1, 2020 from 9am to 9pm. No rain dates requested.

RC informed that Mr. Patrick was unable to gather all the information needed for today's hearing.

RC made a motion to continue the hearing for the petition of *Sunset Inn* to the next Licensing Board meeting of Oct. 6, 2020 at 3:00pm. BS seconded the motion and it passed, 5-0-0; RC, BS, SB, DG, RD.

2. Petition from Ambassador Productions, Patricia Fitzpatrick mgr., d.b.a. ***Cabaret Fest*** for a Special Entertainment License to hold live music events at ***Gabriel's Guest House*** at ***102 Bradford St.***, Provincetown, MA, 02657 on October 2, 2020 from 7pm to 9pm and on October 3, 2020 from 1pm to 9pm. Rain Date October 4, 2020 from 12pm to 3pm.

Patricia Fitzpatrick presented. LF said Building Commissioner, Annie Howard, has approved as has abutter, Mary-Jo Avellar. No objections from the Board.

RC made a motion to approve as presented with the condition that the Licensing Board reserves the right to modify, suspend or revoke said license in the event that there are complaints from the public which the Board signifies as legitimate violations of the licensure. SB seconded the motion and it passed, 5-0-0; RC, SB, BS, DG, RD.

Renew License

None.

Correspondence

None.

Minutes

RC made a motion to approve the meeting minutes of September 22, 2020. DG seconded the motion and it passed, 5-0-0; RC, DG, SB, BS, RD.

Old business

None.

New Business

Licensing Board Statements

Violation at the Crown & Anchor

BS said she felt it was unacceptable that no action has been taken on the alcohol abuse incident as previously reported at the Crown & Anchor while other establishments have been taken to task. LF said the violation complaint has been sent along to Code Compliance Officer, Aaron Hobart, as it is a Covid-19 health violation that is in question. BS said she would contact Mr. Hobart on the matter.

Licensing Agent Statements

LF said she would be taking off next week but will have the forthcoming Agenda posted in time for next week's special meeting; is available by phone or text as a priority over e-mail in her absence.

Mr. Critchley asked if his petition would be heard at next week's meeting. LF said there would be time at the regularly scheduled meeting of October 13th and that the LB was trying to limit the number of special meetings as needed. Mr. Critchley said his event is scheduled to open on October 16th. RC and SB agreed that it was acceptable to hear the petition at the regular meeting of Tuesday, October 13. RD asked if there was enough time for advertising the event if it is going to launch on the 16th and the approval was rendered three days prior. SB said he had no problem adding the item to next week's agenda. LF pointed out that if Mr. Patrick cannot provide his document, the meeting of the 6th would be cancelled. BS and DG said they were okay with hearing Mr. Critchley's appeal next week.

LF said she would comply with the Board's poll vote and place Mr. Critchley's item on next week's special meeting agenda.

RC made a motion to adjourn the meeting at 4:02pm. SB seconded the motion and it passed, 5-0-0; RC, SB, BS, DG, RD.

Respectfully Submitted,
Jody O'Neil