



Minutes

... of the Provincetown Licensing Board Public Meeting, **Tuesday, July 24, 2018** at 5:15pm in the Judge Welsh Room, Town Hall, 260 Commercial Street.

Members Present: Frank Thompson (FT) Chair; Shawn Byrne (SB), Vice-Chair; Robert F. Cameron (RC).

Staff Present: Aaron Hobart (AH), Licensing Agent; Det. Richard Alves, Enforcement Officer.

Meeting Agenda

Public Hearings

Special Liquor License

Petition from Rebecca Saunders, representing **Sidekicks Travel** for a **Special Liquor License** for an event to be held on July 27, 2018 from 5pm – 10pm at 368A Commercial St., Provincetown, MA.

Rebecca Saunders presented; said her children's shop, Sidekicks, has worked with the Family Equality Council for the past three years and requests to add an event this year to include wine service and an opportunity for people to stretch their legs after a long drive Friday night, prior to their regular activities that start on Saturday.

No public comments or letters.

SB made a motion to approve as presented pending proof of receipt of mailing. RC seconded the motion and it passed, 3-0-0; SB, RC, FT.

Special Entertainment Licenses

Petition from Rick Murray, representing Crown & Anchor LLC d.b.a. **Crown & Anchor Inc.** for **Special Entertainment Licenses** for events to be held on July 29, August 5 & 19, and September 2, 2018 from 12pm to 2pm. No rain dates requested.

No one presented. AH said he sent Rick Murray an e-mail to remind him of the hearing.

SB made a motion to delay the hearing of Special Entertainment Licenses for the Crown & Anchor, Inc. RC seconded the motion and it passed, 3-0-0; SB, RC, FT.

Regulation Changes

10.00 RENTAL OR LEASE OF BICYCLES AND MOTORIZED BICYCLES AND SCOOTERS

10.01 Rental or Lease of Bicycles

No person, business or corporation shall engage in the business of renting, leasing or keeping for rent or lease any bicycles, without first being licensed by the Licensing Board in accordance with the following regulations:

- a. Application for a license under this by-law shall be filed with the Licensing Board and contain the following information:
 - 1. Proof of worker’s compensation insurance and general liability insurance;
 - 2. Proposed total numbers of bicycles offered for rent or lease;
- b. Each licensee shall be required to affix a bike light to each bicycle, and shall provide a helmet to all riders 16 and under.
- c. Licenses shall expire on December 31st of each year, and are required to be renewed before expiration for the following year before any rental activity may commence.
- d. Each licensee shall comply with Chapter 85 sec. 11B of the General Laws and any amendments thereto, any other statute, or any Town by-law and/or regulation.

FT recommended adding to the copy that a light must also be applied to the rear to each bicycle, as well as a bell or warning device. AH added and adjusted the new wording and said the word “bylaw” should be changed to “regulation.” FT suggested white-colored light for the front and red for the rear.

10.02 Rental or Lease of Motorized Bicycles

AH mentioned 10.02 as amending what the Board had approved in June and which was recommended by the Board of Select.

**APPENDIX A
License Fees**

<i>OTHER LICENSES</i>	
Rental of <u>Bicycles, Motorized Bicycles, and Motorized Scooters</u>	\$50

SB made a motion to approve the regulation changes with the corrections made today. RC seconded the motion and it passed, 3-0-0; SB, RC, FT.

No public comments or letters.

SB made a motion to close the Public Hearing. RC seconded the motion and it passed, 3-0-0; SB, RC, FT.

Public Statements

None.

Other Business

None.

Amend/Transfer License

None.

New License

Vehicle for Hire

1. **Conway Cabbie:** Reg#LV75762; VIN#2HKRL1856YH558177; Gray 2000 Honda Odyssey Van.

AH said the applicant had been present two meetings ago but only one vehicle had been put on the agenda at that time, so he informed her that she need not attend today.

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

Renew License

None.

Correspondence

AH cited a letter regarding an incident with a Pedi-cab and a letter from Town Consul.

Pedi-cab Issue.

SB read into the record a letter from Town visitor Daphne Dunhill, wherein she described being nearly struck on Commercial Street by a male-driven Pedi-cab with no passenger traveling at least 15 miles per hour at 8:45pm on July 16, 2018.

SB suggested the complainant ought to have reported the incident to the police. RC noted there was no specific information on the cab and/or driver. AH remarked that he receives a significant number of Pedi-cab driver applications by young people.

Det. Alves said that this was the first complaint of this nature he'd received and suggested that if it rose to the level of a written letter then it should have been reported to the police; added that he doubted a rate of 15 mph on Commercial St.

License for 99 Commercial Street.

SB read into the record a letter from an attorney named Amy concerning the Commonwealth's ownership of the Harbor at the high-water mark, west of Howland Street, as managed by Chapter 470 of the Acts of 1893 and incorporated into Section 25, Chapter 91 by the Department of Environmental Management and, as such, the applicant at Sal's Restaurant has no legal requirement to provide a Chapter 91 license and that it is her opinion that the matter at hand is an Alcohol License issue; added that use of the area in question is between the DEM and the applicant, and that the issuing authority can add conditions or restrictions to the license approval.

FT said he didn't see any problem approving the license request as long as the applicant abides by the terms of the Consul's letter.

SB made a motion to accept Town Consul's decision and advice regarding the license at 99 Commercial Street. RC seconded the motion and it passed, 3-0-0; SB, RC, FT.

Minutes

None.

Enforcement

Det. Alves spoke of the Pedi-cab incident and recommended placing appropriate calls for these drivers to slow down and obey the law. AH said he's made some calls as per Det. Alves' recommendation and reported that it's the only Pedi-cab complaint he's received in five years, other than the incident of an accident involving an overturned Pedi-cab.

Code Compliance

AH said a warning is being issued to Rod's Service Station which had a parking sign out over the weekend and that 2015 was the last year they had an approved renewal license on record. AH added that if the business is repairing cars to be sold, then a license was required.

Old business

AH said a site visit would be done at 99 Commercial Street to determine the licensed areas as approved, including the beach at 101 Commercial Street; said they would drop a line at the mean high water mark and add an extra five feet.

AH thanked Sandy Faye for her work as recording secretary and reported that Jody O'Neil would be taking minutes going forward and would be recording at the meetings on a regular basis starting in mid-August, as opposed to recording off the PTV play-back online exclusively, as had been done in the past.

New Business

FT announced a show-cause meeting next week and invited Det. Alves or a substitute to attend and address an issue similar to what transpired last year in Eastham and with a full narrative, but which was not otherwise detailed in FT's statement.

Licensing Board Statements

None.

Licensing Agent Statements

None.

SB made a motion to adjourn the meeting at 5:44pm. RC seconded the motion and it passed, 3-0-0; SB, RC, FT.

Respectfully Submitted,
Jody O'Neil