



Public Meeting

The Provincetown Licensing Board Public Meeting of **Tuesday, February 23, 2021** at 5:15 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: **158 655 370#** 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; Donald R. German (DG); Russell L. Dutra (RD).

Excused Absence: Bernice Steisel; Julie Knapp, Alternate.

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

LF gave opening remarks at 5:15pm 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

New Liquor License

Petition from Lester Murphy, Jr. representing ***Perfect Picnic Ptown, LLC***, d.b.a. ***Perfect Picnic Ptown*** for ***New Annual Wine & Malt Liquor License*** at 258 Commercial Street.

Lester Murphy, attorney, and Mark Mitchell, principal, presented. Mr. Murphy described the new operation as containing everything needed for a picnic, including beer and wine, as well as specialty foods to be sold in the off-season. Mr. Mitchell gave some background about his past as a former professional figure skater and, with his husband, property owner in Town for the last 20 years, now seeking to spend the majority of their time here on the Cape. Mr. Murphy added that the sale of alcohol beverage products are not the main focus of the enterprise which he endorsed as a boost to the local economy. Mr. Mitchell said his initial thoughts on hours of operation are 10am to 9pm.

RD said he fully supports the endeavor but asked if it would be more prudent for the business to purchase what it needs from Big Vin's liquor store next door rather than go for the Liquor License. Mr. Mitchell replied that, like his experience in figure skating, he needs the whole package to win. LF requested RD speak up a bit in case his volume is an issue for the listening public.

No public comments. Mr. Murphy reported that nine letters are on file in support, and none in opposition. RC said he wondered if selling alcohol at such an establishment might result in promoting public consumption. Mr. Mitchell replied that the picnic concept relates to indoor occasions, as well. Mr. Murphy offered that signage relating to the public consumption of alcohol as illegal could be an option to which Mr. Mitchell said he would be very amenable to adopting as part of the store policy.

RD said he would like to see the food aspect of the application approved and the alcohol part possibly denied, to which LF said the food license is not within the Board's purview and Mr. Murphy offered that the owners have a food license application pending with the Board of Health.

SB made a motion to approve as presented. DG seconded the motion and it passed, 4-0-0; SB, DG, RC, RD.

New Liquor and Entertainment Licenses

Petition from Robin Reid, Esq. representing ***Brasswood Inc.*** d.b.a. ***Brasswood Inn*** for ***New Annual Innholder All Alcoholic Liquor and Entertainment Licenses at 174 Commercial Street.***

Robin Reid presented, along with the principals, Tom Westmoreland, Brian Calhoon and Scott Differ. Ms. Reid noted the property as the site of the former White Wind Inn and related that the Zoning Board of Appeals had approved the associated application of the proposal on February 18, 2021;

confirmed to RC that they are “at risk” during the appeal period but that they have elected to move forward; said she has brought license applications to the LB at this point in the dual application process prior.

SB, DG said they would be able to vote in favor pending the final ZBA approval, while RD said he would prefer to table the motion until official approval from the ZBA. RC said he would side with RD on the matter. Ms. Reid noted that there are 20 letters of approval, including from abutters, on file and that they would be well into July if they do not get approval from the LB tonight.

LF said there is one letter that came in recently in opposition to the new business and that the next opportunity for the license application to appear on the agenda would be April 13th. RD observed that a lot of the letters in approval are from other guest house owners who are not abutters and would tend to benefit from this approval and perhaps follow suit in seeking entertainment licenses, as well.

DG proposed that encouraging good business in Town is a good practice, and SB agreed with DG that placing a condition on the license approval would solve the problem of, as RD said, putting the cart before the horse. Ms. Reid spoke up to restate the observation that if there is an appeal to the ZBA approval, they will be stopped in their tracks and added the value of local guesthouses to Town.

No public comments were fielded by phone. RC polled the Board again: SB and DG said they would vote to approve with the aforementioned condition; RD voiced his disapproval at this date. Ms. Reid requested that the applicant be permitted to return to the next LB meeting on March 9th following her communication with Town Consul on procedural matters. LF cited this as a beneficial compromise.

RC made a motion to table the new license application as presented to the next LB meeting of March 9, 2021. DG seconded the motion and it passed, 4-0-0; RC, DG, SB, RD.

Public Statements

None.

Other Business

None.

Enforcement

None.

Code Compliance

None.

Amend/Transfer License

None.

New License

Vehicle for Hire Operator

Richard Fraumeni – Pride Taxi

Richard Fraumeni presented. RC asked if Mr. Fraumeni had any taxi-driving experience, to which Mr. Fraumeni said he had driven for Cape Cab for 20 months two seasons before relocating to Vale, CO; said he has a commercial license to drive a Greyhound bus, but prefers a taxi.

RC made a motion to approve as presented. SB seconded the motion and it passed, 4-0-0; RC, SB, DG, RD.

Retail

1. Rokovoko LLC, John Niblock, mgr., d.b.a. **Rokovoko**, 301 Commercial St., Provincetown MA 02657
2. Michael DiMartino, mgr., d.b.a. **Pillow Top**, 237 Commercial St., Provincetown MA 02657

LF said she did not invite the applicants to attend the meeting but had placed the new retail licenses on the Agenda so that the Board can be aware of new retail businesses in Town. No vote was taken.

Renew License

Art Gallery

1. James R. Bakker Antiques, Inc., James Bakker, mgr., d.b.a. **Bakker Gallery**, 359 Commercial St., Provincetown MA 02657
2. Michael Carroll, mgr., d.b.a. **The Schoolhouse Gallery**, 494 Commercial St., Provincetown MA 02657
3. Debbie Nadoloney, mgr., d.b.a. **AMP: Art Market Provincetown**, 432 Commercial St., Provincetown, MA 02657

RC made a motion to approve all the Art Gallery Renewal Licenses as printed in the agenda. SB seconded the motion and it passed, 4-0-0; RC, SB, DG, RD.

Lodging

1. Paul Graves, mgr., d.b.a. **Carpe Diem Guesthouse and Spa**, 12 Johnson St., Provincetown, MA 02657
1. Paul Graves, mgr., d.b.a. **Carpe Diem Guesthouse and Spa**, 14 Johnson St., Provincetown, MA 02657
2. ALBB, LLC., Audri Bazlen-Weglarz, mgr., d.b.a. **Admiral's Landing**, 158 Bradford St., Provincetown MA 02657
3. Yi Zhao, mgr., d.b.a. **Howard's End Guest House**, 5 Winslow St., Provincetown MA 02657
4. Provincetown Hospitality LLC, Elaine Quigley, mgr., d.b.a. **Surfside Hotel & Suites**, 543 Commercial St., Provincetown MA 02657
5. Steve & B Company, Stephen Katsurinis, mgr., d.b.a. **8 Dyer Hotel**, 8 Dyer St., Provincetown MA 02657
6. Linchris Hotel, Corp., Sheryl Barrett, mgr., d.b.a. **Harbor Hotel Provincetown**, 698 Commercial St., Provincetown MA

RC made a motion to approve all the Lodging Renewal Licenses as printed in the agenda. SB seconded the motion and it passed, 4-0-0; RC, SB, DG, RD.

Common Victualer

1. Mama Matcha LLC, Inna Litvinova, mgr., d.b.a. **Mama Matcha**, 258 Commercial St., Provincetown MA 02657

RC made a motion to approve the Common Victualer Renewal License as printed in the agenda. SB seconded the motion and it passed, 4-0-0; RC, SB, DG, RD.

Correspondence

None.

Minutes

RC made a motion to approve the LB meeting minutes of January 26, 2021. DG seconded the motion and it passed, 4-0-0; RC, DG, SB, RD.

Old business

None.

New Business

RC asked if was advisable to further discuss the Brasswood Inn licensure situation at this time, to which LF said it would not.

Licensing Board Statements

None.

Licensing Agent Statements

None.

RC made a motion to adjourn the meeting at 6:05pm. DG seconded the motion and it passed, 4-0-0; RC, DG, SB, RD.

Respectfully Submitted,
Jody O'Neil