



Public Meeting Agenda

The Provincetown Licensing Board public meeting on **Tuesday, May 11, 2021** at 5:15pm.

Meeting Agenda

NOTE: THIS IS A REMOTE PARTICIPATION MEETING

In keeping with Governor Baker's Executive Order of March 12, 2020; "Order Suspending Certain Provisions of the Open Meeting Law" – All Participation for Town Residents will be by Remote Access. If the audio becomes unavailable, the meeting will be paused until it can be restored, or the meeting will end. The public is encouraged to download the **Microsoft Teams** meeting app.

Joining the Meeting:

Join on your computer or mobile app. [Click here to join the meeting](#)

Or call in (audio only) [\(833\) 579-7589](tel:8335797589) (Toll-free) Phone Conference ID: 639 125 508#

- Keep your phone muted at all times when not talking (*6 to mute & unmute your phone)
- Do not use speakerphone
- Do not use Bluetooth devices
- Mute all background noises
- Mute PTV on the television or computer and use only the phone audio

Members present by remote: Shawn Byrne (SB), Vice-Chair; Donald R. German (DG), Clerk; Bernice Steisel (BS); Russell L. Dutra (RD); Julie Knapp (JK), Alternate; Corinne Diane (CD), Alternate.

Excused absence: Robert F. Cameron, Chair

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

LF gave opening remarks at 5:15pm and called for quorum by remote; read the rules governing Public Meeting under current State guidelines pursuant to the corona virus pandemic; SB, to chair.

Public Hearings

Special Entertainment and Alcohol Licenses

Petition from Seth Kaplowitz, representing the ***Provincetown Arts Society*** for ***Special Entertainment and Special Alcohol Licenses*** for events to be held on Fridays between May 21, 2021 and September, 10, 2021 (5/21, 5/28, 6/4, 6/11, 6/18, 6/25, 7/2, 7/9, 7/23, 7/30, 8/6, 8/20, 8/27, 9/3, and 9/10) between 7pm to 11pm. Rain date to be the Sunday after the scheduled Friday showing. ***Continued from April 27, 2021***

LF said the application has been updated to reduce the number of dates and end-time of the screenings; new dates are Fridays: 5/28, 6/4, 6/11, 6/18, 6/25, 7/2, 8/13, 2021; hours, 6pm-10pm.

Seth Kaplowitz presented; thanked the LB for agreeing to continue the hearing and address the abutters' concerns; said the revisions as expressed in the modified application reflect discussions with the neighbors and are as follows: a reduction in screenings from 15 to seven; end-time moved up to 10pm; staffing of three persons to monitor entrance and exits quietly; speakers to be re-directed away from houses; no alcohol service per se, only a can of wine and snack food as before. Mr. Kaplowitz said they are unaware of any new abutter opposition; related the letter contents of Provincetown Film Society Interim Executive Director Blythe Frank who noted a loss of revenue from a yearly take of around a quarter of a million dollars down to \$7,000 from remote showings and another 25k from the film screenings in the East End.

Chris McCarthy, CEO of PAAM, direct abutter of 466 Commercial St. and a program partner with the Provincetown Arts Society, spoke in support by commenting on the state of the arts on the Cape due to the Covid-19 pandemic in lieu of close to \$6 million in reported losses and 6k cultural sector jobs impacted; PAAM with 450k in lost revenue; cited an obligation on the part of the Town to support the non-profits as the longest continuous running artist colony in the country; gave props to Ken Falk for his generous support of local arts institutions and individuals, including a renovation of the Mary Heaton Vorst House.

Seth Kaplowitz confirmed for RD that available alcohol would consist of a can of wine per box only.

SB made a motion to approve the Special Entertainment and Special Alcohol Licenses for 466 Commercial Street with the following condition:

In the event that the Licensing Board receives complaints about the entertainment, such complaints will be investigated and if the complaints are determined by the Board to be substantial and legitimate, the Board will have the option, at its discretion, to modify or further condition the approval to mitigate impacts and concerns. If the concerns cannot be mitigated, the Board reserves the right to schedule show cause hearing to suspend or revoke said License.

DG seconded the motion and it passed, 5-0-0; DG, JK, RD, CD, SB.

Petition from Ken Abert representing the ***Provincetown Tennessee Williams Theater Festival*** for ***Special Entertainment and Special Alcohol Licenses*** for events to be held on June 5, 2021 between 4pm to 7pm. No rain date requested.

Ken Abert presented; said this annual event usually held in the evening at Town Hall is now being offered as an afternoon event at the Bas Relief; 21 tables for patrons who will complete a form to be submitted for seating at a party of the patron's choice, or they will be seated according to staff; no bar service and cabaret-style seating; more tables to be added if Governor's Orders relax; alcohol to be brought to patron's tables only.

No public comments or letters. No LB deliberations.

SB made a motion to approve as presented. DG seconded the motion and it passed, 5-0-0; DG, JK, RD, CD, SB.

Public Statements

None.

Other Business

Special Parking

Peter Grosso representing Provincetown Lions Club for ***Special Parking Licenses*** on May 30, July 4, August 19 and September 5, 2021 at Motta Field, 25 Winslow Street.

Lee White presented; said every year the Lions Club seeks to raise funds for charity through parking in Motta Field, and that even though there aren't any events, per se, this year they wish to continue the revenue raising measure to aid organizations as they have for many seasons.

SB made a motion to approve as presented. DG seconded the motion and it passed, 5-0-0; DG, JK, RD, CD, SB.

SB made a motion to postpone discussion on the following items to the next meeting when Chair Robert Cameron is in session. DG seconded the motion and it passed, 5-0-0; DG, JK, RD, CD, SB.

Discuss Process for Motions and Voting

Discuss Pedicab Regulation Changes and Schedule Public Hearing

Enforcement

None.

Code Compliance

Discussion with Code Compliance Officer Aaron Hobart

Aaron Hobart presented. LF cued the LB to a discussion of Chair Cameron's questions regarding pedicabs and electric bikes, to which she suggested were matters more suited for the PD.

Mr. Hobart concurred, noting that as pedicabs are in the streets day and night, the PD was in the best position to address concerns and potential violations.

SB asked if State laws are required for electric bikes such as apply to helmets. Mr. Hobart said these could be State regs. – RMV and DMV, but that he was unaware of the specifics. LF added that the

LB police liaison advised her that it is up to the applicant to ensure that what they are renting is street-legal and compliant; said the application in the new permitting software has been amended to have all requirements listed and that the applicant must check-off from this list that they have read and acknowledge the conditions of their licensure.

Mr. Hobart gave an e-mail for the public to address compliance questions and concerns: compliance@provincetownma.gov and mentioned that one must be able to differentiate between a private bicycle and a rental when making a complaint; noted that last year the PD were attributing Covid complaints as licensing issues and that this year's Covid complaints from the public usually involve employees being non-masked; said he is addressing some issues at gas stations.

Jody O'Neil, recording secretary, asked per the local licensing stance on gyms being non-State Covid-compliant, noting that the P-Town Gym has been thoroughly compliant in his experience while Willy's Gym in Eastham ignores mask enforcement on a daily basis. Mr. Hobart said this matter, locally, lies within the Health Department's jurisdiction but that initial complaints should be sent to the compliance e-mail after which they will be routed to the appropriate agency. Mr. Hobart said last year went well and that most businesses have been compliant.

SB thanked Mr. Hobart for his time and said he looked forward to having him back to discuss the state of pedicabs and compliance when Chair Cameron is on hand.

Amend/Transfer License

None.

New License

None.

Renew License

Art Gallery

1. Woody Shimko, mgr., d.b.a. ***Woodman Shimko Gallery***, 346 Commercial St., Provincetown, MA 02657
2. Framed & Matted, Steven Bowersock, mgr., d.b.a. ***Bowersock Gallery***, 371 Commercial St., Provincetown MA 02657
3. Elizabeth Zeldin, mgr., d.b.a. ***Silver Glass Art Gallery***, 237 Commercial St., Provincetown MA 02657
4. Simie Maryles, mgr., d.b.a. ***Simie Maryles Gallery***, 435 Commercial St., Provincetown MA 02657
5. The William Scott Gallery, Brian Galloway, mgr., d.b.a. ***The William Scott Gallery***, 437 Commercial St., Provincetown MA 02657
6. SC Gallery LLC, Stewart Clifford, mgr., d.b.a. ***Stewart Clifford Gallery***, 338 Commercial St., Provincetown MA 02657

SB made a motion to approve the Art Gallery License Renewals as printed in the agenda. DG seconded the motion and it passed, 5-0-0; DG, JK, RD, CD, SB.

Lodging

1. Plan B Adventures, LLC, Faith Licostie, mgr., d.b.a. ***Seaglass Inn & Spa***, 105 Bradford St Ext

2. Beacon Light Inc., Mark Phillips, mgr., **Beaconlight Guest House**, 12 Winthrop St., Provincetown MA 02657

SB made a motion to approve the Lodging License Renewals as printed in the agenda. DG seconded the motion and it passed, 5-0-0; DG, JK, RD, CD, SB.

Common Victualer

1. Solstice Foods, Inc., Frank Vasello, mgr., d.b.a. **Relish**, 93 Commercial St., Provincetown MA 02657
2. Maria Silva, mgr., d.b.a. **Café Maria**, 9277 Commercial St., Provincetown MA 02657

SB made a motion to approve the Common Victualer License Renewals as printed in the agenda. DG seconded the motion and it passed, 5-0-0; DG, JK, RD, CD, SB.

Vehicle For Hire Operator

1. Neil Hennigan – Atlantic Rides

SB made a motion to approve the Vehicle for Hire Operator License Renewal as printed in the agenda. DG seconded the motion and it passed, 5-0-0; DG, JK, RD, CD, SB.

Bike Rental

1. Coast Provincetown, Heather Baker, mgr., d.b.a. **Coast Provincetown** – (Concierge – no location)
2. Pedal Ptown, LLC, Rik Ahlberg, mgr., d.b.a. **Pedal Ptown Bike Tours** – (Concierge – no location)

SB made a motion to approve the Bike Rental License Renewals as printed in the agenda. DG seconded the motion and it passed, 5-0-0; DG, JK, RD, CD, SB.

Parking Lot

1. Provincetown Marina LLC, Tom Ryan, mgr., d.b.a. **Provincetown Marina Parking Lot**, 9 Ryder St. Ext., Provincetown MA 02657
2. Kibbe Cook House Partners, Gael Poltrack, mgr., d.b.a. **Kibbe Cook House Parking Lot**, 193 Bradford St., Provincetown MA

SB made a motion to approve the Parking Lot License Renewals as printed in the agenda. DG seconded the motion and it passed, 5-0-0; DG, JK, RD, CD, SB.

Pedicab Owner/Vehicle

1. **Ptown Pedicabs**: Reg #101, Light Blue; Reg #102, Pink; Reg #103, Purple; Reg #104, Yellow; Reg #105, Blue; Reg #106, White; Reg #107 Green; Reg #108 Red.

SB made a motion to approve the Pedicab Owner/Vehicle License Renewal as printed in the agenda. DG seconded the motion and it passed, 5-0-0; DG, JK, RD, CD, SB.

Weekday and Sunday Entertainment

1. Saki LLC, Steven Schnitzer, mgr., d.b.a. **Saki/John Dough's/JD's/Velvet**, 258 Commercial St., Provincetown MA 02657

SB made a motion to approve the Weekday and Sunday Entertainment License Renewal as printed in the agenda. DG seconded the motion and it passed, 5-0-0; DG, JK, RD, CD, SB.

Correspondence

None.

Minutes

SB made a motion to approve the LB meeting minutes of April 13, 2021 and April 27, 2021. DG seconded the motion and it passed, 5-0-0; DG, JK, RD, CD, SB.

Old business

None.

New Business

None.

Licensing Board Statements

RD thanked recording secretary, Jody O'Neil, for his accuracy and thoroughness in meeting minutes, to which DG and SB concurred.

Licensing Agent Statements

LF remarked that having Board members engage in the Teams link for meetings is very helpful; that it's the member's choice, but Teams brings enhanced sound quality and visual options. JK said she was having trouble with getting on Teams, to which LF said she would help her out to that end.

SB made a motion to adjourn the meeting at 6:02pm. DG seconded the motion and it passed, 5-0-0; DG, JK, RD, CD, SB.

Respectfully Submitted,
Jody O'Neil