



Minutes

The Provincetown Licensing Board Public Meeting of **Tuesday, May 25, 2021** at 5:15pm in the Judge Welsh Room, Town Hall, 260 Commercial Street.

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:

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

Phone: Or call in (audio only) [\(833\) 579-7589](tel:8335797589) Phone Conference ID: [715 558 082#](#)

To Participate during public comment:

- Teams: Raise hand to be called on to speak.
- Phone: Speak name clearly to be called on to speak.

Please do not speak again until acknowledged by Chair or meeting moderator.

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

Members present by remote: Robert F. Cameron (RC), Chair; Donald R. German (DG), Clerk; Russell L. Dutra (RD); Julie Knapp (JK), Alternate; Corinne Diana (CD), Alternate.

Excused absence: Shawn Byrne, Vice-Chair; Bernice Steisel.

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. DG joined the meeting at 5:18pm.

Public Hearings

Special Entertainment and Liquor Licenses and Noise By-Law Waiver

Petition from Chris Rainville, representing ***GLBTQ Legal Advocates & Defenders*** for a ***Special Entertainment License, Special Liquor License, and Noise By-Law Waiver*** for an event on July 24, 2021 at 1 High Pole Hill Road.

Chris Rainville presented; said the event is the 40th annual summer party scheduled for the first Saturday of Family Week each year; cited last year being virtual due to the pandemic; event is held at the Pilgrim Monument with outdoor auction; employs same catering each year; MC to be Varla Jean Merman; 40-minute speaking and live auction begins about 5pm, bidding enabled by app this year; event times are 4pm to 7pm.

No public comments or letters.

CD asked per the necessity of a noise bylaw waiver, to which Mr. Rainville described as addressing the level of amplified sound. CD said she has attended the event previously and questioned the need for the noise bylaw waiver, to which Mr. Rainville said is something they are asked to do, said they've received a sign-off by the PD but could forego the Waiver for future events.

RD made a motion to approve as presented excluding a noise bylaw waiver. DG seconded the motion and it passed, 5-0-0; RD, DG, JK, CD, RC.

New Marijuana Establishment

Petition from Christopher Taloumis, representing ***The Haven Center, Inc. d.b.a. The Haven Center*** for a ***Marijuana Establishment – Retail License*** at 308 Commercial Street.

LF requested the LB continue the hearing until the next meeting as the applicant is awaiting the PD sign-off.

RC made a motion to postpone the New Marijuana Establishment petition from The Haven Center, Inc. to the June 8, 2021 LB meeting. DG seconded the motion and it passed, 5-0-0; DG, RD, JK, CD, RC.

Public Statements

David Wilson, President of the Board of Directors of the Provincetown Theater presented; addressed a notice from LF about the possibility of lifting the alcohol licensing restrictions, but stated they would not be applying for an alcohol license in compliance with their neighbors; are seeking to up the number of seats from 40 to 70 having completed their exterior stage work at a cost of 50k, conducted without funding; said they would be attending the June 8th meeting with the details of their application to add more seating at the Theater to try and recoup some of their expansion costs.

Other Business

Discuss Pedicabs Regulations with Aaron Hobart, Code Compliance Officer

Mr. Hobart was not available to present; LF said she would add the discussion to the next meeting.

Discuss Process for Motions and Votes

DG said he felt it would be helpful to follow the Roberts Rules a bit more closely, particularly where it concerns public comment and that the measure can be stated on the floor before discussion begins. CD agreed, added that the motion should come from the floor and that the Chair often designates someone from the floor to second the motions for expediency. JK said she was for it, as did RD, who suggested following the basic outline and the LB to be a little more precise. RC advised the Board to brush up on its cheat-sheet and amend its discussion style.

Board Elections

LF said that Shawn Byrne is the current Vice-Chair and he can be nominated and re-elected even as he is not present at today's meeting; reported that Mr. Byrne has voiced his preference to LF to be re-instatement. RD asked the vote can be to re-instate all current officers as stands. RC said he would continue as Chair but fielded other offers. DG said he would stay on, as well.

CD made a motion that current officers continue in their positions, and be re-elected in their current positions for next year. RD seconded the motion and it passed, 5-0-0; CD, RD, DG, JK, RC.

Discuss Covid-era Outside Entertainment

LF gave some background in stating the Covid restrictions are scheduled to be lifted in the coming weekend and the State of Emergency to end on June 16th; outdoor seating restrictions will remain in place until August 15th as the law states once a State of Emergency is lifted, the current restrictions for outdoor seating must continue for the next 60 days; noted legislature is being proposed to extend that restriction, sought guidance from the Board on how it would seek to handle new and existing licensees in light of the State's change in Covid-related protocols.

DG said he felt that the LB should go back to abutter notifications as soon as it is legally able. JK said she, too, would like to see abutter notices returned to practice.

RC gave an example of how a restaurant was granted expanded outdoor seating and the question going forward is how to mitigate those outdoor seats once indoor seating is returned.

LF said her first question on the matter involves new licenses which did not have outdoor seating in the previous round, but are now requesting outdoor seating for the 2021 season with or without the abutter notification; replied to RC that these license amendment requests would probably have to go to vote prior to the June 16th deadline.

DG said it made sense to him that the LB should follow current Covid policy for the time when the license request comes before the Board rather than at the time when it was first filed; i.e., to follow the letter of the law on that day of the vote. RD said he agreed with DG in that the LB should follow the guidelines of the Governor's office and the Town; expressed that people shouldn't be applying for amendment guidelines for Covid when Covid restrictions are being lifted. CD agreed with RD.

RC summarized that the Board is not in favor of taking on any new Covid-relief license applications; stated the second question as concerning applications for additional outdoor seating. LF noted approved outdoor seating licenses last season were restricted by Covid, as in 50% of normal capacity, and posed the question that might be raised by the licensees to expand on that number.

DG referenced an extension in legislation being proposed for a continuation to Nov. 29, 2021, to which LF concurred in stating that the ABCC has also noted this measure. CD said each case must be reviewed on an individual basis, to which JK and RD agreed. RD added that previously approved cases should be grandfathered in for this season – or at least until August when the waiting period following the lifting of the State of emergency is expected to expire. DG concurred and added that it would be unfair to LF to be in the position of deciding which requests are forwarded to the LB.

RC summarized that the LB would consider application renewals for outdoor seating on a case-by-case basis and look to re-impose the abutter notification for license extensions and modifications.

LF clarified abutter notification as relates to current license holders seeking expanded seating for the 2021 season. RC said he felt the Town owes it to the community to give back the voice it hadn't had last season so that the public can weigh in on hearings. The Board agreed in total.

Enforcement

None.

Code Compliance

None.

Amend/Transfer License

None.

New License

Vehicle for Hire

1. Pride Taxi #117 VIN# STDKK3DC5BS057691; Reg# LV84186; Toyota Grey Sienna 2011
2. Pride Taxi #518 VIN# 5TDKK3DC7GS751614; Reg # LV81293; Toyota Blue Sienna 2016
3. Atlantic Rides #705 VIN# 5TDKZ3DC3LSo68721; Reg # LV84990; Toyota Gray Sienna 2020

Gail Gibbs presented; said she was seeking replacement of one vehicle as well as adding a new vehicle. JK asked how many to be approved, to which Ms Gibbs said these two will total four.

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

Neil Hennigan presented for Atlantic Rides; said the vehicle is a replacement - a newer one. JK asked if there were any more complaints against Atlantic Rides to which LF said they were not.

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

Vehicle for Hire Operator

Alexander Hamlet – Pride Taxi

Alexander Hamlet presented. LF said everything checks out per the application.

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

Retail

1. Postmarc LLC, Keith Labasbas, mgr., d.b.a. **ST33LE**, 184 Commercial St., Provincetown MA 02657
2. Provincetown Candle Company LLC, Stephen Hooper, mgr., d.b.a. **Helltown Provincetown**, 338 Commercial St., Provincetown MA 02657

No presentation; included by LF as a courtesy to the LB.

Renew License

Art Gallery

1. Arthur Egeli, mgr., d.b.a. **Arthur Egeli Gallery**, 382 Commercial St., Provincetown MA 02657
2. Karilon LLC, Angela Russo mgr., d.b.a. **Karilon Gallery**, 447 Commercial St., Provincetown MA 02657
3. Cee Street Art LLC, Howard Karren, mgr., d.b.a. **Alden Gallery**, 423 Commercial St., Provincetown MA 02657
4. Cidco Arts, Inc., Cid Bolduc, mgr., d.b.a. **Cid Bolduc Gallery**, 53 Bradford St., Provincetown MA 02657
5. Francine D'Olimpio, mgr., d.b.a. **Kobalt Gallery**, 366 Commercial St., Provincetown MA 02657

RC 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, RD, JK, CD, RC.

Lodging

1. The Gaslamp Bed & Breakfast, LLC, Jeffrey Slater, mgr., d.b.a. **The Gaslamp Bed & Breakfast**, 97 Bradford St., Provincetown MA 02657
2. Bulleta Services, LLC, Peter Bullis, mgr., d.b.a. **The Captain's House**, 350 Commercial St., Provincetown MA 02657
3. Bulleta Services, LLC, Peter Bullis, mgr., d.b.a. **The Chicago House**, 6 Winslow St., Provincetown MA 02657
4. 7 Masonic Place, Elliot Denault III, mgr., d.b.a. **7 Masonic Place**, 7 Masonic Place, Provincetown MA 02657
5. ZZAZZ Inc., Lovinger Nominee Trust, mgr., d.b.a. **Lotus Guest House**, 296 Commercial St., Provincetown, MA 02657
6. Hunter Property Management, Don Collins, mgr., d.b.a. **John Randall House**, 140 Bradford St., Provincetown MA 02657

RC 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, RD, JK, CD, RC.

Common Victualer

1. Gabriel Rivera, mgr., d.b.a. **Rosie's Cantina**, 331 Commercial St., Provincetown MA 02657
2. 361 Commercial Holdings, LLC, Steven Benjamin, mgr., **361 Coffee & Espresso Bar**, 361 Commercial St., Provincetown MA 02657

RC 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, RD, JK, CD, RC.

Vehicle For Hire

1. Ptown Taxi Service #666 VIN# 2A8HR54P58R735323; LV84995; Chrysler Black Town & Country 2008
2. Pride Taxi #110 5TDZK23C97S086953VIN# 5TDZK23C97S086953; Reg# LV75753; Toyota Blue Sienna 2007
3. Pride Taxi #105 VIN# 2C4RC1BG4DR775198; Reg# LV59390; Chrysler Black Town & Country 2013

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

Vehicle For Hire Operator

1. Kevin Lindsay – Ptown Taxi
2. Everard Cleary – Ptown Taxi

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

Bike Rental

1. Provincetown Bike Rentals, LLC, Michael Riley, mgr., d.b.a. **Provincetown Bike Rentals**, 136 Bradford St., Provincetown MA 02657

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

Parking Lot

1. Irene Joseph, mgr., d.b.a. **Godhino's Parking Lot** 35 Standish St., Provincetown MA 02657
2. Michael Gaucher mgr., d.b.a. **Pat's Happy Park**, 401 Commercial St., Provincetown MA 02657

RC 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, RD, JK, CD, RC.

Correspondence

None.

Minutes

RC made a motion to approve the LB meeting minutes of May 11, 2021. DG seconded the motion and it passed 5-0-0; DG, RD, JK, DC, RC.

Old business

None.

New Business

None.

Licensing Board Statements

RC thanked all concerned for a nice discussion and exchange at today's meeting.

Licensing Agent Statements

LF related that a letter from Bernice Steisel had been sent to her attention stating Ms. Steisel's resignation due to a summer season that would make it difficult for her to attend in-person meetings. LF thanked Ms. Steisel for her service, as did RC who prompted either Alternate to step up if they wished to change their status to Full Member. LF said the procedure is to apply to the Town Clerk's office and then seek approval by the Select Board. RD thanked the Board for retaining their positions into next year, as did JK who also acknowledged Ms. Steisel's service.

DG made a motion to adjourn the meeting at 6:32pm. RC seconded the motion and it passed, 5-0-0; DG, RD, JK, CD, RC.

Respectfully Submitted,
Jody O'Neil