



# Minutes

The Provincetown Licensing Board Public Meeting of **Tuesday, July 13, 2021** at 5:15pm in the Auditorium, Town Hall, 260 Commercial Street.

## **Meeting Agenda**

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law.

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To Participate during public comment:

- 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 (press \*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: Robert F. Cameron (RC), Chair; Shawn Byrne (SB), Vice-Chair; Donald R. German (DG), Clerk; Russell L. Dutra (RD); Corinne Diana (CD), Alternate.

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

LF gave opening remarks at 5:15pm and called for quorum by remote before reading the rules governing public Meeting under current State guidelines pursuant to the corona virus pandemic.

## ***Public Hearings***

### **Alteration of Licensed Premises**

Petition from Ken Horgan and Lucas Amarilla, representing ***The Pilgrim House, LLC. d.b.a. Sage Inn & Lounge*** for an ***Alteration of Licensed Premises*** and ***Change of D.B.A.*** at ***336R Commercial Street***, Provincetown, MA. ***Continued***

Christopher Snow, Attorney, presented, along with Food and Beverage Manager, Lucas Amarill, and by remote, Ken Horgan. Mr. Snow said it is a routine housekeeping measure for a longstanding locale licensee, proposal for time change is a formality; noted blackened area, A1, on submitted plans dating from 2020; planned area for licensure to remain the same as in previous decades; owners seeking to extend description of premises which they now own

Bob Sanborn of Atlantic Avenue spoke in approval. Stephanie Jacobson Landon, abutter, called in with support of the proposal.

Mr. Snow clarified for CD that the d.b.a to "Pilgrim House" from "Sage Inn" is the technical change and that the usage would be the same per the attached seating plan but that the designated area would include a former area that has been utilized by an independently licensed Common Victualer holder

LF said there is one abutter letter on file in opposition and another which changed positions from against to possibly in favor, cited some vagueness, which Mr. Snow clarified. .

**RC made a motion to approve as presented, including a change of d.b.a. SB seconded the motion and it passed, 5-0-0; SB, DG, RD, CD, RC.**

### **Special Alcohol License**

Petition from Robert Sanborn, representing ***Provincetown Business Guild*** for a ***Special Liquor License*** for an event to be held on August 19, 2021 from 7pm to 12am at 260 Commercial St.

Robert Sanborn, Executive Director of the PBG, presented; requesting a one day license at Town Hall auditorium for a Carnival event that has been signed-off on by the Police Chief; to feature a DJ and a solo vocalist; event has been held previously without incident; said he is TIPS-certified as will be the bartenders; security planned for the premises.

No public comments or letters.

No questions were fielded from the LB.

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

### **Amend Alcohol License Change of Manager**

Petition from from Joseph Devlin, Esq. representing ***Linchris Hotel, Corp. d.b.a. Harbor Hotel Provincetown***, for an ***Amendment of their Liquor License – Change of Manager*** at 698 Commercial St., Provincetown.

Elizabeth Pisano, Attorney, and Jaqueline Silvia, presented; Ms. Pisano spoke of Ms. Silvia's 18 years of managerial experience, including at Four Points Sheraton, is TIPS certified and a US citizen.

No public comments or letters.

**RC made a motion to approve as presented, including a change of d.b.a. SB seconded the motion and it passed, 5-0-0; SB, DG, RD, CD, RC.**

### **New Alcohol License**

Petition from Lester Murphy Jr., representing ***198 OpCo. LLC, d.b.a. Crew's Quarters*** for ***New Seasonal Innholder All Alcohol License*** at 198 Commercial St.

Lester J, Murphy, Jr., Attorney, and Stuart Jackson, principle of operating and ownership corporations and proposed name manager, presented. Attorney Murphy said Mr. Jackson purchased the property late last year which, he said, has not been well maintained over the past few years nor had the best reputation or relationships with neighbors; significant renovations and upgrades planned for the winter; seeking to serve alcoholic beverages to guests, 5pm to midnight, seven days a week, depending on the extent of the business;

signage planned for designated alcohol-service areas and where alcohol is not to be permitted; said purpose of the license is to provide service to the guests of the establishment, not the general public; Mr. Jackson was noted as TIPS-certified; cited submitted floor plans.

Mr. Jackson spoke of the proposal as being restricted to guests only and to develop a much needed additional revenue stream to be able to reinvest back into the community; seeking architectural plans to include emergency egress.

No public comments or letters.

SB asked if guests and guests of guests would be served alcohol on the premises, to which Mr. Jackson said was correct.

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

### **Special Entertainment and Alcohol Licenses**

Petition from Laura Davis of Cosmos Catering, representing *Princess Yachts* for *Special Entertainment and Liquor Licenses* for events to be held on July 22, 2021 from 6pm to 9pm at 1 High Pole Hill. No rain date requested.

Laura Davis presented; 130-150 guests expected; quiet jazz band, ending at 9pm.

No public comments or letters.

RC asked that Ms. Davis be aware of noise problems reported from past Monument events, to which Ms. Davis said they would do their best, noted TIPS-certified staff on hand.

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

### **Amend Alcohol and Common Victualler Licenses**

Petition from Robin B. Reid, Esq., representing *Jabong Enterprises, Inc. d.b.a. Jimmy's Hideaway* for an *Alteration of Licensed Premises and an Amendment to a Common Victualer License* at 179 Commercial Street U1, Provincetown, MA.

**RC made a motion to continue the petition as printed in the agenda to the meeting of August 10, 2021. SB seconded the motion and it passed, 5-0-0; SB, DG, RD, CD, RC.**

### **Special Entertainment and Special Alcohol Licenses**

Petition from Steven Azar representing *Stowaway Society* for *Special Entertainment and Liquor Licenses* for events to be held on July 14th 10am – 2pm; July 15, 2021, noon - 8:00pm; Tuesdays from late - July, August, September, to early October from 7:00-10:30pm; August 18, 2021, 4 - 11pm; and October 29, 2021 from 5 - 11:30pm at 210 Bradford St. Rain date July 16, 2021.

Steven Azar presented; said the July events would be removed as it is too soon to the date to advertise; only remaining events: August 18<sup>th</sup> and October 29<sup>th</sup>; third event is a movie series to end at 9:00pm. Mr. Azar said he has no intention of making the Stowaway an event space but cited the history of the venue in sponsoring charitable events; acknowledged that he had, in his words, messed up when his two debut events, including a Tom of Finland/vodka party, proved too loud for the community even as they ended early at 5pm; said he has since learned the sensitivities of the neighborhood; referenced his application last year during Covid for three outdoor stages, which he said, was only to designate safe public areas during the pandemic and not for performance spaces; said he loves and appreciates his neighbors and his events are not for his own betterment but for a non-profit called the Stowaway Society to provide resources for artists and support local businesses year-round.

The August 18 event is an art auction with perhaps a local singer and wine; similar style occasion on Oct. 29<sup>th</sup>. Movie night would feature family friendly movies to be screened only on the front lawn.

## Attendant Public Comment

David Reid, Attorney for the Bradford East Condominiums of 208 Bradford St., immediate abutter on the west, suggested Mr. Azar does not seem to know what it is exactly that he is proposing where a full and detailed description of these events are required for approval; cited past disturbances from other events, including a movie night last year and related that his residents do not want these events in the neighborhood; made note of what the ABCC allows regarding alcohol licenses for private versus public events with an admission fee and that such events must have a special permit from the Board of Appeals; cautioned against a movie series that could see up to 65 people for 12-15 Tuesday nights with no indication of the nature of the alcohol service or screen placement.

Robert Greenwald of 208 Bradford, abutter, spoke against the proposal; quoted Mr. Azar's e-mail response to his objections as inaccurate and contrary to the intentions he has expressed in his presentation to the LB.

Ken Hassett of 208 Bradford St., Unit 11; acknowledged Mr. Azar's talent at organizing original events, but suggested these occasions be staged downtown and not in the quiet, residential area; displayed a sound recording of the ambient sounds of the neighborhood featuring a lot of singing birds.

David McFarlane, of 208 Bradford St., spoke in opposition; referenced past events and opposition to these to events from up to 68 abutters.

Representatives of Harbor View: Kimball, Jenny Lavigne, and Anita McGann from 4 Willow Drive, Units, 7, 9 and 10, spoke against the proposal, cited problems with previous events.

Serge Joyal, owner for the past 25 years of poet Mary Oliver's former house at 208B Bradford St. which he said he chose based on the late realtor Pat Schultz's recommendation that it was the quietest part of Town; expressed himself as a writer and the need for quietude to do his job.; said these events will change the nature of the area environment and create a precedent for other guest houses to follow suit in considering the possibility of exploiting their locations in the same context.

Maureen Travis of 208 Bradford, spoke against the plan, said she is 73 and struggles to stay up until 9pm and that her girlfriend is disabled and sleeps throughout the day.

Genevieve Martin of 211 Bradford said she rents four apartments to year-round workers who work two jobs and need to sleep when they are tired; workers have been stressed out in the past from these events; observed that there was not enough event notice and that before these events there were none.

Kurt Einstein at 208 Bradford St., Robert Greenwald's partner, said he is opposed.

Ed Golowka spoke against the proposal; said Pat Schultz brought him to the East End for peace and quiet, now in residence there for over 40 years, 74 and retired; doesn't want to lose the peace and comfort and kindness from his neighbors in the Association.

Ethan Perk, of 208 Bradford St. said it sounds like a great idea and he admires the aims, but not in a residential area; very difficult to trust Mr. Azar based on what he has said and done in the past.

Margaret Dwyer at 208 Bradford St. which she bought 24 years ago, said neighbors in this area all love each other and want to keep a peaceful community; noted 68 abutters against Mr. Azar's proposal last year.

Shann Treadwell, at 8 Tremont St., gave an emotional presentation, said he is a young artist working very hard, over 100 hours a week, to start a business; expressed his gratitude to Mr. Azar for the measures he has taken to help artists such as himself; has worked at the Boatslip and the Atlantic House for 14 years.

Daniel Marandola presented in favor; said he is the point person for the Stowaway Society and that he gave up 8 years of his career in NYC as an event planner to work with Mr. Azar and that he makes sure things are up to code; related that pooling all the events together is a way to save application fees; mentioned small speakers in the yard for movie night; spoke of what Mr. Azar has sacrificed financially to help young artists make their way, artists who will be provided with housing at the inn this winter; stated that amplified sound is permitted on private property.

LF clarified that ambient sound amplified is okay, but beyond that, concerning a live performance or movie screen, a permit would be required.

Mr. Azar sad he would take off the movie night having heard the community response.

#### Remote Public Comment

Michael Kelley of 15 Bradford St. Ext, Unit G, 15-year resident, said he is impressed with Mr. Azar's efforts in diversifying the community; supports the application, while also understanding the needs of quiet neighborhoods, hopes everyone can come together to work together to help evolve and replenish the Town's future in the aftermath of the Covid pandemic.

Wes Slate, of 202A Bradford St., 11-year Town resident, noted similar concerns raised last year; said, as with others, they also bought their home from the Pat Schultz agency through Joe DiMartino and that while he and his wife, who is a musician, understand supporting artists in Town, the residential parts of Town need to be respected; sides with the previous owners who spoke against the proposal.

Christy Schilling, of 208 Bradford St., agrees with all her neighbors who have spoken in opposition.

#### LB Deliberations

SB asked LF if the Stowaway non-profit events application parameters, which are in hand by hard copy, are also viewable online, to which LF said she wasn't sure. SB said he agreed that Mr. Azar should take off the movie night events, asked if he might consider removing alcohol from the other two one-offs, to which Mr. Azar said he would. SB asked if 150 came from an occupancy count, to which Mr. Azar said was from last year. SB asked if the end times could be moved up to which Mr. Azar said any agreeable time would be fine.

RD noted that Mr. Azar wants to do something good but just not in that neighborhood.

DG stated his deep support for businesses that bring growth to the Town, but that the most important thing is that the neighbors have the right to remain in a quiet neighborhood; suggested Mr. Azar sit with his neighbors in an effective way prior to presenting his application going forward.

CD sought clarification as to what was being proposed. Mr. Azar stated 9pm end times would be fine.

LF said abutter notices were sent; requested more of a clear application as to what particulars are at play in the event, such a live music. Mr. Azar said live music, amplified sounds and a live auction are to be featured.

Mr. Azar addressed DG's remarks in saying that he completely concurs with the need for communication, that in his former job he was a community liaison in the City of Somerville, but that any outreach measures he's made to his neighbors were not accepted, including a barbeque he threw in which no one came.

DG made a motion that Steven Azar return to the community, find something acceptable to the community and reapply for a license. CD asked if everyone would have to agree, to which DG suggested getting 80% of the neighbors on board. Mr. Azar said it sounded like the neighbors want nothing to happen at the property in terms of events even as he has pulled back to two events, of 4 hours each, and with no alcohol to be served.

SB pointed out that Mr. Azar had removed many conditions from the application and recommended the motion to put to a vote.

**CD made a motion to approve the Carnival Art Splash event of the Stowaway Society on August 18, 2021. SB seconded the motion and it failed: CD, SB, in favor; DG, RD, RC, opposed.**

**CD made a motion to approve the Halloween event of the Stowaway Society on October 29, 2021. SB seconded the motion and it failed: CD, SB, in favor; DG, RD, RC, opposed.**

### **Proposed Changes to the Provincetown Licensing Regulations**

#### ***Changes to Pedicab Regulations***

#### **9.00 PEDICAB REGULATIONS**

#### **9.01 PEDICAB OWNERS**

- a. No person shall engage in the business of transporting persons for hire in a vehicle without first having obtained a license from the Provincetown Licensing Board authorizing him/her to engage in such business.
- b. Pedicab owner must reside in the town of Provincetown and pedicabs must be registered to a residential address in the Town of Provincetown.
- c. The applicant must have already had the pedicab inspected by a licensed bicycle shop in advance of receiving a license each year and submit a *Vehicle Condition Check-Off Form* completed by the licensed bicycle shop to the Licensing Agent upon filing an application.
- d. All licensed pedicabs must pass all items on the "Vehicle Condition Check-Off Form.
- e. No pedicab license shall be issued by the Licensing Board until the applicant has presented proof of the vehicle's insurance, that the insurance policy covers no more than four passengers, including the driver, riding in the vehicle, and the applicant provides a Certificate of Vehicle Insurance naming the Provincetown Licensing Board as the certificate holder.
- f. When a pedicab owner changes his/her address or the place at which a pedicab owned by him/her is kept, the owner shall notify the Licensing Board within three days of such change.
- g. All pedicabs shall have a unique identifying number no less than 6 inches high and 2 inches wide, in reflective material on the right rear of the cab. The business name and the business telephone number shall be posted on rear of the cab in letters no less than three (3) inches high and one-half inch wide. All lettering must be in the form of painted or self-adhesive contrasting lettering (magnetic or other removable signs are not permitted).
- h. Hours of operation shall not exceed the hours of 6AM to 3AM daily. Hours of Operation for applicants less than 18 years of age will not exceed 10PM. II
- i. Pedicab licenses shall be valid only during the calendar year for which they are issued.
- j. A license issued for any pedicab is not transferable.
- k. ADVERTISING SIGNAGE:
  1. Signage on the rear shall be limited to one foot tall, cannot exceed the width of the vehicle and must not block the vehicle's license plate or cab information.
  2. Advertising may not be placed on a taxi in any manner that may obstruct the operator's field of vision or in any way impede the operation of the vehicle.
  3. The Provincetown Licensing Board and the Provincetown Police Department must approve any deviation allowed regarding size or placement of signage.
- l. All pedicab drivers shall maintain a neat and clean pedicab while on duty.
- m. The total Pedicab License fee is \$44.00 plus the application fee of \$30.00.
- n. The Provincetown Police Department under supervision of the Chief of Police is hereby designated as the enforcement agency of the Rules & Regulations and shall file with the Licensing Board any alleged violation thereof. Pedicab owners/operators shall comply with Rules & Regulations. Any violation of the Licensing Board's Rules & Regulations, State and local laws may result in a suspension or revocation of license.
- o. Pedicab owners shall notify the Licensing Board when drivers leave the company.

- p. A fare shall be a person or persons picked up and dropped off together.
- q. PEDICAB RATES: (TO BE VISIBLY POSTED) Rates are negotiated with driver.
- r. The Licensing Agent or Licensing Board is authorized after approval of the applicant by the Police Department, to issue a temporary vehicle swap after a vehicle inspection by the designated officer. Temporary license may be valid for no longer than till the next regularly
- s. No smoking is allowed in pedicabs at any time.
- t. Operating company will provide shift supervisor during evening hours and proof of radio contact upon request for juvenile manned shifts.

## 9.02 PEDICAB OPERATORS

- a. The applicant must be 18 years of age or older, or 16 years of age with parental/guardian permission.
- b. The applicant must have a valid State driver's license and/or internationally approved drivers license, and present a copy to the Licensing Agent upon filing application.
- c. A certificate of physical fitness issued by a practicing physician shall be mandatory to accompany all new applications for a pedicab operator's license. Please note that the licenses MUST be for consecutive years.
- d. Pedicab operator's license shall be valid only during the calendar year for which it is issued.
- e. Pedicab operator's license shall be displayed at all times while operator is on duty.
- ~~e.~~ f. When a pedicab operator changes his/her address, the operator shall notify the Licensing Board within three days of such change.
- ~~f.~~ g. A neat and clean appearance is expected of all pedicab drivers while on duty.
- ~~g.~~ h. The total Pedicab Operator fee is \$33.00 plus the application fee of \$30.00.
- ~~h.~~ i. The Licensing Agent or Licensing Board is authorized to issue a temporary operator's license once a completed application has been received. Temporary license may be valid for no longer than the next regularly scheduled meeting.
- ~~i.~~ j. Shall not, when otherwise available for hire, refuse to transport anyone requesting a ride except under the following circumstances:
  1. The transportation requested is such that the driver may not legally accept such passenger;
  2. The driver has reasonable cause to believe that the proposed passenger will refuse to pay or cannot pay the fare; or
  3. The proposed passenger is disorderly, engaged in the commission of any crime, or is otherwise unfit to be transported as a passenger.

**Alexander P.Toller of *Commercial Street Pedicabs* and Galib A. Galib and Georgi Todorov of *Ptown Pedicabs* presented.**

RC proposed one company choosing single digits for numbering while the other adopts three-digits. Both owner/operators agreed, with Mr. Galib saying they have had single digits for three years. Mr. Toller said he is hoping to be able to have an accurate identification indicator in place for future complaints. LF noted the current licenses are as small as library cards and her predecessor, Aaron Hobart, used to have them laminated prior to the Covid pandemic.

Mr. Toller referenced a recent accident by the Harbor Hotel which occurred in the dark, involving a drunk driver; said he has been in the business for nine one years and he has never driven a cab without blinkers or brake lights and basic safety road equipment and that these items should be placed onto the agenda at some point. CD recommended adding them at this time. Mr. Galib suggested a restoration to proper training protocols with police presence. RC concurred. LF said scheduling, particularly involving the PD, could be issue,

Dr. Michael Berlin said he has been recently trained as a pedicab driver and negated Mr. Toller's description of the vehicles as glorified tricycles; stressed the need for a public safety obligation to include proper lighting, training, certification and a photo-id.

CD said per training programs that inviting the PD to send someone to address the trainees would be a good offering, to which the pedicab owners said they would be in favor.

RD said he agreed with the training, as did Mr. Todorov. RC recommended adding a photo-id to be visible to the public and law enforcement. RC suggested placing such a measure on the agenda in the future, to which SB agreed.

No additional public comments or letters.

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

RD left the meeting at 7:16pm.

### ***Public Statements***

David Reid, Attorney, spoke of uncertainty regarding the art gallery license at the Stowaway in reference to owner Steven Azar's previous application request for events at the Inn.

### ***Other Business***

#### Discussion with Post Office Café

Paul Melanson presented remotely; LF referenced the LB's request for the owner to present before the Board as a follow-up measure after three months of license approval. SB said to keep up the good work.

Mr. Mellanson said there was a lot of hostility that had been thrown at him by the LB at the meeting of March 9, 2021 and asked why these remarks had been omitted in those meeting minutes along with much of the defense he gave of the two citations he had been given during Covid restrictions.

LF replied that the minutes are to summarize what occurred at any given meeting. Recording secretary, Jody O'Neil, added that a recording of all regulatory Town meetings is online at PTV.

Mr. Melanson said he is working 15 hours a day and has to drop everything for three hours to come before the Board to be reminded of what he said was a minor infraction; described one incident on New Year's Eve involving two customers at his establishment on the premises past 10pm and that when they had sought a policeman's help in removing these customers, the officer's report resulted in a citation against him and actions by the LB now which he feels are unfair. The second violation occurred on Martin Luther King weekend when a policeman entered to observe and recorded 14 people on the premises, wherein maybe five of those were employees.

None of this, he said, is included in the minutes of March, 9, 2021.

*[NOTE: The full minutes of Mr. Melanson's case at the LB meeting of March 9, 2021 are reprinted below.]*

#### **New Liquor, Common Victualer and Entertainment Licenses**

*Petition from Paul Melanson, representing P.O. Cafe Inc., d.b.a. Post Office Cafe for New Seasonal All Alcohol, Common Victualer and Entertainment Licenses at 303 Commercial St.*

*Paul Melanson presented. LF confirmed that all the proper paperwork had been filed.*



RD asked if the decision on the hearing of this case should be tabled to January 2022 due to the owner's other property which, he said, has been engaged in compliance issues; suggested the LB await the results of that property's outcome as a means of ensuring that the same problems don't arise with this location. DG said he felt this is a pretty heavy penalty to ask an owner to pay a mortgage or incur taxes on a property for a whole year without being able to operate a business on it; suggested a return for possibly July and to register, at the time, the progress on the first property in complying with the rules.

SB asked LF if the licenses for this business are the same as for the previous owner, to which LF said they were essentially, but considered "new" as the former owner did not renew. JK asked Mr. Melanson if he had any comment regarding the new business as well as the status on the issues with the one previously mentioned.

Mr. Melanson noted the difficulties in trying to operate a business during the Covid pandemic with continually changing restrictions and regulations; said he received two citations from the City of Boston within a couple of months of each other, including one on New Year's Eve for having two patrons on the premises after 10:00pm, and that his was one of only two restaurants out of thousands to receive a citation where so many more had only received warnings. Mr. Melanson apologized for the situations that led to the patrons on New Year's Eve who would not leave when asked and in the other instance when there were 14 patrons in the establishment when the limit was set at eight, but added that four of those were employees, leaving only two over the limit and that this was a condition of the difficulties of managing a wait-list. Mr. Melanson said he has had arguments with people everyday about the need to follow the Covid guidelines who would, in turn, give his restaurant a bad review based in their inability to dine on the premises when they wanted; said he has lost family to Covid, takes the pandemic situation and need for regulations very seriously and will to continue to comply with the guidelines as set down by the State.

RC asked if the manager cited on the police report, Jack Kelly, was Mr. Melanson's business partner, to which Mr. Melanson added that Mr. Kelly was his husband and business partner.

DG said his feeling was that, from Mr. Melanson's response, there should be someone at the door to monitor the in-take of people and that possibly this enterprise did not have the means to respond to critical laws to keep people safe at this time through certain skill sets. SB said he would prefer to keep Mr. Melanson's business on a probation period of three or six months. BS said she agreed with SB on a probationary period, as did DG and JK. RC said what concerns him is the owner and manager being cited in the report. Mr. Kelly said he was not in the building when the infraction occurred but that the police came later at the time when he had been on hand, but after the fact.

Mr. Melanson said he was present when the instance happened and that his manager described a different set of circumstances than what is found in the police report and that while they do not wish to make waves and are sorry it happened, they don't feel the reportage to be fair.

RC expressed that controlling entertainment during the months of Covid ahead will be extremely difficult and asked the Board what time-frame they would propose for a probationary period. SB suggested three months, to which DG concurred, adding that that they would be mandated to come in to present within that period if a violation is warranted. BS agreed, as well. RD said he felt three months is a bit long for the point we are at in the year and would like to revisit the license request for the Post Office Café based on the progress of their other business.

LF said a liquor license is not applicable on a trial basis and it could take up to two months for approval by the ABCC if the LB votes to approve today. RC then advised a check-in with the LB every three months until next year's renewal, starting today.

LF opened comments to the public; none were heard.

**RC made a motion to approve as presented with the condition that a review is scheduled with the LB every three months until the annual renewal next year. SB seconded the motion and it passed, 5-0-0; RC, SB, BS, DG, RD.**

### Discussion with Anchor Inn

Mr. Michael Zeppieri, owner of the Anchor Inn for the past 12 season, said he is a little agitated to be called in to the LB as this is the first complaint since he has been owner and that he is short staffed; described the incident as involving guests at room 199 and that he was out to dinner at the time; said the incident of something being thrown is exceptional in that his guests are paying up to \$600 a night

and someone throwing an empty beer can onto his lawn would not happen had he been on the premises; expressed that there are other things to worry about in Town, but said it won't happen again and that the guests in question will not be allowed back; doesn't believe they were drunk but noted a high volume of people in Town and that they've gone wild; said his is a quiet house and there will not be another disturbance. DG said that it is important that Mr. Zeppieri related such an incident as this will not happen again.

RC called for a five minute recess.

### ***Enforcement***

None.

### ***Code Compliance***

None.

### ***Amend/Transfer License***

None.

### ***New License***

#### **Vehicle for Hire Operator**

1. Evelyn Gonzalez – Conway Cabbie ***continued***

Evelyn Gonzalez did not present.

**RC made a motion to continue the decision to the next meeting, DG seconded the motion and it passed, 4-0-0; DG, SB, CD, RC.**

Ms. Gonzalez came on the line after the vote. LF reported all the paperwork was in order.

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

2. Debbiann Brown Cleary – Ptown Taxi

Debbiann Brown Cleary presented. LF said all the paperwork is in order.

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

#### **Art Gallery**

1. Two Molecules, LLC, Steven Azar, mgr., d.b.a. ***Stowaway Guesthouse***, 210 Bradford St., Provincetown MA 02657 ***continued***

Steven Azar presented. LF said all the paperwork is in order. Mr. Azar said the license is for some underprivileged artists to have representation. SB noted Berta Walker Gallery on the street in claiming that the neighborhood would not be ruined by granting a gallery license.

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

2. Treadwell Gallery LLC, Shãnn Treadwell, mgr., d.b.a. **Treadwell Gallery**, 170 Commercial St., Provincetown MA 02657

**Shãnn Treadwell** presented. LF said all the paperwork is in order.

**RC made a motion to approve as printed in the agenda. DG seconded the motion and it passed, 4-0-0; DG, SB, CD, RC.**

3. Janice Flaherty, mgr., d.b.a. **Cassandra Complex Gallery**, 244 Commercial St., Provincetown MA 02657

Cassandra Complex presented.

**RC made a motion to approve as printed in the agenda. CD seconded the motion and it passed, 4-0-0; CD, SB, DG, RC.**

### **Pedicab Vehicle**

1. Ptown Pedicabs: #10 Ocean Night Blue Classic 1, #11 Ocean Night Blue Classic 2, #13 White Classic 2

Mr. Galib and Mr. Todorov presented. LF noted there are three more license to be included, and some additional renewals.

**RC made a motion to approve as printed in the agenda. CD seconded the motion and it passed, 4-0-0; CD, SB, RD, RC.**

Mr. Todorov asked who is responsible for inspecting the vehicles for regulations, to which LF said it would up to the PD, although incidents are reported to the Licensing Agent; added that she can only act upon the complaint if it is made official; noted it is also not the Enforcement Agent, Aaron Hobart's jurisdiction either. LF noted that the PD is to authorized to approve advertising, but that does not seem to be done as a regular function.

### **Renew License**

### **Art Gallery**

1. Beachfront White Sands, Thanassi Kuliopulos, mgr., d.b.a. **Thanassi Gallery**, 234 Commercial St., Provincetown MA 02657
2. Larkin Gallery, Inc., Stephen Briscoe, mgr., d.b.a. **Larkin Gallery**, 405 Commercial St., Provincetown MA 02657

**RC made a motion to approve as printed in the agenda. CD seconded the motion and it passed, 4-0-0; CD, SB, DG, RC.**

### **Lodging**

1. Anchor Inn LLC, Michael Zeppieri, mgr., d.b.a. **Anchor Inn**, 175 Commercial St., Provincetown MA 02657
2. Nobelrose LLC, Gary Nobel, mgr., d.b.a. **Snug Cottage**, 178 Bradford St., Provincetown MA 02657

**RC made a motion to approve as printed in the agenda. DG seconded the motion and it passed, 4-0-0; DG, SB, CD, RC.**

**Vehicle for Hire**

1. Conway Cabbie 1405

**RC made a motion to approve as printed in the agenda. DG seconded the motion and it passed, 4-0-0; DG, SB, CD, RC.**

**Vehicle for Hire Operator**

1. Rita Schwartz – Pride Taxi
2. Karen Kelly – Pride Taxi

**RC made a motion to approve as printed in the agenda. DG seconded the motion and it passed, 4-0-0; DG, SB, CD, RC.**

**Pedicab Vehicle**

Ptown Pedicabs: #9 Yellow Blue Classic 1, #12 White Classic 2

**RC made a motion to approve as printed in the agenda. DG seconded the motion and it passed, 4-0-0; DG, SB, CD, RC.**

***Correspondence***

LF addressed a complaint against a taxi operator and the documents which have been forwarded to the LB regarding the incident, including a police report; said a determination needs to be made as to whether the complaints are in the purview of the LB, adding that smoking on school grounds is not really the purview of the LB but of the PD and school superintendent.

RC suggested inviting the taxi cab operator in to present on the matter. LF said the incident involves a taxi driver who may or may not have been driving fast as there is no police report to corroborate the incident or a way to determine the facts of the case. RC questioned the benefit of bringing someone to speak if, as LF says, it would probably come down to he said/she said. LB elected to take no action at this time.

***Minutes***

**DG made a motion to approve the LB meeting minutes of June 8, 2021 and June 22, 2021, as submitted. SB seconded the motion and it passed, 4-0-0; DG, SB, CD, RC.**

***Old business***

None.

***New Business***

LF asked per a taxi driver who last had a valid license in 2019 and if missing one year constitutes a new license application or a renewal. RC referenced that for his construction supervisor's license he is given a grace period of one year before he is required to take a test again. CD said that three years is a long time between license renewals. LF mentioned no penalty being issued for businesses that,

due the pandemic, opted not to open in 2002. SB recommended leniency, as did DG, who added he felt it should be considered a renewal where there are no violations. No motion was made.

***Licensing Board Statements***

None.

***Licensing Agent Statements***

LF announced that former License Board member Julie Knapp gave in her resignation and expressed her appreciation for Ms. Knapp's service, as did the LB.

**SB made a motion to adjourn the meeting at 8:07pm. CD seconded the motion and it passed, 4-0-0; SB, CD, DG, RD.**

Respectfully Submitted,  
Jody O'Neil