



Minutes

The Provincetown Licensing Board will hold a Public Meeting on **Tuesday, July 27, 2021** at 5:15pm in the Judge Welsh Room, 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.

The public is encouraged to download the Microsoft Teams meeting app on their computer or smart phone by clicking the link below.

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only) (833) 579-7589

Phone Conference ID: 715 558 082#

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; Donald R. German (DG), Clerk; Russell L. Dutra (RD); Corinne Diana (CD), Alternate.

Absent: Shawn Byrne (SB), Vice-Chair.

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

Special Entertainment License

Petition from Jay Critchley representing the ***Provincetown Community Compact/Provincetown Swim for Life*** for a ***Special Entertainment License*** for an event to be held on September 11, 2021 at ***the Waterfront Park, 387-395 Commercial Street***, between 2pm to 6pm. No rain date requested.

Jay Critchley presented; referenced a hurricane, Covid and sharks as recent challenges to the event; new route and time this year are to coincide with high tide; said he is excited to be the first community event at the new Waterfront Park; 34th anniversary of the event.

No public comments or letters.

RD asked Mr. Critchley to give a brief report on the event's success. Mr. Critchley said over \$5 million has been raised for AIDS and women's' health support measures in the community, swimmers attending from all over the country; beneficiaries include: AIDS Support Group of Cape Cod, Helping Our Women, Outer Cape Health Services, Provincetown Rescue Squad. Lower Cape Ambulance, Soup Kitchen in Provincetown, Provincetown Schools, Compact Community Fund, Accessible Provincetown and West End Racing Club.

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

Special Entertainment and Special Alcohol Licenses

Petition from David LaFrance representing ***The Commons*** for ***Special Entertainment and Liquor Licenses*** for an event to be held on August 21, 2021 between 6pm to 9pm at 46 Bradford St; rain date, August 28, 2021, between 6pm and 9pm.

David LaFrance of the Commons presented; highlighted the Commons as a place for creative collaborative work for small business and entrepreneurs, including artists, with space for six artist studios; artists' work is featured through openings such as the one here requested for a fashion show with 26 looks on a little larger scale than what is normally sponsored.

No public comments or letters.

RD asked per the alcohol which Mr. La France said is beer and wine only and the event free to the public; TIPS servers if, in fact, the alcohol is to be served.

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

Special Alcohol License

Petition from Melissa Yeaw, representing ***WOMR***, for a ***Special Liquor License*** for an event to be held on October 8, 2021 from 6pm to 11pm at 260 Commercial St.

Melissa Yeaw presented; said the concert is a benefit for WOMR honoring her late boyfriend, T. Gandolfo (T-Bird), the former Blues DJ at OMR; TIPS-certified bartenders are lined up for the show and the Chief of Police has signed off; beer and win only; will be rescheduled if Covid protocols dictate.

LB discussed cut-off time of 11:00pm where allowances can be made for inside at Town Hall.

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

Special Entertainment License

Petition from a petition from Gwynne Guzzeau representing the *Helping Our Women* for a **Special Entertainment License** for an event to be held on August 20, 2021 at **Patio American Grill**, at **328 Commercial Street**, between 12pm to 2pm. No rain date requested.

Gwynne Guzzeau, Director of HOW, presented; announced 17th annual event with over \$300,000 raised to support operations, programs and overall annual budget; said they will be following all Covid protocols at the mostly outdoor venue.

No public comments or letters.

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

Special Entertainment and Special Alcohol Licenses

Petition from Blythe Frank and Christine Barker representing *Provincetown Film Society* for **Special Entertainment and Liquor Licenses** for events to be held on between July 29 and October 31, 2021 from dusk to 4pm at 1 MacMillan Pier. No rain dates requested.

LF announced that the item has been reworked and will appear at the August 10th agenda.

Public Statement

None.

Other Business

None.

Enforcement

None.

Code Compliance

None.

Amend/Transfer License

Transfer Lodging License

1. From ZZAZZ, Inc., Lovinger Nominee Trust mgr., d.b.a **Lotus Guest House** to Tonn Cao, mgr., d.b.a. **Lotus Guest House**, 296 Commercial St., Provincetown MA 02657

Tonn Cao presented; said closing is being pushed back a couple of weeks; 12-room guest house to run as usual with no changes, runs April through October, serves Continental breakfast.; three p/t staff including a manager; retail space below.

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

New License

Common Carrier

1. Art's Dune Tours #12 VIN# 1GNSKJE72CR326095; LV LV85000; Chevrolet Red Suburban 2012

Rob Costa, owner, presented; said he is replacing the old truck with a new model.

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

2. BeachBabes Butler VIN# 1C4BJWDG7FL711153; LVA5554 Jeep Black Wrangler 2015

Tori, co-owner, presented; said they are a new Town enterprise providing picnic service to guests at the beaches, including tables, chairs, umbrellas cabanas, pick-up and drop-off service utilizing their Jeep; National Seashore has granted written permission as they await their permitting; no alcohol service provided.

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

Vehicle for Hire

1. Ptown Taxi #667 – VIN# 1 2C4RC1CG9DR595519; LV LV85184; Chrysler Blue Town & Country Van 2013

Kevin Lindsay presented; said the vehicle is a replacement. LF reported that all paperwork is in order and that she will conduct a local inspection prior to license being secured.

Renew License

Art Gallery

1. Curtis Speer, mgr., d.b.a. **Cusp Gallery**, 115 Bradford St., Provincetown MA 02657
2. Packard Print Gallery LLC, Stephen Rome, mgr., d.b.a. **Packard Gallery 2**, 372 Commercial St., Provincetown MA 02657

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

Vehicle for Hire Operator

1. Shantia Crowl – Conway Cabbie

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

Correspondence

LF announced three letters on file; one involving a dispute between an owner and an employee which, she said, does not appear to be in the purview of the LB; other two concern suggestions for new Peditaxi regulations, which she said had been brought up previously at the LB meeting and which had been proposed for discussion next year. LF said new approved Peditaxi regs are online.

CD remarked that in the case of the first letter, it is a criminal offense to withhold wages and that the complainant can consult the District Attorney in Orleans for further assistance with their claim.

Per the Peditaxi address, RC said he would like to continue to gather more information but that the Board needn't get into another round of regulations as the season is half-through but that getting organized for next season would be a good. DG concurred, suggesting that the issue be taken up

perhaps in October with plans for next year; noted number of Pedi cab businesses in Town and that regulations would be helpful to manage all parties.

RD asked if the number of Pedi cab operators could be limited. LF replied that there are only two, currently, and, as such, didn't think this was a thing that could be lawfully regulated; mentioned the State regulates liquor licenses based on population counts, but that there is no limit on the number of restaurants or art galleries in Town. RD remarked on the high number of Pedi cabs which, he said, tend to clog the streets and traffic, of which LF said she fully understood the concern and that the enforcement and compliance is not necessarily an easy task.

RC recalled that the overall number of Pedi cabs was at issue from early on in the business and that, per former Licensing Agent, Aaron Hobart, suggestions were that intervention might come through the Police Department. LF said she could look into that but cautioned an increase in the series of incidents would no doubt be needed to prompt formal action by the PD. RC took up RD's talking point in questioning if the number of cabs on the streets could be looked into, to which LF said would probably warrant more justification to impose limitations and that any forthcoming issues with Pedi cabs will most likely come as the result of factors such as space and the marketplace.

Minutes

RC made a motion to approve the LB meeting minutes of July 13, 2021. DG seconded the motion and it passed, 4-0-0; DG, RD, CD, RC.

Old business

None.

New Business

LF reported that a new Alternate, Cass Benson, owner of Harbor Lounge, is waiting to be sworn in and expected to be in attendance at the next meeting.

Licensing Board Statements

None.

Licensing Agent Statements

LF announced that there are now a number of new Covid cases being reported and thanked businesses and license holders for their compliance in reaching out to keep the Town safe; said that new protocols to the current mandates may be coming if cases continue to rise and cautioned business owners to be prepared and stay informed.

DG made a motion to adjourn the meeting at 5:58pm. RD seconded the motion and it passed, 4-0-0; DG, RD, CD, RC.

Respectfully Submitted,
Jody O'Neil