



# Minutes

Of the Provincetown Licensing Board at 5:15 p.m. on **Tuesday, October 14, 2014** in the Auditorium, Town Hall, 260 Commercial Street.

**Members Present:** Frank Thompson, Deborah Heller, Vida Richter

**Staff Present:** Aaron Hobart, Rich Alves

## Meeting Agenda

### *Public Hearings*

#### **Revision the Licensing Board Rules & Regulations**

Hear the merit of revising the Provincetown Licensing Rules & Regulations as described below with vote to follow:

### **LICENSING BOARD RULES AND REGULATIONS**

#### **8.01 TAXICAB/LIVERY OWNERS**

- d) No taxicab or livery vehicle licenses 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 eight passengers riding in the vehicle, and the applicant provides a Certificate of Vehicle Insurance naming the Provincetown Licensing Board as the certificate holder.

**Motion to Approve by Deborah Heller. Second by Vida Richter. Approved 3-0**

#### **Special Liquor Licenses**

Petition from Heather Reed, representing *Water's Edge Theater*, for a **Special Liquor License** for an event to be held on **October 15, 2014** from 7 to 8:30 p.m. at 237 Commercial St.. No rain date requested.

Heather Reed and Kelly Gilpatrick

Discussion about an event tomorrow evening at the Theater. Director of Film 'True Love' Wristbands will be used with TiPS certified bartender. 70 attendees and 7 staff/volunteers Will come earlier next time there is an event

**Motion to Approve by Vida Richter. Second by Deborah Heller. Approved 3-0**

## ***Amend License***

### **Lodging**

1. Thomas G. Shirk, d.b.a. **The White Porch Inn.**, 7 Johnson St. Provincetown, MA 02657 to correct the number of rooms on their lodging license.  
**Motion to continue by Vida Richter. Second by Deborah Heller. Approved 3-0.**

## ***New License***

1. **GoGo Ptown Transit:** Reg#LV67326, VIN#1GMDX13E23D108607, Brown Pontiac Montana Van  
Ryan Hartman-Neal representing GoGo P-Town Transit  
*Vida recuses herself from conversation*  
Ryan discusses his transportation service. Gratuity only in town. Fares out of town.  
Hoping for another car for next summer as back-up if car is out of service  
Discussion regarding regulations and no fare service  
Frank: undercuts competition. It would interfere with legitimate  
Discussion regarding Love End Timez Taxi.  
Ryan: no interest in taxi service. Will remain livery. Hours of 10 a.m. to 10 p.m.  
Discussion about gratuity system and no suggesting gratuity amounts  
Vida: no service in the off season relies on street hails because there are no people  
Deborah: do you have insurance that will cover?  
Ryan: yes I have insurance on myself  
Deborah: confused about system.  
Ryan: I will be following the regulations. No advertising about the system that I'm running.  
People who need rides on a regular basis.  
Discussion about rate card. Rate card would be carried in the livery vehicle.  
Discussion about drivers  
Inspection by the police happened this week.  
**Motion to Approve by Deborah Heller. Second by Frank Thompson. Approved 2-0-1**
2. **Linda Miano**, Peddler license to operator on Commercial St.  
Linda Miano represents herself  
Discussion about Merchandise to be sold  
Discussion about how peddler's license works  
Discussion about selling in stores wholesale  
**Motion to Approve by Vida Richter. Second by Deborah Heller. Approved 3-0.**
3. Tom Sharp Designs, LLC, Tom Sharp mgr., d.b.a. **Tom Sharp Designs**, 145 Commercial St. Provincetown, MA 02657

## ***Other Business***

1. Discussion with Stephen Rome, applicant to the Licensing Board  
***Applicant failed to appear***
2. Discussion with the Harbor Hotel regarding an extension to their 30 day allowed closure with regards to their liquor license.  
Christopher Snow and Michael Doherty representing Harbor Hotel  
Discussion about repairs on-going at the Hotel. Overall project about 3 million dollars with \$288,000 this winter.  
Unable to finish repairs last year during the closure last year.  
Not an attempt to evade the winter but to be more attractive during the winter

Creation of a meeting room for winter retreats. HVAC system needs repair which would make it difficult to function.

Hoping to make an attractive off-season destination for travelers and mini-conventions

Potential added room tax to the town in the long term

Frank: What did you get done last year?

Michael: we did bathrooms in the last year. Trip Adviser comments stated a need to fix bathrooms. We did so and now don't see that complaint.

Deborah: do you have a guarantee with your contractor that March 27<sup>th</sup> is reasonable?

Michael: larger projects will be tackled second.

Discussion about opening date and restaurant opening dates

Frank: do you think this will resolve all your problems? Will you be back next year?

Michael: we are trying to get all the large items off the list first.

Christopher: we can't guarantee we won't be back next year.

Licensing Agent suggests keeping Anne Howard, building inspector in the loop to keep the board updated on the progress.

**Motion to Approve the Extension of the allowed 30 day closure to March 26<sup>th</sup>, 2015 by Deborah Heller. Second by Vida Richter. Approved 3-0.**

3. Discussion with Pedicab company owners regarding capping the number of pedicabs on the street at one time.

Max Cliggot-Pert, owner of B&E Pedicab company representing

Discusses on-going discussion between pedicab companies regarding capping the number of cabs.

I currently have 2 of the 10 cabs in town.

Here for safety and worker profitability reasons.

Suggested number to cap at is 14. Discusses reasons for that cap number.

Allows for expansion and for another company to come in.

Frank: I think there are too many pedicabs on the street as it is.

Deborah: we just had a conversation about a free market economy

Frank: I want to allow for other companies to come in.

Other owners could not get out of work tonight.

Vida: we should have this discussion with all owners.

Discussion regarding a work session with all owners.

Frank: many questions that need answering.

Date for work session will be set.

4. Discussion regarding the Common Victualer License

5. Discussion with Licensing Board regarding the change in Package store hours from noon on Sundays to 10 a.m. which goes into effect October 26, 2014.

## ***Public Statements***

### ***Renewal License***

#### **Outdoor Artist**

1. **Margaret Reynolds**, 3 Winthrop St. Provincetown, MA 02657

**Motion to Approve by Deborah Heller. Second by Vida Richter. Approve 3-0**

**Transient Vendor**

1. Landsquares, Inc., Timothy Downey, mgr., d.b.a. **Free Town Map**, 6 Tiny's Way, Provincetown, MA 02657  
**Motion to Approve by Vida Richter. Second by Deborah Heller. Approved 3-0**

**Lodging**

*Frank discloses he is a neighbor of Carpe Diem Guesthouse*

**Motion to take items 1 through 5 as a group by Deborah Heller. Second by Vida Richter. Approved 3-0**

1. Carpe Diem, Inc., Rainer Horn, mgr., d.b.a. **Carpe Diem Guesthouse**, 12 Johnson St. Provincetown, MA 02657
2. Carpe Diem, Inc., Rainer Horn, mgr., d.b.a. **Carpe Diem Guesthouse**, 14 Johnson St. Provincetown, MA 02657
3. Bulleta Services, LLC, Peter Bullis, mgr., d.b.a. **The Captain's House**, 350A Commercial St. Provincetown, MA 02657
4. Sanborn Enterprises, Robert Sanborn, mgr., d.b.a. **Prince Albert Guest House**, 166 Commercial St. Provincetown, MA 02657
5. Sanborn Enterprises, Robert Sanborn, mgr., d.b.a. **Officer's Quarters**, 164 Commercial St. Provincetown, MA 02657  
**Motion to Approve group by Vida Richter. Second by Deborah Heller. Approved 3-0**

**Art Gallery**

1. Hutson Gallery, Inc., Mary Feeley, mgr., d.b.a. **Hutson Gallery**, 432 Commercial St. Provincetown, MA 02657  
**Motion to Approve by Deborah Heller. Second by Vida Richter. Approved 3-0**

**Weekday & Sunday Entertainment**

1. Lower Cape Communications, Inc., John Braden, mgr., d.b.a. **WOMR**, 494 Commercial St. Provincetown, MA 02657  
**Motion to Approve by Vida Richter. Second by Deborah Heller. Approved 3-0**

**Correspondence**

**Minutes**

**Motion to Approve minutes of August 26<sup>th</sup> by Deborah Heller. Second by Vida Richter. Approved 3-0**

**Motion to Approve minutes of September 9<sup>th</sup> by Deborah Heller. Second by Vida Richter. Approved 3-0**

**Enforcement**

Noise complaints at two events, one at the monument and one at Town Hall last weekend. Decibel reader was 51 at the Police Station and 59 near events, which does not constitute a violation

Discussion about baseline for decibel readings.

## **Code Compliance**

### **Old Business**

Discussion regarding article to be presented by Licensing Board at Fall Town Meeting regarding an increase in the Licensing Bylaw fine structure with vote.

Discussion regarding the article as written to be presented at Town Meeting. An increase in licensing violation fines from \$50 to \$100 first offense/\$200 second offense/\$300 subsequent offenses.

Frank: cheaper to take a fine than to get licensed. This would bring the fines in line with other violations in the General Bylaws.

**Motion to Approve Article 9 as worded for presentation at town meeting by Debora Heller. Second by Vida Richter. Approved 3-0**

Discussion regarding Holiday Meeting Schedule. Meeting is currently scheduled for December 23<sup>rd</sup>.

Discussion regarding 2<sup>nd</sup> meeting in November as a must attend liquor renewal meeting.

### **New Business**

#### ***Licensing Board Statements***

Deborah: Discusses the recording of meeting and presentation on PTV be noticed where it can be seen. That late arrivals be reminded that they are on TV. Sign in Judge Welsh does not mention that recording will be on PTV

#### ***Licensing Agent Statements***

Discussion about event at Anchor Inn. The applicant sent their application to their lawyer in Boston. When it arrived at Licensing it was after the posting date for tonight's meeting. They should not have an event this week with liquor as they did not get licensed. 2 attempts to contact them via phone went unanswered.

**Motion to Adjourn by Deborah Heller. Second by Vida Richter. Approved 3-0 6:37 p.m.**