



Minutes

Of the Provincetown Licensing Board Public Meeting on **Tuesday, June 28, 2016** at 5:15 p.m. in the Judge Welsh Room, Town Hall, 260 Commercial Street.

Members Present: Frank Thompson, Barrett Alley, Michelle Foley, Shawn Byrne

Staff Present: Aaron Hobart, Richard Alves, Nikolay Velchev

Meeting Agenda

Special Entertainment License

Petition from Zachary Luster, representing **Ciro & Sal's** for a **Special Entertainment Licenses** at 4 Kiley Court on July 1, 8, 15, 22 & 29 and August 5, 12, 19 & 26, 2016. No rain date requested.

Withdrawn by Licensee

Letter read

Request to Take Harbor Hotel Public Hearing out of order. Motion by Michelle Foley. Second by Shawn Byrne. Approved 4-0

Change of Manager

Petition from Sean Archer, representing **The Harbor Hotel** for a **Change of Manager** at 698 Commercial St., Provincetown, MA.

Sean Archer representing The Harbor Hotel

Jim Shichta is not the Director of Operations

License is no seasonal

Motion to Approve by Michelle Foley. Second by Barrett Alley. Approved 4-0

Special Entertainment & Liquor Licenses

Petition from Johnny Lin, representing **GLAD**, for a **Special Entertainment and Liquor License** for an event on July 30, 2016 from 4 to 7 p.m. at the Pilgrim Monument, Provincetown, MA. No rain date requested.

Johnny Lin and Stephanie Lowe representing GLAD

35th annual summer party at the Pilgrim Monument with Kate Clinton as auctioneer

Catered by Above & Beyond catering

They are TiPS certified and they have been the caterers for the past 10 years

Description and diagram presented to the board

Motion to Approve by Michelle Foley. Second by Barrett Alley. Approved 4-0

Noise By-law Waiver

Petition from John DeSouza, representing *The Pilgrim Monument* for a **Noise By-law Waiver** for an event on August 23, 2016 from 4 p.m. to 9 p.m. at 1 High Pole Rd., Provincetown, MA. No rain date requested.

Motion to move to the end of Public Hearings by Shawn Byrne. Second by Michelle Foley.
Approved 4-0

Motion to Continue by Michelle Foley. Second by Shawn Byrne. Approved 4-0

Special Entertainment License

Petition from Jef Hall-Flavin, representing *Provincetown Tennessee Williams Theater Festival* for a **Special Entertainment License** at 132 Bradford St. on September 22-25, 2016 from 12 p.m. to 10 p.m. No rain dates requested.

Jef Hall Flavin and Ken Apert representing Tennessee Williams Festival
132 Bradford is Riley's T-Shirt shop

2 shows will be at this location. Specialize in location specific theater.

Jackie Kelley speaks as an abutter. Looks forward to the Festival and non-conventional venue. Organizers have presented a plan that is respectful to the neighbors. I am in favor of both their applications.

Letters of support read into the record.

Motion to Approved by Michelle Foley. Second by Barrett Alley. Approved 4-0

Special Entertainment License

Petition from Jef Hall-Flavin, representing *Provincetown Tennessee Williams Theater Festival* for a **Special Entertainment License** at 9 Ryder St. Ext. on September 22-25, 2016 from 12 p.m. to 10:30 p.m. No rain dates requested.

Jef Hall Flavin and Ken Apert representing Tennessee Williams Festival
Tennessee Williams and Eugene O'Neil. We will do O'Neill at the boathouse on Cabral Pier.

Motion to Approve by Michelle Foley. Second by Shawn Byrne. Approved 4-0

Regulation Changes

8.00 TAXICAB/LIVERY REGULATIONS

8.01 j) No vehicle will be licensed as a ~~taxicab or livery vehicle~~ that carries more than the number of passengers which it is insured for and that number shall not exceed 8 total passengers (including the driver) for a taxicab and 15 total passengers for a livery vehicle (including the driver).

8.02 TAXICAB OPERATORS

b) The applicant must have a valid U.S. driver's license and present a copy to the Licensing Agent upon filing application.

Discussion regarding regulation change

Proposal for adding requirement for out-of-state driving record

d) Driver's with an out of state driver's license must provide corresponding driver's history from their corresponding state.

**Motion to Approve regulations changes with the amendment by Shawn Byrne.
Second by Michelle Foley. Approved 4-0**

Public Statements

Sarah Johnson speaks as a person interested in driving for Uber. Full time resident who owns property and would like to work in town. Would work year round. Works great to earn a living and work during the hours that are available to the driver.

Discussion regarding starting your own business or working for a company in town.
Discussion about reopening discussion in the off-season.

Barbara Ives speaks regarding Uber. Uber driver picked up a fare in her store. Quick easy money and he was leaving that evening. Spoke with other taxi owner who said they would end up laying off drivers because of out of town Uber Drivers.

Discussion about the impact of out of town driver's for Uber/Lyft on local cab companies.

Motion to place Uber discussion on an agenda in September by Frank Thompson. Second by Barrett Alley. Approved 3-1

Other Business

Code Compliance

Warnings issued to: Klymaxx Unlimited, Kiehl's, Toys of Eros, Century, French Feelings, Cape Tip Sports, B.Xclusive, Room 68, Julie Tremblay Gallery, Quintessential Cape Cod, Marine Specialties, Roots Home & Garden, Garden Renovations, and Doggie Styles

Discussion regarding licensing early in the off-season before the end of the year.

Amend License

New License

Outdoor Artist

1. William Karlen

Retail

1. Barbara Ives, mgr., d.b.a. **Christof's**, 237 Commercial St., Provincetown, MA 02657
Barbara Ives representing Christof's
Open since 2000. Did not get license in 2014 or 2015. Is licensed this year.
Partner died in 2013 at Christmas and had hard time afterwards
Did not license. Was a full time caregiver and just let things slide.
Licensed and inspected in 2016
Frank: please keep it up-to-date
2. Ptown Love Shack, LLC, Adam Singer, mgr., d.b.a. **Adam's Nest**, 379 Commercial St., Provincetown, MA 02657
Adam Singer representing Adam's Nest
Carrying t-shirt, art, jewelry, etc.
Used to be a small photo gallery. Purchased property in March
3. Kenneth Scott, LLC, Kevin Bente, mgr., d.b.a. **Kenneth Scott**, 368 Commercial St., Provincetown, MA 02657
Scott Bente representing Kenneth Scott
Happy to be here now.

Located where Yates & Kennedy was previously

4. Ptown Purl, LLC, Ryan Cooke, mgr., d.b.a. **Purl**, 349 Commercial St., Provincetown, MA 02657
5. Michael Walczak, mgr., d.b.a. **Studio 17**, 237 Commercial St., Provincetown, MA 02657
6. Provincetown Bike Rentals. 136 Bradford St.
Located where the Provincetown Florist was
Discussion about traffic in that area
Discussion about multi-person rental bike and how they can be driven on Commercial St.
Discussion about pedicab regulations and traffic on Commercial St.
Owner is instructing them to go only one way. Gives them a route to take.

Renewal License

Art Gallery

Motion to take as a group by Michelle Foley. Second by Shawn Byrne. Approved 4-0

1. John Burrows, mgr., d.b.a. **JR Burrows & Co.**, 89 Bradford St., Provincetown, MA 02657
2. Guy J. Barbarulo, Jr., mgr., d.b.a. **Sixty Special Home**, 145 Commercial St., Provincetown, MA 02657
3. Donald German, mgr., d.b.a. **Ray Wiggs Gallery**, 432 Commercial St., Provincetown, MA 02657

Motion to Approve group by Michelle Foley. Second by Shawn Byrne. Approved 4-0

Common Carrier

1. **Mayflower Trolley**: REG#BU38788, VIN#3FCMF53G7TJA10260, 1996 Green/White Ford Molly Bus; REG #BU38786, VIN #3FCMF53G2VJA17216, 1997 Brown Ford Molly Bus; Reg #BU38786, VIN #3FCMF53G2VJA17216, 1997 Brown Ford Molly Bus;

Motion to Approve by Michelle Foley. Second by Shawn Byrne. Approved 4-0

Parking Lot

1. Rod's Service Station, Inc., Mark Silva, mgr., d.b.a. **Rod's Service Station**, 42 Conwell St., Provincetown, MA 02657

Motion to Approve by Michelle Foley. Second by Barrett Alley. Approved 4-0

Correspondence

Minutes

Motion to Approve minutes of 6/14 by Michelle Foley. Second by Barrett Alley. Approved 4-0

Enforcement

ABCC was in town but can't report anything yet.

Re: Uber drivers. They have been cooperative. They shut down the app immediately. The others disappear soon after talking to the first. I have never seen the same person or vehicle twice. I tell them they can't conduct business in town. They can drop here. They have been told by Uber Cape Cod that Provincetown is open to work.

Discussion about spotting Uber vehicles.

Old business

Discussion about TiPS training session with Caryn Lawrence

Discussion about Code Compliance

Going to start slowly with items that Nikolay will be working on

Will build up the number of regulations he works on as the season moves forward

New Business

Licensing Board Statements

Shawn: TiPS training was great

Licensing Agent Statements

Motion to Adjourn by Barrett Alley. Second by Michelle Foley. Approved 4-0 6:23 p.m.