



Minutes

Of the Provincetown Licensing Board Public Meeting at 5:15 p.m. on **Tuesday, February 10, 2015** in the Town Hall Auditorium, Town Hall, 260 Commercial Street.

Members Present: Frank Thompson, Kristin Hatch, Michelle Foley, Stephen Rome, Regina Binder

Staff Present: Aaron Hobart

Meeting Agenda

Public Hearings

New Wine & Malt Liquor License

Petition from James A. Foley, representing ***Far Land on the Beach LLC***, d.b.a. Far Land on the Beach for a ***New Seasonal Wine & Malt Package Store License*** at 6 Provincelands Rd., Provincetown, MA.

James Farley and Thomas Boland representing Far Land Provisions

Discusses 2014 season. Series of 90 one-day permits used to get through the season with liquor service.

Discusses corporate restructuring and desire to obtain a package store license

Discussion of history of service at Herring Cove. Service from 4 to close (8:30 p.m.)

No service during the day time hours.

Regina discusses that the Park Service is on board with the liquor service.

Motion to Approve by Kristin Hatch. Second by Michelle Foley. Approved 4-0

Noise By-law Waiver

Petition from Bill Sykes, representing ***National MS Society*** for a ***Noise By-Law Waiver*** on June 28, 2015 at 3 Jerome Smith Rd., Provincetown, MA. No rain date requested.

Motion to Continue by Kristin Hatch. Second by Michelle Foley. Approved 4-0

Amendment to Innholder License

Petition from Rick Murray, representing ***The Crown & Anchor*** for an ***Amendment to their Innholders License*** at 243-249 Commercial St., Provincetown, MA.

Kristin recuses herself

Discussion regarding delay in amendment due to Department of Community Development audit of seating and gallons.

Discussion of licensed premises and whether outdoor seating area is included in ABCC approved area of service

Motion to Approve by Regina Binder. Second by Michelle Foley. Approved 3-0-1

Special Liquor License

petition from Richard Conley, representing ***Watership Inn***, at 7 Winthrop St. for a ***Special Liquor License*** for an event to be held on **February 20, 2015** from 6 p.m. to 8 p.m. No rain date requested.

Richard Conley representing The Watership Inn

Discusses event. VBeer only with TIPS certified bartender. Security in place. 8th annual event, but 6th time they have had this event.

Motion to Approve by Michelle Foley. Second by Regina Binder. Approved 4-0.

Change from Wine & Malt to All Alcohol Liquor License

Petition from Lorraine Najjar of ***Najar's, Inc.***, d.b.a. Lorraine's Restaurant, for a ***Change from Seasonal Wine & Malt to Seasonal All Alcohol License*** at 338 Commercial St., Provincetown.

Motion to continue by Kristin Hatch. Second by Michelle Foley. Approved 4-0

Amendment to Common Victualer License

Petition from Cesar Gerena of Ross' Grill, LLC, d.b.a. ***Ross' Grill***, for an ***Amendment of their Common Victualer License*** at 237 Commercial St., Provincetown.

Motion to continue by Kristin Hatch. Second by Regina Binder. Approved 4-0

Stephen Rome enters the room

Alteration of Premises, Change of d/b/a and Amendment to Common Victualer License

Petition from Devon Ruesch, representing ***Fishy Delishy, Inc.*** d.b.a. Devon's Deep Sea Dive for an ***Alteration of Licensed Premises, change of D/B/A and amendment to their Common Victualer License*** at 31 Bradford St., Provincetown, MA.

Devon Ruesch representing Devon's Food Bar

Discussion regarding changes in the layout and to the name

No change in seating totals. Moving 10 floor seats to the new bar

Discussion regarding adding a bar and keeping food service.

Motion to Approve by Regina Binder. Second by Stephen Rome. Approved 5-0

Transfer of License

Amended Licenses

New Licenses

Art Gallery

1. Donald German, mgr., d.b.a. ***Ray Wiggs Gallery***, 432 Commercial St., Provincetown, MA 02657

Ray Wiggs and Donald German representing Ray Wiggs Gallery

Discussion regarding art to be sold at the gallery

In space previously held by Lyman-Eyer Gallery

Standard hours.

Discussion regarding openings and the containment of wine within the establishment

Discussion regarding open containers and public drinking in Provincetown

Kristin: Galleries should self-police

Motion to Approve by Kristin Hatch. Second by Michelle Foley. Approved 5-0

Other Business

Discussion with Pedicab Company owners regarding proposal to limit the number of pedicabs licensed in Ptown

Bruce Van Allen and Charlie Hamilton representing Ptown Pedicab

Proposal presented to the licensing board.

Discussion of proposal

Charlie: other cities have had problems with too many pedicabs. Pedicabs are rented to operators and in the end it hurts the drivers. Promotes bad behavior by drivers.

Bruce: we don't intend to bring in more bikes.

Stephen: have there been issues here in town?

Charlie: No, but city's like Austin had to regulate the problem after it became an issue. There were problems in San Diego, and New York as well as Boston

Stephen: Your comparisons are very different than Provincetown

Discussion regarding Provincetown vs. larger cities

Charlie discusses how Ptown Pedicabs conduct business. Collect a portion of what riders make.

Discussion of regulations and the way the system currently works in Provincetown.

Charlie: protecting against a fleet operator coming in from Florida (for example) with a large number of bikes. Protecting against a large number of bikes, not a local person with 3 bikes.

Charlie: we only run all 8 bikes on Saturday nights in the Summer or Carnival.

Discussion regarding number of bikes and what proposed limit should be

Kristin: discussion regarding quotas for taxis and pedicabs.

Regina: I would like to see this move forward before the Spring.

Kristin: I think when that conversation happens we should craft it and have the taxi cabs in mind. That will be the next.

Discussion with Joon regarding an extension to their 30 day allowed closure.

Audrey Mostaghim representing Joon.

Closing on February 15th and hoping to stay closed until April 1st.

Doing minor work. Not changing seats. Trying to make space more ergonomic.

Building banquetts. Refinishing floors. Changing lighting.

Regina: all your contractors are lined up?

Audrey: I have asked them to finish by April 1st. If not I will reopen as is. Looking to lower chairs.

Kristin: many times people abuse it and try to make their business seasonal with extensions

Motion to Approve closure to April 1st by Regina Binder. Second by Stephen Rome.

Approved 5-0

Public Statements

Renewal Licenses

Lodging

Frank discloses he is a neighbor of the White Porch and will abstain.

Motion to take items 1-3 and 5-6 as a group by Kristin Hatch. Second by Regina Binder.

Approved 5-0

1. Inn at 7 Central, Inc., Cory Conley, mgr., d.b.a. ***Inn at 7 Central***, 7 Central St., Provincetown, MA 02657
2. Masthead, Inc., John Ciluzzi, mgr., ***Masthead Cottages***, 31 Commercial St., Provincetown, MA 02657

3. RevereHouse, LTD., Gary A. Palochko, mgr., d.b.a. **Revere Guest House**, 14 Court St., Provincetown, MA 02657
4. White Porch Inn, LLC, Thomas Shirk, mgr., d.b.a. **White Porch Inn**, 7 Johnson St., Provincetown, MA 02657
5. Anchor Inn, LLC, Michael Zeppieri, mgr., d.b.a. **Anchor Inn**, 175 Commercial St., Provincetown, MA 02657
6. Ranchwood, LLC, Robert LaPlume, mgr., d.b.a. **Crews Quarters**, 198 Commercial St., Provincetown, MA 02657

Motion to Approve group by Kristin Hatch. Second by Stephen Rome. Approved 5-0

Motion to Approve license of White Porch Inn by Regina Binder. Second by Kristin Hatch. Approved 4-0-1

Art Gallery

1. Sandra L. Haunstrup, mgr., d.b.a. **Simie Maryles Gallery**, 435 Commercial St. Provincetown, MA 02657

Motion to Approve by Kristin Hatch. Second by Regina Binder. Approved 4-0-1

Correspondence

Minutes

Motion to Approve Minutes of January 13th by Michelle Foley. Second by Kristin Hatch. Approved 5-0

Enforcement

Code Compliance

Old Business

Frank: watched the Board of Selectmen's meeting with Economic Development for Ross' Grill with stipulation that they maintain their annual license. With that in mind I would like to know what is going on in the East End at the Harbor Hotel. I'd like to send Anne Howard to check in on the work being done.

Discussion regarding seasonal vs. annual licensing. Discussion regarding work to be done.

New Business

Kristin: nice to see everyone and

Stephen: sorry for being late.

Regina: traveling most of February but could phone in to a work session

Licensing Board Statements

Licensing Agent Statements

Discussion about plans to implement Accela Software

Discussion regarding work session on Thursday at 4 p.m.

Discusses what a cap on licenses will do to monetize a business

Motion to Adjourn by Kristin Hatch. Second by Michelle Foley. Approved 4-0. 7:43 p.m.