

Minutes

of the Town of **Provincetown Licensing Board Meeting** Tuesday, July 13, 2004 in the Judge Welsh Hearing Room, 260 Commercial Street.

Present: Hunter O'Hanian (Chairman), Nick Robertson (Vice Chair and Clerk), John Foley, Irene Rabinowitz, Cassandra Benson and Elizabeth Hartsgrove (Licensing Agent)

Excused: Absent: Others Present:

Public Statements

- Steve Melamed – Wanted to know why the Provincia, located at Fisherman's Wharf, was in operation without town licenses.

Special Licenses

1. To hear a petition from **Provincetown Business Guild** for:

Special All Alcohol License

Carnival event on August 17, 2004 from 3PM-5: 30PM at The Watership Inn, 7 Winthrop St.

Represented by Richard Connolly and James Foss. Steve Melamed spoke in favor of application. No one wrote or spoke against application.

Motion to approve, by Irene Rabinowitz Seconded by John Foley. Passed 5-0

2. To hear a petition from Paul Flamand representing **Magic4Marketing, Inc**, for

Special Entertainment License

Concerts to be held at the Town Hall Auditorium, 260 Commercial St., Monday August 16th thru Wednesday August 18th, 2004. No rain date requested.

Represented by Paul Flamand.

Postponed till July 21, 2004 at 3PM due to abutters not notified by certified and return receipt.

3. To hear a petition from Jane Graham representing **Volvo North America**, for

Special Entertainment License

To be held at the Ryder Street Beach, Saturday July 31st and Sunday August 1st, 2004 from 10A.M. to 6P.M. Rain dates requested: August 21st and 22nd.

Represented by Steve Melamed. No one wrote or spoke in favor or against applicant.

Motion to approve, by John Foley Seconded by Cass Benson. Passed 5-0

New Licenses

Common Victualler

1. TLC Fish Corporation, INC., Chris Townsend mgr d.b.a. **Townsend Lobster & Seafood Market**, 9 Ryder Street Ext.

Represented by Chris Townsend. No one wrote or spoke in favor or against applicant.

Motion to approve by John Foley Seconded by Nick Robertson. Passed 5-0

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Fortune Teller

1. Sierra – Lauren d.b.a. **Sierra's Psychic Readings**, 372 Commercial St.

Motion to approve, by Cass Benson Seconded by Nick Robertson. Passed 5-0

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Taxi Cab Operator

1. Sigmund Mallard, Queen Cab, Provincetown

Motion to approve, by Cass Benson Seconded by John Foley. Passed 5-0

2. Melissa Jones, Queen Cab, Provincetown

Motion to approve, by Irene Rabinowitz Seconded by Nick Robertson. Passed 5-0

3. Anthony Hale, Cape Cab, Provincetown

Motion to approve, by Irene Rabinowitz Seconded by John Foley. Passed 5-0

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Taxi Cab

1. Ryan Hartman-Neal d.b.a. Queen Cab Co, 9A Conwell St, 1999 Hyundai Sonata Sedan, VIN# KMHWF25S6XA046124

2. Ryan Hartman-Neal d.b.a. Queen Cab Co, 9A Conwell St, 2000 Hyundai Elantra Sedan, VIN# KMHJW35F5YU153524

Motion to approve 1 and 2, by Irene Rabinowitz Seconded by John Foley. Passed 5-0

Pedicab Operator

1. Gavin Thomas, P-Town Pedicab

Motion to approve, by John Foley Seconded by Irene Rabinowitz. Passed 5-0

2. John Dickson, P-Town Pedicab

Motion to approve, by John Foley Seconded by Irene Rabinowitz. Passed 5-0

3. Morgan Wheeler, P-Town Pedicab

Motion to approve, by John Foley Seconded by Nick Robertson. Passed 5-0

4. Thomas Czyoski, P-Town Pedicab

Motion to approve, by Nick Robertson Seconded by Irene Rabinowitz. Passed 5-0

5. Michael Hickey, P-Town Pedicab

Postponed till July 27th meeting.

Discussion

1. Provincetown Hospitality LLC, Elaine Quigley mgr d.b.a. **Surfside Inn**, 543 Commercial St.

Represented by Atty. Lester J. Murphy and Elaine Quigley. The Board requested at the January 13th, 2004 meeting for the license holder to come back and notify them the progress of the "flag system" for service at the pool area. Ms. Quigley stated the flag system has alleviated noise from private excess drinking. No one spoke in favor or against the system in place. The Licensing Board feels comfortable with the system and congratulated the license holder for working hard to make it work and comply with abutter's concerns.

2. Scruples, Inc., Johnny Pak mgr d.b.a., **Burger Mary's**, 149 Commercial St.

Represented by Johnny Pak. The Licensing Board requested the license holder to come in for a discussion due to multiple noise complaints. Mr. Pak stated that he was at the establishment the times the complaints were called in, and it was mainly due to patrons coming in and out of the establishment causing the door to be propped open. He also stated that he had placed foam padding behind the speakers to eliminate excess noise. The licensing board felt that the license holder was in compliance with the noise, and was putting effort into elimination of excess noise. Though, the Licensing Board requested for the Building Department to determine whether the foam placed behind the speakers was fire proof or not.

Renewal License

Taxi Cab

1. Ryan Hartman-Neal d.b.a. Queen Cab Co, 9A Conwell St, 1997 Dodge Caravan, VIN#104GP44R1VB310550

Motion to approve, by Irene Rabinowitz Seconded by John Foley. Passed 5-0

Lodging

1. Atwood Inn, Ltd., G. Bruce Head III, mgr d.b.a. **Atwood Inn**, 4 Atwood Ave.

Motion to approve, by Cass Benson Seconded by John Foley. Passed 4-1. Hunter O'Hanian voted against application due to license holder waiting till July to renew license, three months after opening of Guest House.

Correspondence

- Email from Town Counsel – 6/29/04, re: Art Openings and Wine.

The Licensing Board would like to have a portion of their Rules and Regulations addressing this issue to reduce confusion in the future.

- Multiple correspondences from Atty. Chris Snow and Police Chief Ted Meyer. Re: Perry's Liquors
- Letter from Patricia Pajaron, Provincetown Health Inspector – 6/25/04 re: Burger Mary's.
- Reminder from Licensing Agent to Taxi Companies – 7/6/04 re: Fares
- Notice to Crown and Anchor from Licensing Agent – 7/6/04 re: Licensing Board amendment to entertainment hours back to 1AM.
- Letter from Licensing Agent to Post Office Restaurant – 7/7/04 re: no minimum alcoholic beverage requirement.
- Code Compliance Report – 7/13/04

The Board requests a letter be written to the Crown and Anchor regarding the multiple violations and incident by a guest of theirs.

Board requests a letter written to the Governor Bradford to inform them of incidents occurring outside their establishment.

Minutes – June 22, 2004

Motion to approve as written, by Nick Robertson Seconded by Cass Benson. Passed 5-0

Licensing Board Statements

Licensing Agent Statements

Other Business – any other business, which shall properly come before the board.

Motion to adjourn 6:45 P.M.

Licensing Board Approval:

Hunter O'Hanian, Chairman

Nick Robertson (Clerk and Vice-Chair)

John Foley

Irene Rabinowitz

Cassandra Benson