

Minutes of the August 27, 2002 Licensing Board Meeting

The Provincetown Licensing Board convened its meeting on Tuesday, August 27, 2002 at 5:00 p.m. in the Judge Welsh Room of Town Hall. Present were Chair Hunter O'Hanian, and members Keith Brickel, Diana Robertson, John Gagliardi and Mitchell Baker. Also present were Assistant Town Manager Mark Latour and several members of the public.

Public Statements: None

Special Entertainment Licenses

1. **Petition from William Miller representing Café Blasé at 328 Commercial Street , for their annual Drag Brunch to be held on Thursday August 29th from 2:00 P.M. to 5:00 P.M at Café Blasé, 328 Commercial Street. Rain date of Friday, August 30th, 2002 requested.** Mr. Miller was not present at this time, so this item was moved to the bottom of this evening's agenda.
2. **Petition from Chris Nutile representing Excellence Productions for a special entertainment license for a concert to be held on Sunday, September 1st 8:00 PM – 10:00 PM at the TOWN HALL AUDITORIUM, 260 Commercial Street. No rain date requested.** Chris Nutile was present and discussed cabaret style seating, the expectation of 600 attendees, and discussed that this is a benefit for the AIDS Support Group of Cape Cod. There was a discussion of how to handle long lines in front of Town Hall. Chris said he would wrap the line around Town Hall and would let attendees in one half hour early to prevent crowds from forming outside the doors. Chris produced proof that he had notified abutters and passed this on the Licensing Board. Mitchell Baker made a motion to grant this license. John Gagliardi seconded. The vote was 5 in favor and 0 against.
3. **Petition from Kay Halle representing The Women Innkeepers of Provincetown, for a special entertainment license for their annual prom to be held on Saturday October 19th from 9:00 P.M. to Midnight in the Auditorium of Town Hall, 260 Commercial Street. No rain dates requested.** Kay was present and she passed the green cards on to the Licensing Board and discussed the event, which is a tradition. Mitchell Baker made a motion to grant this license. Diana Robertson seconded. The vote was 5 in favor and 0 against.

New Licenses

1. **Taxi Operator Michelle Orman, Provincetown** (Cape Cab). Michelle was not present. Diana made a motion to grant Michelle this license subject to a finance department review. Mitchell Baker seconded. The vote was 4 in favor and 1 (Brickel) against.
2. **Taxi Operator Albert Pisani, Provincetown** (P.T. Cab). Albert was not present, and his file did not include a copy of his drivers license. Mitchell Baker made a motion to table this item until the file is more complete, with a finance department review and a copy of the drivers license. Diana Robertson seconded. The vote was 5 in favor and 0 against.

Amend License

Transient Vendor 1 Edward Steblin d.b.a. **Small Temptations**, relocate Reflections Gallery from 89 Bradford Street to 306 Commercial Street, and change name of Small Treasures located at 306 Commercial Street to Small Temptations (consolidation).

Ed Steblin was present. He said the store is moving to where "Details" used to be near Lopes Square. Keith Brickel made a motion to amend the license as requested. Mitchell Baker seconded. The vote was 5 in favor and 0 against.

Other Business

The Mermaid Brunch. Jay Critchley was present and he explained that the event is to take place at the Bas Relief on Sept 7, 2002 from 1pm to 3:30pm. Grilled food and salad will be served to 600 Swim for Life

participants and friends with music, comedy by Zoe Lewis, etc.

Jay indicated that the public notice related to this event had been hand delivered to abutters by Beth O'Rourke earlier in the day (August 27, 2002).

Jay had received a copy of the abutters list from the Town.

Jay had applied to the town for this license in late March, 2002, in hopes of getting an early start on this.

Jay indicated that he still needs a food permit and a sign permit.

Keith Brickel indicated that no one had ever hand delivered notices before, that this was unacceptable, and that he was unanimous in this.

Keith also asked how the abutter in Washington DC could be notified.

The Licensing Board agreed to table this item to Tuesday September 3, 2002, when they would have another meeting. It was felt that this would give Jay time to notify the abutters by certified mail.

Float Space 3W. Peter Borelli of the Center for Coastal Studies and John Woods were both present. Peter indicated that Float Space 3W is licensed to John R. Woods Inc, and that Napi's company (Van Derek Inc) owns 100% of this company.

The application for float space 3W is for calendar 2002. The proposal is for John Woods' fishing vessel (the Dixie 2) to berth on the north side of float space 3W this year, and for either of the CFCS research and rescue vessels (the Shearwater or the Gannett) to berth on the south side of float space 3W. CFCS's vessels are involved in whale rescue operations.

Last year the Dixie 2 berthed on the north side and a whale watch vessel berthed on the south side.

Diana made a motion to issue a license renewal for Float Space 3W for 2002 with the Dixie 2 on the north side, and the Shearwater or Gannett on the south side, with the float to be removed at the end of November. The motion was seconded by John Gagliardi. The vote was 5 in favor and 0 against.

John Woods and Peter Borelli indicated they would come back in the autumn to ask permission to keep the float in through the winter.

Correspondence

Diana read and discussed correspondences related to: Float Space 3W; the Town's "No Place for Hate" Initiative; a letter from ABC related to criminal records checks; and the hate crimes working group.

Mitchell Baker made a motion for the Licensing Board to become a co-sponsor of the "No Place for Hate" initiative. John Gagliardi seconded. The motion passed with 5 in favor and 0 opposed.

Diana then discussed noise complaints related to the A-House, the Squealing Pig; and the Boat Slip. The Licensing Board took no action on these.

Diana then discussed noise complaints against Chasers Bar at 293 Commercial Street dating from August 20 and 24, 2002. Mr. O'Hanian asked for more information on these complaints, and asks to be provided with police reports on these by the time of the next Licensing Board meeting.

Café Blasé – Drag Bingo

Tom Acone, a manager of Café Blasé spoke. He said this is a fundraiser for the Aids Support Group of Cape Cod. He said the B Girls, Varla Jean and other acts will be there. Licensing Board members raised questions about abutter notification and had no green cards and no reason to think that abutters had been notified. Because of this notification problem, they were unwilling to grant a special entertainment license for the drag brunch. No motion was taken. It was mentioned that the Library had had some problems with this event in the past. It was also stated that PBG had no involvement in this proposed event this year. Tom was told by the Licensing Board that he could have the drag brunch, but that Café Blasé must stay within the terms of its existing license, and that it would not receive a special entertainment license for the drag brunch.

The Licensing Board did not believe that Café Blasé had live entertainment as a part of its existing license, without which amplified or acoustic entertainment would not be permitted.

Licensing Board members noted that the application only said "drag brunch" with no reference to entertainment.

Likewise, even an auction may be outside the scope of Café Blasé's license.

Minutes

Diana made a motion to approve the minutes of the Licensing Board's August 13, 2002 meeting as amended. Keith Brickel seconded. The vote was 5 in favor and 0 opposed.

Licensing Board Statements: Diana indicated that we need to look at organizers who advertise events long before they obtain permission from the Town to hold these events. Keith indicated that if individuals and groups advertise events a month or two ahead of time, that they should have their licenses even before that. It was discussed that ABCC denied the transfer of the Boatslip license due to alleged unpaid State taxes. It was stated that Michelle Orman's taxi license should not be released prior to a finance department review for outstanding taxes..

Licensing Agent Statements: None.

Other Business – any other business, which shall properly come before the board. There was no more other business.

Motion to Adjourn: 6:30 PM by Diana Robertson. All consented.

Licensing Board Approval:

Hunter O'Hanian, Chair

Keith Brickel (Vice Chair)

Diana Robertson (Clerk)

John Gagliardi

Mitchell Baker

John Foley

These minutes were formally approved by the licensing board by a 4 to 0 vote at their meeting on 9-10-02.