

Minutes of the Town of Provincetown Licensing Board Regular Meeting Tuesday, June 26, 2001 in the Department of Regulatory Management Meeting Room Meeting Room

Present: Hunter O'Hanian (Chairman), Keith Brickel (Vice Chairman), Diana Robertson (Secretary), Jack Kelly, John Gagliardi (alternate), Mitchell Baker (Alternate), Greta Holman (Licensing Agent), **Excused** none, **Absent** none, **Others Present:** none / John Gagliardi will be voting in this meeting

CONVENED: 5:00 p.m.

ADJOURNED: 6:50 p.m.

Meeting Agenda

Public Hearing

As per our meeting on March 27, 2001, Mr. Dieu Tran is returning to discuss his options regarding his outdoor dining and his licenses upon receipt of the judge's decision of his appeal of the ZBA decision. Dieu Tran came to discuss that he has decided to appeal the courts decision to the SJC. Neva Hansen was there to oppose any action that would allow any use of the outdoor seating.

The board took no action at this time.

To hear a petition from Michael Trovato representing **Kelsey's Diner**, 73 Shankpainter Road, to request a change in hours of service on their Common Victuallers License. Represented by Michael Trovato. No one spoke or wrote in favor or against this applicant.

Motion to approve by Jack Kelly Seconded by Diana Robertson Vote 5-0 Passed

Special Licenses

To hear a petition from Terry Catalano representing **Outer Cape Auctions**, 8 Pearl Street, Provincetown, for a Special Entertainment License for a Antique and Collectible auction to be the Provincetown Inn, 1 Commercial Street on Wednesday, July 25th from 10:00 A.M. till 2:00 P.M. for preview and 2:00 P.M. till 6:00 P.M. for the live auction with no rain date. No one spoke or wrote in favor or against this applicant.

Motion to approve by Diana Robertson Seconded by Keith Brickel Vote 5-0 Passed

To hear a petition from Deirdre Moynihan representing **the National Multiple Sclerosis Society** for a Special Entertainment license for a DJ & recorded music at Motta Field on Winslow St on July 1st, 2001 from 7:00 A.M. till 5:00 P.M., music to start at 10:00 A.M. No rain date requested. Represented by Laura Nadulsky. Rick Longley spoke in favor no one spoke opposed. Peter Grosso asked many important questions.

Motion to approve by Keith Brickel Seconded by Jack Kelly Vote 5-0 Passed

To hear a petition from Rick Longley representing **Wellfleet Harbor Actors Theater (WHAT)**, for a special entertainment license for concert to be held Sunday July 29th from 4:00 P.M. to 10:00 P.M. at the Auditorium at Town hall, 260 Commercial Street. No rain dates requested. Hunter O'Hanian and Mitchell Baker stepped down from the board for this applicant. Hunter O'Hanian spoke in favor of the application. No one spoke against this applicant.

Motion to approve by John Gagliardi Seconded by Diana Robertson Vote 3-0-1 Passed (Keith Brickel)

Hunter O'Hanian and Mitchell Baker rejoined the board.

To hear a petition from Adam Weinstock representing **Creative Concepts Productions**, for a special entertainment license for comedy and music, to be held on Aug 4th & 5th, Aug 11th & 12th, Aug 18th & 19th and Aug 25th & 26th from 7:00 P.M. to 12:00 Midnight at the TOWN HALL AUDITORIUM, 260 Commercial Street. No rain dates requested. No one spoke or wrote in favor or against this applicant. Diana Robertson stepped down on this applicant.

Motion to approve by Keith Brickel Seconded by John Gagliardi Vote 5-0 Passed

Diana Robertson rejoined the board

To hear a petition from Catherine Clark representing **Boston Gay Men's Chorus** for a special entertainment license for concert, to be held on July 28th, 2001 from 8:00 P.M. to 10:00 P.M. at the at the TOWN HALL AUDITORIUM, 260 Commercial Street. No rain date requested. No one spoke or wrote in favor or against this applicant.

Motion to approve by Jack Kelly Seconded by Keith Brickel Vote 5-0 Passed

To hear a petition from Mark Latour, Assistant Town Manager, representing **the VFW** for a Special Entertainment license for a live band at the Lewis A. Young Post #3152, Inc. VFW, 3 Jerome Smith Road on July 4th, 2001 from 10:00 A.M. till 4:00 P.M. A special parking license for the open field owned by St Peters Church Cemetery on Winslow Street from 9:00 AM till 5:00 P.M. No rain date requested

Motion to approve by Keith Brickel Seconded by Diana Robertson Vote 5-0 Passed

Public Statements

Agenda Item

To hear from Metin Unal d.b.a. ***Temp Henna Tattoo Art***, 276 Commercial Street to approve the number and size of his display area. No one spoke or wrote in favor or against this applicant.

Motion to approve display as shown on the photograph by Diana Robertson Seconded by Jack Kelly Vote 5-0 Passed

New License

Parking lot

1. John Yingling d.b.a. ***170 Commercial Street Realty Trust Parking Lot***, 170 Commercial Street. No one spoke or wrote in favor or against this applicant. Represented by Tom Conklin.

Jack Kelly stepped down from the board for this applicant.

Motion to approve by Diana Robertson Seconded by John Gagliardi Vote 5-0 Passed

Jack Kelly rejoined the board.

Transient Vendor

- 1 Denny Camino d.b.a. ***Mema Studio***, 237-241 Commercial Street Unit 30. No one spoke or wrote in favor or against this applicant.

Motion to approve by John Gagliardi Seconded by Keith Brickel Vote 5-0 Passed

Taxi operator

- 1 Robert Taylor, Truro
- 2 Janet K Smith, Provincetown

Motion to approve # 1 by Diana Robertson Seconded by Keith Brickel Vote 5-0 Passed

Motion to approve #2 by Keith Brickel Seconded by Diana Robertson Vote 4-0-1 Passed (Keith Brickel)

Taxi Cab

- 1 Valerie Martin d.b.a. ***Cape Cab***, 1996 Ford Wagon, Green #1FALP58S6TA106064

Motion to approve by Diana Robertson Seconded by Keith Brickel Vote 5-0 Passed

License Renewals

Common Victualler with Entertainment

- 1 ESF, LTD. d.b.a. ***Esther's***, 186 Commercial Street

Represented by Ellen Freeman and Nancy Correia. They discussed the progress of the property. No one spoke or wrote in favor or against this applicant.

Motion to approve a temporary license for the lower area of 41 seats and their outside 20 seats contingent upon receipt of a temporary certificate of occupancy from Building Commissioner Warren Alexander by Diana Robertson Seconded by Jack Kelly Vote 5-0 Passed

Lodging House

- 1 The estate of Florence Corea d.b.a. ***Corea's Guest House***, 5 Cottage Street
2. John Barnett d.b.a. ***Shiremax Inn***, 5 Tremont Street

Keith Brickel and John Gagliardi stepped down from these applicants, Mitchell Baker will vote.

Motion to approve both by Mitchell Baker Seconded by Diana Robertson Vote 4-0 Passed

Keith Brickel and John Gagliardi rejoined the board.

Parking Lot

- 1 The estate of Florence Corea d.b.a. ***Florence Corea Parking Lot***, 5 Cottage Street

Motion to approve by Diana Robertson Seconded by John Gagliardi Vote 5-0 Passed

Taxi Operator

- 1 Anthony M. Levorce, Provincetown

Motion to approve by Diana Robertson Seconded by Keith Brickel Vote 5-0 Passed

Outdoor Artist-Henna Tattoo

1 Del Craig d.b.a. **Henna Tattoos**, 190 Commercial Street
Motion to approve by Diana Robertson Seconded by John Gagliardi Vote 5-0 Passed

Correspondence

Minutes –June 12, 2001

Motion to approve as amended by Diana Robertson Seconded by Keith Brickel 5-0 Passed

Licensing Board Statements

Licensing Agent Statements

OTHER BUSINESS – ANY OTHER BUSINESS WHICH SHALL PROPERLY COME BEFORE THE BOARD

MOTION TO ADJOURN 6:50 (KEITH BRICKEL)

Licensing Board Approval:

Hunter O'Hanian , Chairman

Keith Brickel (Vice-Chair)

Diana Robertson (Clerk)

Jack Kelly

Mitchell Baker

John Gagliardi