

# Town of Provincetown LICENSING BOARD minutes

Special Meeting Tuesday, May 25, 1999 in the Judge Welsh Meeting Room

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CONVENED: 5:00 p.m. ADJOURNED: 7:30 p.m.

PRESENT: Adam Erenberg, Keith Brickel, Jack Kelly, Jane Hee, Hunter O'Hanian  
EXCUSED: None absent

**Public Hearing** - To hear a petition for a new food vendor license for Harry's Farmstand, Inc., Shari H. Kadison, d.b.a. Harry's Farmstand at 68-70 Shank Painter Road, Provincetown, MA. Shari Kadison represented Harry's Farmstand, Inc. No one spoke in favor and no one spoke against granting the license. Motion to grant by Hunter O'Hanian seconded by Keith Brickel passed 5-0

## I. Public Statements

- Tom Boland requested a special meeting be scheduled to hear a petition for a new parking lot by Clem and Joe's, Inc. at a date to be specified in a letter which he will send to the Board
- Mary Lou Monks requested a special meeting be scheduled on June 11 to hear a petition for a new parking lot by the United Methodist Church
- Roberta Pearlman indicated that she was unable to process her license prior to the agenda being posted but all is in order; she requested the Board consider her renewal under Other Business

## II. Special Entertainment Licenses

1. Provincetown Repertory Theatre, Inc. for theater performances at the Pilgrim Monument and Provincetown Museum, from June 15<sup>th</sup> - September 11<sup>th</sup> inclusive excluding Mondays. Stephen Nofield represented Provincetown Repertory Theater, Inc; motion to grant by Hunter O'Hanian seconded by Keith Brickel passed 5-0
2. Provincetown Repertory Theatre, Inc. for a concert at Town Hall on August 28, 1999 from 7:00 p.m. to 12:00 midnight; Barbara Cook performing Stephen Nofield represented Provincetown Repertory Theater, Inc; motion to grant by Hunter O'Hanian seconded by Jack Kelly passed 5-0
3. Provincetown International Film Festival for film screenings at the Schoolhouse Center of Art and Design on Saturday, June 19 noon until 11:00p.m. and Sunday, June 20, 1999 from noon to 8:00 p.m. Motion to grant by Keith Brickel seconded by Jane Hee passed 5-0

## III. New Licenses

### A. Transient Vendors

1. Doug Marr d.b.a. **The Doug Marr Gallery** at 134 Commercial Street  
Motion to grant by Jane Hee seconded by Hunter O'Hanian passed 5-0

## IV. License Renewals

### A. Transient Vendors

1. Christopher H. Sands d.b.a. **Frenchware** at 283 Commercial Street
2. Robert Clibbon d.b.a. **Robert Clibbon Gallery** at 120 Commercial Street
3. Jill Odice d.b.a. **The 3<sup>rd</sup> Eye at Phoenix Rising** at 192 Commercial Street
4. Christopher Pearson d.b.a. **Pearson's Studio** at 359 Commercial Street  
Motion to grant the above listed transient vendor license renewals by Hunter O'Hanian seconded by Jane Hee passed 5-0

### B. Common Victualer

1. Scruples, Inc. d.b.a. **Burger Mary's** at 149 Commercial Street

2. Blasé, Inc. d.b.a. **Café Blasé** at 328 Commercial Street

Motion to grant the above listed common victualer license renewal by Hunter O'Hanian seconded by Keith Brickel passed 5-0

Adam Erenberg stepped down for lodging house renewals

### C. Lodging Houses

1. Lovinger Nominee Trust d.b.a. **Lotus Guest House** at 296 Commercial Street

2. William Turnier and Bernard MacKey d.b.a. **Chancellor Inn** at 17 Center Street

3. John Barnett d.b.a. **Shiremax Inn** at 5 Tremont Street

4. Florence Corea d.b.a. **Corea's Guest House** at 5 Cottage Street

Motion to grant the above listed lodging house license renewals by Jane Hee seconded by Keith Brickel passed 4-0

Adam Erenberg returned to the meeting.

### D. Parking Lots

1. **Charles Silva** at 57 Shank Painter Road

Adam Erenberg expressed a concern regarding the visibility traveling from Court Street to Shank Painter Road when the Silva Parking Lot is full. Some Board discussion followed. Hunter O'Hanian moved that the license renewal be approved with the condition that the view from court street to shank Painter Road not be obstructed by parked cars. Seconded by Jane Hee passed 3-2 (Jack Kelly and Keith Brickel opposed)

2. **St. Peter the Apostle Church** at 11 Prince Street

Motion to grant by Hunter O'Hanian seconded by Jane Hee passed 5-0

### E. Fortune Teller

1. Carolyn Miller d.b.a. **The 3<sup>rd</sup> Eye at Phoenix Rising** at 192 Commercial Street

2. **Sybil Catherine Eli** at 299 Commercial Street

Motion to grant the above fortune teller license renewals by Jane Hee seconded by Hunter O'Hanian passed 5-0

### F. Taxi Cabs

1. Richard Macara owner **Mercedes Cab Co., Inc.**- modify one license to read "Black and White" Mercedes and renew a license for 1a second cab

Motion to grant by Hunter O'Hanian seconded by Jane Hee passed 5-0

Keith Brickel excused himself momentarily

### G. Taxi Operators

1. Juliet Demeter of Provincetown

Motion to grant by Keith Brickel seconded by Jane Hee passed 3-0-1 abstention (Jack Kelly)

### V. Float Spaces

1. Amendment of **Float Space 8W**, Peter Pannoni, Jr., Provincetown to add approval for the **Panda Power III** to tie up at Float Space 8W in conjunction with **Two If By Sea**.

Keith Brickel returned to the meeting.

Motion to grant by Jane Hee seconded by Hunter O'Hanian passed 5-0

### VI. Correspondence -none

### VII. Minutes –May 18, 1999

Motion to adopt minutes as submitted by Keith Brickel seconded by Jane Hee passed 4-0-1 abstention (Hunter O'Hanian)

### VIII. Licensing Board Statements

**Jack Kelly** questioned whether the Board should be placed in a situation of affecting public safety versus presenting a hardship to the licensee – what takes precedence?

**Hunter O'Hanian** questioned the Tom Boland's public statement – if he was asking to have his license heard prior to the ZBA appeal period ending, then Hunter was not in favor of this.

**Adam Erenberg** spoke of a concern about one of the taxi operators (Isaac Jamar); **Hunter O'Hanian**

referenced a near-miss involving the same operator; the Board agreed to invite Mr. Jamar to our next meeting to discuss some concerns regarding his driving.

Keith Brickel voiced a concern regarding the Silva parking lot issue that was raised – he believes it should be resolved prior to next year’s licensing.

IX. **Licensing Agent statements**

Upcoming DRMCC meeting topics will include voting for a committee chair – the Licensing Board agreed to have Jane Hee (representative) nominate Anne Howard. The Board also identified some concern regarding ZBA decisions and asked that these be addressed with the ZBA and invite them to share in a workshop to discuss the concerns.

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

A. Valerie Martin for license swap to newer cab and to add another cab.

Motion to grant by Hunter O'Hanian seconded by Jane Hee passed 5-0

B. Roberta Pearlman d.b.a. ***East End Gallery*** for approval of transient vendor license

Motion to grant by Hunter O'Hanian seconded by Jane Hee passed 5-0

**LICENSING BOARD APPROVAL:**

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Adam Erenberg, Chairman Hunter O'Hanian, Vice-Chair

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Jane Hee, Clerk Keith Brickel

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Jack Kelly