



# Minutes

of The Provincetown Licensing Board Public Meeting on **Tuesday, May 10, 2011** at 5:15 p.m. in the Judge Welsh Meeting Room, Town Hall, 260 Commercial Street.

**Present:** Kristin C. Hatch, AJ Petras, Michael Senger, Mindy Baransky, George Young (5:32)

## ***Public Hearings***

### **Special Entertainment License – Continued from April 12, 2011 Meeting**

1. Petition from Andra Oshinsky, representing ***Family Equality Council*** for **Special Entertainment Licenses and Noise By-Law Waivers** for events to be held from July 31, 2011 to August 5, 2011 at Bas Relief Park, Provincetown, MA. No rain dates requested. David Schermacher discusses events.

**Motion to approve by AJ Petras. Seconded by Michael Senger. Approved 4-0.**

### **New Annual All Alcohol General on Premise and Entertainment License – Continued from April 26, 2011 Meeting**

2. Petition for an **Annual All Alcohol General on Premise and Entertainment License** from Erin Barrepksi, representing BLER, Inc. d.b.a. **The Underground**, 293 Commercial St., Unit F, Provincetown, MA.

The floor plan and description have been corrected. Resumes and business plan were also submitted. Discussion regarding Special Permit Conditions: Band limited to four members. Discussion regarding food service. Food service has been prohibited in the past – AJ Petras states that disposal of food is a concern. Licensee would need to consult with Jane Evans to determine if food service would be allowed and what would be required. AJ Petras also suggests sound proofing insulation to reduce noise. There were five speakers in favor of approval of the application. 25 letters in support of approval and one letter in opposition.

**Motion to approve by AJ Petras. Seconded by Kristin C. Hatch. Approved 4-0.**

Michael Senger steps down.

### **Special Entertainment License**

1. Petition from Steve Bowersock, representing ***Bowersock Gallery*** for **Special Entertainment Licenses** for live musicians and performances to be held during certain art exhibits at 373 Commercial St. from May 27, 2011 to November 25, 2011. No rain dates requested. Steve Bowersock explains that the performances will take place during Friday art openings from 7 pm to 9 pm. In order to enhance the openings. Mr. Bowersock stated that he had a great response when he did it two years ago, so he decided to do it again.

**Motion to approve by George Young. Seconded by Mindy Baransky. Approved 5-0.**

Michael Senger returns.

2. Petition from Brandon Motta, representing **Provincetown Recreation Department** for a **Special Entertainment License** for an event to be held at the Skate Park on Jerome Smith Rd. on Saturday, September 3, 2011 from 10 a.m. until 3 p.m. Rain date Sunday, September 4, 2011. Brandon Motta and Wesley Menevass discuss event. This is the fifth year of the event. EMTs will be on site. Board Stiff donates prizes.

**Motion to approve by AJ Petras. Seconded by George Young. Approved 5-0.**

### **New License**

Michael Senger discloses he owns a gallery

#### **Art Gallery**

1. Gary Marotta d.b.a. **Gary Marotta Fine Art, G1**, 432 Commercial St., #G1, Provincetown, MA.

Gary Marotta will be selling paintings, drawings, and photographs of artists from New Orleans and New York City. Mr. Marotta has been a private dealer for two New York artists for 15 years.

**Motion to approve by George Young. Seconded by AJ Petras. Approved 4-0-1.**

### **Transient Vendor**

1. Gary Star d.b.a. **Terrapins**, 237 Commercial St., Provincetown, MA.

Terrapins will be a 70's boutique. Mr. Star has been doing business in Upstate New York, North Carolina, and Colorado for 12 years.

**Motion to approve by George Young. Seconded by Michael Senger. Approved 5-0.**

### **Taxicab**

1. Sabrina Hash d.b.a. **Jody Jr.'s Taxi**, 242 Bradford St., Provincetown, MA. Reg. #TA25234, 1998 White Dodge Caravan.

Sabrina Hash has lived in Provincetown for four years and has driven for Jody Conklin for one year. Ms. Hash will work together for large parties. She plans to have one livery vehicle and one taxicab. George Young reiterates the difference between a livery vehicle and a taxi and that livery vehicles may not park in taxi stands.

**Motion to approve by George Young. Seconded by Michael Senger. Approved 5-0.**

### **Taxi Operator**

1. John C. Adams – driving for Mercedes. Mr. Adams has lived in Provincetown for 44 years. George Young gives the taxi vs. livery reminder.

**Motion to approve by George Young. Seconded by Michael Senger. Approved 5-0.**

2. Russell Sours – driving for Mercedes. Mr. Sours has lived in Provincetown for 11 years. The difference between livery vehicles and taxis is reiterated.

**Motion to approve by Mindy Baransky. Seconded by Michael Senger. Approved 5-0.**

### **Pedicab Operator**

1. Kelly Safreed-Harmon

**Motion to approve by AJ Petras. Seconded by George Young. Approved 5-0.**

## ***Amend License***

### **Hours of Operation**

1. Petition from Vincent Duarte to amend the business hours of operation to 2 a.m. at **Adam's**, 252 Commercial St., Provincetown, MA.

**Motion to continue to May 24, 2011 meeting by AJ Petras. Seconded by George Young. Approved 5-0.**

## ***Renewal License***

George Young steps down. AJ Petras discloses he is on board of the Elephant Walk in Condo Association.

**Motion to take two lodging renewals together by Kristin C. Hatch. Seconded by AJ Petras. Approved 4-0.**

### **Lodging**

1. West End Inn, Ltd, Warren Lefkowich, mgr. d.b.a. **West End Inn**, 44 Commercial St., Provincetown, MA.

2. Howard Weiner d.b.a. **Howard's End Guest House**, 5 Winslow St., Provincetown, MA.

**Motion to renew by AJ Petras. Seconded by Mindy Baransky. Approved 4-0.**

### **Innholder**

1. Cape Colony Inn, LLC, Jack Still, mgr. d.b.a. **Cape Colony Inn**, 280 Bradford St., Provincetown, MA.

**Motion to renew by Michael Senger. Seconded by Mindy Baransky. Approved 4-0.**

George Young returns.

### **Common Victualer**

1. Tiny's Local Food, Inc., Kristyn Samok, mgr. d.b.a. **Tiny's Local Food**, 336 Commercial St., Provincetown, MA.

**Motion to renew by Michael Senger. Seconded by George Young. Approved 5-0.**

2. BDB Café Mex Corp., Steven Hirschboeck, mgr. d.b.a. **Bid Daddy's Burritos Café Mex**, 205-209 Commercial St., Provincetown, MA.

**Motion to renew by George Young. Seconded by AJ Petras. Approved 5-0.**

## **Transient Vendor**

**Motion to take six transient vendor renewals together by Kristin C. Hatch. Seconded by Michael Senger. Approved 5-0.**

1. John Donahue d.b.a. **Cargo Hold**, 1 Commercial St., Provincetown, MA.
2. Cynthia Gast d.b.a. **The Shell Shop**, 276R Commercial St., Provincetown, MA.
3. Edel Byrne d.b.a. **Glass Gazebo**, 174 Commercial St., Provincetown, MA.
4. Thomas Antonelli d.b.a. **Antonelli Giardelli Gallery**, 416 Commercial St., Provincetown, MA.
5. Douglas Smart d.b.a. **Atlantic Accents**, 307 Commercial St., Provincetown, MA.
6. John Quigley d.b.a. **Native Arts**, 359 Commercial St., Provincetown, MA.

**Motion to renew by Kristin C. Hatch. Seconded by AJ Petras. Approved 5-0.**

**Parking Lot**

1. Irene Joseph d.b.a. **Godinho Parking Lot**, 35 Standish St., Provincetown, MA.  
**Motion to renew by Mindy Baransky. Seconded by Michael Senger. Approved 5-0.**

**Common Carrier**

1. Provincetown Trolley, Inc., Yvonne Cabral-Edwards, mgr. d.b.a. **Provincetown Trolley**, 37C Court St., Provincetown, MA.  
**Motion to renew by George Young. Seconded by Michael Senger. Approved 5-0.**

**Taxicab**

1. **Mercedes Cab**: Reg. #TA26431, 1981 White Mercedes Station Wagon.  
**Motion to renew by Michael Senger. Seconded by George Young. Approved 5-0.**

**Taxi Operator**

1. Jake Azer  
**Motion to renew by Michael Senger. Seconded by Mindy Baransky. Approved 5-0.**

**Pedicab Operator**

1. Robb Yates  
**Motion to renew by Michael Senger. Seconded by George Young. Approved 5-0.**

2. Mark Appel  
**Motion to renew by George Young. Seconded by Michael Senger. Approved 5-0.**

**Fortune Teller**

Michael Senger steps down.  
**Motion to take two fortune teller renewals together by Kristin C. Hatch. Seconded by AJ Petras. Approved 4-0.**

1. Marc Grab  
2. Larry Grab  
**Motion to renew by George Young. Seconded by Mindy Baransky. Approved 4-0.**  
Michael Senger returns.

***Minutes – April 26, 2011***

**Motion to approve with correction by AJ Petras. Seconded by George Young. Approved 5-0.**

**Enforcement**

**Code Compliance** – Discussion regarding email sent from Lieutenant Golden to taxi companies regarding livery vehicles being parked in taxi stands.

**Old business** – Update on Essentials – scheduled to appear before the Licensing Board at their May 24, 2011 meeting. Brief discussion regarding email correspondence received from Jill Vaughn.

**Motion to adjourn meeting by AJ Petras. Seconded by Michael Senger. Meeting adjourned 6:23.**