



# Minutes

of The Provincetown Licensing Board Public Meeting on **Tuesday, May 24, 2011** at 5:15 p.m. in the Judge Welsh Meeting Room, Town Hall, 260 Commercial Street.

**Present:** Kristin C. Hatch, Michael Senger, AJ Petras, George Young, Rebecca Matarazzi, Mindy Baransky, Scott Chovanec

## ***Public Hearings***

### **Special Entertainment, Special Wine & Malt, Noise By-Law Waiver**

1. Petition from David Mazochi, representing ***David Flower Productions, Inc.*** for a ***Special Entertainment License, Special Wine & Malt License, and Noise By-Law Waiver*** for an event to be held on Macmillan Pier on Monday, July 4, 2011 from 3 p.m. until 8 p.m. Rain date, Wednesday, July 6, 2011.

David Mazochi discusses the events for the July 4th Pier Dance. This is the 11th year of the event. Attendance is expected to be 500-700. Discussion of bar service, live DJ. Staffing, Security plan, Alcohol consumption, Noise issues, Police dept contact, Medical support.

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

### **Special Entertainment and Special Liquor Licenses**

1. Petition from Gemma Leghorn, representing ***Fine Arts Work Center*** for a ***Special Entertainment License and Special Liquor Licenses***, for events to be held at 24 Pearl St. on July 9, 2011 and August 20, 2011. No rain dates requested.

Margaret Murphy and Gemma Leghorn describe 2 events to be held at the Fine Arts Work Center. The event on July 9th is in it's second year and had some issues last year. In response to neighbor complaints the FAWC has acquired a police detail for 4 hours during load out this year. Neighbor Jackie Sperry read her letter and discussed last year's event and the process for this year. The narrowness of the roads and parking were discussed. Rebecca suggested a shuttle process for loading in and out to minimize impact on neighbors and FAWC agreed to discuss it with the caterers. Neighbor Tom Thompson expressed concern about tent capacity and emergency access and impact on the neighborhood.

**Motion to approve by Michael Senger. Seconded by Rebecca Matarazzi. Approved 4-0-1.**

## **Revision the Licensing Board Rules & Regulations**

The Provincetown Licensing Board will hold a Special Public Meeting at 5:15 p.m. on **Tuesday, May 24, 2011** in the Judge Welsh Room at Town Hall, 260 Commercial St., Provincetown, Massachusetts, to hear the merit of revising the Provincetown Licensing Rules & Regulations as described below:

## LICENSING BOARD RULES AND REGULATIONS

### 8.00 TAXICAB/LIVERY REGULATIONS

#### 8.01 TAXICAB/LIVERY OWNERS

No changes to a through q.

r) TAXI RATES:

No changes to 1.

2. Flat Rates:

- a) To or from Airport or Race Point Beach = flat rate of ~~\$7~~ \$8 per person.
- b) To or from other National Seashore = flat rate of ~~\$7~~ \$8 per person.
- c) To or from MacMillan Pier or Fishermen's Wharf = flat rate of ~~\$7~~ \$8 per person.
- d) All other fares in Provincetown = flat rate of ~~\$5~~ \$6 per person.
- e) \$60.00 hourly rate for taxis in Provincetown. (livery rates may be variable.)
- f) Senior rate \$5

No changes 3 through 7 or s through x.

#### 8.02 TAXICAB OPERATORS

- a) The applicant must have a valid Massachusetts driver's license and present a copy to the Licensing Agent upon filing application along with a copy of with their Criminal Offender Record obtained from the CORI Department of the Commonwealth of Massachusetts. The applicant agrees to provide his/her consent to allow the Provincetown Police Department, the Licensing Board, and/or the Licensing Agent the right to review and discuss his/her CORI report, if deemed necessary by the Chief of Police. The Licensing Agent will submit the application to the Provincetown Police Chief, or his/her agent. To be eligible for a new license or the renewal of a license, the applicant must meet the following requirements:

No changes b through d.

- e) Taxicab Operators, while on duty and operating a Taxicab, must ~~visibly post in the vehicle~~ carry a valid Provincetown Taxi Operators license on their person. And Upon request, produce a valid Massachusetts State Drivers license.

Raphael Richter speaks in support of proposed changes and the raise in taxi/livery rates. Kristin Hatch brings up the last change of not requiring that the Taxi/Livery operator and proposes including a picture on the license and requiring it to be posted. Chief Jaran thinks photos and posting are appropriate. Rates are discussed and established. Discussion ensued regarding Section 8.02 e on the posting operator licenses and whether to keep this section as current in the regulations. Kristin Hatch suggests keeping Section 8.02 e as it originally was.

**Motion to approve the changes to the regulations as amended by Kristin C. Hatch. Seconded by Michael Senger. Approved 5-0.**

### ***New License***

#### **Taxi/Livery**

- 1. **Jody Jr.'s Taxi:** (Livery Vehicle) Reg. #LV59394, 1999 Brown Crown Victoria.

**Motion to approve by AJ Petras. Seconded by Michael Senger. Approved 5-0.**

**Taxi Operator**

1. Selene Burke

Driving for Jody Jr.'s.

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

**Renewal License****Common Victualer**

1. Best Buns, Inc., Irvin Morgan, mgr. d.b.a. *Burger Queen*, 331 Commercial St., Provincetown, MA.

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

Michael Senger makes disclosure that he owns a gallery.

**Art Gallery**

1. Michelle Wojcik d.b.a. *Galería Cubana*, 357 Commercial St., Provincetown, MA.

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

**Transient Vendor**

1. Barbara Milstein d.b.a. *Chameleon*, 389 Commercial St., Provincetown, MA.

**Motion to approve by George Young. Seconded by Kristin C. Hatch. Approved 5-0.**

**Outdoor Artist**

1. Sam Smiley

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

**Parking Lot**

1. Charles W. Silva d.b.a. *Silva's Parking*, 57 Shank Painter Rd. and 70-74 Shank Painter Rd., Provincetown, MA.

**Motion to approve by AJ Petras. Seconded by Michael Senger. Approved 5-0.**

2. John Beauchamp d.b.a. *Kibbe Cook House Parking*, 466 Commercial St., Provincetown, MA.

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

**Motion by Kristin C. Hatch to take 4 pedicab operator renewals as one. Seconded by AJ Petras. Approved 5-0.**

**Pedicab Operator**

1. Mindy Parnes
2. Rositsa Zaimova
3. Svetlin Kozhuharov
4. Bertrand Boudier

**Motion to approve by Kristin C. Hatch. Seconded by George Young. Approved 5-0.**

**Motion by Kristin C. Hatch to take 4 taxi operator renewals as one. Seconded by AJ Petras Approved 5-0.**

**Taxi Operator**

1. Jules Glatzel
2. Stephen Wells
3. James Freeman
4. Justin Ives

**Motion to approve by Kristin C. Hatch. Seconded by Michael Senger. Approved 5-0.**

Michael Senger steps down.

**Fortune Teller**

1. Nick Marino

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

Michael Senger returns.

***Correspondence*** – Letter from ABCC regarding Provincetown population figures. Count is currently at 2,942.

***Minutes – May 10, 2011***

Licensing Agent will have minutes for the next meeting.

***Code Compliance*** – Rebecca Matarazzi steps down. Informal discussion with the owners of Essentials regarding possible licensing issues. Kristin Hatch addresses Jill Vaughn and Laura Lenza regarding noise and neighbors complaints. The dart competition does fall under entertainment, so they are not allowed to do that without having an entertainment license. They will not be doing any pogo competitions or darts. AJ Petras does not feel a need for major concern. Michael Senger agrees. Chief Jaran states that he spoke with Ms. Lenza previously and will not allow any disturbances. Rebecca Matarazzi returns.

***Licensing Board Statements*** - AJ Petras distributes a spreadsheet of all the food service establishments with liquor licenses who are required to do grease trap pumping.

**Motion to adjourn meeting at 7:05 p.m. by AJ Petras. Seconded by Rebecca Matarazzi.**