



Minutes

of the Provincetown Licensing Board Public Meeting on **Tuesday, July 12, 2011** at 5:15 p.m. in the Judge Welsh Meeting Room, Town Hall, 260 Commercial Street.

Present: Kristin C. Hatch, AJ Petras, Rebecca Matarazzi, Scott Chovanec
George Young (5:19)

Public Hearings

Special Entertainment/Special Liquor/Noise By-Law Waiver

1. Petition from Nick Robertson, representing the ***Provincetown Business Guild*** for ***Special Entertainment Licenses, Special Liquor License, and Noise By-Law Waiver*** for events during Carnival, to be held at Brass Key, 67 Bradford St. on Sunday, August 14, 2011, Bas Relief on Monday, August 15, 2011, and Watership Inn, 7 Winthrop St. on Tuesday, August 16, 2011. No Rain dates requested.

Nick Robertson presented information about the events, stating this is the longest running Carnival event. The VIP reception, with no entertainment or amplified sound, will run from 4-7 pm at the Brass Key with an anticipated attendance of 80-100 individuals. Rick Conley presented information about the Bas Relief at Watership Inn from 12 – 8pm with an anticipated attendance of 200-225 individuals. Amplified music and entertainers will be present during the event. Rebecca Matarazzi expressed concern about alcohol leaving the event site. Mr. Robertson stated that the area will be fenced off with a controlled entrance. Dancing will occur 4-8pm with wristbands identifying 21+, police detail will be present. No alcohol 12-4, however food, soda, and water will be served. Vendors may be approached to also attend, but details have not been confirmed. Staff will check on permits for retail. AJ Petras expressed concerns about the fixed dance floor on the grass. Mr. Robertson explained the requirements needed for a fixed dance floor. Petras expressed a need to consider costs to repair grass if damage occurs.

Motion to approve by Rebecca Matarazzi. Second by George Young. Approved 4-0.

AJ Petras discloses that he is a volunteer for the Film Festival.

Transfer Weekday & Sunday Entertainment Licenses – Continued from June 28, 2011 Meeting

1. Petition from Gabby Hanna to ***Transfer the Weekday & Sunday Entertainment Licenses*** located at 237 Commercial St. from Provincetown Cinema Company, Inc. d.b.a. Whaler's Wharf Cinema to The Provincetown Film Society, Inc. d.b.a. ***Waters Edge Theater***.

Petras informed Members that he does volunteer at the Theater.

Presenters included Jerry Anathan, Gail Williams, and John Yingling informing the Board the Film Society now owns Whaler's Wharf Cinema.

Motion to approve by Young. Second by Matarazzi. Approved 3-0-1.

George Young makes disclosure that he owns a guest house.

Transfer Innholder/Liquor/Entertainment Licenses

1. Petition to **Transfer Innholder/Liquor/Entertainment Licenses** from Witch Mountain, LLC d.b.a. Pilgrim House/Vixen to Pilgrim Heights, LLC, Diane G. DiCarlo, mgr. d.b.a. **Sage Inn & Lounge**, 336 Commercial St., Provincetown, MA.

Presenters: Karen dePalma, Diane DiCarlo, Jeanne Leszcynski. Attorney dePalma explained the applicant received title in March, 2011 and Ms. DiCarlo will be on-site manager. The applicant will continue to lease out to Witch Mountain until 12/31/11. The guest house will be taken over in September 2011. Rebecca Matarazzi suggested the applicant review Vixen files, which applicant stated was already done. The applicant expressed a change in guest house to include providing housing for interns, fellows, and visitors for the education community specifically during fall and off season.

Motion to approve by Rebecca Matarazzi. Seconded by AJ Petras. Approved 3-0-1.

Amend Entertainment License/Change D.B.A.

1. Petition from Christopher J. Snow, Esq., representing 698 Commercial Street Realty, LLC to **Amend the Entertainment License** and **Change the D.B.A.** to Harbor Hotel Provincetown/Cape Inn Resort/Whalers Lounge, 698 Commercial St., Provincetown, MA. Applicant requesting to continue to July 26, 2011 meeting, pending Zoning Board of Appeals approval on July 21, 2011.

Motion to continue to July 26, 2011 meeting by Kristin C. Hatch. Seconded by AJ Petras. Approved 4-0.

Public Statements

Scott, Cabots Candy would like to sell goods outside. Advised to speak with zoning Enforcement Officer.

New License

Outdoor Artist

1. Keith Amato

Mr. Amato has been selling artwork without a license even though he was informed by the Licensing Agent that a license was required in the spring.

Motion to approve license effective Sunday, July 17, 2011 by AJ Petras. Second by Rebecca Matarazzi. Approved 4-0.

Pedicab Operator

1. Dariya Trifonova

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

2. Boryana Kitova

Motion to approve by AJ Petras. Second by Rebecca Matarazzi. Approved 4-0.

3. Mariya Marinova

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

4. Samuel Nickell

Not in attendance.

5. David A. Clemons

Not in attendance.

6. Emil Cliggott-Perlt

Motion to approve by George Young. Second by Rebecca Matarazzi. Approved 4-0.

7. Alexis Casar

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

Taxicab/Livery

1. **Black & White:** Reg. #TA25104, 1998 Blue Mercury Grand Marquis.

Motion to approve by George Young. Second by Rebecca Matarazzi. Approved 4-0.

2. **Mercedes Cab Co.:** Reg. #TA153C, 1976 Red Mercedes Sedan

Motion to approve by Rebecca Matarazzi. Second by George Young. Approved 4-0.

3. **Cape Cab:** Reg. #LV59223, 1995 Brown Ford Cut Van.

Discussion regarding incident report concerning driver picking up guests as a shuttle at Harbor Hotel and stating that the shuttle was broken down with a flat tire. Mr. Richter stated he will look into the incident. No citation was issued for the incident.

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

Taxi Operator

1. Donald J. Podolski

Waiting for CORI – no action

2. Sarah Sater-Murray

Waiting for CORI – no action

3. Wendy Borgstrom

Motion to approve by Kristin C. Hatch. Second by Rebecca Matarazzi. Approved 4-0.

Transfer License

Lodging – Continued from June 28, 2011 Meeting

1. Transfer lodging license from Bernabe P. Orpillo to Four Columns, LLC, Michael Staz, mgr. d.b.a. ***The Secret Garden Inn***, 300A Commercial St., Provincetown, MA. Applicant requesting postponing until further notice.

Livery to Taxicab

1. **Pride Taxi:** Reg: #TA25102, 2003 White Dodge Caravan.

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

2. **Mercedes Cab Co.:** Reg. #TA152C, 1983 Brown Mercedes Sedan

Motion to transfer by Kristin C. Hatch. Seconded by Rebecca Matarazzi. Approve 4-0.

3. **Funkmobile:** Reg. #TA151C, 1997 Black Lincoln Towncar

Motion to transfer by Kristin C. Hatch. Seconded by George Young. Approved 4-0.

Renewal License**Pedicab Operator**

Motion to take three pedicab operator renewals together. Seconded by AJ Petras. Approved 4-0.

1. Ekaterina Levkova
2. Manuel Monti-Nussbaum
3. Deyan Aleksandrov

Motion to renew three pedicab operators by Kristin C. Hatch. Seconded by George Young. Approved 4-0.

Taxi

1. **Cape Cab:** Reg. #TA27021, 1999 Gray Chevy Astrovan .

Motion to renew by Kristin C. Hatch. Seconded by George Young. Approved 4-0.

Taxi Operator

1. Emerson Breneman

File not complete.

2. Thomas Clemons

Filed not complete.

Minutes – May 10, 2011

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

Minutes – May 24, 2011

Motion to approve by AJ Petras as amended. Second by Kristin C. Hatch. Approved 4-0.

Enforcement

6/26/11 – Pepe's, Squealing Pig, Governor Bradford, Twisted Sister were tagged by State for serving alcohol to persons underage. Scott Chovanec states that Neal Hennigan of Black & White Taxi was issued a fine for violation of taxi regulation. Detective Chovanec also states that over the July 4th weekend, two people were arrested at Vixen. Report of an assault at the Crown & Anchor – no charges filed.

Code Compliance – incident reports: Scott Chovanec discusses complaint on 6/28/11 at 11:00 & 11:28 provided hailed pick-up with livery plates. Noise complaint at Crown & Anchor – verbal warning.

New Business

Annual and seasonal definitions language and new fees for retail and transient vendors will be drafted by staff for Public Hearing.

Licensing Board Statements

AJ Petras commented on the good information regarding incident reports
Rebecca Matarazzi thanked Scott Chovanec, the police department and Police Chief on their efforts.

Motion to adjourn at 6:41pm by Rebecca Matarazzi. Seconded by AJ Petras. Approved 4-0.