



Minutes

of the Provincetown Licensing Board will hold a Public Meeting on **Tuesday, August 9, 2011** at 5:15 p.m. in the Judge Welsh Meeting Room, Town Hall, 260 Commercial Street.

Present: Kristen C Hatch, Michael Senger, AJ Petras, Scott Chovanec

Public Hearings

Special Entertainment License

The Provincetown Licensing Board will hold a Special Public Meeting at 5:15 p.m. on **Tuesday, August 9, 2011** in the Judge Welsh Room at Town Hall, 260 Commercial St., Provincetown, Massachusetts, to hear a petition from Jef Hall-Flavin, representing ***Tennessee Williams Theater Festival*** for a ***Special Entertainment License*** for events at 2 Gosnold St. from Thursday, September 22, 2011 to Sunday, September 25, 2011. No rain dates requested.

Kristin Hatch disclosed she will be the box office manager for the event and recused herself.

Jef Hall-Flavin provided a short overview of the event; mentioning his conversations with the abutters.

Motion to approve by AJ Petras, seconded by Michael Senger. Approved 2-0.

Revision the Licensing Board Rules & Regulations

The Provincetown Licensing Board will hold a Special Public Meeting at 5:15 p.m. on **Tuesday, August 9, 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

1.00 GENERAL RULES FOR ALL BUSINESSES

1.01 Definitions

- a) No change.
- b) The term "year-round" shall mean a business that operates no less than 11 months in a calendar year.
- c) The term "seasonal" shall mean a business that operates 10 months or less in a calendar year.

APPENDIX A

LICENSE FEES

<u>OTHER LICENSES</u>	
<u>Corporate Retail/Yr.-Round Retail/Transient Vendor</u>	275.00
	60.00

No changes to additional fees.

A question from Nancy Correa asked if this new fee would impact alcohol license fees. Kristin Hatch clarified this is only for Transient Vendors.

Motion to approve by Michael Senger, seconded by AJ Petras. Approved 3-0.

Public Statements

None

Motion by Michael Senger to take agenda item out of order – Amend License, seconded by AJ Petras. Approved 3-0.

Amend License**Change of Manager**

1. Change manager from Erin Barrepiski to Lacey Lymbertos, BLER, Inc. d.b.a. ***The Underground***, 293 Commercial St., Unit F, Provincetown, MA.

Nancy Correa, Esq. introduced Lacey Lymbertos, who reviewed her experience. Kristin C. Hatch commented on a recent sign posted outside The Underground. She noted the issue was taken care of quickly. AJ Petras asked a question about a new handbill he recently saw about the opportunity to deliver food to The Underground. Robert Lymbertos explained that this was an error and a correction was made. He reassured the Board members that no food would be in the establishment.

Motion to approve by AJ Petras, seconded by Michael Senger. Approved 3-0.

New License**Taxi Operator**

1. Michael J. Santos, Jr. - Driving for Pride Taxi

Motion to approve by Michael Senger, seconded by AJ Petras. Approved 3-0.

2. Paulette Cortes - Driving for Jody Jr.'s Taxi

Motion to approve by Michael Senger, seconded by AJ Petras. Approved 3-0.

Pedicab Operator

1. David Chick - Driving for PTown Pedicabs

Motion to approve by AJ Petras, seconded by Michael Senger. Approved 3-0.

2. Milena Ristovska - Driving for PTown Pedicabs

Motion to approve by Michael Senger, seconded by AJ Petras. Approved 3-0.

Common Carrier

1. Theresa Rozo d.b.a. ***Cape Cod Vintage Sidecar Tours***, 34 Conwell St., #5, Provincetown, MA.

Theresa Roza provided an overview of the project. A 50cc vintage unit will be used on a 12-mile route. A concierge permit has also been issued by the National Seashore. Only one person is allowed in the sidecar, another passenger could ride on the back of the bike.

Motion to approve by AJ Petras, seconded by Michael Senger. Approved 3-0.

Transfer License

Lodging

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 requested postponement of the license transfer.

Taxicab

1. **Jody's Taxi:** Reg. #TA25101, VIN #2FMZA5143YBC60028, 2000 Red Ford Windstar. Applicant not present. Staff to contact applicant to find out if she wishes to move forward.

Minutes – July 12, 2011

Motion by AJ Petras to approve as presented, seconded by Michael Senger. Approved 3-0.

Minutes – July 26, 2011

Motion by AJ Petras to approve as amended, seconded by Michael Senger. Approved 3-0.

Enforcement

Licensing Agent informed the Board that several citations have been issued. All the citations have been paid and licenses are being issued.

Kristin C. Hatch reviewed the state policy about retail stores providing demonstration classes using liquor. A retail store is not permitted to do so without a Special Liquor License.

Scott Chovanec reviewed written report regarding John Love providing illegal taxi service. Kristin C. Hatch suggested a show cause hearing be held with John P. Love to request an explanation of his activity. Discussion ensued.

Motion by AJ Petras to hold a show cause hearing with John Love to revoke, suspend, or modify his taxi operator's license for perceived violation of Licensing Board Rules & Regulations 8.01(a) and (b), seconded by Michael Senger. Approved 3-0.

AJ Petras asked for clarity regarding reports provided by Police Department. Scott Chovanec provided an explanation. Kristin C. Hatch and AJ Petras volunteered to meet with the Police Department staff to clarify reports the Board would like to view.

Motion to adjourn meeting at 6:13 by AJ Petras, seconded by Michael Senger. Approved 3-0.