



Minutes

Of the Provincetown Licensing Board Public Meeting on **Tuesday, July 28, 2015** at 5:15 p.m. in the Judge Welsh Meeting Room, Town Hall, 260 Commercial Street.

Members Present: Frank Thompson, Zachary Luster, Barrett Alley

Staff Present: Aaron Hobart

Meeting Agenda

Public Hearings

New Common Victualer License – *continued from previous meeting*

Petition from Stephen Rome, representing ***Kung Fu Dumplings***, for a new ***Common Victualer License*** at 293 Commercial St., Provincetown, MA.

Stephen Rome representing Kung Fu Dumplings

Stephen speaks about addition of outdoor seating and need for common victualer license

Zachary Luster recuses himself from the vote

Motion to Approve by Barrett Alley. Second by Frank Thompson. Approved 2-0-1

Special Entertainment

Petition from Elizabeth Gawron, representing ***Helping Our Women*** for a ***Special Entertainment License*** on August 21, 2015 at from 12 to 2 p.m. at 328 Commercial St. No rain date requested.

Elizabeth Gawron representing HOW

Drag Brunch at the Patio Restaurant

Motion to Approve by Barrett Alley. Second by Zachary Luster. Approved 3-0

Special Liquor

Petition from Kelly Gilpatrick, representing ***Water's Edge Theater***, for a ***Special Liquor License*** for an event to be held on August 29, 2015 from 12 p.m. to 6 p.m. at 237 Commercial St.. No rain date requested.

Moved to August meeting date

Special Entertainment

Petition from Deborah Grabler representing ***Provincetown Dog Park Association*** for ***Special Entertainment License*** for an event at the Pilgrim Bark Park, on August 29, 2015 from 9 am until 12 pm. A rain date of August 30, 2015 is requested.

Deborah Grabler representing Provincetown Dog Park

Carnival of the dogs at Bark Park. 3rd annual event.

Vendors, informational booths, characaturists, etc.

No liquor no food.

Motion to Approve by Zachary Luster. Second by Barrett Alley. Approved 3-0

Special Liquor

Petition from Kalin Mitov, representing **Boston Dance Alliance**, for a **Special Liquor License** for an event on September 18 & 19, 2015 from 5 p.m. to 10:30 p.m. at the Provincetown Town Hall, Provincetown, MA. No rain date requested.

Kalin Mitov representing Boston Dance Alliance

First year at Town Hall but 3rd year for the event

Tin Pan Alley will provide the servers and distributors

Motion to Approve by Barrett Alley. Second by Zachary Luster. Approved 3-0

Special Entertainment

Petition from **Zachary Ballin**, for a **Special Entertainment License** for an event on August 5, 2015 from 3 to 10 p.m. at 789 Commercial St., Provincetown, MA. No rain date requested.

Special Entertainment

The Provincetown Licensing Board will hold a Public Hearing at 5:15 p.m. on Tuesday, July 28, 2015 in the Judge Welsh Room at Town Hall, 260 Commercial Street, Provincetown, Massachusetts, to hear a petition from **Jenny Allison**, for a **Special Entertainment License** for an event on August 8, 2015 from 2:30 pm to 5:30 pm. at 210 Bradford St., Provincetown, MA. Same day rain date requested – Hours from 5:30 pm to 8 pm.

Ilene Mitnick representing Jenny Allison

Ilene will be officiating

45 people expected. Low key wedding with DJ

Amplified sound is included in the application

Letter of support from Kent Karosen read into the record as abutters to the property

Motion to Approve by Barrett Alley. Second by Zachary Luster. Approved 3-0

Special Entertainment License & Noise By-law Waiver

The Provincetown Licensing Board will hold a Public Hearing at 5:15 p.m. on Tuesday, July 28, 2015 in the Judge Welsh Room at Town Hall, 260 Commercial Street, Provincetown, Massachusetts, to hear a petition from Brandon Motta, representing **Provincetown Recreation Department**, for a **Special Entertainment License and Noise By-law Waiver** for an event on September 5, 2015 from 11 am to 4 pm at 2 Mayflower St., Provincetown, MA. A rain date of September 6, 2015 is requested from 11 am to 4 pm.

Brandon Motta representing Provincetown Rec Dept.

Brandon speaks about event at the Skate Park

Kids event with entertainment

Motion to Approve by Zachary Luster. Second by Barrett Alley. Approved 3-0

Noise By-law Waiver

The Provincetown Licensing Board will hold a Public Hearing at 5:15 p.m. on Tuesday, July 28, 2015 in the Judge Welsh Room at Town Hall, 260 Commercial Street, Provincetown, Massachusetts, to hear a petition from Dave Schermacher, representing **Outer Cape Health Services**, for a **Noise By-law Waiver** for an event on August 8, 2015 from 4 pm to 9 pm at 9 Ryder St. Ext., Provincetown, MA. No rain date requested.

Dave Schermacher representing Outer Cape Health Services

Speaks briefly about Lobster Fest

Previously approved entertainment license. Now following up with noise by-law waiver.

Plan to be done by 9 p.m.

Motion to Approve by Zachary Luster. Second by Barrett Alley. Approved 3-0

Special Liquor License & Charity Pouring Permit

The Provincetown Licensing Board will hold a Public Hearing at 5:15 p.m. on Tuesday, July 28, 2015 in the Judge Welsh Room at Town Hall, 260 Commercial Street, Provincetown, Massachusetts, to hear a petition from Tracy Mack, representing ***Creative Promotions & Events***, for a ***Special Liquor License*** for an event on August 20, 2015 from 6 pm to 10 pm at the Town Hall Auditorium, Provincetown, MA.

Tracy Mack representing Creative Promotions & Events

Representing GLAD for the 501c3

TiPS trained servers will be used

Motion to Approve contingent upon receipt of proof of mailing by a week before the event date. Second by Zachary Luster. Approved 3-0.

Amend License

Common Victualer

1. Weiner Stand, Inc., Mark Janoplis, mgr., d.b.a. ***John's Foot Long Hotdog Stand***, 309 Commercial St., Provincetown, MA 02657
Mark Janoplis representing John's Foot Long Hotdog Stand
Looking to extend license to 2 a.m. for after hours food sales
No alcohol sales
No neighbor issues as business is on Lopes Square
Motion to Approve by Zachary Luster. Second by Barrett Alley. Approved 3-0

Other Business

New License

Common Carrier

1. ***Mayflower Trolley***: Reg #BU38786, VIN #3FCMF53G2VJA17216, 1997 Brown Ford Molly Bus;
Motion to continue by Barrett Alley. Second by Zachary Luster. Approved 3-0.

Art Gallery

1. James Palacino, mgr., d.b.a. ***BGC Gallery***, 346 Commercial St., Provincetown, MA 02657
Discussion regarding inspection/licensing of business
No inspection has occurred.
Licensing agent recommends a fine for not inspecting with warning to come into compliance within 5 business days or \$300 per day in violations.
Motion to administer Licensing Violation of \$100. Second by Zachary Luster. Approved 3-0

Public Statements

Renewal License

Art Gallery

Motion to take as a group by Barrett Alley. Second by Zachary Luster. Approved 3-0

1. Egeli Fine Art, Inc., Arthur Egeli, mgr., ***Egeli Gallery***, 382 Commercial St., Provincetown, MA 02657
2. Sophia Reznikas, mgr., d.b.a. ***Sophia Reznick Gallery***, 376 Commercial St., Provincetown, MA 02657

3. Michael McGuire, mgr., d.b.a. **McGuire Gallery**, 465 Commercial St., Provincetown, MA 02657

Motion to Approve group by Barrett Alley. Second by Zachary Luster. Approved 3-0

Lodging

1. Yuane, LLC, Yuane Hao, mgr., d.b.a. **Elephant Walk Inn**, 156 Bradford St., Provincetown, MA 02657
2. Moffett House, Inc., Russ Olevsky, mgr., d.b.a. **Moffett House**, 296A Commercial St., Provincetown, MA 02657;

Motion to Approve by Zachary Luster. Second by Barrett Alley. Approved 3-0

Taxi/Livery

1. **Provincetown Taxi Service**: Reg#TA289C; VIN#1D4GP25R63B283433; 2003 Red Dodge Caravan; Reg#173D; VIN#5FNRL38445B402698; 2005 Blue Honda Odyssey;

Motion to Approve by Zachary Luster. Second by Barrett Alley. Approved 3-0

Correspondence

Discussion regarding letter submitted by Guy Barbarulo of Sixty Special Home

Frank discusses

Zachary speaks about Tom Sharp's business in NY and Provincetown

Licensing Agent speaks about section 1.10(c)

Minutes

Motion to Approve Minutes of April 14, 2015 by Frank Thompson. Second by Zachary Luster. Approved 3-0

Motion to Approve Minutes of June 23, 2015 by Barrett Alley. Second by Zach Luster. Approved 3-0

Enforcement

Discussion regarding Ronald Gumella's by-law violation for driving a taxi without a taxi operator's license and subsequent by-law violation to Sabrina Hash for the same violation as owner of the taxi company.

Discussion about on-going issues between taxi operators and pedicab operators.

Code Compliance

By-law violations issued to the Seaglass Inn and Anchor Inn for entertainment without a license for two weddings

Double fees assessed to Loveland

Warnings to the Whydah Museum, Marine Specialties & Tom Sharp

Old business

Barrett discusses enforcement and TiPS certifications. Who is checking?

Licensing Agent suggests Police ask for TiPS cards when checking other licensing in their routine checks.

Discussion regarding checking TiPS certifications on a yearly basis.

New Business

Licensing Board Statements

Barrett asks about number of trolleys in town
Zachary discusses increased traffic in town

Licensing Agent Statements

Motion to Adjourn by Barrett Alley. Second By Zachary Luster. Approved 3-0 6:35 p.m.