

# Minutes

of The Provincetown Licensing Board Public Meeting on **Tuesday, April 22, 2008** at 5:00 p.m. in the Auditorium, Town Hall, 260 Commercial Street.

**Present:** Cass Benson, Liz Angelino, Todd Wagar, George Young

## ***Public Hearings***

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

1. Petition from David Mazochi representing ***David Flowers Productions, Inc.***, for a ***Special Entertainment License, Special Wine & Malt License, and a Noise By-Law Waiver*** for a Dance on the Pier, to be held on July 4, 2008 from 3:00 P.M. to 8:00 P.M. on MacMillan Pier located at 16 MacMillan Wharf. Rain date July 5, 2008.

7<sup>th</sup> Pier Dance. Time change due to fireworks. David Mazochi submits a letter to amend 2 conditions – reduce the number of officers from 3 to 2 and reduce the number of security personnel from 10-6.

***Motion to grant Special Licenses and Noise By-Law Waiver and to allow 2 police officers and 8 security personnel contingent upon police organization by Liz Angelino. Seconded by Todd Wagar. Approved 4-0.***

## ***Public Statements***

Michael Ledger speaks about recycling regulations. Food Service establishments with outdoor seating must have recycling receptacles within 500 ft. of the establishment.

## ***New License***

### **Taxi Operator**

1. Carolyn Kany

**Motion to approve by Todd Wagar. Seconded by George Young. Approved 4-0.**

2. Everard Cleary

**Motion to approve by George Young. Seconded by Liz Angelino. Approved 4-0.**

3. Michael Chainey

**Motion to approve by George Young. Seconded by Todd Wagar. Approved 4-0.**

### **Fortune Teller**

1. Nick Marino

**Motion to approve by Todd Wagar. Seconded by George Young. Approved 4-0.**

## ***Amend License***

1. Change of manager from Guy Wolf to Kristin Hatch, ***Provincetown Theater Foundation, Inc.***, 238 Bradford St., Provincetown, MA.

Kristin has stated that she will become TIPS certified.

**Motion to approve by Todd Wagar. Seconded by Liz Angelino. Approved 4-0.**

2. Change d.b.a. from Vicio to ***Victor's***, 175 Bradford St. Ext., Provincetown, MA.

**Motion to approve by George Young. Seconded by Liz Angelino. Approved 4-0.**

## ***Transfer License***

Todd Wagar steps down. George Young discloses conflict of interest.

### **Innholder and Annual All Alcohol Innholder License**

1. Petition to transfer the **Innholder License and Annual All Alcohol Innholder License** from Pharaoh Entertainment, LLC d.b.a. **The Pilgrim House/Vixen** to Shawn Nightingale d.b.a. **The Pilgrim House/Vixen**, 336 Commercial St., Provincetown, MA.

**Motion to approve by Liz Angelino. Seconded by Cass Benson. Approved 2-0-1.**

### **Renewal License**

Todd Wagar returns. George Young steps down.

#### **Innholder**

1. Zoemax, Inc., William Gordon, mgr., d.b.a. **Chateau Provincetown**, 105 Bradford St., Ext., Provincetown, MA.

**Motion to renew by Liz Angelino. Seconded by Todd Wagar. Approved 3-0.**

#### **Lodging**

Cass Benson discloses that she is a direct abutter to White Porch Inn.

1. Grand View Inn, LLC, Gary Vance, mgr., d.b.a. **Grand View Inn**, 4 Conant St., Provincetown, MA.

2. William J. Svetz, d.b.a. **Victoria House**, 5 Standish St., Provincetown, MA.

3. Helen Valentine, d.b.a. **Valentine's Guest House**, 88 Commercial St., Provincetown, MA.

4. The White Porch Inn, LLC, Thomas Shirk, mgr., d.b.a. **White Porch Inn**, 7 Johnson St., Provincetown, MA.

5. Maudine, LLC, James Mack, mgr., d.b.a. **Snug Cottage**, 178 Bradford St., Provincetown, MA.

**Motion to renew by Todd Wagar. Seconded by Liz Angelino. Approved 3-0.**

#### **Common Victualer**

George Young returns.

1. Maria's Café, Inc., Maria Silva, mgr., d.b.a. **Café Maria**, 277A Commercial St., Provincetown, MA.

2. P-Town Fortune Cookie, Inc., David Ha, mgr. d.b.a. **P-Town Fortune Cookie**, 205-209 Commercial St., Provincetown, MA.

3. Sanette Groenewald, d.b.a. **Karoo Kafe**, 338 Commercial St., Provincetown, MA.

4. The Outer Crêpe, Inc., Sylvie Richard, mgr., d.b.a. **The Outer Crêpe**, 336 Commercial St., Provincetown, MA.

**Motion to renew by George Young. Seconded by Todd Wagar. Approved 4-0.**

#### **Transient Vendor**

1. R. Victor Powell d.b.a. **The Workshop**, 323 Commercial St., Provincetown, MA.

2. Francis J. Muldoon, d.b.a. **Shell Designs**, 307 Commercial St., Provincetown, MA.

3. Edel Byrne, d.b.a. **Glass Gazebo**, 174 Commercial St., Provincetown, MA.

**Motion to renew by Liz Angelino. Seconded by Todd Wagar. Approved 4-0.**

#### **Parking Lot**

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

2. St. Peter the Apostle Church, Rev. Henry J. Dahl, mgr., d.b.a. St. **Peter's Parking Lot**, 11 Prince St., Provincetown, MA.

3. Irene Joseph, d.b.a. **Godhino's Parking Lot**, 35 Standish St., Provincetown, MA.

**Motion to renew by Liz Angelino. Seconded by George Young. Approved 4-0.**

Todd Wagar discloses that Greg Russo is a client.

4. 170 Commercial Street, LLC, Greg Russo, mgr., d.b.a. **170 Commercial Street Parking Lot**, 170 Commercial St., Provincetown, MA.

**Motion to renew by Liz Angelino. Seconded by George Young. Approved 3-0-1.**

## **Fortune Teller**

1. Lawrence Grab
2. Marc Grab
3. Ruth Talamo
4. Sabina Grab

**Motion to renew by Liz Angelino. Seconded by Todd Wagar. Approved 4-0.**

## **Outdoor Artist**

1. Charles Duffy

**Motion to renew by Todd Wagar. Seconded by George Young. Approved 4-0.**

## ***Correspondence***

Letter from G. Bruce Head, III regarding The Atwood Inn. – Letter read into minutes. The lodging license for the Atwood Inn will not be renewed for 2008.

Letter read into minutes from Mark Birnbaum regarding the renewal process.

## ***Minutes – March 11, 2008***

**Motion to approve by Cass Benson. Seconded by Todd Wagar. Approved 4-0.**

## ***Minutes – March 25, 2008***

Tabled until next meeting.

## ***Licensing Agent Statements***

404 Restaurant update – all paperwork turned in and inspection passed successfully.

L'UVA Restaurant update – Allan Bradbury is planning to purchase.

Discussion regarding revocation of Luchima license per the request of the Treasurer's Office. A show cause hearing to revoke the license will be held on May 13, 2008.

## ***Other Business – any other business, which shall properly come before the board.***

Mylan Janoplis – The Red Shack – would like approval from the Licensing Board to remain open until 2AM.

**Motion to approve by Todd Wagar. Seconded by Liz Angelino. Approved 4-0.**

## **Taxi work session:**

Physicals – Every year is too difficult. Especially for non-residents, and is costly. There is no State requirement. Will resolve at the May 13 meeting.

Taxi Stand on the Pier – Rex McKinsey, the Harbor Master addresses the board and the taxi owners. He is not designating a "taxi stand" area because he is not charging a permit fee. Spots are available on a first come, first serve basis. All drivers must be courteous and respectful to one another. Drivers may stand at their cabs with a sign – not on gangway or anywhere else on the Pier. Get passengers and go quickly.

Fares – Keep simple. Some suggestions were: adding gas surcharge, increasing airport and ferry fares from \$6 to \$8, increasing the hourly rate from \$60 to \$90, and increasing \$1 across the board. Drivers may offer customers discount cards or townie cards if they wish.

Livery – FOR RESERVATIONS ONLY, not hailed fares. Will be put into the Licensing Board's Rules & Regulations.

MA License – Required. State Law.

Discussion regarding Designation of Agent. The Licensing Board does not wish to authorize the Police Department to do this.

Meeting adjourned at 7:00.