

Minutes

of the Town of **Provincetown Licensing Board** Public Meeting on Tuesday April 11, 2006, at 5:00pm in the Judge Welsh Hearing Room, 260 Commercial Street.

Present: Nick Robertson (Chairman), John Foley (Vice Chair), Cassandra Benson, Hunter O'Hanian and Elizabeth Gallerizzo Hartsgrove (Licensing Agent)

Excused: Richard McMasters (Clerk)

Public Statements

Nick Robertson stepped down.

Special License

1. Gabby Hanna, representing the **Provincetown International Film Festival** for

Special Entertainment

Film viewing scheduled June 14 thru June 18, 2006, from 9AM to 12 AM to be held at the Auditorium at Town Hall, 260 Commercial Street. No rain date requested.

Represented by Gabby Hanna. No one wrote or spoke in favor or against application.

Motion to approve by Hunter O'Hanian. Seconded by Cass Benson. Approved 3-0

Nick Robertson rejoined. Hunter O'Hanian stepped down.

2. Bob Kent Isham representing **WOMR-FM** for a:

Special Entertainment License

A benefit concert with Dar Williams on Thursday, July 13, 2006, from 6pm to 11PM, at Town Hall Auditorium, 260 Commercial St. No rain date requested.

Moved to April 25th meeting.

Hunter O'Hanian rejoined.

3. John Burrows representing **Provincetown Bears** for a

Noise By-Law Waiver, Special Malt License and Special Entertainment License

Pier dance event to be held at the Town's MacMillan Pier, Provincetown, MA on Saturday July 8, 2006 from 6PM – 9PM.

Represented by John Burrows. No one wrote or spoke in favor or against application.

Motion to approve with conditions as follows, by Hunter O'Hanian. Seconded by Cass Benson. Approved 3-0-1

Conditions:

1. **Agreement with Provincetown Police Chief Ted Meyer's email dated October 18, 2002, will be implemented.**
 - A Senior Police officer will be one of the three designated details on duty, in addition to 10 security personnel.
 - The placement and configuration of the speakers will be altered to reduce excessive noise.
 - An ad via public notice in the paper highlighting the hours of the event will be placed one week before to inform the public.
 - The Police Department will script a response to handle callers with noise complaints during the event but still respond as usual for problem analysis and handling.
2. **Must follow the Pier Dance New Sound System designer Myrna Johnston's two page Memo – January 14, 2003**
3. **Must follow the speaker placement diagram provided – January 14, 2003, and must follow dance placement diagram provided – December 14, 2004**
4. **On site, Two (2) Medical doctors must be available and prior to event must provide Licensing Agent with names of Medical Staff**
5. **Minimum of 10 security personnel at event in addition to the three police details.**
6. **The total capacity of the pier and building shall be limited to 1636 persons.**
7. **Must provide Licensing Agent with proof of insurance.**
8. **All bartenders must be experienced and be TIP trained.**
9. **Security at admission gate must check identification and visually tag individual appropriately.**

New License

Transient Vendor

1. Margaret Grosse d.b.a. **Pegasus Gallery**, 432 Commercial St.

Motion to approve by John Foley. Seconded by Cass Benson. Approved 4-0

Taxi Operator

1. Dexter Wright, Provincetown

Moved to April 25th meeting.

2. Helene Josette MacDonald, Provincetown

Motion to approve by Cass Benson. Seconded by John Foley. Approved 4-0

Renewal License

Entertainment

1. Provincetown Cinema Company, Inc., Vanessa Downing mgr d.b.a. ***New Art Cinema - Screen 3***, 237-241 Commercial St.

Motion to approve by John Foley. Seconded by Cass Benson. Approved 4-0

Lodging

1. Robert Mondoux d.b.a. ***Burch House***, 116 Bradford St.
2. Dale Chin d.b.a. ***Clarendon House***, 118 Bradford St.
3. John Barnett d.b.a. ***ShireMax Inn***, 5 Tremont St.

Motion to approve by Cass Benson. Seconded by Hunter O'Hanian. Approved 4-0

Common Victualer

1. Blue Light Kitchens, Inc, Edward Foley mgr d.b.a. ***Blue Light Kitchens***, 225 Commercial St.
2. Antonio Ferreira d.b.a. ***Provincetown Portuguese Bakery***, 299 Commercial St.

Motion to approve by Hunter O'Hanian. Seconded by John Foley. Approved 4-0

Transient Vendor

1. Mary Ellen Otto & Robert Otto d.b.a. ***Eclectiques***, 256 Commercial St.
2. Claudia Andrews d.b.a. ***French Kiss***, 368 Commercial St.
3. Francesca LaVecchia d.b.a. ***Galleria Artemisia***, 167 Commercial St.
4. John Donahue d.b.a. ***Cargo Hold***, 1 Commercial St.

Motion to approve by Hunter O'Hanian. Seconded by Cass Benson. Approved 4-0

Common Carrier

1. Provincetown Trolley, Inc., Yvonne Cabral-Edwards mgr d.b.a. ***Provincetown Trolley***, 37C Court St

Motion to approve by John Foley. Seconded by Cass Benson. Approved 4-0

Parking Lot

1. Irene Joseph d.b.a. ***Godhino's Parking Lot***, 35 Standish St.
2. Cheri Smith d.b.a. ***Kitty's Parking Lot***, 67 Shank Painter Rd.

Motion to approve by Hunter O'Hanian. Seconded by John Foley. Approved 4-0

Outdoor Artist

1. Charles P Duffy d.b.a. ***Duffy Did It***, 240 Commercial St.

Motion to approve by Hunter O'Hanian. Seconded by Cass Benson. Approved 4-0

Fortune Teller

1. Marc Grabb d.b.a. Mystic Moon, 244 Commercial St.
2. Larry Grabb d.b.a. Mystic Moon, 244 Commercial St.

Motion to approve by John Foley. Seconded by Cass Benson. Approved 4-0

Taxi Operator

1. Raphael Richter, Provincetown

Motion to approve by Cass Benson. Seconded by John Foley. Approved 4-0

Work Session

1. Licensing Board Code Compliance Meeting – May 3rd, 2006

The Licensing Board reviewed the Licensing Agent's memo, dated April 11th, 2006 with her suggestions as to what to include in the Code Compliance meeting. Highlighting issues from the previous year, the licensing board also discussed other topics to emphasis to the business owners:

- Make sure the Business owners know that the majority of the town is very compliant.
- Notify them of the process on how complaints and violations are received and handled. What are choices of action does the Board have?
- How can the Board help the businesses more?
- Divide the meeting into categories with set times – for more one on one time.

- What were some of the issues the Board had to address last year? What violations occurred the most?
- Review the Rules and Regs.

The Licensing Board will review once more prior to the May 3rd meeting to finalize what the agenda will be.

Correspondence

- Complaint by David Hall, 04/11/06 – re: Rod's Auto Service doing faulty work without reimbursement. The Licensing Board requests that a copy of the complaint be mailed to the establishment's owner, with an invitation to discuss this matter at the next meeting.

Motion to invite for discussion by Nick Robertson. Seconded by Cass Benson. Approved 4-0

- Email from Richard McMasters 03/28/06 – re: Renters Certificates. The Board felt that the by-laws pertaining to Renters Certificates gave enforcement power to the Licensing Board as a mistake. Since the Board of Health has the rules in their regulations, the fees are determined by Board of Health and the Health Inspector is the contact employee – the enforcement should be given to Board of Health, not the Licensing Board. Therefore the Licensing Board would like to have the by-law changed at the next Town meeting.
- Application to join the Licensing Board – Todd Wagar. Mr. Wagar attended the meeting, and the board invited him to discuss his background and objectives why he applied to the board.

Motion to approve application for Todd Wagar as an Alternate Member by Cass Benson. Seconded by John Foley. Approved 4-0

Minutes – March 28, 2006

Motion to approve as amended by Nick Robertson. Seconded by John Foley. Approved 4-0

Licensing Board Statements

Licensing Agent Statements

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

Motion to adjourn at 6:45PM by Cass Benson.