

Minutes

of the Town of **Provincetown Licensing Board** Meeting Tuesday, June 08, 2004 in the Judge Welsh Hearing Room, 260 Commercial Street.

Present: Hunter O'Hanian (Chairman), Nick Robertson (Vice Chair and Clerk), Irene Rabinowitz, Cassandra Benson and Elizabeth Hartsgrove (Licensing Agent)

Excused: John Foley **Absent:** **Others Present:**

Public Statements

Amend License

Weekday and Sunday Entertainment

- ~~1. To hear a petition from Crown & Anchor Inc., Richard J. Murray mgr d.b.a. **Crown and Anchor**, 247 Commercial St. to change entertainment hours from 8:00am – 1:00am, to 8:00am – 2:00am.~~

Letter from Richard Murray, 6/4/04, withdrawing application for extended entertainment hours.

Hunter O'Hanian – Provincetown General By-Law 8-15 prohibits entertainment hours past one o'clock a.m.. Therefore any applications for extended hours past the allowed time could not be approved by the Licensing Board. Only an amendment and vote at Town Meeting to change the By-law, could alter the Boards decision.

Joe Haley, Terri Vorelli, Alice Brock, Roberta Brown, Patricia Gayle, Connie Moquist, and David Federico wrote against the amendment of hours. Chip Brock, Alice Brock, Rick Defrumo, and Dave LaSalle spoke against the amendment of hours. No one spoke or wrote in favor.

Atty. Chris Snow, representing The Atlantic House, 4-6 Masonic Place, would like to withdraw their application without prejudice.

James Foss, representing The Gifford House, 9-11 Carver St, would like to withdraw their application without prejudice.

Motion to amend Crown and Anchor hours of entertainment license back to 1AM, by Irene Rabinowitz Seconded by Nick Robertson. Amended 4-0

Common Victualler

1. Change in Corporation Name: PTown Parties, LLC, David Schermacher mgr d.b.a. **PTown Parties**, 175 Bradford St. Ext., to WSD Enterprises, Inc, David Schermacher mgr, d.b.a. **Beach Grill Provincetown**, 175 Bradford St. Ext.

Motion to amend, by Nick Robertson Seconded by Cass Benson. Passed 4-0

New Licenses

Seasonal All Alcohol

1. WSD Enterprises, Inc., David Schermacher mgr d.b.a. **Beach Grill Provincetown**, 175 Bradford Street Ext., Provincetown, MA

Represented by David Schermacher. All bartenders/servers will be TIPS trained. No one wrote or spoke in favor of applicant. Allan Gallant and Chip Brock spoke against liquor sales past 10PM. Willows Condo Association wrote against the liquor sales past 10PM.

Motion to approve with condition that all alcohol sales must end at 10PM, by Nick Robertson Seconded by Irene Rabinowitz. Passed 4-0

Pedicab Operator

1. Melissa Yeaw, P-Town Pedicab

Motion to approve by Cass Benson Seconded by Nick Robertson. Passed 4-0

2. Roman Fruge, P-Town Pedicab

Moved to June 22nd meeting.

3. Andrew Quegan, P-Town Pedicab

Motion to approve by Irene Rabinowitz Seconded by Cass Benson. Passed 4-0

4. Peter Zabojsin, P-Town Pedicab

Motion to approve, by Irene Rabinowitz Seconded by Nick Robertson. Passed 4-0

5. Ross Bartosik, P-Town Pedicab

Moved to June 22nd meeting.

6. Miroslav Ondrus, P-Town Pedicab

Motion to approve by Nick Robertson Seconded by Cass Benson. Passed 4-0

7. Jamie Snyder-Fair, P-Town Pedicab

Moved to June 22nd meeting.

Taxi Operator

1. Frances Hoffman, Cape Cab, Provincetown

Moved to June 22nd meeting.

Special Licenses

1. ~~April Cabral Pitzner d.b.a. **Atlantic House**, 4-6 Masonic Pl. for **Weekday and Sunday Special Entertainment License**~~

~~To be held from 8am-2am, at the Atlantic House, 4-6 Masonic Pl.~~

Atty. Chris Snow, representing The Atlantic House, 4-6 Masonic Place, would like to withdraw their application without prejudice.

2. Allan Gallant representing **Creative Concept Productions** for:
Special Entertainment License

To be held at Town Hall Auditorium on Friday August 13th, Sunday August 15th and Sunday to Monday August 22-23, 2004. Requested time of entertainment: 5:00 PM – 11:00 PM. No rain date requested.

Represented by Allan Gallant. No one wrote or spoke in favor or against applicant.

Motion to approve by Irene Rabinowitz Seconded by Nick Robertson. Passed 4-0

Hunter O'Hanian is a member of the Pilgrim Monument and Provincetown Museum.

3. Ellen Burbank representing **Pilgrim Monument and Provincetown Museum** for:
Special Wine and Malt License

For a Fireworks Picnic to be held on Sunday July 4th, 2004 6pm –10pm, at the Pilgrim Monument grounds, High Pole Hill. Rain date requested for Monday July 5th, from 6pm-10pm.

Represented by Ellen Burbank. No one wrote or spoke in favor or against applicant. Board requests PMPM to provide a plan of how they will be checking ID's for the Alcohol.

Motion to approve by Cass Benson Seconded by Irene Rabinowitz. Passed 4-0

Hunter O'Hanian Stepped Down.

4. The Provincetown Theater Foundation, Inc., Daniel J. Kells mgr d.b.a. **Provincetown Theater Foundation**, 238 Bradford Street for:

Special All Alcohol License

To be held at Provincetown Theater Foundation, 238 Bradford St.

Represented by Daniel Kells. All bartenders will be TIPS trained. No one wrote or spoke in favor or against applicant.

Motion to approve by Cass Benson Seconded by Irene Rabinowitz. Passed 3-0

Hunter O'Hanian rejoined.

5. To hear a petition from Kirsten Af Klinteberg representing the **Pan-Massachusetts Challenge** at 77 Fourth Avenue, Needham MA, applying for:

Special Entertainment License

To be held at the Provincetown Inn Rotary, 1 Commercial St and at Motta Field on Saturday August 7th, 2004 from 12Noon to 7PM, and Sunday August 8th, 2004 from 7AM to 5PM. No Rain Date requested.

Special Wine & Malt License

To be held at the Provincetown Inn Parking Lot, 1 Commercial St on Sunday August 8th, 2004 from 12Noon to 5PM. No Rain Date Requested.

Represented by Kirsten Af Klinteberg. No one wrote or spoke in favor or against applicant.

Motion to approve Special Entertainment License with condition that entertainment will not begin before 10AM at either location, by Nick Robertson Seconded by Cass Benson. Passed 4-0

Motion to approve Special Wine and Malt License by Cass Benson Seconded by Nick Robertson. Passed 4-0

Renewal License

Parking Lot

1. John Yingling d.b.a. **170 Commercial Street Realty Trust**, 170 Commercial St.

Motion to approve by Nick Robertson Seconded by Irene Rabinowitz. Passed 4-0

Art Gallery

1. Robert Clibbon d.b.a. **Clibbon Gallery**, 427 Commercial St.

Motion to approve by Irene Rabinowitz Seconded by Nick Robertson. Passed 4-0

Lodging

1. John E. Dunham d.b.a. **Dunham Guest House**, 3 Dyer St.

2. Gary A. Palochko d.b.a. **Revere Guest House**, 14 Court St.

Motion to approve #1 and 2 by Nick Robertson Seconded by Irene Rabinowitz. Passed 4-0

Pedicab Operator

- 1. John McCarthy, P-Town Pedicab
- 2. Joel Strachota, P-Town Pedicab

Motion to approve #1 and 2 by Cass Benson Seconded by Irene Rabinowitz. Passed 4-0

Entertainment

- 1. Provincetown Cinema Company, Inc, Paul DeRuyter mgr d.b.a. **New Art Cinemas**, 214 Commercial St.

Motion to approve by Irene Rabinowitz Seconded by Nick Robertson. Passed 4-0

Fortune Teller

- 1. Flora Stevens, Provincetown

Motion to approve by Cass Benson Seconded by Irene Rabinowitz. Passed 4-0

Correspondence

- Code Compliance Report – 6/8/04. Board requests both the Boatslip and Burger Mary’s to come in for discussion to the June 22nd meeting.
- Email from Town Counsel – 6/4/04. Re: Provincetown General By-Law 8-15.
- Letter from ABCC – 5/26/04. Re: Violation.

Minutes – May 11TH and 25th, 2004

Motion to approve May 11th minutes as amended by Nick Robertson Seconded by Irene Rabinowitz. Passed 3-0-1

Motion to approve May 25th minutes as written by Nick Robertson Seconded by Irene Rabinowitz. Passed 3-0-1

Licensing Board Statements

Licensing Agent Statements

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

Motion to adjourn 7:00 P.M.

Licensing Board Approval:

Hunter O’Hanian, Chairman

Nick Robertson (Clerk and Vice-Chair)

John Foley

Irene Rabinowitz

Cassandra Benson