

Minutes of the Town of **Provincetown Licensing Board** Meeting Tuesday, June 22, 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

Hunter O'Hanian stepped down

Annual All Alcohol General On Premise

1. To hear a petition to reduce the description of premises for service of the Annual General on Premise All Alcohol License from The Provincetown Theater Foundation, Inc., Daniel J. Kells mgr d.b.a. **Provincetown Theater Foundation**, 238 Bradford Street, Provincetown, MA

Represented by Daniel Kells. No one wrote or spoke in favor or against applicant.

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

Hunter O'Hanian rejoined

Annual All Alcohol Common Victualer License

1. To hear a petition to amend the description of the Annual All Alcohol Common Victualer License, to include outdoor seating, from Jellydique, Inc., Shay Santos mgr d.b.a. **Michael Shay's**, 350 Bradford Street, Provincetown, MA.

Represented by Shay and Michael Santos. Marion Peck spoke against applicant. No one wrote against applicant. No one wrote or spoke in favor.

Motion to amend with condition of hours of service limited between the hours of 8A.M. and 9P.M., by Irene Rabinowitz Seconded by Cass Benson. Passed 4-0

Weekday and Sunday Entertainment

1. To hear a petition to amend the weekday and Sunday Entertainment Licenses by including Live Nude Entertainment, from Phyllis Schlosberg d.b.a. **Post Office Restaurant**, 303 Commercial St., Provincetown, MA

Represented by Atty. Chris Snow and David Federico. No one wrote or spoke in favor or against applicant.

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

- ~~2. To hear a petition to amend the weekday and Sunday Entertainment License by extending entertainment hours till 2AM, from Pharaoh Holdings, LLC, Rodney Blacklock d.b.a. **The Vixen**, 336 Commercial St., Provincetown, MA~~

- ~~3. To hear a petition to amend the weekday and Sunday Entertainment License by extending entertainment hours till 2AM, from Donald V. Edwards d.b.a. **Governor Bradford Restaurant**, 312 Commercial St., Provincetown, MA~~

- ~~4. To hear a petition to amend the weekday and Sunday Entertainment License by extending entertainment hours till 2AM, from Summer Coastline, Inc., Susan Webster d.b.a. **The Pied Piper Bar**, 193A Commercial St., Provincetown, MA~~

Special Licenses

1. To hear a petition from John Siemiatkoski representing **National Multiple Sclerosis Society** for:

Special Entertainment License

For a charity bicycle tour event, on Sunday, June 27th 7:30 AM – 6:00 PM to be held at VFW, 3 Jerome Smith Rd. No rain date requested.

Represented by John Siemiatkoski. No one wrote or spoke in favor or against applicant.

Motion to approve, with condition that entertainment be held between 12P.M. and 4P.M., by Nick Robertson Seconded by Irene Rabinowitz. Passed 4-0

New Licenses

Taxi Operator

1. Susan Wirges, Queen Cab Co, Provincetown

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

Pedicab Operator

1. Roman Fruge, P-Town Pedicab

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

2. Ross Bartosik, P-Town Pedicab

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

3. Aaron Wodin-Schwartz, P-Town Pedicab

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

Transient Vendor

1. Mark Ferrari d.b.a. *Item*, 206-208 Commercial St.

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

Fortune Teller

1. ~~Kristen J. Nash Pannesi, *West End Salon*, 155 Commercial St.~~

Sunday Sales Permit

1. Farland Inc, Thomas Boland mgr d.b.a. *Far-Land Provisions*, 150 Bradford St.

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

Nick Robertson stepped down

Annual All Alcohol General on Premise

1. To hear a petition for new Annual All Alcohol General on Premise License from Provincetown Cinema

Company, Inc., Benjamin deRuyter mgr d.b.a. *New Art Cinemas*, 212-214 Commercial St., Provincetown, MA
Represented by Atty. Robin Reid and Benjamin deRuyter. No one wrote or spoke in favor or against applicant.

Motion to approve with following condition: 1) Service and consumption of Alcohol will be in the lobby area only. 2) Alcohol will only be served and consumed when Cinema 2 is closed. 3) Alcohol will only be served and consumed for Cinema 1 when movie is not primary entertainment for event., by Irene Rabinowitz Seconded by Cass Benson. Passed 3-0

Nick Robertson rejoined.

Common Victualler

1. To hear a petition for new Common Victualler License from TLC Fish Corporation, INC., Chris Townsend mgr d.b.a. *Townsend Lobster & Seafood Market*, 9 Ryder Street Ext., Provincetown, MA

Moved to July 13th meeting.

Discussion

1. The Boatslip, LLC, Richard F. Ferrell mgr, d.b.a. *Boatslip Beach Club*, 161 Commercial St.

Represented by David McCarthy, Richard Ferrell and Steve Marzadracky.

The Licensing Board requested the Boatslip Beach Club to come in for informal discussion due to numerous noise violations around holiday weekends within the past year. Richard Ferrell assured the board that his establishment was doing everything they could to eliminate excess noise. Noise pollution speakers had been installed on the patio/deck, and Styrofoam insulation had been placed in the disco on all windows, which has reduced the noise traveling to the outside.

Renewal License

Taxi Cab

1. Valerie Martin d.b.a. *Cape Cab*, 10C Nelson Ave., 1996 Ford Taurus Station wagon, VIN# 1FALP57U0TG211148

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

Taxi Operator

1. Julie Bachelder, Mercedes Cab, Provincetown

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

Pedicab Operator

1. Jamie Snyder-Fair, P-Town Pedicab

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

Correspondence

- Letter from the Pilgrim Monument describing plan for age surveillance with alcohol on Fourth of July event. – 6/10/04
- Letter from Atty. Chris Snow – regarding the Atlantic House tabling application for increased entertainment hours. – 6/15/04

Minutes – June 8, 2004

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

Licensing Board Statements

Licensing Agent Statements

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

Motion to adjourn 6:34 P.M.

Licensing Board Approval:

Hunter O'Hanian, Chairman

Nick Robertson (Clerk and Vice-Chair)

John Foley

Irene Rabinowitz

Cassandra Benson