

Minutes

of the Town of **Provincetown Licensing Board** Meeting Tuesday, September 14, 2004 in the Auditorium, 260 Commercial Street.

Present: Hunter O'Hanian (Chairman), Nick Robertson (Vice Chair and Clerk), John Foley, Irene Rabinowitz and David McLean-Perkins (Acting Licensing Agent)

Excused: Cassandra Benson and Elizabeth Hartsgrove (Licensing Agent)

Absent:

Others Present:

Public Statements

Hunter O'Hanian stepped down. Nick Robertson – acting chair.

Special Licenses

1. To hear a petition from Karen Lee representing **Pleasant Lake Farm** for:

Special Entertainment License

For WOMR Live Radio Feed event, to be held on Saturday and Sunday September 25-26th, 2004 from 2PM-6PM at Macmillan Pier, Provincetown. No rain date requested.

Represented by Rex McKinsey. Steve Melamed, representing the Visitor Services Board, spoke in favor. No one spoke or wrote against application.

Motion to approve by John Foley Seconded by Irene Rabinowitz. Passed 3-0

Hunter O'Hanian rejoined as Chair.

New Licenses

Innholder License and Annual All Alcohol Innholder Liquor License

1. Crowne Pointe, Inc., Thomas J. Walter mgr, d.b.a. **Crown Pointe Inn**, 78 Bradford St.

Represented by Atty. Eliot Parkhurst and Tom Walter. Board of Health and Zoning board of Appeals has given approval of use.

Speaking for applicant: Peter McHenry, Steve Melamed, Maura Stonbely, Sharon Palmer and Armando Paleio, Melissa (employee, did not give last name)

Speaking against applicant: Kenneth Martin, Peter Grasso, Terese Nelson, Nancy Martin, Ashley St. Peters, Elizabeth Mackin, Pat Shaw and Chris Snow.

Letters for applicant: Susan G. White, Ash Calder, Alexandra Tyszka, Susan Jacobs, Cheryl Palmer, Diane Hudson, Laura J. Stonbely, Maryann Taormina, Siobhan Eaton, Joe Bruno, Nelson Villafane, Randy Jones, Mark Bryant, Judy K. Mencher, Charles Kadin, Evette Ramirez, Jay Fleming, Bradford Fowler, Richard Brunson, Tim Richmond, Carol Ann Eaton, Aza Zzvonchui, David Robert, Vinton Ricketts, Misty Miller, Richard I. Tourgee, Andrew Lawson, Sherica Williams, Jane Walter, Debbie Miller, Peter McHenry, Mr. & Mrs. Jerry Lafata, John DiGangi.

Letters against applicant: Provincetown School Committee (Terese F. Nelson, Peter Grosso, Debra Trovato, Burton Wolfman, Molly Purdue), Salvatore Del Deo, Rev. Henry J. Dahl, Polly Cote, Mel Cote, Cynthia Bonet, Donald L. Morris, John F. Cook Jr., Diane Peters, Patricia M. Shaw, Kenneth Martin, Nancy Martin, Thomas Oszowski, Ellen R. Cook, Susan Cook, Jessica Lema, Phoebe Otis, Minerva Newman.

Motion by Irene Rabinowitz that there would be no detriment to the educational or spiritual activities of members of the school or church, within 500 feet of the licensed premises, Seconded by John Foley. No Detriment Proven 4-0

Motion to approve with conditions, by Nick Robertson Seconded by John Foley. Passed 4-0

CONDITIONS:

- No Service until Noon.
- NO Service after 10PM
- All Windows and doors in Dining Area to be closed after 6PM
- Additional sound barrier will be installed on the Prince Street side.

Weekday and Sunday Entertainment

1. Clem & Joe, Inc., Clem Silva mgr d.b.a. **Clem & Ursie's Restaurant & Market**, 89 Shank Painter Rd.

Represented by Deb Silva. Armand Paleio spoke in favor of applicant. No one wrote in favor or against application.
Motion to approve with condition of closing at 12:45AM, by Nick Robertson Seconded by John Foley. Passed 4-0

New Pedi-Cab Operator

1. Peter David Ullman, P-Town Pedicabs, Provincetown.

Motion to approve by Irene Rabinowitz seconded by John Foley. Moved 4-0

Transfer License

Annual All Alcohol

1. Perry's Wine and Liquors, LLC, d.b.a. **Perry's Wine and Liquors**, 1 Tremont St., Change of manager from Ronald J. Martin to Nathan R. Butera.

Represented by Atty. Chris Snow. No one wrote or spoke in favor or against application.

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

Taxi Cab

1. Valerie Martin d.b.a. **Cape Cab**, 10C Nelson Ave. Transferring cab license from 1999 Ford Taurus VIN # 1FAFP58S7XA176790 to 1998 Ford Windstar VIN# 2FMDA5147WBA48661.

Motion to transfer license by Nick Robertson seconded by Irene Rabinowitz. Moved 4-0

Discussion

1. Phyllis Schlosberg d.b.a. **Post Office Café**, 303 Commercial St.

Motion to notify Phyllis Schlosberg, owner of Post Office Restaurant, with a copy to Candi Collins of the Provincetown Chamber of Commerce, that the Licensing Board will not renew its 2005 licenses until she appears before the board to discuss alleged violations, by Hunter O'Hanian Seconded by Nick Robertson. Moved 4-0

- ~~2. Terry Catalano, d.b.a. **Outer Cape Auctions**.~~

Correspondance

- Code Compliance Report – 9/14/04 – Moved to next meeting.

Minutes – August 24, 2004 – Moved to next meeting.

Licensing Board Statements

- Motion by Hunter O' Hanian seconded by Irene Rabonowitz to welcome the newest member to the board, Alanna Sofia Hartsgrove.

Licensing Agent Statements

- The Licensing Agent Assistant, David McLean-Perkins, notified the board that he had received a verbal complaint from an employee of Pennies Wine and Spirits not paying their employees time and a half on Sundays. The Licensing Board requests the Licensing Agent send a letter to Pennies Wine and Spirits regarding Sunday Sales Permit and paying their employees time and a half when open on Sundays. Also, that the employee be sent a copy of the letter.
- Licensing Agent, Elizabeth Hartsgrove, has started Maternity Leave and will not be at the Board meetings for a while. Licensing Agent Assistant, David McLean-Perkins will be representing the town at the meetings.

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

Motion to adjourn 7:08P.M.

Licensing Board Approval:

Hunter O'Hanian, Chairman

Nick Robertson (Clerk and Vice-Chair)

John Foley

Irene Rabinowitz

Cassandra Benson