

Minutes
of the Town of **Provincetown Licensing Board** Regular Meeting Tuesday, May 08, 2001 in
the Judge Welsh Room Meeting Room

Present: Hunter O'Hanian (Chairman), Keith Brickel (Vice Chairman), Diana Robertson (Secretary), Pat Hartzell, John Gagliardi (alternate), Mitchell Baker (Alternate), Greta Holman (Licensing Agent), **Excused** Jack Kelly, **Absent** none,
Others Present: none

CONVENED: 5:00 p.m.

ADJOURNED: 6:30 p.m.

Meeting Agenda

Public Hearing

To hold a public hearing as per the letter request by Atty. Snow of 3/27/01, at the time of the renewal of the Common Victualler License for Scruples, Inc. d.b.a. **Burger Mary's**, 149 Commercial Street to discuss the neighbors issues with this licensee.

Sandbar Condo Assoc. was represented by Atty. Snow, they requested a condition on the license that prohibited Burger Marys from using a disputed area for garbage that they claim is on their property. Several abutters spoke in support of this request, Laura Rood, Frances Peters, Property Mgr. of Sandbar Condos. Both Jonny Pak and his manager Richard Gimarra spoke against the request. Several claims were made and disputed. The parties were requested to take the discussion outside the meeting and try to bring an agreement back by the end of this meeting.

They returned at the end of the meeting with an agreement between the association/w/Atty. Snow and Jonny Pak to keep the garbage either in the restaurant or under the restaurant but not in the disputed area as long as health approved. Phil Gaudio spoke to the licensing conditions that were supposed to be on the license but were only on the condition sheet, to keep all doors and windows closed during all hours of operation. While the Board prefers to keep the license as is (doors closed after 9:30PM) Mr. Pak states that he will keep them closed at all times.

Motion to approve renewal of license by Keith Brickel Seconded by Mitchell Baker 5-0 Passed

Public Statements

Agenda Item

Police Chief Anthony to discuss Code Compliance status and other issues.

The police were happy with last season and plan no additional changes for this season. Det Michael Carr will remain the Compliance officer. Also discussed the new times that Commercial Street will be closed to vehicles and the exceptions (cabs, residents, emergency vehicles)

Zany Inc, Stephen J Boggess, mgr. d.b.a. **ZANY**, 291 Commercial Street to discuss the coin operation amusement devices and how we define and charge for them.

A general agreement was made that the board needs to review and come up with a definition of a coin operated amusement device when it reviews it's Rules and regulations this summer. Licensing Agent Greta Holman will make another survey of other communities and their licensing practices of these devices and work with Mr. Boggess on his license this year.

New License

Transient Vendor

1. Michael LaBelle d.b.a. **Break Point Gallery**, 134 Commercial Street
2. Stasia Gabrielle d.b.a. **Purple Spiral Studio**, 237-241 Commercial Street 26A
3. Raffaello LaMantia d.b.a. **Galleria Raffaello**, 145 Commercial Street

Motion to approve #1 by Diana Robertson Seconded by Pat Hartzell Vote 5-0 Passed

Motion to approve #2 by Keith Brickel Seconded by Mitchell Baker Vote 5-0 Passed

Motion to approve #3 by Keith Brickel Seconded by Diana Robertson Vote 5-0 Passed

License Renewals

Transient Vendor

1. Joseph Henderson d.b.a. **Neshyas Sunneye**, 237-241 Commercial Street
2. Richard Medveskas d.b.a. **Simply Silver**, 256 Commercial Street
3. Linda Unish & Tom Barnes, d.b.a. **INDO**, 205-209 Commercial Street
4. Marla Rice and Richard Polak d.b.a. **Rice/Polak Gallery**, 430 Commercial Street
5. John Donahue d.b.a. **The Cargo Hold**, 1 Commercial Street

Motion to approve all 5 by Pat Hartzell Seconded by Keith Brickel Vote 5-0 Passed

Lodging House

- 1 George and Wincie Terrat d.b.a. **The Garden at 6 Atwood Ave**, 6 Atwood Ave
- 2 William Svetz d.b.a. **Victoria House**, 5 Standish Street
- 3 Andrew Turocy d.b.a. **Roomers**, 8 Carver Street

Keith Brickel and John Gagliardi stepped down from the board for this applicant

Motion to approve all 3 by Mitchell Baker Seconded by Diana Robertson Vote 4-0 Passed

Keith Brickel and John Gagliardi rejoined the board

Innholders

- 1 Gordon Family Partnership d.b.a. **Best Western Chateau**, 105 Bradford Street Ext.
- 2 John E Still d.b.a. **Cape Colony Inn**, 280 Bradford Street
- 3 WAC, INC. d.b.a. **Best Western Tides Beachfront**, 837 Commercial Street

Motion to approve all 3 by Pat Hartzell Seconded by Diana Robertson Vote 5-0 Passed

Common Victualler

- 1 Resort Restaurant Management Inc d.b.a. **Stephanie's on the Water**, 267 Commercial Street
- 2 Cafe Edwige, Inc. d.b.a. **Café Edwige**, 333 Commercial Street
- 3 Mark Birnbaum, d.b.a. **Mojo's**, 5 Ryder Street Ext.
- 4 Blasé, Inc. d.b.a. **Café Blasé**, 328 Commercial Street
- 5 Silva Enterprises, Inc. d.b.a. **Silva's Seafood Connection**, 175 Bradford Street Ext.
- 6 Scruples, Inc. d.b.a. **Burger Mary's**, 149 Commercial Street
- 7 Louise M. Pinho d.b.a. **Weezer's Coffee & Tea House**, 338 Commercial Street

Motion to approve 1-5, 7-8 by Keith Brickel Seconded by Mitchell Baker Vote 5-0 Passed

Common Victualler with Entertainment

- 1 Pezzulo, Inc. d.b.a. **Tropical Joe's**, 135 Bradford Street
- 2 T-UNA-S, Inc. d.b.a. **Euro Island Grill & Café**, 258 Commercial Street

Motion to approve both by Keith Brickel Seconded by Diana Robertson Vote 4-0-1 Passed (Pat Hartzell)

Float Spaces

- 1 Louigi's Lobster Float, Inc. d.b.a. **Float Space 7W "Annie L" & "Ginny G"**

Motion to approve by Mitchell Baker Seconded by Diana Robertson Vote 5-0 Passed

Parking Lot

- 1 Cheri Smith d.b.a. **Kitty's Realty Trust**, 67 Shankpainter Road
- 2 Irene Joseph d.b.a. **Godinho's Parking Lot**, 35 Standish Street
- 3 Mary B. Martinez d.b.a. **Martinez Parking Lot**, 26 Winthrop Street

Motion to approve by Pat Hartzell Seconded by Keith Brickel Vote 5-0 Passed

Entertainment

- 1 Shafir Realty Corp d.b.a. **New Art Cinema**, 214 Commercial Street

Motion to approve by Keith Brickel Seconded by Diana Robertson Vote 5-0 Passed

Taxi Operator

- 1 Maryellen A Creney, Provincetown
- 2 Claudette L Thibault, Provincetown,
- 3 John Andert, Provincetown

Motion to approve all 3 by Pat Hartzell Seconded by Mitchell Baker Vote 5-0 Passed

Correspondence

Minutes –April 24 & 27, 2001

Motion to approve 4/24 as amended by Diana Robertson Seconded by Pat Hartzell Vote 5-0 Passed

Motion to approve 4/27 by Diana Robertson Seconded by Mitchell Baker Vote 4-0-1 Passed (Hunter O'Hanian)

Licensing Board Statements

Licensing Agent Statements

OTHER BUSINESS – ANY OTHER BUSINESS WHICH SHALL PROPERLY COME BEFORE THE BOARD

Keith Brickel had previously let the board know he needed to leave early, John Gagliardi and Mitchell Baker will vote until end meeting

To hear a petition from Diana Robertson, representing Carrie A Seaman Animal Shelter (CASAS), for a special entertainment license for an auction to be held on June at Vixen 336 Commercial Street from 3 p.m. till 6 p.m.

Diana Robertson stepped down from the board for this vote

Motion to approve by Pat Hartzell Seconded by John Gagliardi Vote 4-0 Passed

MOTION TO ADJOURN; DIANA ROBERTSON 6:30 PM

Licensing Board Approval:

Hunter O'Hanian , Chairman

Keith Brickel (Vice-Chair)

Diana Robertson (Clerk)

Jack Kelly

Patricia Hartzell

John Gagliardi

Mitchell Baker