

Minutes of the Town of Provincetown Licensing Board Regular Meeting Tuesday, June 27, 2000 in the Judge Welsh Meeting Room

The following minutes are available on-line as a service and are not the official record due to changes in formatting for the Internet. The minutes may have attachments that are not included here in this format. The official, complete paper copy can be viewed during regular office hours, Monday - Friday: 8 a.m. to 5 p.m. in the Office of the Town Clerk, 260 Commercial St. Provincetown, MA 02657.

Present: Hunter O'Hanian (Chairman), Keith Brickel (Vice Chairman), Diana Robertson (Secretary), Jack Kelly, Pat Hartzell, John Gagliardi (alternate), Carol Taylor (alternate), Greta Holman (Licensing Agent), **Absent** none **Excused** none **Others Present:** Judith Oset (Permit Coordinator)

CONVENED: 5:00 p.m.

ADJOURNED: 8 :17 p.m.

Public Hearings

To hear a petition by KRoss, Inc d.b.a. **Ross' Grill** at 237-241 Commercial St (Whalers Wharf) to apply for an Annual Wine and Malt Beverage Common Victualer License for KRoss, Inc d.b.a. **Ross' Grill** at 237-241 Commercial St (Whalers Wharf)

Applicant was represented by Kenneth Ross and Robyn Reed. Rick Murray, Jay Coburn, and David Atkinson spoke in favor, Mr. Patrick spoke against.

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

To hear a petition by Airedale Inc. d.b.a. **Chester Restaurant** at 404 Commercial Street for an alteration of premises to modify their Seasonal All Alcohol Common Victualer Liquor License to provide outdoor dining (14 seats).

Applicant was represented by Jay Coburn. Emily Offenheim and Ronny Lopes spoke against, David Adkinson spoke for, and several letters were submitted in favor of the applicant. Ronny Lopes said that at the zoning board hearing, several letters were submitted against the applicant.

Motion to approve with discussion by Keith Brickel Seconded by Diana Robertson Passed (Keith Brickel)

Vote 4-0-1

To hear a petition by Atlantic Ocean, Inc d.b.a. **Grand Central** at 5 Masonic Place to apply for a Weekday and Sunday Entertainment License.

April Cabral and Atty. Chris Snow represented the applicant.

Motion to approve with discussion by Keith Brickel Seconded by Jack Kelly

Vote 5-0 Passed

To hear the merit of revising the **Provincetown Licensing Rules & Regulations** as described below. Copies are available from the Office of the Town Clerk. The public is encouraged to submit any written comments by Monday, June 26, 2000 to the Licensing Board, Town Hall, 260 Commercial St, Provincetown, MA 02657

Mr. Duffy spoke in favor.

Motion to approve pending approval of the Board of Selectmen by Pat Hartzell Seconded by Diana Robertson Vote 5-0 Passed to be effective on 7/18/00.

Voted at the end of the meeting after discussion:

Motion to rescind previous decision by Diana Robertson Seconded by Jack Kelly Vote 5-0 Passed

Motion to approve as amended (sect 2.02) and pending approval of the Board of Selectmen by Diana Robertson Seconded by Jack Kelly Vote 5-0 Passed

LICENSING RULES AND REGULATIONS

2.00 ABUTTER NOTIFICATION REQUIREMENTS

2.01 New Licenses Requiring Abutter Notification (*add*) and Public Hearing

Abutters within a 75 foot radius shall be notified via certified letter if any of the following are applied for:

- a) New **Common Victualers** licenses

- b) New **Entertainment** licenses
- c) New **Innholder** licenses
- d) New **Liquor** licenses
- e) New **Boarding, Lodging, Guest House, or Tourist Home** licenses
- f) New **Parking Lot** licenses
- g) New **Stable** licenses
- ~~h) **Special Entertainment** licenses~~
- ~~i) **Special Liquor** licenses~~

(Insert a new 2.02 as follows:)

2.02 New Licenses Requiring Abutter Notification

Abutter notification by the applicant via certified letter is required within a 75 foot radius for the following license transactions:

- a) **Special Entertainment** licenses (only for locations other than those who already have an entertainment license)
- b) **Special Liquor** licenses

(Rename 2.02 to 2.03 and add Public Hearing to title)

2.03 Other Transactions Requiring Abutter Notification and Public Hearing

Abutter notification by the applicant via certified letter is required within a 75 foot radius for the following liquor license transactions:

- a) Change of location
- b) Altering premises
- c) Change of seasonal to annual
- d) Addition of cordials and liqueurs

8.01 TAXICAB OWNERS

r) TAXI RATES: To/from Herring
 Cove Beach or the Visitor Center is \$4.00 per person. To/from the Airport or Race Point
 Beach is \$5.00 per person. All other fares in Provincetown are
 \$3.00. Children (under 12 years of age) - \$1.00 off when
 accompanied by an adult. \$2.00 surcharge per fare from 1:00 a.m. to 6:00 a.m.
 (insert) \$5.00 surcharge per bicycle.
 \$60.00 hourly rate in Provincetown.

9.02 Outdoor Artist or Sidewalk Artist

The Provincetown Board of Selectmen voted to establish a license category for outdoor artist. (7/24/86)
 a) Sidewalk artist engaged in commercial activity will be limited to ~~six display paintings and one painting in progress.~~ (add) a number of outdoor display works approved by the Licensing Board.

Meeting Agenda

Public Statements

Agenda item

All Interested parties to discuss the operation of the vessel **Midnight Gambler**.

Atty. Chris Snow, Atty. Jaime Veara, Robert Cabral, Mr. Celucci of the Midnight Gambler, and Ray Cabral represented the Midnight Gambler. Twelve spoke for the motion to refer, thirteen spoke against. Dor Fox represented the Cape Cod Commission.

Motion to rescind the vote on 06/13/00 to refer the Midnight Gambler to the Cape Cod Commission by Pat Hartzell Seconded by Jack Kelly Vote 4-0-1 Passed (Hunter O'Hanian)

Special licenses

To hear a petition from **Creative Concepts Productions / Adam Weinstock**, for a special entertainment license for comedy and music, to be held on Saturday July 1st & Sunday, July 2nd from 8:00 P.M. to 11:00 P.M. at the TOWN HALL AUDITORIUM, 260 Commercial Street.

Motion to approve by Pat Hartzell Seconded by Diana Robertson Vote 4-0-1 Passed (Jack Kelly)

To hear a petition from **Provincetown Repertory Theater**, for a special entertainment license for plays, from

Wednesday, July 12th thru Tuesday, August 15th from 7:00 P.M. to 10:30 P.M. at the TOWN HALL AUDITORIUM, 260 Commercial Street.

Motion to continue till the 7/11/00 meeting by Hunter O'Hanian Seconded by Diana Robertson Vote 5-0 Passed. Due to the length of the meeting, Applicant had left.

To hear a petition from **Stargazer Productions / Michael Loftis**, for a special entertainment license for a hypnotist show, to be held on Wednesday, July 5th & Thursday, 6th from 7:00 P.M. to 10:00 P.M. at the TOWN HALL AUDITORIUM, 260 Commercial Street

Motion to approve by Jack Kelly Seconded by Diana Robertson Vote 5-0 Passed

To hear a petition from **Naomi Turner**, for a special entertainment license for a dance concert by the Washashore Dance Ensemble to be held on Saturday, July 8th, at the TOWN HALL AUDITORIUM, 260 Commercial Street.

Motion to approve with proof that letters were sent by the applicant by Keith Brickel Seconded by Pat Hartzell Vote 4-1 Passed (Jack Kelly)

To hear a petition from **Provincetown Lions Club**, for a special Parking Lot license for both Veterans Memorial School and Pilgrim Monument to be held on Saturday, September 3rd & Sunday, September 4th.

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

To hear a petition from **Surfside Inn** represented by Christopher Cooper, for a special entertainment license for the 2nd Annual Swimsuit Competition to be held on Saturday, August 19th, with a rain date of Tuesday, August 22nd from 2:00 P.M. to 4:00 P.M. at the Surfside Inn, 543 Commercial St. A Carnival Week event.

Motion to continue till the 7/11/00 meeting by Hunter O'Hanian Seconded by Diana Robertson Vote 5-0 Passed. Due to the length of the meeting, Applicant had left.

Renewal with Amendment Licenses

Outdoor Artist

1. Del Craig d.b.a. **Henna Tattoo's**, 190 Commercial St. (new address)

Motion to approve by Jack Kelly Seconded by Diana Robertson Vote 4-1 Passed (Keith Brickel)

Amended Licenses

Innholders All Alcohol Liquor License

1. Backstreet Hotel, Inc. d.b.a. **GIFFORD HOUSE INN AND DANCE CLUB**, 9-11 Carver Street (Change of Manager) from Biagio Pizzolato to Gregory D. Streisel

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

Outdoor Artist

1. Sarah Thompson d.b.a. **Henna Tattoo's**, 190 Commercial St. (new address)

Motion to approve by Pat Hartzell Seconded by Jack Kelly Vote 4-1 Passed (Keith Brickel)

New Licenses

Lodging House

1. John S Gagliardi d.b.a. **Copper Fox** at 448 Commercial Street.

Motion to approve by Pat Hartzell Seconded for discussion by Jack Kelly

Both Keith Brickel and John Gagliardi had stepped down and Carol Taylor was to Vote. Because the Planning Board has not yet heard this application, the applicant requested that it be continued till the 7/11/00 meeting.

Pat Hartzell withdrew her motion.

Renewal Licenses

Outdoor Artist

1. Jim Green d.b.a. **P-TOWN PORTRAITS**, 286 Commercial St.

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

Correspondence

All but the code Compliance reports were read, these were continued to the 7/11/00 meeting.

Minutes – June 13, 2000

Motion to approve as amended by Diana Robertson Seconded by Keith Brickel

Vote 5-0

Licensing Board Statements

Licensing Agent Statements

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

Licensing Board Approval:

Hunter O'Hanian , Chairman

Keith Brickel (Vice-Chair)

Diana Robertson (Clerk)

Jack Kelly

Patricia Hartzell

John Gagliardi

Carol Taylor