

## Minutes

of the Town of **Provincetown Licensing Board** Regular Meeting Tuesday, July 11, 2000 in the Auditorium

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), Greta Holman (Licensing Agent), **Absent** Carol Taylor (alternate), **Excused** none, **Others Present:** Judith Oset (Permit Coordinator)

CONVENED: 5:00 p.m.

ADJOURNED: 6 :52 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 New Common Victualer License

**By request of the applicant, this was continued until the 7/25/00 meeting because Whaler's Wharf is not ready for inspection.**

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

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

To hear a petition by Provincetown Food Service, Inc d.b.a. **Mario's Mediterraneo** at 267 Commercial St to transfer a Seasonal All Alcohol Common Victualer Liquor License and a Common Victualer License to Resort Restaurant Management, Inc d.b.a. **Stephanie's on the Water** at 267 Commercial St.

Applicant represented by Jaime Viera and Jonathan Louis, Joel Ouellette spoke in favor

**Motion to approve by Keith Brickel Seconded by Jack Kelly Vote 5-0 Passed**

To hear a petition by ARTEMIS UNLIMITED d.b.a. **Cactus Garden and Lavender Rose** at 186 Commercial Street to transfer the Seasonal All Alcohol Common Victualers License, Lodging House License, Common Victualers License, & Entertainment Licenses to ESF, LTD d.b.a. **Esther's** at 186 Commercial Street.

Applicant represented by Nancy Correia and Ellen Freeman

**Motion to approve by Pat Hartzell Seconded by Jack Kelly Vote 5-0**

## Meeting Agenda

### **Public Statements**

Philip M Gaudiano of 3 Conant Street, spoke on Scruples d.b.a. **Burger Mary's** at 149 Commercial Street, said that the conditions have been adhered to so far and hopes the good work will continue.

Evelyn Gaudiano, 3 Conant Street, also spoke about Scruples d.b.a. **Burger Mary's** at 149 Commercial Street, saying that she really appreciated the support this board has given both the business and it's neighbors in this situation.

### **Agenda Items**

#### **Common Victualer**

1. Scruples, Inc d.b.a. **Burger Mary's** 149 Commercial St. At the request of the Board, a review of license compliance and proof of the staff completing TIPS training.

Jonny Pak gave proof of his staff taking the complete TIPS program on 6/29/00.

### **Special licenses**

To hear a petition from **Provincetown Repertory Theater**, for a special entertainment license for plays, from Wednesday, July 12<sup>th</sup> thru Tuesday, August 15<sup>th</sup> from 7:00 P.M. to 10:30 P.M. at the TOWN HALL AUDITORIUM, 260 Commercial Street.

**Hunter O'Hanian stepped down on this applicant, Keith Brickel chaired and John Gagliardi voted.** The applicant was represented by ken Hoyt

**Motion to approve by Pat Hartzell Seconded by Keith Brickel Vote 4-0-1 Passed (Jack Kelly )**

**Hunter O'Hanian rejoined the board**

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 19<sup>th</sup>, 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.

The applicant was represented by Christopher Cooper

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

To hear a petition by **Pan-Massachusetts Challenge**/Erica Kaitz at 77 Fourth Avenue, Needham, MA, to apply for:

**This application was continued till the 7/25/00 meeting.**

### **Special Entertainment licenses**

Recorded Music and a Live Band on Sunday, August 6<sup>th</sup>, 2000, from 9:30 am-3:00 PM at the Provincetown Inn parking Lot, 1 Commercial Street.

### **Special Liquor Licenses**

Malt Beverages only for Sunday, August 6<sup>th</sup>, 2000 at the Provincetown Inn parking Lot, 1 Commercial Street.

### **Transfer Licenses**

#### **Taxi Cab**

1. Valerie Martin d.b.a. **Cape Cab** at 10C Nelson Ave, 1995 Green Taurus Station wagon replacing 1994 Taurus Station wagon
2. Luther A. Bumps d.b.a. **Provincetown Taxi Inc.** at 35 Court St, 1985 RED Chevy station wagon replacing a 1985 White Chevy station wagon

**1. Motion to approve by Jack Kelly Seconded by Keith Brickel Vote 5-0 Passed**

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

### **Amended Licenses**

#### **Outdoor Artist**

1. Charles Duffy d.b.a. **Duffy Did It**, 240 Commercial St. request for a change in the number of pictures displayed.

**Motion to approve as amended to allow up to 15 pictures by Keith Brickel Seconded by Pat Hartzell Vote 5-0 Passed**

### **New Licenses**

#### **Lodging House**

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

Joel Ouellette questioned about the parking required by this license and stated that this part of town is in a parking crisis.

**Both Keith Brickel and John Gagliardi stepped down for this vote**

**Motion to approve by Diana Robertson Seconded by Jack Kelly Vote 4-0 Passed**

**Both Keith Brickel and John Gagliardi returned to the board**

#### **Transient Vendor**

1. Tonya Brenowitz d.b.a. **The Beach Plum**, 291 Commercial St.

**Motion to approve by Keith Brickel Seconded by Jack Kelly Vote 5-0 Passed**

#### **Outdoor Artist**

- 1 Robert J. Pelletier d.b.a. **Joe Pelletier Portraits**, 220 Commercial St.

**Diana Robertson stepped down on this applicant, John Gagliardi will vote**

**Motion to approve by Keith Brickel Seconded by Jack Kelly Vote 5-0 Passed**

**Diana Robertson returned to the board**

#### **Taxi Operator**

1. Etta Baurhenn d.b.a. **Mercedes Cab**, 35 Alden St.

**Motion to approve by Jack Kelly Seconded by Pat Hartzell Vote 5-0 Passed**

## ***Renewal Licenses***

### **Transient Vendor**

1. Stephen Donnelly d.b.a. ***Tiffany Lamp Studio***, 373 Commercial St.

**Motion to approve by Keith Brickel Seconded by Pat Hartzell Vote 4-0-1 Passed (Jack Kelly )**

### **Transient Vendor (Special)**

1. Ron Sharkey d.b.a. ***Magic Moments***, 161 Commercial St.(Boatslip)

**Motion to approve by Keith Brickel Seconded by Jack Kelly Vote 5-0 Passed**

### **Lodging House**

1. Florence Corea d.b.a. ***Corea's Guest House***, 5 Cottage St.

**Keith Brickel and John Gagliardi stepped down on this vote**

**Motion to approve by Diana Robertson Seconded by Pat Hartzell Vote 4-0 Passed**

### **Parking Lot**

1. Florence Corea d.b.a. ***Corea's Parking Lot***, 5 Cottage St.

**Motion to approve by Diana Robertson Seconded by Pat Hartzell Vote 4-0 Passed included in the previous vote for the lodging house**

**Keith Brickel and John Gagliardi rejoined the board.**

## Correspondence

*Minutes – June 27, 2000*

**Motion to approve as amended by Keith Brickel Seconded by Jack Kelly Vote 5-0 Passed**

*Licensing Board Statements*

*Licensing Agent Statements*

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

**Motion to adjourn by Keith Brickel 6:57pm**

### **Licensing Board Approval:**

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Hunter O'Hanian , Chairman

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Keith Brickel (Vice-Chair)

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Diana Robertson (Clerk)

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Jack Kelly

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Patricia Hartzell

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John Gagliardi

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Carol Taylor