

TOWN OF PROVINCETOWN LICENSING BOARD MINUTES

Regular Meeting Tuesday, June 22, 1999 in the Judge Welsh Meeting Room

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CONVENED: 5:00 p.m.

ADJOURNED: 6:45 p.m.

PRESENT: Adam Erenberg, Keith Brickel, Jack Kelly, Jane Hee, Hunter O'Hanian

EXCUSED: None absent

Public Hearing - To hear a petition for new Weekday and Sunday entertainment licenses for live entertainment and live theater for **Clambake Inc., d.b.a. Lobster Pot Restaurant** at 321 Commercial Street, Provincetown, MA.

Joy McNulty represented Clambake, Inc. Speaking in favor – none; speaking against – none
Motion to grant by Jane Hee seconded by Hunter O'Hanian passed 5-0

Public Hearing - To hear a petition for a new license –change from a Wine and Malt Beverages License to an All Alcohol (common victualer) license for **Clem and Joe, Inc., Clem Silva, manager d.b.a. Clem and Ursie's** at 89 Shank Painter Road, Provincetown, MA.

Clem and Deb Silva represented Clem and Joe, Inc. Speaking in favor – none; speaking against – none.
Motion to grant by Jane Hee seconded by Hunter O'Hanian passed 5-0

I. PUBLIC STATEMENTS

- Anne Kane - stated that she submitted her application for a new taxi operator license late, but that all of the paperwork is in order; she requested that her application for a license be heard tonight.
- Debbie DeJonker - requested that the Licensing Board hear her application for a special entertainment license (auction) to be held at the Holiday Inn on July 10, 1999 from 6:00 p.m. to 1:00 a.m. as a fund raiser.

II. SPECIAL LICENSES

1. Provincetown Lion's Club for a **special parking lot license** as a fund raiser on July 4, from 3:00 p.m. to 9:00 p.m. at the Pilgrim Monument and Provincetown Museum on High Pole Hill.
Peter Grosso represented the Lion's Club. Motion to grant by Hunter O'Hanian seconded by Jack Kelly passed 5-0
2. The Provincetown Cheese Market and Deli for a **special entertainment license** for one performer to perform keyboard or guitar for 2 to 3 hours only between the hours of 6:00 p.m. to 12:00 midnight on Saturdays through October.
Cynthia Padgett represented the Provincetown Cheese Market and Deli. Motion to grant a special entertainment license for one performer to perform keyboard or guitar from 6:00 p.m. to 9:00 p.m. for two Saturdays: June 26, 1999 and July 3, 1999. The front doors are to remain closed during the hours of entertainment. Motion by Hunter O'Hanian seconded by Jack Kelly passed 4-1(Keith Brickel voted against)
3. The Provincetown Repertory Theater for a **special entertainment license** and **special liquor license** (for beer and wine) for a swing band Gala on July 10, 1999 from 7:00 p.m. to 12:00 midnight at the Pilgrim Monument and Provincetown Museum on High Pole Hill.
Ted Vitale represented the Provincetown Repertory Theater. Motion to grant by Keith Brickel seconded by Hunter O'Hanian passed 5-0

III. NEW LICENSES

A. Transient Vendors

1. Richard Medveskas d.b.a. **Simply Silver** at 256-258 Commercial Street
Richard Medveskas represented Simply Silver. Motion to grant by Jane Hee seconded by Keith Brickel passed 5-0
Adam Erenberg stepped down.

IV. TRANSFERS

A. Lodging Houses

1. From Chicago House, Inc. to Albert L. (Len) Bowen, Jr. d.b.a. **Chicago House** at 6 Winslow Street

Len Bowen represented himself. Motion to grant the transfer by Keith Brickel seconded by Jane Hee passed 4-0

V. LICENSE RENEWALS

A. Lodging Houses

1. John E. Dunham d.b.a **Dunham Guest House** at 3 Dyer Street
2. Marie Louise Bryant d.b.a **Harbor Guest House** at 471 Commercial Street

Motion to grant the lodging house renewals by Keith Brickel seconded by Jane Hee passed 4-0

Adam Erenberg returned to chair the meeting.

At this time, the Board heard the two applicants requesting to be heard during the Public Statements.

1. New Taxi operator license for Anne Kane of Provincetown.

Motion to grant by Keith Brickel seconded by Hunter O'Hanian passed 5-0

2. Special Entertainment license for the Supporters of the Provincetown Town Library for a fund raising auction to be held at the Holiday Inn in Provincetown on July 10, 1999 from 6:00 p.m. to 1:00 a.m.

Motion to grant by Hunter O'Hanian seconded by Jane Hee passed 5-0.

B Transient Vendors

1. Stephen J. Donnelly d.b.a. **Tiffany Lamp Studio** at 371 Commercial Street

Motion to grant the transient vendor renewal by Hunter O'Hanian seconded by Jane Hee passed 5-0

C. Taxi Cabs

1. Luther Bumps owner **Provincetown Taxi, Inc.-** adding two more cabs: a 1985 Red Chevy Caprice stationwagon and a 1985 Yellow Pontiac Stationwagon

Motion to grant two new licenses to Provincetown Taxi, Inc. to add two more cabs; motion made by Hunter O'Hanian seconded by Jack Kelly passed 5-0

D. Taxi Operators

1. Robert G. Walsh, Jr. of Provincetown

Motion to grant by Jane Hee seconded by Hunter O'Hanian passed 5-0

VI. Float Space Amendments

1. Amendment of **Float Space 3W**, John R. Woods, Inc. to change the name of the **Cajun Express** to the **Adventurer**.

Motion to grant by Jane Hee seconded by Hunter O'Hanian passed 5-0

2. Change of vessel for Edward Salvadore Float Space 1W from a 24' long, 9' wide vessel to a 28' long, 10' wide vessel – the name of the vessel remains the same (**Wendy Jo**).

Motion to grant by Jack Kelly seconded by Jane Hee passed 5-0

VII. CORRESPONDENCE Notice from Emma Hawkins, taxi operator licensee, that she ceased working for Cape Cab and now works for Provincetown Taxi.

VIII. MINUTES –

June 8, 1999 Motion to accept by Hunter O'Hanian seconded by Keith Brickel passed 5-0

June 11, 1999 Motion to accept by Hunter O'Hanian seconded by Keith Brickel passed 5-0

June 18, 1999 Motion to accept with change of day from Tuesday to Friday by Jane Hee seconded by Jack Kelly passed 4-0-1(Hunter O'Hanian abstained)

IX. LICENSING BOARD STATEMENTS

Jack Kelly - expressed a concern about egress at the Cheese Market and Deli since the changes to their counter space have been made. A request was made to have the Building Inspector check for proper egress.

Jane Hee - inquired as to whether the State allows any variance to common victualers for serving food after hours. The Licensing Agent indicated that she was not aware that any variances are allowed.

The Board indicated that the Code Compliance Activity Reports are helpful. The violations to date will be reviewed at the July 13th meeting.

X. LICENSING AGENT STATEMENTS

- transient vendor information – transient vendors do include those retail businesses operating out of structures as well as booth, tents, kiosks, etc.

➤ Rules and Regulations – copies will be mailed to Board members so that we can review the draft at the July 13th meeting.

➤ The Licensing Agent will be on vacation the week of July 4th

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

A. To hear an application to change the D.B.A. of Scruples, Inc., Johnny Pak, manager, to Burger Mary's.

Motion to grant by Jane Hee seconded by Keith Brickel passed 5-0.

LICENSING BOARD APPROVAL:

Adam Erenberg, Chairman

Hunter O'Hanian, Vice-Chair

Jane Hee, Clerk

Keith Brickel

Jack Kelly