

Minutes

of the Town of **Provincetown Licensing Board** Public Meeting on Tuesday, August 23rd, 2005, at 5:00pm in the Judge Welsh Hearing Room, 260 Commercial Street.

Present: Hunter O'Hanian (Chairman), Irene Rabinowitz, Cassandra Benson, Richard McMasters and Elizabeth Gallerizzo Hartsgrove (Licensing Agent)

Excused: Nick Robertson (Vice Chair and Clerk) and John Foley

Others Present:

Public Statements

Public Hearing

Fee Increase

Fee Type	Current Fee	Proposed Fee
Annual All Alcohol Package Store	\$1,200	\$1,500
Annual Wine and Malt Package Store	\$1,050	\$1,250
Club (All Alcohol or Wine and Malt)	\$230	\$1,000
Annual All Alcohol Common Vic	\$1,250	\$1,500
Annual All Alcohol Innholder	\$1,250	\$1,500
Annual Wine and Malt (CV/INN)	\$1,100	\$1,250
Seasonal All Alcohol Package Store	\$1,200	\$1,500
Seasonal Wine and Malt Package Store	\$1,050	\$1,250
Seasonal All Alcohol Common Vic	\$1,350	\$1,500
Seasonal All Alcohol Innholder	\$1,350	\$1,500
Seasonal Wine and Malt (CV/INN)	\$1,200	\$1,250
Druggist	\$400	\$450
Sunday Package Store Opening	\$0	\$500
Liquor Application	\$50	\$100
Auto Sales (Class II)	\$100	\$200
Common Carrier	\$25 per Vehicle	\$100 per vehicle
Common Victualer	\$50	\$100
Fortune Teller	\$50	\$100
Innholder	\$50	\$100
Lodging House	\$50	\$100
Parking Lot	\$35	\$100
Taxicab	\$65	\$100
Transfer/Amend License	\$30	\$100
Retail Corporation Application Fee	\$30	\$50

The Licensing Board will postpone their vote till the next regularly scheduled meeting. However they encourage the public to speak now about the proposed fees and they welcome other business owners to come and speak and the next meeting.

- *Dan Schnotty, representing the VFW, is opposed of such a big increase at one time. Suggests that the board gradually work up the fee within a five-year period.*
- *John Beauchamp, Kibbe Cook Parking, also is against the extreme increase and also wouldn't mind a gradual increase.*
- *Steve Roderick, representing the PBG, against the extreme increase in fees. Stated that a gradual increase would encourage businesses. Perhaps raise the fees 10% every year?*
- *Tom Boland, of Farland Provisions, feels the proposed fee schedule is un-balanced.*
- *Pennie Silva, of Pennie's Wine & Spirits, also against such a radical increase.*

Motion to postpone public hearing till September 13th meeting, by Irene Rabinowitz. Seconded by Richard McMasters. Postponed 4-0

Special Licenses

1. Donald Murphy representing **The Great Provincetown Schooner Regatta**, for:
Special All Alcohol and Entertainment License
on Saturday September 10, 2005 from 6PM-12AM at Fisherman's Wharf, and
Special Wine and Malt License
on Sunday September 11, 2005 from 11AM-3PM at McMillan Pier.
Represented by Donald Murphy and Paul Silva. No one wrote or spoke in favor or against application.
Motion to approve by Richard McMasters. Seconded by Cass Benson. Approved 4-0

2. Gusto Inc., Jennifer White, representing *Enzo* for:
Special All Alcohol and Special Entertainment License
Kook Prom – Seasonal Party on August 28, 2005 to be held at 186 Commercial St. from 9PM-1AM. Rain Date Requested: September 11, 2005.
Represented by Jennifer White. Neva Hanson, 179 Commercial St, spoke against application.
The Licensing Board reviewed the conditions placed on the establishment by Zoning. Due to the requirements, set by Zoning, for the patio portion of the establishment to be closed at 11PM, the board feels that they can not in any way over-turn that decision or grant a special license extending the hours of service.
Application withdrawn.

New Licenses

Art Gallery

1. Ron Reasonover d.b.a. **Great Expectations**, 361A Commercial St.
Motion to approve by Richard McMasters. Seconded by Cass Benson. Approved 4-0

Pedicab Operator

1. ~~Cynthia Coble, Provincetown~~

Transfer Licenses

Parking Lot

1. From Gael Poltrack d.b.a. **Kibbe Cook House Parking**, 466 Commercial St to John Beauchamp d.b.a. **Kibbe Cook House Parking**, 466 Commercial St.
Represented by John Beauchamp. No one wrote or spoke in favor or against application to transfer.
Motion to approve by Irene Rabinowitz. Seconded by Cass Benson. Approved 4-0

Renewal Licenses

Transient Vendor

1. Jorge Betancourt d.b.a. **Dirty White Boy**, 191 Commercial St.
Motion to approve by Cass Benson. Seconded by Richard McMasters. Approved 4-0
2. Linda Unish d.b.a. **INDO**, 291 Commercial St.
Motion to approve by Irene Rabinowitz. Seconded by Richard McMasters. Approved 4-0

Richard McMasters Stepped Down.

Lodging

1. Michael Clifford d.b.a. **Elephant Walk Inn**, 156 Bradford St.
The Establishment did not pass the building inspection. The Licensing Board will not approve a license without complying with all requirements and sign-offs prior to board hearing. The establishment will have to be re-inspected first. And if the owner does not comply with the mandatory inspection, tickets will begin to be issued for Provincetown General By-Laws Chapter 8, section 7 and 8; operating without an inspection, and operating without a license.

Richard McMasters rejoined.

Discussion

Seasonal All Alcohol Common Victualer with Entertainment

1. April Cabral-Pitzner d.b.a. **Grand Central Café**, 5 Masonic Place.
The Licensing Agent discussed with the ABCC regarding Grand Central @ 5 Masonic a seasonal premise who renewed it's license however is not open for business.

An informal meeting/discussion with Grand Central needs to take place first discussing why they are not open (that informal meeting needs to be put in minutes) and then the owners are given three choices. a) Open and use the license. b) Amend the license to change location as to where that license will be used or c) transfer the license ownership to someone who will use the license.

They have 90 days to comply, from the date of the informal meeting.

If they do not comply, then a legal ad must be placed at least 14days prior to a show cause hearing to cancel the

license. After the hearing a written decision must be sent to the owners and to the ABCC. If the owners want to appeal the local board's decision then it must be done with the ABCC.

Motion to invite the owners of Grand Central Café in for an informal discussion regarding the use of their Seasonal All Alcohol License, by Richard McMasters. Seconded by Irene Rabinowitz. Approved 4-0

Correspondence

- Letter from Lobster Pot, dated 08/22/05, stating that the establishment will be closed for five months due to green cards and employment problems.

Code Compliance Report

Minutes – August 9 and 19, 2005

Motion to move August 9th minutes to next meeting by Irene Rabinowitz. Seconded by Cass Benson. Moved 4-0

Motion to approve August 19th minutes as amended by Irene Rabinowitz. Seconded by Cass Benson. Approved 4-0

Licensing Board Statements

- The Licensing Board would like to invite the Police Chief to the next meeting to be updated on the progress of the request they made to his department.

Motion to invite by Richard McMasters. Seconded by Cass Benson. Approved 4-0

- The Licensing Board would like the Licensing Agent to request opinion from the ABCC regarding annual liquor license holders being closed for periods of time.

Licensing Agent Statements

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

Motion to adjourn by Cass Benson at 7:10 P.M.