

Minutes

of the Town of **Provincetown Licensing Board** Meeting Tuesday, January 13, 2004 in the Town Hall Auditorium, 260 Commercial Street.

Present: Hunter O'Hanian (Chairman) Keith Brickel (Vice Chairman), John Foley, Irene Rabinowitz and Elizabeth Hartsgrove (Licensing Agent) **Excused:** Nick Robertson (Secretary), **Absent:** **Others Present:**

Public Statements

Irene Rabinowitz stepped down

Amend

Seasonal All Alcohol Innholder

1. To hear a petition from Provincetown Hospitality, Inc., Elaine Quigley mgr, d.b.a. **The Surfside Inn**, 540-544 Commercial St., to amend the seasonal all alcohol Innholder liquor license from Portion first floor premise located at 542 Commercial Street Provincetown, MA consisting of one room being a lounge and Restaurant area with bar, approx. 24' X 22' in size and pantry room to rear. 2 entrances/2 exits, to: 540-544 Commercial Street, Interior: lounge and restaurant area with bar, approx. 24'x22', pantry storage area all located on first floor, entrance and exit to lobby, courtyard and pantry. Exterior: 30'x56' brick patio area and 52'x90' pool area adjacent to Commercial Street.

Represented by Atty. Lester J. Murphy and Elaine Quigley. Applicant notified Licensing Board that there would be no increase to seating. Providing good weather, 12 seats will be moved to the pool area to accommodate additional service to guests and three seats would stay permanently inside at the service area. The Board of Health approved the flex seating on November 20, 2003. The proposed area is fenced in and the applicant does not want to create a "bar" atmosphere. The hours have been limited by Zoning Board decision #2003-033.

Letter dated 1/6/04 from Judge Hillman against amendment. Barbara Contra, Bob Sanders, Joan Marsh, and Al Marsh spoke against. Cicely Stetson spoke for the amendment, and no one wrote in favor.

Motion to approve as applied for, by Keith Brickel Seconded by John Foley.

Motion to amend 1st motion by expiring applied use on July 15, 2004, by Hunter O'Hanian Seconded by John Foley.

Denied 1-2

Motion to amend 1st motion by including condition placed on applied use to be reviewed on July 13th, 2004, by Hunter O'Hanian Seconded by John Foley. Passed 2-1

Motion to approve 1st motion with condition by Keith Brickel Seconded by John Foley. Passed 2-1.

Keith Brickel Stepped Down

Lodging

1. ~~To hear a petition from Guy Plourde d.b.a. **The Drake Inn**, 11 Pearl St., wanting to change d.b.a. to **The Black Pearl Bed & Breakfast.**~~

Renewal License

Entertainment

1. CKP Entertainment Group Inc, Richard Corsino mgr, d.b.a. **The Alibi**, 291 Commercial St.

Motion to approve by Irene Rabinowitz Seconded by John Foley Passed 3-0

Lodging

1. Corea Family Trust, Donna Prada mgr, d.b.a. **Corea's Guest House**, 3 Cottage St.
2. Rynmir, Inc., John R. Mirthes mgr, d.b.a. **Seasons Inn**, 160 Bradford St.
3. Van Ryan Enterprises, Ltd., Thomas Ryan mgr, d.b.a. **Grand View Inn**, 4 Conant St.
4. Molnar/Riddle Realty Trust, Lynette Molnar mgr, d.b.a. **The Fairbanks Inn**, 90 Bradford St.
5. Molnar/Riddle Realty Trust, Lynette Molnar mgr, d.b.a. **The Fairbanks Inn**, 92 Bradford St.
6. The Avalon I, LLC., David Morgan mgr, d.b.a. **Somerset House**, 378 Commercial St.
7. Jason M. Real d.b.a. **Christopher's By The Bay**, 8 Johnson St.

Motion to approve #1-7 by John Foley Seconded by Irene Rabinowitz Passed 3-0

Keith Brickel Rejoined

Common Victualler

1. Family Tran, Inc., Dieu Tran mgr, d.b.a. **Szechuan Restaurant**, 179 Commercial St.

Motion to approve by Irene Rabinowitz Seconded by John Foley Passed 4-0

Parking Lot

1. Florence Corea, d.b.a. **Corea Family Trust**, 5 Cottage St.

2. Donald Morris, Jr., d.b.a. **Central Parking**, 6 Mozart St.

Motion to approve by Keith Brickel Seconded by John Foley Passed 4-0

Taxicab

1. Ryan Hartman-Neal d.b.a. **Queen Cab Co**, 9A Conwell St., 2000 Dodge Caravan, VIN#2B4GP25R3YR709520

2. Ryan Hartman-Neal d.b.a. **Queen Cab Co**, 9A Conwell St., 2000 Dodge Caravan, VIN#2B4GP45R2VR110860

Motion to approve by Keith Brickel Seconded by Irene Rabinowitz Passed 4-0

Taxi Operator

1. William Johnson, Cape Cab, Provincetown

2. Thomas Frisbie, Queen Cab, Provincetown

3. Joseph Cox, Queen Cab, Provincetown

4. Ryan Hartman-Neal, Queen Cab, Provincetown

5. William T. Collins, Queen Cab, Provincetown

Motion to approve #1-5 by Irene Rabinowitz Seconded by John Foley Passed 4-0

Correspondence

Email from Town Manager/Town Counsel regarding Sunday Alcohol Sales – 1/8/04

Letter from Michael Barrett regarding Licata's – 12/29/03

Minutes – December 23, 2003

Minutes moved to next meeting – 1/27/04

Licensing Board Statements

Motion to move Irene Rabinowitz to Full Member of the Licensing Board by Hunter O'Hanian Seconded by John Foley Passed 3-0-1

Keith Brickel will be moving to Fort Lauderdale, FL at the end of the month, therefore will be leaving from the Licensing Board.

Licensing Agent Statements

Elizabeth – notified the Licensing Board she is pregnant and due September 10th.

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

Motion to adjourn 6:30 P.M.

Licensing Board Approval:

Hunter O'Hanian, Chairman

Keith Brickel (Vice-Chair)

Nick Robertson (Clerk)

John Foley

Irene Rabinowitz