

# Minutes

of the Town of **Provincetown Licensing Board** Meeting Tuesday, November 25, 2003 in the Town Hall Auditorium, 260 Commercial Street.

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

## **Show Cause Hearing**

### **Clipper Ventures, Inc, 335 Commercial Street.**

The Licensing Board will consider the suspension, modification or revocation of the Annual All Alcohol Common Victualler license and/or the Weekday & Sunday Entertainment licenses of **The Squealing Pig** at 335 Commercial Street for the following reasons: Manager history, operation pattern of establishment, and numerous complaints over the last year of alleged violations of the Towns Noise By-Law (Provincetown General By-law 13-2-6-1) on 06/25/03, 06/28/03, 07/05/03, 07/06/03 & 07/19/03 from police reports.

*Represented by Atty. Chris Snow and manager Sara Cole. Atty. Snow stipulated to all complaints and police reports, which were made. Co-managers have changed throughout the history of the Squealing Pig. The management was unaware their ZBA Special Permit 2460 had expired December 31, 2002 until the Licensing Agent notified them of the situation a month ago.*

**Motion to close hearing portion by Irene Rabinowitz Seconded by Nick Robertson 4-0**

**Motion to revoke the Annual All Alcohol License by Keith Brickel Seconded by Nick Robertson 0-4**

*The Licensing Board concluded that they would not renew any license from the Squealing Pig managed by Sara Cole, the present manager. Therefore they must come back to the Licensing Board to amend all licenses for change in manager.*

**Motion to amend all Entertainment Conditions to only allow 1 performer by Nick Robertson Seconded by Keith Brickel Amended 3-1**

*Once The Squealing Pig had received ZBA approval for a new Special Permit 2460, allowing more entertainers, the establishment could return to the Licensing Board to renew their entertainment licenses.*

## **Public Statements**

## **New Licenses**

### **Taxi Operator**

1. ~~Gail Gibbs, Queen Cab, Provincetown~~
2. Patrick Casey, Queen Cab, Provincetown

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

## **Amend and New License**

Irene Rabinowitz Stepped down

### **Special Entertainment**

1. Terry Catalano representing **Outer Cape Auction**,
  - To amend their Special Entertainment License from December 27 and 28, 2003 to January 3, 2004 from 9:00 A.M. to 8:30 P.M. in the Town Hall Auditorium at 260 Commercial Street.
  - To apply for a New Special Entertainment License for February 15, April 3, July 17 and 18, and October 10, 2004, and January 1, 2005 from 9:00 A.M. to 8:30 P.M. in the Town Hall Auditorium at 260 Commercial Street.

*Represented by Terry Catalano. He would like to change one date from July 17-18 to July 14<sup>th</sup>.*

**Motion to approve by Keith Brickel Seconded by Nick Robertson Passed 3-0**

Irene Rabinowitz rejoined.

## **Transfer License**

### **Stable**

1. Nelson's Riding Stable, Inc., Robin E. Garran mgr, d.b.a. **Nelson's Riding Stables**, 43 Race Point Rd, to Flying Changes Farm, LLC, Alyssa Metcalfe mgr., d.b.a. **Flying Changes Farm**, 43 Race Point Rd.

*Represented by Alyssa Metcalfe and Sandra Bollin.*

**Motion to approve by Nick Robertson Seconded by Irene Rabinowitz Passed 4-0**

## **Renewal License**

### **Innholder with Entertainment**

1. Backstreet Hotel, Inc., James Franklin Foss mgr, d.b.a. **Gifford House Inn and Dance Club**, 9 Carver St.

2. Cape Inn Corp, Fred E. Sateriale mgr, d.b.a. **Cape Inn**, 698 Commercial St.
3. Crown & Anchor Inc., Richard J. Murray mgr, d.b.a. **Crown & Anchor**, 243 Commercial St.
4. April Cabral Pitzner, d.b.a. **Atlantic House**, 4-6 Masonic Pl.

**Motion to approve 1-4 by Irene Rabinowitz Seconded by Nick Robertson Passed 4-0**

#### Taxi Operator

1. Dante Riccio, Provincetown

*Valerie Martin spoke on behalf of Dante Riccio. The Licensing Agent notified her the Police Dept. had not signed off for his application therefore not allowing the renewal to take place. Valerie wanted to know what criteria the Police Dept. followed for the sign off. The Licensing Board suggested she take this matter up with the Chief of Police.*

Hunter O'Hanian member of Provincetown Art Association and Museum

#### Entertainment

1. Provincetown Art Association and Museum, Inc., James Baker, Pres, d.b.a. **Provincetown Art Association and Museum**, 460 Commercial St.

**Tabled till December 9<sup>th</sup> meeting**

Hunter O'Hanian Member of Pilgrim Monument & Provincetown Museum

#### Parking Lot

1. Duarte Motors, Inc., Joseph M. Duarte mgr, d.b.a. **Duarte's Parking Lot**, 132-134 Commercial St.
2. Cape Cod Pilgrim Memorial Association, Chuck Turley mgr, d.b.a. **Pilgrim Monument & Provincetown Museum**, High Pole Hill

**Motion to approve 1-2 by Keith Brickel Seconded by Irene Rabinowitz Passed 4-0**

#### Transient Vendor

1. Joseph Henderson d.b.a. **Neshyas Sunneye**, 237-241 Commercial St.
2. Diane Fernandez d.b.a. **Diane Z**, 273 Commercial St.

**Motion to approve 1-2 by Irene Rabinowitz Seconded by Keith Brickel Passed 4-0**

Keith Brickel Stepped Down

Nick Robertson Discloses he has business relationship with Helen Valentine.

#### Lodging

1. A&J Properties Inc, Adrian B Padilla mgr, d.b.a. **Sunset Inn**, 142 Commercial St.
2. Howard Weiner d.b.a. **Howard's End Guest House**, 5 Winslow St.
3. James Foss d.b.a. **Watership Inn**, 7 Winthrop St.
4. Kenneth F. Nelson d.b.a. **Bradford Carver House**, 70 Bradford St.
5. The Noble Guest House, Inc., Dennis Cole mgr, d.b.a. **Dexter's Inn**, 6 Conwell St.
6. Charles Mayo d.b.a. **Cape Codder Guest House**, 570 Commercial St.
7. Helen Valentine d.b.a. **Valentine Guest House**, 88 Commercial St.
8. Mollico, Inc, Christopher P. Scales mgr, d.b.a. **Chicago House**, 6 Winslow St.
9. West End Inn, Inc., Warren Lefkowich mgr, d.b.a. **West End Inn**, 44 Commercial St.
10. Seven Center Corp, Sarah K. Peake mgr, d.b.a. **Heritage House**, 7 Center St.
11. Carl Gregor d.b.a. **Carl's Guest House**, 17 Court St.

**Motion to approve 1-11 by Irene Rabinowitz Seconded by Nick Robertson Passed 3-0**

Keith Brickel Rejoined.

#### Common Victualer

1. Bubbadu Realty Trust & Najar, Inc., Lorraine Najar mgr, d.b.a. **Lorraine's Café**, 133 Commercial St.
2. Honbets Three, Inc., Stephen Melamed mgr, d.b.a. **Bayside Betsy's**, 177 Commercial St.
3. Dennis Byrne and Gregory Lambrou d.b.a. **Provincetown House of Pizza**, 50 Bradford St.
4. Adam's Pharmacy, Inc., Vincent Duarte mgr, d.b.a. **Adam's Pharmacy**, 252 Commercial St.
5. Fanizzi, Inc., Paul B. Fanizzi mgr, d.b.a. **Fanizzi's by the Sea**, 539 Commercial St.

**Motion to approve 1-5 by Keith Brickel Seconded by Nick Robertson Passed 4-0**

#### Common Victualer with Entertainment

1. Van Dereck Enterprises, Inc., Anton Haunstrup mgr, d.b.a. **Napi's**, 7 Freeman St.
2. CKP Entertainment Group Inc, Richard Corsino mgr, d.b.a. **The Alibi**, 291 Commercial St.
3. Surf Restaurant, Inc., Leonard E. Enos, Jr. mgr, d.b.a. **Surf Restaurant**, 315A-319 Commercial St.
4. Donald V. Edwards, d.b.a. **Governor Bradford Restaurant**, 312-315 Commercial St.

5. Phyllis Schlosberg d.b.a. **Post Office Restaurant**, 303 Commercial St.  
 #2 and #5 Tabled to December 9<sup>th</sup> meeting.  
 Motion to approve 1, 3 and 4 by Irene Rabinowitz Seconded by Keith Brickel Passed 4-0

**Annual Liquor Licenses**

<b>Business</b>	<b>Address</b>	<b>Manager</b>	<b>Type of License</b>	<b>License Number</b>
Jellydique, Inc., d.b.a. <b>Michael Shays</b>	350 Bradford Street	Shay Santos	All Alcohol Common Victualer	100400005
Provincetown Inn, Inc, d.b.a. <b>Provincetown Inn</b>	1 Commercial Street	Evan Evans	All Alcohol Innholder	100400010
Bubbadu Realty Trust & Najar, Inc. d.b.a. <b>Lorraine's Café</b>	133 Commercial Street	Lorraine Najar	All Alcohol Common Victualer	100400013
Honbets Three, Inc. d.b.a. <b>Bayside Betsy's</b>	177 Commercial Street	Steve Melamed	All Alcohol Common Victualler	100400017
Crown & Anchor Inc. d.b.a. <b>Crown &amp; Anchor</b>	243 Commercial Street	Richard Murray	All Alcohol Innholder	100400025
<b>Post Office Restaurant</b>	303 Commercial Street	Phyllis Schlosberg	All Alcohol Common Victualer	100400033
<b>Governor Bradford Restaurant.</b>	312-314 Commercial Street	Donald V. Edwards	All Alcohol Common Victualer	100400034
Clipper Ventures, Inc., d.b.a. <b>The Squealing Pig</b>	335 Commercial Street	Sara Cole	All Alcohol Common Victualer	100400038
New Hop, Inc., d.b.a. <b>Mews Restaurant</b>	429 Commercial Street	Ronald Polcari	All Alcohol Common Victualer	100400040
Surf Restaurant, Inc., d.b.a. <b>Surf Restaurant</b>	315A Commercial Street	Robert Enos	All Alcohol Common Victualer	100400050
Van Dereck Enterprises, Inc. d.b.a. <b>Napi's</b>	7 Freeman Street	Anton Van Dereck	All Alcohol Common Victualer	100400053
<b>Lewis A Young VFW Post #3152, Inc</b>	3 Jerome Smith Road	Ronald Pickard	All Alcohol Club	100400054
	4 Kiley Court	Larry Luster	All Alcohol Common Victualer	100400055

Luster-Packard, Inc., d.b.a. <b>Ciro and Sal's</b>				
<b>Atlantic House</b>	4-6 Masonic Place	April Cabral Pitzner	All Alcohol Innholder	100400057
Cape Inn Corp., d.b.a. <b>Cape Inn</b>	698 Commercial Street	Fred E. Sateriale	All Alcohol Innholder	100400058
Fabulous Food, Inc., d.b.a. <b>BradfordS</b>	150 Bradford Street	Charles Pagliuca	Wine and Malt Package	100400062
Yardarm Liquors, Inc., d.b.a. <b>Yardarm Liquors</b>	38 Conwell Street	Jeanne M. Gaaney	All Alcohol Package	100400068
Lebert's, Inc., d.b.a. <b>Perry's Liquors</b>	1 Tremont Street	Mario Lebert	All Alcohol Package	100400069
<b>Big Vin's Liquor, Inc.</b>	248 Commercial Street	Raymond Duarte	All Alcohol Package	100400072
Gullcrest, Inc., d.b.a. <b>Pennies Market</b>	56 Shank Painter Road	Charles W. Silva	Wine and Malt Package	100400077
<b>Knights of Columbus Walter Welsh Council # 2476</b>	277A Commercial Street	James Meads	All Alcohol Club	100400088
Teddy's Sea Market, Inc, d.b.a. <b>Teddy's Sea Market</b>	212 Bradford Street	Nancy Carter	Wine and Malt Package	100400089
MAR-GIN CORP, d.b.a. <b>Martin House</b>	157 Commercial Street	Glen Martin	All Alcohol Common Victualer	100400107
Aldan Inc, d.b.a. <b>George's Pizza</b>	275 Commercial Street	Daniel Price	All Alcohol Common Victualer	100400109
CKP Entertainment Group, Inc, d.b.a. <b>The Alibi</b>	291 Commercial Street	Richard Corsino	All Alcohol Common Victualer	100400112
Of the Sun, Inc. d.b.a. <b>Chasers</b>	293 Commercial Street	Linda J. Chase	General-On-Premise	100400117
Ingredients Inc/Alan James Cullinane d.b.a. <b>Angel Foods</b>	467 Commercial Street	Alan James Cullinane	Wine and Malt Package	100400120
KRoss Inc d.b.a. <b>Ross' Grill</b>	237-241 Commercial Street	Kenneth Ross	Annual Beer & Wine	100400122
Backstreet Hotel Inc d.b.a. <b>Gifford House Inn and Dance Club</b>	9-11 Carver Street	Gregory D. Streisel	All Alcohol Innholder	100400123
Fanizzi, Inc d.b.a. <b>Fanizzi By The Sea</b>	539 Commercial Street	Paul Fanizzi	All Alcohol Common Victualer	100400126
The Red Inn at Provincetown d.b.a. <b>The Red Inn</b>	15 Commercial Street	David Silva	Annual All Alcohol Innholder	100400128

Motion to approve all but Post Office Restaurant, The Squealing Pig, Big Vin's Liquors, and The Alibi by Irene Rabinowitz  
Seconded by Keith Brickel Passed 4-0  
Post Office Restaurant - tabled to December 9<sup>th</sup> meeting.  
Squealing Pig – no action on renewal

Motion to approve Big Vin's Liquors by Nick Robertson Seconded by Irene Rabinowitz Passed 4-0  
Motion to approve The Alibi by Irene Rabinowitz Seconded by Keith Brickel Passed 4-0

## **Correspondence**

Letter from Licensing Agent dated 11-25-03 regarding Liquor licenses with guesthouses.

## **Minutes – October 28, 2003**

Motion to approve amended minutes by Nick Robertson Seconded by Keith Brickel Passed 3-0-1

## **Licensing Board Statements**

## **Licensing Agent Statements**

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

*Rick Murray of the Crown and Anchor wanted to request to serve alcohol on December 31<sup>st</sup> till 2AM.*

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

- Motion to approve Sunday Openings by Nick Robertson Seconded by Irene Rabinowitz, Passed 4-0
- Motion to approve for all alcohol businesses staying open till 2AM on New Years Eve by Irene Rabinowitz Seconded by Nick Robertson Passed 4-0
- Approve 2004 Meeting Schedule by Irene Rabinowitz, Seconded by Nick Robertson Passed 4-0

Motion to adjourn 7:38 P.M.

## **Licensing Board Approval:**

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Hunter O'Hanian, Chairman

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Keith Brickel (Vice-Chair)

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Nick Robertson (Clerk)

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John Foley

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Irene Rabinowitz

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