

# Minutes

of The Provincetown Licensing Board Public Meeting on **Tuesday, November 25, 2008** at 4:00 p.m. in the Yellow Room, Community Center, 44 Bradford Street.

**Present:** Cass Benson, Todd Wagar, Jim Sheehan, George Young

## ***Public Statements***

Richard Murray representing the Crown & Anchor recommends looking into changing the by-law with regard to the 1 a.m. closing of bars and nightclubs to 2 a.m. He suggests that there could be a 14-day special license from May-September for those establishments that wish to apply and it could help with noise and crowd control by not having everyone letting out at the same time.

## ***Amend License***

### **Liquor**

1. Change of manager on the Annual All Alcohol General on Premise Liquor License from Kristin Hatch to Timothy McCarthy, d.b.a. ***Provincetown Theater Foundation, Inc.***, 238 Bradford St., Provincetown, MA.

Cass Benson expresses concern that Timothy McCarthy would not be available on the premises and would like to know if he or staff has been TIPS certified and when and the hourly wage of staff. Cass Benson also states that she would not feel comfortable approving this change without those questions answered.

**Motion to approve by Jim Sheehan. Seconded by Todd Wagar. 2-1-1 (Table for next meeting).**

## ***Renewal License***

George Young steps down

### **Lodging**

1. 175 Commercial Street, Inc., David Silva, mgr. d.b.a. ***Anchor Inn Beach House***, 175 Commercial St., Provincetown, MA.

**Motion to renew by Todd Wagar. Seconded by Cass Benson. Approved 2-0-1.**

2. Tait Accommodations, Inc., Steve Tait, mgr. d.b.a. ***Aerie House and Beach Club***, 184 Bradford St., Provincetown, MA.

3. Cal-Tonio, Inc., Ruth Leach, mgr. d.b.a. ***Bayberry Accommodations***, 16 Winthrop St., Provincetown, MA.

4. Ranchwood, Inc., Mark Brautigam, mgr. d.b.a. ***The Ranch***, 198 Commercial St., Provincetown, MA.

5. Birchwood Holdings, Inc., Howard Burchman, mgr. d.b.a. ***The Tucker Inn***, 12 Center St., Provincetown, MA.

**Motion to renew by Jim Sheehan. Seconded by Todd Wagar. Approved 3-0.**

George Young returns

### **Parking**

1. Marlene J. Sawyer d.b.a. ***Sawyer's Parking***, 152 Commercial St., Provincetown, MA.

2. Lewis A. Young VFW Post #3152, Inc., Richard Scoullar, mgr. d.b.a. ***VFW Club***, 3 Jerome Smith Rd., Provincetown, MA.

**Motion to renew by Todd Wagar. Seconded by George Young. Approved 4-0.**

## **Taxi Operator**

1. James Swift

**Motion to renew by Todd Wagar. Seconded by George Young. Approved 4-0.**

## Liquor

Business	Address	Manager	License Type	License No.	NYE 2 a.m.
Crown & Anchor, Inc. d.b.a. <b>Crown &amp; Anchor</b>	243 Commercial St.	Richard Murray	All Alcohol Inn	100400025	YES

**Motion to renew by George Young. Seconded by Jim Sheehan. Approved 4-0.**

Business	Address	Manager	License Type	License No.	NYE 2 a.m.
Clipper Ventures, Inc. d.b.a. <b>The Squealing Pig</b>	335 Commercial St.	Dermot O'Neill	All Alcohol CV	100400038	YES

**Motion to renew by George Young. Seconded by Jim Sheehan. Approved 4-0.**

Business	Address	Manager	License Type	License No.	NYE 2 a.m.
Jellydique, Inc. d.b.a. <b>Michael Shays</b>	350 Bradford St.	Shay Santos	All Alcohol CV	100400005	NO
Provincetown Inn, Inc. d.b.a. <b>Provincetown Inn</b>	1 Commercial St.	Evan Evans	All Alcohol Inn	100400010	NO
Honbets Three, Inc. d.b.a. <b>Bayside Betsy's</b>	177 Commercial St.	Steve Melamed	All Alcohol CV	100400017	YES
<b>Post Office Restaurant</b>	303 Commercial St.	Phyllis Schlosberg	All Alcohol CV	100400033	NO
Donald Edwards Enterprises, Inc. d.b.a. <b>Governor Bradford Restaurant</b>	312-314 Commercial St.	Donald R. Edwards	All Alcohol CV	100400034	YES
New Hop, Inc. d.b.a. <b>Mews Restaurant</b>	429 Commercial St.	Ron Robin	All Alcohol CV	100400040	NO
Surf Restaurant Inc. d.b.a. <b>Surf Restaurant</b>	315A Commercial St.	Robert Enos	All Alcohol CV	100400050	YES
Van Dereck Enterprises, Inc. d.b.a. <b>Napi's</b>	7 Freeman St.	Anton Van Dereck	All Alcohol CV	100400053	NO
Lewis A. Young VFW Post #3152, Inc. d.b.a. <b>VFW Club</b>	3 Jerome Smith Rd.	Richard Scoullar	All Alcohol Club	100400054	YES
Luster-Packard, Inc. d.b.a. <b>Ciro &amp; Sal's</b>	4 Kiley Ct.	Larry Luster	All Alcohol CV	100400055	NO
Cape Inn Corp. d.b.a. <b>Cape Inn</b>	698 Commercial St.	Fred E. Sateriale	All Alcohol Inn	100400058	NO
Gullcrest, Inc. d.b.a. <b>Pennies Wine &amp; Spirits</b>	68 Shank Painter Rd.	Charles Silva	All Alcohol Package	100400067	NO
Yardarm Liquors, Inc. d.b.a. <b>Yardarm Liquors</b>	38 Conwell St.	Jeannie M. Gainey	All Alcohol Package	100400068	NO
West End Perry's, LLC d.b.a. <b>Perry's Wine &amp; Liquors</b>	1 Tremont St.	Thomas W. Fielding	All Alcohol Package	100400069	NO
Big Vin's Liquor, Inc. d.b.a. <b>Big Vin's Liquor</b>	248 Commercial St.	Vincent A. Duarte	All Alcohol Package	100400072	NO
Jabong Enterprises, Inc. d.b.a. <b>Jimmy's Hideaway</b>	179 Commercial St.	James McNulty	All Alcohol CV	100400078	NO
<b>Knights of Columbus- Walter Welsh Council #2476</b>	277A Commercial St.	Kerry Luke Adams	All Alcohol Club	100400088	NO
Kopa, LLC d.b.a. <b>East End Market Place</b>	212 Bradford St.	Gary Pasnick	Wine & Malt Package	100400089	NO

Ingredients, Inc. d.b.a. <b>Angel Foods</b>	467 Commercial St.	Alan J. Cullinane	Wine & Malt Package	100400120	NO
Backstreet Hotel, Inc. d.b.a. <b>Gifford House Inn</b>	11 Carver St.	Gregory D. Streisal	All Alcohol CV	100400123	YES
Fanizzi, Inc. d.b.a. <b>Fanizzi's by the Sea</b>	539 Commercial St.	Paul Fanizzi	All Alcohol CV	100400126	YES
The Red Inn at Provincetown, Inc. d.b.a. <b>The Red Inn</b>	15 Commercial St.	David Silva	All Alcohol Inn	100400128	YES
Provincetown Cinema Co., Inc. d.b.a. <b>Art House</b>	212-214 Commercial St.	Benjamin deRuyter	All Alcohol General on Premise	100400136	NO
Crowne Pointe, Inc. d.b.a. <b>Crowne Pointe Inn</b>	82 Bradford St.	Thomas J. Walter	All Alcohol Inn	100400137	NO
Witch Mountain, LLC d.b.a. <b>The Pilgrim House/Vixen</b>	336 Commercial St.	Shawn Nightingale	All Alcohol Inn	100400142	YES
Combo, Inc. d.b.a. <b>Glass Half Full</b>	191 Commercial St.	Guillermo Yingling	Wine & Malt Package	100400144	NO
Rubarb, Inc. d.b.a. <b>Chach</b>	73 Shank Painter Rd.	Viola D. Briseno	Wine & Malt CV	100400145	YES
Vicio, Inc. d.b.a. <b>Victor's</b>	175 Bradford St. Ext.	Victor DePoalo	All Alcohol CV	100400147	NO
Brass Key Hospitality Group, LLC d.b.a. <b>Brass Key Guesthouse</b>	67 Bradford St.	Thomas Walter	All Alcohol Inn	100400148	NO

**Motion to renew by Jim Sheehan. Seconded by George Young. Approved 4-0.**

Business	Address	Manager	License Type	License No.	NYE 2 a.m.
Bubuadu Realty Trust & Najar, Inc. d.b.a. <b>Lorraine's</b>	133 Commercial St.	Lorraine Najar	All Alcohol CV	100400013	YES

The question was asked whether or not Lorraine's is open. The restaurant has been open on the weekends.

**Motion to renew by Jim Sheehan. Seconded by Todd Wagar. Approved 4-0.**

Business	Address	Manager	License Type	License No.	NYE 2 a.m.
Allstrum, Inc. d.b.a. <b>Atlantic House</b>	4-6 Masonic Pl.	April Cabral-Pitzner	All Alcohol Inn	100400057	YES

Question regarding the Inn not operating under the annual license. Table until the December 9<sup>th</sup> meeting. Ask for the hotel register to be brought in.

Business	Address	Manager	License Type	License No.	NYE 2 a.m.
Aldan, Inc. d.b.a. <b>George's Pizza</b>	275 Commercial St.	Daniel Price	All Alcohol CV	100400109	NO

Has been seized by the Department of Revenue. Teresa Venditello signed the liquor renewal form, but no other paperwork was turned in for 2009 renewal.

**Motion to deny renewal by Cass Benson. Seconded by Jim Sheehan. Denied 4-0.**

Business	Address	Manager	License Type	License No.	NYE 2 a.m.
Provincetown Theater Foundation, Inc. d.b.a. <b>Provincetown Theater</b>	238 Bradford St.	Kristin Hatch	All Alcohol General on Premise	100400134	YES

**Motion to renew by Cass Benson. Seconded by Todd Wagar. Approved 4-0.**

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Business	Address	Manager	License Type	License No.	NYE 2 a.m.
Farland, Inc. d.b.a. <b>Far-Land Provisions</b>	150 Bradford St.	Thomas Boland	Wine & Malt Package	100400138	NO

Todd Wagar steps down

**Motion to renew by Jim Sheehan. Seconded by George Young. Approved 3-0-1.**

Business	Address	Manager	License Type	License No.	NYE 2 a.m.
Clem & Joe, Inc. d.b.a. <b>Clem &amp; Ursie's Restaurant &amp; Market</b>	85 Shank Painter Rd.	Clement Silva	All Alcohol CV	100400139	NO

Discussion regarding the Board of Selectmen meeting regarding the additional gallons granted and the use of the annual liquor license. They have been closed since the end of September and are delinquent in payment of taxes. Jim Sheehan does not feel comfortable approving the renewal. Cass Benson would vote to approve the liquor license on the condition that they open immediately for the remainder of 2008.

**Motion to deny by Jim Sheehan. Seconded by George Young. Denied 3-0-1.**

Business	Address	Manager	License Type	License No.	NYE 2 a.m.
Meld, Inc. d.b.a. <b>Good Times</b>	293 Commercial St.	Mario Lebert	All Alcohol General on Premise	100400146	YES

Did not pass inspection. Some additional work needs to be done. Once the work is complete, they will be re-inspected. Table for December 9<sup>th</sup> meeting.

Business	Address	Manager	License Type	License No.	NYE 2 a.m.
386 Commercial St, LLC d.b.a. <b>The Commons</b>	386 Commercial St.	Jerome Scally	All Alcohol Inn	100400124	

Property auctioned off. Licensing was never contacted by owners regarding license renewals. License not renewed.

### **Weekday & Sunday Entertainment**

- Lewis A. Young VFW Post #3152, Inc., Richard Scoullar, mgr. d.b.a. **VFW Club**, 3 Jerome Smith Rd., Provincetown, MA.
- Phyllis Schlosberg d.b.a. **Post Office Café**, 303 Commercial St., Provincetown, MA.
- Donald Edwards Enterprises, Inc., Donald Edwards, mgr. d.b.a. **Governor Bradford Restaurant**, 312-314 Commercial St., Provincetown, MA.
- New Hop, Inc., Ron Robin, mgr. d.b.a. **Mews Restaurant**, 429 Commercial St., Provincetown, MA.
- Surf Restaurant, Inc., Leonard Enos, Jr., mgr. d.b.a. **Surf Restaurant**, 315A Commercial St., Provincetown, MA.

**Motion to renew by George Young. Seconded by Todd Wagar. Approved 4-0.**

### **Weekday Entertainment**

- Jellydique, Inc., Shay Santos, mgr. d.b.a. **Michael Shay's**, 350 Bradford St., Provincetown, MA.
- Cape Inn Corp., Fred E. Saterial, mgr. d.b.a. **Cape Inn**, 698 Commercial St., Provincetown, MA.

**Motion to renew by Todd Wagar. Seconded by George Young. Approved 4-0.**

### **Licensing Board Statements**

Cass Benson reiterates that she does not feel comfortable with Timothy McCarthy being named manager on the liquor license as she does not feel he is present on the premises enough.

### **Licensing Agent Statements**

Discussion regarding the Atlantic House filing a no trespassing order to Keith Young with the Police Department.

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

Revisions to the Licensing Board Rules & Regulations regarding the definitions of Annual License and Seasonal License will be set for January 13<sup>th</sup> meeting – send Pam Hudson legal ad. Todd Wagar will inform the PBG, EDC and Tourism Office and ask to attend.

Find out if the Board of Selectmen are responsible for changing the closing time for bars and nightclubs or if licensing should handle.