

Minutes

of The Provincetown Licensing Board Public Meeting on **Tuesday, December 11, 2007** at 5:00 p.m. in the Judge Welsh Room, Town Hall, 260 Commercial Street.

Present: Cass Benson, Todd Wagar, Liz Angelino, George Young

Amend License

1. Petition to change the ***Annual Wine & Malt License to a Seasonal Wine & Malt License*** from Kross, Inc., Kenneth Ross, mgr. d.b.a. ***Ross' Grill*** 237-241 Commercial St., Provincetown, MA.

Motion to approve by Liz Angelino. Seconded by Todd Wagar. Approved 4-0.

2. Petition from Crowne Pointe, Inc., Thomas Walter, mgr. d.b.a. ***Bistro at Crowne Pointe/Crowne Pointe Historic Inn & Spa***, 82 Bradford St., Provincetown, MA. to Amend the number of seats from 33 to 55.

Motion to approve by George Young. Seconded by Liz Angelino. Approved 3-0-1.

3. Amend Entertainment License d.b.a. of Provincetown Cinema Company, Inc. from New Art Cinema Screen 3 to ***Whaler's Wharf Cinema***, 237-241 Commercial St., Provincetown, MA.

Motion to approve by Todd Wagar. Seconded by Liz Angelino. Approved 4-0.

Transfer License

1. Petition to Transfer ***Seasonal All Alcohol Common Victualer License*** from Airedale, LLC d.b.a. ***Chester*** to Sur La Baie, LLC, Michael Staz, mgr., d.b.a. ***404***, 404 Commercial St., Provincetown, MA.

Motion to approve by George Young. Seconded by Liz Angelino. Approved 4-0.

Renewal License

George Young steps down. Cass Benson discloses that she is neighbors with Christopher's by the Bay and Gallery Inn.

Lodging

1. 175 Commercial St., David Silva, mgr. d.b.a. ***The Anchor Inn***, 175 Commercial St., Provincetown, MA.

- 2. Ken Janson, mgr. d.b.a. ***Ampersand Guest House***, 6 Cottage St., Provincetown, MA.

- 3. Lovinger Nominee Trust, Gurci Lovinger, mgr. d.b.a. ***Lotus Guest House***, 296 Commercial St., Provincetown, MA.

- 4. S.T.A.N., Inc., Stan Klein, mgr. d.b.a. ***Romeo's Holiday***, 97 Bradford St., Provincetown, MA.

5. Mollico, Inc., Christopher Scales, mgr. d.b.a. ***Chicago House***, 6 Winslow St., Provincetown, MA.

6. A&J Properties, Inc., Adrian Padilla, mgr. d.b.a. ***Sunset Inn***, 142 Bradford St., Provincetown, MA.

7. Charles Mayo, mgr. d.b.a. ***Cape Codder Guest House***, 570 Commercial St., Provincetown, MA.

8. Sanborn Enterprises, Robert Sanborn, mgr. d.b.a. ***Officers Quarters***, 164 Commercial St., Provincetown, MA.

9. Somerset House, LLC, Daniel Hoort, mgr. d.b.a. ***Somerset House***, 378 Commercial St., Provincetown,

MA.

10. Gary Palochko d.b.a. **Revere Guest House**, 14 Court St., Provincetown, MA.

11. Carl Gregor d.b.a. **Carl's Guest House**, 17 Court St., Provincetown, MA.

Motion to renew by Liz Angelino. Seconded by Todd Wagar. Approved 3-0.

12. CBB Management, LLC, James Rizzo, mgr. d.b.a. **Christopher's by the Bay**, 8 Johnson, St. Provincetown, MA.

13. Luttinger Limited Partnership, Robert LaPlume, mgr. d.b.a. **Gallery Inn**, 3 Johnson St., Provincetown, MA.

Motion to renew by Todd Wagar. Seconded by Liz Angelino. Approved 2-0-1.

George Young returns.

Parking Lot

1. Donald Morris, Jr. d.b.a. **Central Parking**, 6 Mozart Ave., Provincetown, MA.

2. Lands End Marine Supply, Inc., Craig Russell, mgr. d.b.a. **Lands End Marine Supply**, 337 Commercial St., Provincetown, MA.

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

Taxi Operator

1. Robert Fleming

Motion to renew by Liz Angelino. Seconded by George Young. Approved 4-0.

Liquor

1. Dermot O'Neil, d.b.a. **The Squealing Pig**, 335 Commercial St., License No. 100400038.

Discussion with Dermot O'Neil regarding failure of inspection, corporate status, and other issues. Corrections have been made and inspection passed. Todd Wagar asked Dermot O'Neil to convey to Patrick Grace that the corporate status has not been reinstated by the Secretary of State's Office. The Licensing Board confirmed that Dermot O'Neil lives in Provincetown and is the acting manager and all contact information is up-to-date and valid.

Motion to renew by Liz Angelino. Seconded by George Young. Approved 4-0.

Entertainment/Sunday Entertainment.

1. Dermot O'Neil, d.b.a. **The Squealing Pig**, 335 Commercial St., Provincetown, MA.

Discussion regarding noise complaints over the summer. Todd Wagar suggests replacing door or installing a mechanism so it closes automatically when people enter and leave.

Motion to renew by Todd Wagar. Seconded by Liz Angelino. Approved 4-0.

Dermot O'Neil requests permission to be closed longer than the one month allowed for an annual business as his employees will be leaving the country to visit family.

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

Liquor

Business	Address	Manager	Type of License	License Number	Extend to 2AM NYE
Martin House	157 Commercial St.	Gary Martin	All Alcohol Common Victualer	100400107	No

Letter from Gary Martin is read into the minutes regarding his withdrawal from the renewal and transfer of the licenses for the Martin House due to the denial of the transfer of the liquor license by the ABCC for non-payment of taxes by the previous owner.

Provincetown Cinema Co. Inc. d.b.a. Provincetown Cinema	212 – 214 Commercial St.	Benjamin de Ruyter	Annual All Alcohol General on premise	100400136	Yes
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Discussion with Benjamin deRuyter and Curt Richardson regarding unfinished work at the Art House and the annual liquor license. Liz Angelino inquires whether any issues came up with allowing patrons to bring their cocktails to their seats in the theater. There have been no issues. Todd Wagar will research whether or not a liquor license can be moved from one location to the other and then back again.

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

IELD, Inc., d.b.a. <i>Good Times</i>	293 Commercial St.	Mario Lebert	All Alcohol General on Premise	100400146	Yes
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Discussion with Mario Lebert and Eddie DiBiasio regarding sprinkler issues. They are willing to cut the capacity to 65 or pay for the sprinklers to be installed themselves if they have to in order to be in compliance. The Licensing Board will move to renew once they come to a resolution. Table for December 27 meeting.

Correspondence

Letter from Kopelman and Paige, P.C. regarding State sprinkler laws.

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

Licensing Agent Statements

Re-scheduling of the April 8 and November 11 meetings.

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

Valerie Martin, Jody Conklin, Thomas Frisbee discuss the possibility of having livery service instead of taxi service during the winter months with the same rules & regulations applying to them as for taxis. Research must be done to find out if insurance companies will allow the switch back and forth.

Discussion with Deiby Reelee regarding his desire to fill the alternate position on the licensing board.

Donald Edwards has informal discussion with licensing board regarding concerns and issues regarding the Governor Bradford.

Meeting adjourned at 7:15.