

Minutes of the Town of Provincetown Licensing Board Meeting Tuesday, November 27, 2001 in the Judge Welsh Room

Present: Hunter O'Hanian (Chairman), Diana Robertson (Secretary), Jack Kelly, John Gagliardi, Mitchell Baker (Alternate), Greta Holman (Licensing Agent), **Excused** Keith Brickel (Vice Chairman), **Absent** none **Others Present:** none

CONVENED: 5:00 P.M.

ADJOURNED: 8:06 p.m.

Meeting Agenda

Public Hearing

To hear a petition by The Red Inn at Provincetown, Inc. David L. Silva, Mgr. d.b.a. **The Red Inn**, 15 Commercial Street to apply for a new All Alcohol Innholders License for **The Red Inn**, 15 Commercial Street. Represented by David Silva, Richard C. Holland and Real Estate Agent Rose Kennedy. Richard Olson spoke in favor, and one letter from Tom Boland was in favor. There were no phone calls, letters and no one spoke against this applicant.

Motion to approve by Jack Kelly Seconded by John Gagliardi Vote 5-0 Passed

To hear a petition by MST Enterprises, Inc., Debra M. Travato Mgr. d.b.a. **Kelsey's Diner** at 73 Shank Painter Road to apply to alter their license type from an Annual Wine and Malt Common Victualler License to an Annual All Alcohol Common Victualler License at **Kelsey's Diner** at 73 Shank Painter Road. Represented by Debbie Travato. No one spoke or wrote in favor or against this applicant.

Motion to approve by Mitchell Baker Seconded by Jack Kelly Vote 4-1-0 Passed (Diana Robertson)

To hear a petition by Fanizzi, Inc. d.b.a. **Fanizzi's by the Sea**, 539 Commercial Street to change from a Seasonal All Alcohol Common Victualer to a Annual all Alcohol Common Victualler License at **Fanizzi's by the Sea** 539 Commercial Street. Represented by Paul Fanizzi. No one spoke or wrote against this applicant. Rose Kennedy, David Silva & Charles Fields spoke in favor.

John Gagliardi stepped down for this applicant

Motion to approve by Jack Kelly Seconded by Mitchell Baker Vote 4-0 Passed

John Gagliardi rejoined to the Board.

Public Statements

Transfer License

Innholder

C-K Pilgrim Land Trust Corp., Inc. Michael Clifford, Mgr. d.b.a. **The Red Inn**, 15 Commercial Street to The Red Inn at Provincetown, Inc. David Silva, Mgr. d.b.a. **The Red Inn**, 15 Commercial Street. Represented by David Silva No one spoke or wrote in favor or against this applicant (except, see the public hearing on the Liquor License above).

Motion to approve contingent of proof of sale by Mitchell Baker Seconded by John Gagliardi Vote 5-0 Passed

New License

Transient Vendor

- 1 Charles Fields d.b.a. **Fields Gallery**, 63 Shankpainter Road. Represented by Charles Fields. No one spoke or wrote in favor or against this applicant.

Motion to approve by Diana Robertson Seconded by Jack Kelly Vote 5-0 Passed

Renewal License

Lodging House

- 1 Gary A. Palochko d.b.a. **Revere Guest House**, 14 Court Street
- 2 Lonpro Corporation, Trevor George Pinker, Mgr. d.b.a. **Beaconlight Guesthouse**, 12 Winthrop Street.
- 3 Oxpro Corporation, Stephen Mascilo, Mgr. d.b.a. **The Oxford Guesthouse**, 8 Cottage Street.
- 4 John S. Gagliardi d.b.a. **The Copper Fox**, 448 Commercial Street.
- 5 Carl A. Gregor d.b.a. **Carl's Guest House**, 17 Court Street.
- 6 Frank D. Schaefer d.b.a. **White Horse Inn**, 500 Commercial Street.
- 7 Birchwood Inc, Howard Holdings, Inc, Mgr. d.b.a. **The Tucker Inn**, 12 Center Street.
- 8 James F. Baer d.b.a. **The Captain and His Ship**, 164 Commercial Street.
- 9 James Foss d.b.a. **Watership Inn**, 7 Winthrop Street.

John Gagliardi stepped down from the Board.

#9 was withdrawn due to an incomplete file.

Motion to approve 1-8 by Mitchell Baker Seconded by Diana Robertson Vote 4-0 Passed

John Gagliardi rejoined the Board.

Common Victualler

- 1 Provincetown Ferry, Inc., Betsy Melamed, Mgr. d.b.a. **Bayside Betsy's**, 177 Commercial Street.
- 2 Family Tran, Inc., Dieu Tran, Mgr. d.b.a. **Szechuan Restaurant**, 179 Commercial Street.

Motion to approve #1 by Diana Robertson Seconded by John Gagliardi Vote 4-0-1 (Jack Kelly)

#2 was moved to the "other business before the board" section

Common Victualler with Entertainment

- 1 Richard Williams d.b.a. **Twomey's**, 269 Commercial Street
- 2 Phyllis Schlosberg d.b.a. **Post Office Restaurant**, 303 Commercial Street
- 3 Van Dereck Enterprises, Inc., Anton Haunstrup, Mgr. d.b.a. **Napi's**, 7 Freeman Street.
- 4 Another Honbets, Inc., Stephen D. Melamed, Mgr. d.b.a. **Steve's Alibi**, 291 Commercial Street.

Motion to approve all 4 by John Gagliardi Seconded by Diana Robertson Vote 5-0 Passed

Innholder with Entertainment

- 1 Backstreet Hotel, Inc., Biagio V. Pizzolato Mgr. d.b.a. **Gifford House Inn and Dance Club**, 9 Carver Street.
- 2 April Cabral Pitzner d.b.a. **Atlantic House**, 6 Masonic Place.

Motion to approve both by Diana Robertson Seconded by Mitchell Baker Vote 5-0 Passed

Alcohol Licenses

Business	Address	Manager	Type of License	License Number
Crown & Anchor Inc. Crown & Anchor	243 Commercial Street	Thomas J. Walter	All Alcohol Innholder	100400025

Jack Kelly stepped down from this applicant

Motion to approve by Diana Robertson Seconded by John Gagliardi Vote 4-0 Passed Application for entertainment must be in members packets when they apply to renew.

Jack Kelly rejoined the Board

Clipper Ventures, Inc. Squealing pig	335 Commercial Street	Sara Cole	All Alcohol Common Victualer	100400038
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Motion to approve by Mitchell Baker Seconded by John Gagliardi Vote 5-0 Passed

Gullcrest, Inc. Pennies Market	56 Shank Painter Road	Charles W. Silva	Wine and Malt Package	100400077
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Motion to approve by Diana Robertson Seconded by John Gagliardi Vote 5-0 Passed

Richard Williams Twomey's	269 Commercial Street	Richard Williams	All Alcohol Common Victualer	100400111
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Motion to approve by Diana Robertson Seconded by John Gagliardi Vote 5-0 Passed

Addition Alcohol licenses follow

Business	Address	Manager	Type of License	License Number
Jellydinque, Inc. Michael Shays	350 Bradford Street	Shay Santos	All Alcohol Common Victualer	100400005
Provincetown Inn, Inc	1 Commercial Street	Evan Evans	All Alcohol Innholder	100400010

Gallerani's, Inc. Gallerani's Café	133 Commercial Street	Barry Barnes	All Alcohol Common Victualer	100400013
Provincetown Ferry, Inc. Bayside Betsy's	177 Commercial Street	Steve Melamed	All Alcohol Common Victualer	100400017
Post Office Café	303 Commercial Street	Phyllis Schlosberg	All Alcohol Common Victualer	100400033
Governor Bradford Rest.	312-314 Commercial Street	Donald V. Edwards	All Alcohol Common Victualer	100400034
New Hop, Inc. Mews Restaurant	429 Commercial Street	Ronald Polcari	All Alcohol Common Victualer	100400040
Surf Restaurant, Inc.	315A Commercial Street	Robert Enos	All Alcohol Common Victualer	100400050
New Hop, Inc. Mews Restaurant	429 Commercial Street	Ronald Polcari	All Alcohol Common Victualer	100400040
Van Dereck Enterprises, Inc. Napi's	7 Freeman Street	Anton Van Dereck	All Alcohol Common Victualer	100400053
Lewis A Young VFW Post #3152, Inc	3 Jerome Smith Road	Ronald Pickard	All Alcohol Club	100400054
	4 Kiley Court	Larry Luster	All Alcohol Common Victualer	100400055

Ciro and Sal's				
Atlantic House	4-6 Masonic Place	April Cabral Pitzner	All Alcohol Innholder	100400057
Cape Inn Corp. Best Inn	698 Commercial Street	Fred E. Sateriale	All Alcohol Innholder	100400058
L.P. Express 150 Market Place	150 Bradford Street	Timothy McNulty	Wine and Malt Package	100400062

Yardarm Liquors, Inc.	38 Conwell Street	Jeanne M. Gainey	All Alcohol Package	100400068
Lebert's, Inc. Perry's Liquors	1 Tremont Street	Mario Lebert	All Alcohol Package	100400069
Big Vin's Liquor, Inc.	248 Commercial Street	Raymond Duarte	All Alcohol Package	100400072
Knights of Columbus Walter Welsh Council # 2476	277A Commercial Street	James Meads	All Alcohol Club	100400088
The Patrician	212 Bradford Street	Francis and Patricia Stark	Wine and Malt Package	100400089
MST Enterprises, Inc. Kelsey's Diner	73 Shank Painter Road	Debra Travato	Wine and Malt Common Victualer	100400100
MAR-GIN CORP Martin House	157 Commercial Street	Glen Martin	All Alcohol Common Victualer	100400107
Aldan Inc George's Pizza	275 Commercial Street	Daniel Price	All Alcohol Common Victualer	100400109
Another Honbets, Inc. Steve's Alibi	291 Commercial Street	Stephen D. Melamed	All Alcohol Common Victualer	100400112
Provincetown Market & Deli, Inc. Provincetown Cheese Market and Deli	225 Commercial Street	Alisha H. King	Wine and Malt Package	100400113
Of the Sun, Inc. Chasers	293 Commercial Street	Linda J. Chase	General-On-Premise	100400117
Ingredients Inc Angel Foods	467 Commercial Street	Alan J. Cullinane	Wine and Malt Package	100400120
	9-11 Carver Street	Gregory D. Streisel	All Alcohol Innholder	100400123

Backstreet Hotel Inc Gifford House Inn and Dance club				
Ross Grill	237-241 Commercial Street	Kenneth Ross	Annual Beer & Wine	100400125

Motion to approve all of the above licenses by John Gagliardi Seconded by Mitchell Baker Vote 5-0 Passed

Correspondence

Motion to approve Sunday opening list for Package Stores 2001 by Diana Robertson Seconded by Mitchell Baker Vote 5-0 Passed

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Motion to approve as amended by Diana Robertson Seconded By John Gagliardi Vote 5-0

Licensing Board Statements

Licensing Agent Statements

OTHER BUSINESS – ANY OTHER BUSINESS WHICH SHALL PROPERLY COME BEFORE THE BOARD

Mitchell Baker & Jack Kelly stepped down for #2

Motion to approve #2 by Diana Robertson Seconded by John Gagliardi Vote 3-0 Passed

Mitchell Baker & Jack Kelly rejoined the Board

The Licensing Agent was instructed to send the following questions to Town Counsel.

- 1) What is the procedure to stop someone who appears to be operating an unlicensed business? What are the roles of the Licensing Board, the Police Department, the Licensing Agent?
- 2) What is the procedure if a business that is licensed but starts conducting an activity they are not licensed for? What are the roles of the Licensing Board, the Police Department, the Licensing Agent?

Diana Robertson asked that her reason for voting against the application for Kelsey’s Diner to be placed in the minutes. She states that she will always vote against any request for a Wine & Malt License to be expanded to an All Alcohol License as she feels that the down doesn’t need any more places to get a drink.

Motion to adjourn 8:06 P.M. Diana Robertson

Licensing Board Approval:

Hunter O’Hanian , Chairman

Keith Brickel (Vice-Chair)

Diana Robertson (Clerk)

Jack Kelly

Mitchell Baker

John Gagliardi