

# Minutes of the Town of Provincetown Licensing Board Meeting Tuesday, December 11, 2001 in the Judge Welsh Room

**Present:** Hunter O'Hanian (Chairman), Keith Brickel (Vice Chairman), Diana Robertson (Secretary), John Gagliardi, Mitchell Baker (Alternate), Greta Holman (Licensing Agent), **Excused** Jack Kelly, **Absent** none **Others Present:** none  
CONVENED: 5:00 P.M. ADJOURNED: 6:35 p.m.

## Meeting Agenda

### ***Public Hearing***

To hear a petition by Cape Inn Corp. Fred E. Sateriale, Mgr. d.b.a. **The Best Inn**, 698 Commercial Street to change the Doing Business As (DBA) from the Best Inn to **Cape Inn** at 698 Commercial Street. No one spoke or wrote in favor or against this applicant.

**Motion to approve by Diana Robertson Seconded By John Gagliardi Vote 5-0 Passed**

### ***Public Statements***

#### ***Transfer License***

##### **Guest House**

John Gair & Paula Post d.b.a. **The Black Pearl Bed and Breakfast**, 11 Pearl Street to Michael Clifford d.b.a. **The Black Pearl Bed and Breakfast**, 11 Pearl Street. Represented by Rose Kennedy. No one spoke or wrote in favor or against this applicant.

**Motion to approve contingent on sale going thru by Mitchell Baker Seconded By John Gagliardi Vote 5-0 Passed**

#### ***Stable***

Alyssa D. Metcafe d.b.a. **Bayberry Hollow Horse Farm**, 66 West Vine St. to Kerry Castle d.b.a. **Bayberry Hollow Horse Farm**, 66 West Vine St. Represented by Kerry Castle. No one spoke or wrote in favor or against this applicant. After a discussion it was determined that this should be a new license not a transfer. It was decided to vote to allow a new license from today till 01/31/02 and have the applicant do the Abutter notification and have the new license for 2002 on the agenda for the 01/08/02 meeting. The applicant is excused from appearing at the 01/31/02 meeting unless there are concerns or complaints from the abutters.

**Motion to approve a new license to cover from 12/11/01 till 01/31/02 by Mitchell Baker Seconded By John Gagliardi Vote 5-0 Passed**

### ***New License***

#### **Transient Vendor**

1 Donna Bartell d.b.a. **I used to be a Tree**, 357 Commercial Street.

Diana Robertson disclosed that she sells similar product at Traders Village. No one spoke or wrote in favor or against this applicant.

**Motion to approve an extended license from 12/11/01 till 12/31/02 by Diana Robertson Seconded By Mitchell Baker Vote 5-0 Passed**

### ***Renewal License***

#### **Entertainment**

1 Of the Sun, Inc., Linda J. Chase, Mgr. d.b.a. **Chaser's**, 293 Commercial Street.

**Motion to approve by Keith Brickel Seconded By John Gagliardi Vote 5-0 Passed**

#### **Transient Vendor**

1 Diane M. Fernandez d.b.a. **Diane Z**, 273 Commercial Street.

**Motion to approve by Keith Brickel Seconded By Diana Robertson Vote 5-0 Passed**

### **Common Victualler**

1 Fanizzi, Inc., Paul B. Fanizzi, Mgr. d.b.a. **Fanizzi's by the Sea**, 539 Commercial Street.

2 Mar-Gin, Inc., Glen S. Martin, Mgr. d.b.a. **Martin House**, 157 Commercial Street.

3 Luster-Packard, Inc., Larry Luster, Mgr. d.b.a. **Ciro and Sal's**, 4 Kiley Court.

John Gagliardi stepped down for applicant #1

**Motion to approve # 1 by Mitchell Baker Seconded By Keith Brickel Vote 4-0 Passed**

John Gagliardi rejoined the Board

Motion to approve #2 & 3 by Keith Brickel Seconded By John Gagliardi Vote 5-0 Passed

### **Common Victualler with Entertainment**

- 1 Surf Restaurant, Inc., Leonard E. Enos, Jr. d.b.a. **Surf Restaurant**, 315A-319 Commercial Street.
- 2 MST Enterprises, Inc., Debra M. Travato Mgr. d.b.a. **Kelsey's Diner**, 73 Shank painter Road.
- 3 KRoss, Inc., Kenneth Ross Mgr., d.b.a. **Ross' Grill**, 237-241 Commercial Street. Unit 25.
- 4 New Hop, Inc., Ron Robin Polcari, Mgr. d.b.a. **Mews Restaurant**, 429 Commercial Street.
- 5 Jellydique, Inc. Shay Santos, Mgr. d.b.a. **Michael Shay's**, 350 Bradford Street.
- 6 Clipper Ventures, Inc, Sara Cole, Mgr. d.b.a. **The Squealing Pig**, 335 Commercial Street.

Motion to approve # 1 thru 5 by Keith Brickel Seconded By Diana Robertson Vote 5-0 Passed

Motion to approve # 6 by Diana Robertson Seconded By Keith Brickel Vote 3-0-2 Passed (Keith Brickel, Diana Robertson)

### **Lodging House**

- 1 Sandpiper Management Trust, John Peter Simpson Mgr. d.b.a. **The Sandpiper Beach House**. 165 Commercial Street.
- 2 Ampersand Guest House, Inc. Ken Jansen Mgr. d.b.a. **Ampersand Guest House**, 6 Cottage Street.
- 3 West End Inn, Inc. Warren Lefkowich, Mgr. d.b.a. **West End Inn**, 44 Commercial Street.
- 4 Samuel H. Graybill, Jr., d.b.a. **6 Tremont Street**, 6 Tremont Street.
- 5 Samuel H. Graybill, Jr., d.b.a. **8 Tremont Street**, 8 Tremont Street.
- 6 John Ransom Jr. Michael Beattie d.b.a. **Ireland House** 18 Pearl Street.
- 7 Admiral's Landing, Inc, Peter Bez, Mgr. d.b.a. **Admiral's Landing**, 158 Bradford Street.
- 8 T & R Management, Inc., Richard D. Brunson, Mgr. d.b.a. **John Randall House**, 140 Bradford Street.
- 9 Owen H. Hart & John Gordon d.b.a. **Prince Albert Guest House**, 166 Commercial Street.
- 10 Van Ryan Enterprises, Ltd., Thomas Ryan, Mgr. d.b.a. **Grand View Inn**, 4 Conant Street.
- 11 Tait Accommodations/Steven K. Tait, Steven K. Tait Mgr., d.b.a. **Aerie House and Beach Club**, 284 Bradford Street.
- 12 Kenneth F. Nelson d.b.a. **Bradford Carver House**, 70 Bradford Street.
- 13 John Peternell and Richard Golon d.b.a. **The Archer Inn**, 26 Bradford Street.

John Gagliardi and Keith Brickel stepped down from the Board for these applicants.

Motion to approve 1 thru 13 by Mitchell Baker Seconded By Diana Robertson Vote 3-0 Passed

John Gagliardi and Keith Brickel rejoined the Board.

### **Parking Lot**

- 1 Lands End Marine Supply Inc, Joseph Macara, Mgr. d.b.a. **Lands End Marine Supply**. 337 Commercial Street.

Motion to approve by Keith Brickel Seconded By Diana Robertson Vote 5-0 Passed

### **Correspondence**

### **Minutes –November 27, 2001**

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

### **Licensing Board Statements**

### **Licensing Agent Statements**

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

Motion to approve an extended license covering 12/11/01 till 12/31/02 for Fields Gallery 63 Shank Painter Road by Keith Brickel Seconded By Mitchell Baker Vote 5-0 Passed license

The Planning Board sent a written request to the Licensing Board for their opinion on the proposed Zoning Bylaw for adult entertainment. This bylaw change is to remove "E" (Adult Live Entertainment) from the bylaw.

After a discussion on this proposed change to the Zoning Bylaw, the following statement was offered:

**"It is the opinion of the Licensing Board that the question of public nudity in licensed entertainment venues is a town wide planning decision. We feel we could apply the change if adopted by Town Meeting."**

Hunter O'Hanian requests verification that Town Counsel will be fully handling the lawsuit from Family Tran for the Licensing Board.

Motion to adjourn 6:35 P.M. Diana Robertson

**Licensing Board Approval:**

---

**Hunter O'Hanian, Chairman**

---

**Keith Brickel (Vice-Chair)**

---

**Diana Robertson (Clerk)**

---

**Jack Kelly**

---

**Mitchell Baker**

---

**John Gagliardi**