

# Minutes of the Town of Provincetown Licensing Board Regular Meeting Tuesday, October 24, 2000 in the Judge Welsh Meeting Room

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

CONVENED: 5:00 p.m.

ADJOURNED: 6:34 p.m.

## Public Hearings

To hear a petition by Patrick Calkins d.b.a. **Bayberry Accommodations** at 16 Winthrop Street to change from a Camps, Cabins, Motels License to a Lodging House License at 16 Winthrop Street with no change in use.

Represented by Patrick Calkins

**Motion to approve by Keith Brickel Seconded by Jack Kelly Vote 5-0 Passed**

To hear a petition by Regina Binder and John Sunderland, **Provincetown Tales LLC**. D.b.a. **Provincetown Tales** at 237-241 Commercial Street to apply for a Weekday and Sunday Entertainment License for Motion Pictures and Live Theater. Represented by Eric Drey

**Motion to approve with addition of published schedule agreement between Provincetown tales, LLC and Whaler's Wharf, LLC by Pat Hartzell Seconded by Jack Kelly Vote 4-1 Passed (Keith Brickel)**

To hear a petition by Paul De Ruyter, **Whaler's Wharf, LLC**. D.b.a. **Whaler's Wharf** at 237-241 Commercial Street to apply for a Weekday and Sunday Entertainment License for Motion Pictures, Live Theater, Live Entertainment.

Represented by Paul DeRuyter.

**Motion to approve with addition of published schedule agreement between Provincetown tales, LLC and Whaler's Wharf, LLC by Jack Kelly Seconded by Pat Hartzell Vote 5-0 Passed**

## Meeting Agenda

**Public Statements** none

### **Agenda Item**

Correspondence from Charles Silva, d.b.a. Pennies Market regarding the change on MGL Chapter 138 Section 17 adjusting the date of expiration. Represented by Charles Silva

**Motion to acknowledge and adopt the changes to MGL Chapter 138, Section 17 as they apply to extend the season for Seasonal All-Alcohol Off Premise, Package Store Licenses by Pat Hartzell Seconded by Jack Kelly Vote 5-0 Passed**

### **Transfer Licenses**

#### **Lodging House**

1. Ontario, Inc. D.B.A. **Bradford Gardens Inn**, 178 Bradford Street to James Mack and Paul Gizaro d.b.a. **Snug Cottage**, 178 Bradford Street.

**Motion to approve by Pat Hartzell Seconded by John Gagliardi Vote 5-0 Passed**

### **Amended License**

#### **Seasonal All Alcohol Common Victualler**

1. Pucci's Harborside Restaurant & Bar, Inc D.b.a. **Pucci's Harborside Restaurant & Bar**, 539 Commercial Street **Change in manager**. Represented by Atty. Chris Snow.

**Motion to approve by Keith Brickel Seconded by Jack Kelly Vote 5-0 Passed**

### **New Licenses**

#### **Transient Vendor**

2. Richard D. Swift Jr. D.B.A. **Birchwood**, 237-241 Commercial Street

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

## ***Renewal Licenses***

### **Lodging House**

1. Howard Wiener d.b.a. ***Howards End***, 5 Winslow Street.
2. Charles Mayo d.b.a. ***Cape Codder Guest House***, 570 Commercial Street
3. Elephant Walk, Inc d.b.a. ***Elephant Walk***, 156 Bradford Street

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

**Motion to approve all three licenses by Pat Hartzell Seconded by Jack Kelly Vote 3-0 Passed**

Keith Brickel and John Gagliardi rejoined the Board

### **Common Victuallers**

1. HRSnack, Inc. d.b.a. Snack Attack, 331 Commercial Street

**Motion to approve by Pat Hartzell Seconded by Keith Brickel Vote 5-0 Passed**

### ***Correspondence***

Discussion of the memo from Building Commissioner Warren Alexander to Licensing Agent Greta Holman regarding a recent ruling by Town Counsel about 1260's in R & P zones being exempt from 2 year abandonment rule.

### ***Minutes –October 05 & 10, 2000***

**Moved to the 11/14/00 meeting**

### ***Licensing Board Statements***

### ***Licensing Agent Statements***

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

**Licensing Board Approval:**

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Hunter O'Hanian , Chairman

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Keith Brickel (Vice-Chair)

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Diana Robertson (Clerk)

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Jack Kelly

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Patricia Hartzell

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John Gagliardi