



# Minutes

of The Provincetown Licensing Board Public Meeting on **Tuesday, March 27, 2012** at 5:15 p.m. in the Judge Welsh Meeting Room, Town Hall, 260 Commercial Street.

**Present:** AJ Petras, Frank Thompson, Dallas Sowers, Rebecca Matarazzi, Scott Chovanec, Kristin Hatch

## ***Public Hearings***

### **New Wine & Malt w/Cordials Restaurant License – Continued from March 13, 2012 Meeting**

1. Petition from Peter Okun, representing Broken Wheel Farm, LLC. d.b.a. ***Purple Feather Café & Treatery*** for a ***New Annual Wine & Malt with Cordials License*** at 334 Commercial St., Provincetown, MA.

Peter Okun states that they will offer a savory menu all day and in evening, Hand out distributed showing menu and proposed alcoholic beverage items and recipes, all staff will be TIPS trained, signs to be posted prohibiting taking alcoholic beverages outside, signs will be posted at registers and at all exits. During summer 15%-20% of business is the sale of savory items. No speakers for or against. Kristin Hatch – not seeing a need for a liquor license in a dessert café. Rebecca Matarazzi – conducted a poll and found that no one perceived it as a place to buy and consume alcohol. AJ Petras thinks it might be a good fit as Purple Feather is more upscale. However, he is concerned about the egress. Suggest asking ABCC to put on a watch list.

**AJ Petras moved to approve the application with the provision that all employees be TIPS trained - certificates to be kept on file on site, ABCC put on watch list, and come to Licensing Board meeting for review on July 24. No second.**

Discussion. Frank Thompson does not think there needs to be a liquor license for fast food establishment. Peter Okun requests continuing to another meeting in order to have his attorney present.

**AJ Petras moved to continue to May 8, 2012 meeting. Frank Thompson Seconded.**

**Approved 5-0.**

### **Special Entertainment/Special Liquor License, Noise By-Law Waiver**

1. Petition from David Mazochi, representing ***David Flower Productions*** for a ***Special Entertainment License, Special Liquor License and Noise By-Law Waiver*** for an event to be held on Macmillan Pier on Tuesday, July 3, 2012 from 4pm – 9pm. Rain date Wednesday, July 4, 2012.

12th year of the pier dance. David Mazochi and all bartenders are all TIPS trained. No incidents or noise complaints. No speakers for or against. AJ Petras voices concern regarding open containers. Scott assures that no issues regarding open containers occurred during pier dance. Between 600-800 people anticipated to attend.

**AJ Petras moved to approve. Seconded by Rebecca Matarazzi. Approved 5-0.**

**Special Entertainment/Special Liquor License**

1. Petition from Stephen Frazee, representing *Ragnar Events* for a ***Special Entertainment License and Special Liquor License*** for an event to be held at the Jerome Smith Soccer Field on Saturday, May 12, 2012 from 11am until 7pm. No rain date requested. Richard Peters, Ambassador is present to represent Ragnar. 200-mile relay race from Plymouth to Provincetown starting May 11<sup>th</sup>. 356 teams registered. Each team has 6-12 runners. 5000 expected to run. American Cancer Society will be receiving partial proceeds. No information regarding entertainment. Confusion as to whether there will be some form of entertainment and where events will take place. More information is needed.

**AJ Petras moved to continue to the April 10, 2012 meeting. Seconded by Kristin Hatch 5-0.**

**Transfer of Stock**

1. Petition from Cassandra Benson, representing Harbor Lounge, Inc., d.b.a. *Harbor Lounge* for a ***Transfer of Stock*** at 359 Commercial St., Provincetown, MA. Diane Hudson is present on behalf of Ms. Benson. Transfer of shares from 3 owners to 2. Business is the same. No other changes.

**Rebecca Matarazzi moved to approve. Seconded by Dallas Sowers. Approved 5-0.**

**Transfer Liquor License/Change from Annual to Seasonal**

1. Petition from Timothy Miller, representing Timtanman Corp. d.b.a. *Post Office Café & Cabaret* for a ***Transfer of the All Alcoholic Beverages Restaurant License and Change from Annual to Seasonal License*** at 303 Commercial St., Provincetown, MA.

Timothy Miller is now taking over the Post Office Café. Mr. Miller has been managing for 20 years and would like to be closed January until March. No comments for or against.

**Dallas Sowers moved to approve. Seconded by Frank Thompson. Approved 5-0.**

**New Seasonal All Alcohol Restaurant License**

1. Petition from Vida Hamnquist, representing *Nor' East Beer Garden, Inc.* d.b.a. *Nor' East Beer Garden* for a ***New Seasonal All Alcohol Restaurant License*** at 206 Commercial St., Provincetown, MA.

Vida Hamnquist is at the restaurant approximately 16 hours a day. When asked how they keep customers from going out onto the sidewalk with their drinks, Ms. Hamnquist stated that serving in Glassware makes a difference. They would like to offer locally produced alcohol with herbs from their garden. Does more beer business than food. Most of the staff is TIPS certified. No speakers for or against.

**Rebecca Matarazzi moved to approve with the condition that all alcohol servers are TIPS certified. Seconded by Frank Thompson. Approved 5-0.**

**Renewal License****Liquor**

**AJ Petras moved renew items #1-#3; #6-#12; #14-#18; #20; #23; #25-#32 as a group. Seconded by Rebecca Matarazzi. Approved 5-0.**

1. Harbor Lounge, Inc., Cassandra Benson, mgr. d.b.a. *Harbor Lounge*, 359 Commercial St., Provincetown, MA, General on Premise, License #100400155.

2. Voorspoed, Inc., Benjamin deRuyter, mgr. d.b.a. *Aqua Bar*, 205-209 Commercial St., Provincetown, MA, General on Premise

3. Tip for Tops'n, Gerald Carreiro, mgr. d.b.a. **Tip for Tops'n Restaurant**, 31 Bradford St., Provincetown, MA, Wine & Malt CV, License #100400002.
6. Devon Ruesch d.b.a. **Devon's**, 401 ½ Commercial St., Provincetown, MA, Wine & Malt CV, License #100400115.
7. Sal's Place, Inc., Lora Papetsas, mgr. d.b.a. **Sal's Place**, 99 Commercial St., Provincetown, MA, Wine & Malt CV, License #100400012.
8. Karoo Kafe, Inc., Sanette Groenewald, mgr. d.b.a. **Karoo Kafe**, 338 Commercial St., Provincetown, MA, Wine & Malt CV, License #100400154.
9. Erik Hamnquist d.b.a. **Nor' East Beer Garden**, 206 Commercial St., Provincetown, MA, Wine & Malt CV, License #100400151.
10. Clambake, Inc., Mary Joy McNulty, mgr. d.b.a. **Lobster Pot Restaurant**, 321 Commercial St., Provincetown, MA, All Alcohol CV, License #100400140.
11. Gusto, Inc., John Yingling, mgr. d.b.a. **Enzo**, 186 Commercial St., Provincetown, MA, All Alcohol CV, License #100400097.
12. Vicio, Inc., Victor DePoalo, mgr. **Victor's**, 175 Bradford St. Ext., Provincetown, MA, All Alcohol CV, License #10040147.
14. Aliperti, Inc., Donna Aliperti, mgr. d.b.a. **Front Street Restaurant**, 230 Commercial St., Provincetown, MA, All Alcohol CV, License #100400024.
15. Scruples, Inc., Johnny Pak, mgr. d.b.a. **Thai Lounge Bistro & Monkey Bar**, 149 Commercial St., Provincetown, MA, All Alcohol CV, License #100400101.
16. Dalla Cucina, Inc., Bernabe Orpilla, mgr. d.b.a. **Dalla Cucina**, 404 Commercial St., Provincetown, MA, All Alcohol CV, License #100400044.
17. Café Heaven, Inc., Alan Cullinane, mgr. d.b.a. **Café Heaven**, 199 Commercial St., Provincetown, MA, All Alcohol CV, License #10040081
18. Nancyann Meads d.b.a. **Café Edwige**, 333 Commercial St., Provincetown, MA, All Alcohol CV, License #100400037.
20. KLKTOO, Inc., Krista Kranyak, mgr. d.b.a. **Ten Tables Restaurant & Bar**, 133 Bradford St., Provincetown, MA, All Alcohol CV, License #100400157.
23. Atlantic Ocean, Inc., April Cabral Pitzner, mgr. d.b.a. **Grand Central**, 5 Masonic Pl., Provincetown, MA, All Alcohol CV, License #100400105.
25. Vorelli's Inc., Terri Vorelli, mgr. d.b.a. **Vorelli's Restaurant**, 226 Commercial St., Provincetown, MA, All Alcohol CV, License #100400022.
26. Summer Coastline, Inc., Susan Webster, mgr. d.b.a. **Pied Piper Bar**, 193A Commercial St., Provincetown, MA, All Alcohol CV, License #100400048.

27. Kross, Inc., Kenneth Ross, mgr. d.b.a. **Ross' Grill**, 237 Commercial St., Provincetown, MA, All Alcohol CV, License #100400122.
28. The Mayflower Café, Inc., Darin Janoplis, mgr. d.b.a. **Mayflower Café**, 300 Commercial St., Provincetown, MA, All Alcohol CV, License #100400032.
29. Steamboat Wharf of Provincetown, Inc., John Yingling, mgr. d.b.a. **Bubala's by the Sea**, 183 Commercial St., Provincetown, MA, All Alcohol CV, License #100400079.
30. Boatslip, LLC, Terry McCumber, mgr. d.b.a. **Boatslip Beach Club**, 161 Commercial St., Provincetown, MA, All Alcohol Inn, License #100400016.
31. Provincetown Hospitality, Elaine Quigley, mgr. d.b.a. **Surfside Inn**, 543 Commercial St., Provincetown, MA, All Alcohol Inn, License #100400131.
32. Kopa, LLC, Gary Pasnick, mgr. d.b.a. **East End Market Place**, 212 Bradford St., Provincetown, MA, All Alcohol Package Store, License #100400156.  
**AJ Petras moved to renew items #1-#3; #6-#12; #14-#18; #20; #23; #25-#32. Seconded by Frank Thompson. Approved 5-0.**
4. Julesan, Inc., Julie Knapp, mgr. d.b.a. **Twist'd Sisters**, 293 Commercial St., Provincetown, MA, Wine & Malt CV, License #100400162.  
Scott Chovanec discusses multiple incidents that occurred last year. Kristin Hatch wants to put a letter in the file for incidents. Request Julie Knapp's presence at a licensing meeting. Grease trap only pumped once for 2011. Issue citation for violation.  
**AJ Petras moved to approve with the condition that a letter of warning be placed in the file, request Ms. Knapp's presence at April 10<sup>th</sup> meeting, and receive \$100 fine for failing to pump grease trap as required. Seconded by Dallas Sowers. Approved 5-0.**
5. Tiny's Local Food, Inc., Kristyn Samok, mgr. d.b.a. **Tiny's Local Food**, 336 Commercial St., Provincetown, MA, Wine & Malt CV, License #100400160.  
No incidents. Grease trap pumped. File in order.  
**AJ Petras moved to renew. Seconded by Frank Thompson. Approved 5-0.**
13. El Mundo, LLC, M. Beatrice Chamberlain, mgr. d.b.a. **El Mundo**, 269 Commercial St., Provincetown, MA, All Alcohol CV, License #100400158.  
Make sure license is picked up and paid for prior to opening.  
**AJ Petras moved to renew. Seconded by Dallas Sowers. Approved 5-0.**
19. Geraldine Boccio d.b.a. **WayDownTown**, 267 Commercial St., Provincetown, MA, All Alcohol CV, License #100400132.  
Discussion regarding 2-drink minimum requirement last year. Kristin Hatch discussed with owner and informed her that it is illegal to require a 2-drink minimum in Massachusetts. It was corrected.  
**AJ Petras moved to renew. Seconded by Frank Thompson. Approved 5-0.**
21. Pepe's Wharf, Inc., Astrid Berg, mgr. d.b.a. **Pepe's Wharf**, 371-373 Commercial St., Provincetown, MA, All Alcohol CV, License #100400133.  
Letter for the file regarding ABCC sting. Grease trap pumped. Request presence at the April 10<sup>th</sup> meeting.

**AJ Petras moved to renew with the condition of a letter of warning be placed in the file and request Ms. Berg's presence at the April 10, 2012 meeting. Seconded by Rebecca Matarazzi. Approved 5-0.**

22. Old Colony Tap, Inc., Robert Enos mgr. d.b.a. **Old Colony Tap**, 323 Commercial St., Provincetown, MA, All Alcohol CV, License #100400035.  
Incident occurring last year involving a patron getting alcohol poisoning. Noise complaints.  
**AJ Petras moved to renew with the condition that a letter of concern placed in file, request the appearance of Mr. Enos at the April 10, 2012 meeting, and have ABCC put on watch list. Seconded by Rebecca Matarazzi. Approved 5-0.**

24. Saki, LLC, Steven Schnitzer, mgr. d.b.a. **John Dough's**, 258 Commercial St., Provincetown, MA, All Alcohol CV, License #100400026.  
Discussion regarding incidents last season.  
**AJ Petras moved to renew appear with the condition that a letter of warning be placed in the file and request Mr. Schnitzer's presence at the April 10, 2012 meeting. Seconded by Dallas Sowers. Approved 5-0.**

### **Common Victualer**

1. Provincetown Portuguese Bakery, Inc., Tibor Bagó, mgr. d.b.a. **Provincetown Portuguese Bakery**, 299 Commercial St., Provincetown, MA.  
**Rebecca Matarazzi moved to renew. Seconded by Dallas Sowers. Approved 5-0.**

2. Betru, Inc., Paige Mansfield, mgr. d.b.a. **Blondie's Burgers**, 225 Commercial St., Provincetown, MA.  
**Dallas Sowers moved to renew. Seconded by Frank Thompson. Approved 5-0.**

3. Spiritus Enterprises, Inc., Guillermo Yingling, mgr. d.b.a. **Spiritus Pizza**, 190 Commercial St., Provincetown, MA.  
**Frank Thompson moved to renew. Seconded by Dallas Sowers. Approved 5-0.**

### **Weekday Entertainment**

1. Pepe's Wharf, Inc., Astrid Berg, mgr. d.b.a. **Pepe's Wharf**, 371-373 Commercial St., Provincetown, MA.  
**Rebecca Matarazzi moved to renew. Seconded by Frank Thompson. Approved 5-0.**

**AJ Petras moved to renew items #1-#12 as a group. Seconded by Rebecca Matarazzi. 5-0.**

### **Weekday & Sunday Entertainment**

1. Clambake, Inc., Mary Joy McNulty, mgr. d.b.a. **Lobster Pot Restaurant**, 321 Commercial St., Provincetown, MA.

2. Gusto, Inc., Jennifer White, mgr. d.b.a. **Enzo**, 186 Commercial St., Provincetown, MA.

3. El Mundo, LLC, M. Beatrice Chamberlain, mgr. d.b.a. **El Mundo**, 269 Commercial St., Provincetown, MA.

4. Boatslip, LLC, Terry McCumber, mgr. d.b.a. **Boatslip Resort**, 161 Commercial St., Provincetown, MA.

5. Geraldine Boccio d.b.a. **WayDownTown**, 267 Commercial St., Provincetown, MA
6. Old Colony Tap, Inc., Robert Enos mgr. d.b.a. **Old Colony Tap**, 323 Commercial St., Provincetown, MA
7. Atlantic Ocean, Inc., April Cabral Pitzner, mgr. d.b.a. **Grand Central**, 5 Masonic Pl., Provincetown, MA.
8. Saki, LLC, Steven Schnitzer, mgr. d.b.a. **John Dough's**, 258 Commercial St., Provincetown, MA.
9. Vorelli's Inc., Terri Vorelli, mgr. d.b.a. **Vorelli's Restaurant**, 226 Commercial St., Provincetown, MA.
10. Summer Coastline, Inc., Susan Webster, mgr. d.b.a. **Pied Piper Bar**, 193A Commercial St., Provincetown, MA.
11. Kross, Inc., Kenneth Ross, mgr. d.b.a. **Ross' Grill**, 237 Commercial St., Provincetown, MA.
12. Steamboat Wharf of Provincetown, Inc., John Yingling, mgr. d.b.a. **Bubala's by the Sea**, 183 Commercial St., Provincetown, MA.  
**AJ Petras moved to renew. Seconded by Rebecca Matarazzi. Approved 5-0.**

### Lodging

1. Gusto, Inc., Jennifer White, mgr. d.b.a. **Enzo**, 186 Commercial St., Provincetown, MA.  
**Dallas Sowers moved to renew. Seconded by Rebecca Matarazzi. Approved 5-0.**
2. Birchwood Holdings, Inc., Thomas Kinard, mgr. d.b.a. **The Tucker Inn**, 12 Center St., Provincetown, MA.  
**Rebecca Matarazzi moved to renew. Seconded by Frank Thompson. Approved 5-0.**

### Outdoor Artist

1. Alyssa Schmidt  
**AJ Petras moved to renew. Seconded by Dallas Sowers. Approved 5-0.**

### Pedicab Operator

1. David Chick  
**AJ Petras moved to renew. Seconded by Dallas Sowers. Approved 5-0.**

### **Minutes – March 13, 2012**

**Dallas Sowers moved to approve. Seconded by Frank Thompson. Approved 4-0-1.**

**Enforcement** – Scott discusses hearing outcome regarding John Patrick Love. Mr. Love was found responsible for by-law citation. \$50 fine issued, which was paid. Squealing Pig violation - no occupancy sign posted. Underground – female pulled fire alarm – not successful in setting it off, juggling pool balls – highly intoxicated - taken into protective custody. Two men taken into protective custody, drinking at the underground, fight inside the underground. One of the men was put in a restraining chair. Smell of marijuana inside the bar. Detective Chovanec feels that the Vixen crowd is

going to underground. Michael Shay's discussion regarding accusation that liquor was being purchased from package stores. Detective Chovanec and Staff went to Michael Shay's to discuss. Mr. Santos was not present. Staff later received phone call from Mr. Santos and spoke with him regarding the issue. Mr. Santos assured staff that he is purchasing his alcohol from a licensed wholesaler.

**New Business** – Rebecca Matarazzi suggests coming up with list of questions for all applications, responding immediately when there is an issue with a licensee, and giving summer officers training. Staff informed the Board that Licensing does give summer officers training every year.

**Motion to adjourn by AJ Petras. Seconded by Rebecca Matarazzi. Meeting adjourned 7:43.**