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## TOWN OF BARNSTABLE

### NOTICE OF MEETINGS OF TOWN DEPARTMENT AND ALL TOWN BOARDS As Required by Chapter 28 of the Acts of 2009 which amends MGL Chapter 30 A

#### Licensing Authority Agenda

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**DATE OF MEETING:** August 15, 2011

Check below which one applies:

The Clerk's office has this meeting date already posted  X

This is a special meeting which has not been posted \_\_\_\_\_

**TIME:**  9:30 a.m.   
**PLACE:**  2<sup>nd</sup> Floor Hearing Room, 367 Main Street, Hyannis, MA

#### Hearings:

**One Day All Alcohol & One Day Entertainment License:** Application of Jeni Landers on behalf of Cape Cod Young Professionals for its 5th annual Back to Business Bash event to be held on September 15, 2011 from 4:30 pm to 8:00 pm at Rectrix Aerodrome, Barnstable Road, Hyannis, for a One Day All Alcohol License and One Day Entertainment License. They will also have a DJ entertaining.

**One Day and Sunday Entertainment License:** Application of Melissa Alexander for the Cats on the Beach Cat Show, 24 Residential lane, Blackstone, MA, for an Entertainment License and Sunday Entertainment License for its annual Cat Show to be held at Marstons Mills East, Horace Mann School, 760 Osterville-West Barnstable Road, Marstons Mills, MA on Saturday, September 17, 2011 from 7:30 am to 5 pm and Sunday, September 18, 2011 from 7:30 am to 4 pm.

**One Day Entertainment License:** Application of Lauren Titus on behalf of Independence House, 160 Bassett Lane, Hyannis, for an Entertainment License for a

DJ to entertain outdoors on the property for its 5K Walk/Run to be held on October 1, 2011 from 9 am to 12 pm.

**One Day Wine & Malt:** Application of Marilyn Fuller on behalf of Sturgis Library, 3087 Main Street, Barnstable, MA for a One Day Beer & Wine License for an event on September 17, 2011 at the library outside in a tent, from 5:30 pm to 8:30 pm.

**LATE FILED – Two One Day Entertainment Licenses:** Application of Charlene Dixon on behalf of Cape Cod Antique Dealers Association, Inc., 660 Samoset Road, Eastham for a two day Antique Show to be held at the Cape Codder Resort, Route 132, Hyannis, on August 3, 2011 from 5 pm to 8 pm and August 4, 2011 from 9 am to 4 pm (show has already taken place).

**LATE FILED – One Day Entertainment License:** Application of Cynthia Hall on behalf of Osterville Historical Museum, 155 West Bay Road, Osterville, for a One Day Entertainment License for an antique show with over 30 dealers, on August 18, 2011 at the museum from 9:30 am to 3:30 pm. Rain date is 9/19/11.

**LATE FILED – One Day Entertainment License:** Application of Friends of Sturgis Library, 3087 Main Street, Barnstable, for an antique show to be held at the Barnstable/West Barnstable Elementary School, 2463 Main Street, West Barnstable, on August 19<sup>th</sup> from 10 am to 5 pm and 20<sup>th</sup> from 10 am to 4 pm.

**New Annual Common Victualer License:** Application of Junisa, LLC, d/b/a Creative Baking II, Michael's Creative Bakery & Sandwich Shop, 424 Main Street (rear), Hyannis for a new annual Common Victualer License, hours of operation to be 7 am to 8 pm, and seating for 26.

**Show Cause Hearing:** Show Cause Hearing for Sam Diego's, 950 Iyannough Road, Robert Kershaw, Manager, as it has been reported to the Licensing Authority by the Barnstable Police Department that on May 5, 2011, Sam Diego's, 950 Iyannough Road, Hyannis, Robert Kershaw, Manager, holding an Annual All Alcohol Common Victualer License, did violate the Code of the Town of Barnstable, Chapter 501, § 7- I, "Whoever makes a sale or delivery of any alcoholic beverages or alcohol to any person under 21 years of age, either for his own use or for the use of his parent or any other person, or whoever being a patron of an establishment licensed under §12 or 15 of General Laws Chapter 138 delivers or procures to be delivered in any public room or area of such establishment any such beverages or alcohol to or for use of a person who he knows or has reason to believe to be under 21 years of age...shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than six months or both..."

**Show Cause Hearing:** Show Cause Hearing to determine whether the annual Junk Dealer License of Play It Again Sports, 25 Iyannough Road, Hyannis, MA, John Junkin, Manager should be modified, suspended or revoked as a result of a report made to the Licensing Authority by the Barnstable Police Department that on July 6, 2011, it was found to be in violation of the Code of the Town of Barnstable, Chapter 502, Section 4B

for failure to record purchases on purchase report forms, and Section 5B for failure to post the “notice sign” as required by Town Rules and Regulations, to wit: “The sale or attempted sale of property to a secondhand dealer without consent of the property’s owner is punishable by a civil violation penalty not to exceed \$300 per item. Don’t sell property without consent of the property’s owner. You will be held strictly liable for violation of this law.”

**Renewal:**

**The following late filed renewal has been submitted without any changes from the previous year for Licensing Authority approval:**

**Junk Dealer:**

Best Buy

**Business Meeting:**

Release of Executive Session Minutes, Ying’s Sushi Bar & Lounge, from 5/16/11. Appeals have been formally withdrawn and Attorney Houghton has advised they can be released to the public. Will notify the Clerk’s Office.

ABCC Advisory of 7/6/11 re: municipal golf courses and “Special Licenses.”

ABCC Advisory of 8/3/11 re: Farmer-Brewer Licenses.

Directive regarding carnival on site “housing.”

And any other new business to come before the Licensing Authority.

**PERSONS INTERESTED ARE ADVISED THAT, IN THE EVENT ANY MATTER TAKEN UP AT THE MEETING REMAINS UNFINISHED AT THE CLOSE OF THE MEETING, IT MAY BE PUT OFF TO A CONTINUED SESSION OF THIS MEETING, WITH PROPER POSTING.**

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For your information the section of the M.G.L. that pertains to postings of meetings is as follows: Except in an emergency, in addition to any notice otherwise required by law, a public body shall post notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays. In an emergency, a public body shall post notice as soon as reasonably possible prior to such meeting. Notice shall be printed in a legible, easily understandable format and shall contain: the date, time and place of such meeting and a listing of topics that the chair reasonably anticipates will be discussed at the meeting. For meetings of a local public body, notice shall be filed with the municipal clerk and posted in a manner conspicuously visible to the public at all hours in or on the municipal building in which the clerk’s office is located.