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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

**DATE OF MEETING: July 13, 2015**

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**

### **Vote to accept Minutes**

1. Vote to accept minutes of the 06/22/15 Meeting

**Board Reorganization:** Discussion and Vote.

### **Public Hearings**

1. **Amendment to Annual Common Victualler License:** Application of James Turi & Brian Dixon, d/b/a Subway 51116, 793 Iyannough Rd, Hyannis, Clara Kling, Manager, for an amendment to an existing Annual Common Victualler License to a different food court location. All seating remains the same; food court. Hours of operation are 8:00 AM to 9:00 PM; Daily.
2. **Amendment to Existing Class I Auto Dealer License:** Application of 500 Colony Place, Inc., d/b/a Premier Mazda, Joseph Laham, Manager, for an amendment to the existing Class I Auto Dealer License. The existing Class I license is located at 141,145, 151, 161 Stevens Street and 91 Bassett Lane, Hyannis; currently licensed for 180 parking spaces with 44 customer/employee spaces and 136 display spaces. The amendment will add 157 Stevens Street for

24 additional spaces. The new total will be 204 spaces; 44 customer/employee spaces and 160 display spaces as approved by the Building Commissioner.

\*\*\*\*Continued from December 29, 2014 Show Cause Hearing\*\*\*\*

3. **Transfer of Corporate Stock and Change in Officer and Directors for an Annual All Alcohol License:** Application of SL Uno Hyannis, Inc., d/b/a Uno Chicago Grill, 574 Iyannough Road, Hyannis, Blair Wells, Manager, for a Transfer of Stock, and a change in Officers & Directors.
4. **New Annual All Alcohol Club License and New Live and Non-Live Entertainment Licenses:** Application has been filed by Hyannis Angler's Club, Inc., Anthony J. Folino, Jr, mgr, d/b/a Hyannis Anglers Club located at 235B Ocean Street, Hyannis, for new Annual All Alcohol Club, Live and Non-Live Entertainment Licenses. Description of Premise: Second Floor dining room seating 54, bar seating 13 and outdoor dining seating 42; two bathrooms and two means of egress on second floor; all approved by the Building Commissioner. Hours of alcohol sales: 8am – 12:45am M-Sat; 10am – 12:45am Sun. Live Entertainment to include: Dancing by Patrons and amplified music by up to 3 performers. Non-Live Entertainment to include: 2 televisions and radio. Hours of both Live and Non-Live Entertainment: 8am – 11:30pm
5. **Transfer of Annual All Alcohol Restaurant, Karaoke, New Live and Non-Live Entertainment Licenses and Alteration of Premises Description:** Application has been filed to transfer the Annual All Alcohol Restaurant, Live and Non-Live Entertainment Licenses from Ocean Harbor, LLC, Anthony J. Folino, Jr., mgr, d/b/a Oceans 235/Hyannis Anglers Club, 235 Ocean Street, Hyannis to GSMD, LLC., Marc J Donohue, mgr, d/b/a The Thirsty Tuna, 235 Ocean Street, Hyannis, and to Alter the Premise Description. Description of Premise: Wood structure located at 235A Ocean Street; first floor dining room with 30 seats; bar with 29 seats and outdoor patio with 40 seats. 2 Handicap accessible bathrooms and 2 exits on first floor with kitchen and service area. Seating 99, 9 standees, 14 employees for total occupancy of 122 on first floor, as approved by the Building Commissioner. Hours of alcohol sales: 11am – 12:45am M-Sun. Alteration of Premise eliminates the 2<sup>nd</sup> Floor of 235 Ocean Street from the licensed description; now known as 235B Ocean Street.  
Live Entertainment to include: Dancing by Patrons, Karaoke and amplified music by up to 4 performers. Non-Live Entertainment to include: 6 televisions and jukebox. Hours of both Live and Non-Live Entertainment: 11am – 12:45am

### **New Business:**

1. **Amendment of Common Victualler License:** Application of BLMT Ventures LLC, d/b/a Five Guys Burgers and Fries, Cape Cod Mall, 769 Iyannough Rd., Hyannis, Mathew Baecker, Manager, for an amendment to add 10 additional seats to the Annual Common Victualler License. Interior seats total will now be 62 with 30 employees and 8 shift employees all approved by the Building

Commissioner. No exterior seats. Hours of operation will be 11:00 am to 10:00 pm daily.

2. **New One Day Entertainment License:** Application of Grace Spencer on behalf of the Waldorf School of Cape Cod for a Summerfest. The event is to be held at the Waldorf School of Cape Cod, 140 Old Oyster Road, Cotuit on August 2, 2015 from 11:00 AM to 6:00 PM. Entertainment will include up to 4 revolving performers, comedy show, magician and storyteller. Set-up will be at 9:00 AM.
3. **New One Day all Alcohol and Entertainment Licenses:** Application of Stacie Hevener on behalf of the Marstons Mills Public Library for a Charity Casino Night fundraiser. The event is to be held at Liberty Hall, 2160 Main St., Marstons Mills on 8/28/15 from 7:30-10:30. Setup on 8/28/15 at 5:00PM. Boston Charity Casinos will be coordinating the event.
4. **Ferreira's Recycling Inc., 85 Old Yarmouth Rd., Hyannis:** Update on pending Superior Court case.
5. **Consent Agenda**

### **Show Cause Hearings:**

1. **Show Cause hearing for The Villaggio Restaurant:** The Barnstable Licensing Authority will hold a Show Cause Hearing for Danny Kay's Culinary Production, Inc., d.b.a. Villaggio at the Regatta, 4631 Falmouth Road, Cotuit, MA, John J. Bartolomei, Jr., Mgr., for: Zoning violations of the Code of the Town of Barnstable, Massachusetts; Chapter 240 – 14A(1) RF Residential District, Commercial Parking (restaurant) in RF Zone and Chapter 240-94B(2) Nonconforming Use, Expansion of n/c restaurant use – parking vehicles on abutting residential parcel. Licensing violation of the Code of the Town of Barnstable, MA: Section 501-14A (1), violation by the licensee of any provision relevant MGL or Town of Barnstable Ordinance.
2. **Show Cause Hearing for Embargo Restaurant:** The Barnstable Licensing Authority will hold a Show Cause Hearing for Davester, LLC., d.b.a. Embargo Restaurant, 435 Main Street, Hyannis, MA, David Noble, Mgr., for violations of the Code of the Town of Barnstable, Massachusetts: Section § 501-6. Business arrangements of licenses.

\*\*\*\*Continued from 5-18-2015 Licensing Authority Hearing\*\*\*\*

### **LICENSING DIVISION UPDATES:**

1. Licensing Department updates
2. Police Department updates

# **Town of Barnstable**

## **Consumer Affairs**

**Elizabeth G. Hartsgrove, Supervisor**

**Licensing Authority**

**200 Main Street**

**Hyannis, MA 02601**

**[www.town.barnstable.ma.us](http://www.town.barnstable.ma.us)**

Telephone: (508) 862-4674

Fax: (508) 778-2412

## **BARNSTABLE LICENSING AUTHORITY**

# **CONSENT AGENDA**

**July 13, 2015**

### **Renewals**

- 1. Application of Nicholas Oberlies on behalf of Hyannis Sound for a One Day Entertainment License:** Annual Hyannis Sound Alumni show to be held at the Barnstable High School Performing Arts Center, West Main Street, Hyannis. Event will be held from 7:00 to 9:00 PM on August 1, 2015; set-up from 5:00-7:00 PM.
- 2. Application of Suzanne Kelly on behalf of the Sturgis Library for (2) One One Day Entertainment Licenses:** Annual Antiques Show to be held at the BWB Elementary School, 2463 Main St., West Barnstable. Event to be held August 21st and 22nd from 10:00 AM to 5:00 PM and 10:00 to 4:00 PM respectively; set-up day is August 20th, 2015 from 4:00 PM to 6:00 PM .
- 3. Application of Stephen Hemberger on behalf of the Cotuit Historical Society for a One Day Wine and Entertainment License:** Annual Taste of Cotuit Fundraiser to be held at the Cotuit Historical Society, 1148 Main Street, Cotuit. Event to be held on July 25, 2015 from 6:00 PM to 8:00 PM with set-up on the 24<sup>th</sup> of July from 9:00 AM - 5:00 PM. Entertainment will consist of one acoustic guitar.
- 4. Application of Amanda Converse on behalf of Love Live Local for (30) One Day Entertainment Licenses:** Annual Love Local Fest to be held at Aselton Park in Hyannis. Events to be held on 7/27, 8/30 and 9/27/2015 from 11:00 am to Dusk. Entertainment will have 2 soloists and 2 band members. There will be 10 performers of yoga for each event.