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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 Minutes

DATE OF MEETING: March 23, 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: 2nd Floor Hearing Room, 367 Main Street, Hyannis, MA

A regular meeting of the Barnstable Licensing Authority was held on Monday, March 23, 2015. Chairman Martin Hoxie called the meeting to order at 9:30 A.M. He introduced Gene Burman, Vice Chairman; Ron Semprini, Clerk; Richard Boy, Associate Commissioner; David Nunheimer, Associate Commissioner; Richard V. Scali, Director of Regulatory Services, Elizabeth G. Hartsgrove, Consumer Affairs Supervisor; Lt. John Murphy and Patrolman Steve Maher, Liaison Officers from the Barnstable Police Department; and Maggie Flynn, Recording Secretary.

Vote to accept Minutes:

1. Vote to accept minutes of the 03/09/15 Meeting

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the minutes of the 03/09/2015 meeting.

Public Hearings:

1. Transfer of Annual All Alcohol Retail Package Goods Store License:

Application has been filed by Swiss Vineyards, Inc. d/b/a Fancy's Market 699 Main Street, Osterville, Brian F Smith, Manager, for transfer of an Annual All Alcohol Retail Package Goods Store License to Osterville Market Partners, Inc., d/b/a/ Fancy's Market, 699 Main Street, Osterville, Frank J. Falcone, Manager. Wood frame building with no basement: First floor consists of five rooms (A) front room with associated halls of approx 1580 sq ft. (B) wine room of approx 216 sq ft. (C) Kitchen of approx 352 sq ft., (D) butchers room of approx 60 sq ft. (E) Dry goods room of approx 224 sq ft for a total of approx 2432 sq ft. Two front entrances/exits and one rear entrance/exit. Second floor consists of one room (break room) of approx 241 sq ft and one entrance/exit. Third floor consists of office space totaling approx 386 sq ft. Hours of alcohol sales 8 am – 11 pm M-Sat; 10 am – 11 pm Sun.

****continued from 3/09/2015****

Attorney Michael Schulz appeared. Mr. Hoxie stated that all paperwork was now in good order.

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the application as presented.

2. New Officer/Directors for an All Annual Common Victual License: Application of H&S Entertainment LLC., d/b/a Bistrot de Soleil, 350 Stevens Street, Hyannis, MA, Katarina Soldatov, Manager, for a change in corporate Officers/Directors.

****postponed from 3/09/2015 Hearing****

Katarina Soldatov and Tarsis Santos appeared on behalf of the application.

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the application as presented.

3. New Annual Common Victualler License: Application of Mellen Freespirits, Inc, d/b/a Taste of Mediterranean, Cape Cod Mall, 793 Hyannis Road, Hyannis, Melissa Leonard, Manager, for a New Annual Common Victualler License. Hours of operation are to be regular Cape Cod Mall hours, food court seating.

Melissa Leonard appeared on behalf of the application. Healthy, fast and casual food will be served. Mr. Scali inquired as to the location, going into the old Burger King site in the Mall. This is a National franchise; closest one is in Salem, NH. This franchise has a ten year lease with the Cape Cod Mall.

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the application as presented.

4. Temporary Alteration of Premises of an Annual All Alcohol Club License:

Application of The Cummaquid Golf Club of Yarmouth and Barnstable, Inc, d/b/a Cummaquid Golf Club, 35 Marstons Lane, Cummaquid, Neal J Renaud, Manager for a Temporary Premises description change (without eliminating approved description dated 10/8/2014) to: A temporary clubhouse beside maintenance facility in what is currently the storage barn. Building is a one story wood framed building of approximately 1600 sq. ft.; kitchen, dining and lounge area rooms. Dry storage and food prep area, employee hand wash, men's and ladies restrooms. Maximum seating capacity of 20 (changed from 32) as approved by the Building Commissioner.

Attorney John Kenney appeared on behalf of the application along with the Club Manager, Neil Renaud. Due to delays in weather the Clubhouse construction is behind. The Board of Health reduced the seats down to 20 from 32 as originally requested for this temporary location. Service is for membership only; sandwiches and beverages. Mr. Scali asked how they plan to manage the alcohol. There will be a bar, cans, paper and plastic; location will have a bartender and waitress. The actual building is the shed by the equipment barn.

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the application as presented.

5. New Officers/Directors and Change of Manager for an Annual All Alcohol Club License:

Applications of Kings Grant Racquet Club Inc., d/b/a Kings Grant Racquet Club, 12 Old Kings Road, Cotuit, MA, for a change in corporate Officers/Directors and a change of Manager from John Maloy to Courtney E. Keyser.

Courtenay Keyser appeared on behalf of this application. Her father passed away in November and she will become the new manager.

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the application as presented.

6. Amendment to an All Alcohol Annual Common Victualler Non-Live Entertainment License:

Application of F & J Restaurant Bar & Nightclub, Inc d/b/a F & J Restaurant Bar & Nightclub, Marcos N. Gomes, Manager, 477 Yarmouth Rd, Hyannis. Amendment to existing Daily Non- Live Entertainment License to add one pool table as approved by the Building Commissioner.

Jamie Santos appeared on behalf of the application. Mr. Scali inquired as to how the restaurant is doing, Ms. Santos stated that it is more of a nighttime business. Lt. Murphy stated that there have been no problems reported at this location.

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the application as presented.

New Business:

1. **Consent Agenda:** Vote to accept the Consent Agenda of the 03/23/2015 Meeting.

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the Consent Agenda as presented.

Licensing Division Updates:

1. Licensing Department updates:

Tablets have arrived. A draft of the pedi-cabs rules and regulations has been completed; we can expect in 6-8 weeks there may be a public hearing. Need to adopt rules and regulations first; then we can accept applications. The police department will oversee, the Licensing Authority could possibly oversee; not completely determined as of yet.

2. Police Department updates:

Lt. Murphy informed the Authority that he will be participating in a 2 day training session; a "cop's guide" to everything regarding Alcohol regulations to be held at the Irish Village. Focus to establish working relationships with Licensing Authority. The training presenters reached out to the Barnstable Police Department to present at the sessions due to their recent experience with the Shanghai restaurant.

The recent drug seminar for parents and the youth, one of the best seminars I have attended. The speaker was unbelievable.

Ron Semprini asked Officer Maher to review Junk dealers licensees. Officer Maher stated that all are being utilized as presented. Only one license is used as a recycling center. The monthly auction at the Holiday follows all the rules.

Mr. Hoxie stated that as soon as the case (Ferreira's Recycling) is finished the Executive Session minutes should be released.

Mr. Scali reminded the board about conflict of interest meetings.

Release of Executive Session Minutes, if any (0).

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.

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 building in which the clerk's office is located the municipal clerk and posted in a manner conspicuously visible to the public at all hours in or on the municipal

The meeting was adjourned at 9:55

Respectfully submitted,

Margaret D. Flynn, Recorder
Town of Barnstable Licensing Authority

Ron Semprini, Clerk
Town of Barnstable Licensing Authority

Town of Barnstable

Consumer Affairs

Elizabeth G. Hartsgrove, Supervisor

Licensing Authority

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BARNSTABLE LICENSING AUTHORITY

CONSENT AGENDA

March 23, 2015

1. Forfeiture of Licenses:

1. **Common Victualler All Alcohol License** - Savannah LLC d/b/a T. Murphy's Sports Bar & Grill, Cape Cod Mall, Hyannis
2. **Class II Auto Dealer License:** Montero's Motor Sales LLC d/b/a/ Montero's Motor Sales, 455 Yarmouth Road, Hyannis

2. One Day Licenses:

1. **New (9) One Day Beer and Wine Licenses:** Application of Richard Penn on behalf of Puritan Cape Cod for seven wine and beer and two wine only licenses for annual fund raising/charity events. All events are to be held at 408 Main Street from 5-8 PM. Event dates are as follows: March 26, May 28, June 4, June 18, August 20, September 3, September 17, December 2 and December 6.
2. **New One Day All Alcohol and Entertainment Licenses:** Application of Paul J. Covell on behalf of the Barnstable County Sheriff's Association for their annual; benefit to be held at the Greek Orthodox Church, 1130 Falmouth Road, Centerville, MA 02632 on April 17, 2015 from 6 pm to 12 am.

3. Renewals:

Common Victualler All Alcohol with Entertainment:

1. Bluewater Grille, 213 Ocean Street, Hyannis
2. Gringo's Restaurant, 577 Main Street, Hyannis
3. Hot Diggity Dogs, 569 Main Street, Hyannis
4. Fresh Ketch, 462 Main St, Hyannis
5. Cape Cod Melody Tent, 20 Scudder Ave, Hyannis
6. Mattakeese Wharf Restaurant, 271 Mill Way, Barnstable

7. Black Cat Harbor Shack, 159 Ocean Street, Hyannis
8. Trader Ed's, 1 Willow Street, Hyannis
9. Eclectic Café, 606 Main Street, Hyannis
10. Spanky's Clam Shack & Seaside Saloon, 138 Ocea St, Hyannis
11. Harbor Point Restaurant, 156 Harbor Point Rd, Cummaquid

Common Victualler All Alcohol:

1. Kian n Rylee's Pub & Patio, 561 Main Street, Hyannis
2. The Dockside Restaurant, 110 School Street, Hyannis
3. The Islander, 330 West Bay Road, Osterville

Common Victualler Wine and Malt:

1. Cooke's Sea Food, 1120 Iyannough Road, Hyannis

Club All Alcohol:

1. Cotuit Highground Golf Club, 31 Crockers Neck Road, Cotuit
2. Baxter's Boathouse Club, 177 Pleasant Street, Hyannis

Club All Alcohol with Entertainment:

1. The Beach Club, Inc., 27 Long Beach Road, Centerville

Common Victualler:

1. Ben & Jerry's, 352 Main Street, Hyannis
2. El Mariachi Loco, 569 Main Street, Unit 12, Hyannis
3. Katie's Creamery, 568 Main Street, Hyannis
4. Kebab N Curry, Cape Cod Mall, Hyannis

Junk Dealer's:

1. Gamestop, 793 Iyannough Road, Cape Cod Mall, Hyannis
2. Hannoush Jewelers, 793 Iyannough Rd, Cape Cod Mall, Hyannis
3. JCM Metals, 142 Corporation St., Hyannis
4. Cash Point, 640 Main St, Hyannis
5. Historical Military Antiques, Holiday Inn, Rt. 132, Hyannis
6. Simply Vintage of Cape Cod, 1600 Falmouth Rd., Centerville
7. Edythe & Co, 805 Main Street, Osterville
8. Newbury Comics, Cape Cod Mall, Hyannis
9. Silva Jewelers, 1112 Main Street, Osterville

Innholder All Alcohol with Entertainment:

1. Hyannis Inn Motor Hotel, Inc., 473 Main Street, Hyannis