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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 08, 2019

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 meeting of the Barnstable Licensing Authority was held on Monday, July 08, 2019. Chairman Martin Hoxie called the meeting to order at 9:30 A.M. He introduced; Ron Semprini, Vice-Chairman; David Nunheimer, Clerk; Larry Decker, Associate Commissioner, Nancy Karlson-Lidman, Associate Commissioner; David A Hirsch; Associate Commissioner, Richard Scali, Licensing Director; CAO Officer Therese Gallant, . Lt. John Murphy and Maggie Flynn, Recording Secretary.

****** Chairman Hoxie opened the meeting with a moment of silence for the passing of Sgt. Jason Sturgis******

Vote to accept Minutes

1. Vote to accept minutes of the 06/10/19 meeting.

A motion was duly made by Mr. Semprini seconded by Mr. Nunheimer and a unanimous vote taken to accept the minutes of the 06/10/19 meeting.

New Business:

1. **Application for a One Day Entertainment and One Day Beer and Wine Licenses:** Application of Bob Bourque on behalf of the Hyannis Rotary Club for a One Day Entertainment and One Day Beer and Wine Licenses for the Quahog Fest 2019. The event is to take place on the Hyannis Village Green, 367 Main Street, Hyannis on August 25, 2019 from 10:00 AM to 5:00 PM. Entertainment is for 3 performers with 3 pieces.

Bob Bourque appeared on behalf of the application. They will be fencing the entire grass area. We also added wine this year; First Crush Wine. Mr. Semprini asked about the local restaurants being invited; Elizabeth Wurfbain and Bob Bourque reached out to many Main St. restaurants. They can also be sponsors. Mr. Scali, need confirmed plan of the area. Confirm in writing who is serving the alcohol.

Todd DeLuca spoke in support of this application. Most businesses appreciate these types of events. Letter of support from Deb Crau, Hyannis residents was read by Mr. Scali. Beth Marcus wanted to speak on pop up beer gardens, clarify that Cape Cod Beer is coming and selling the beer as a benefit to the charity or selling the beer wholesale. This is not in the same vein as a brewery opening a for profit garden in Boston. Elizabeth Wurfbain, come out in support for the community, we need to emphasize that Hyannis is the hub of Cape Cod. Many of these events are charitable events. This is like an ecosystem.

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

2. **Update on Restaurant Closure:** Davester LLC d/b/a Embargo, 453 Main Street, Hyannis. All Alcohol Common Victualler and Live and Non-Live Entertainment Licenses.

Not heard, establishment re-opened 07/03/19.

3. **Update on Package Store Closure:** Ammar Corporation d/b/a/ Peppers Pantry, 4120 Falmouth Rd., Cotuit. Wine and Malt Retail Package Goods Store.

Attorney Tom Souza stated that there were inspection issues. Completely shut down. The applicant will be meeting with architect tomorrow. Mr. Scali stated that the plan will need to be reviewed. The gas leak issue has been resolved. Allow up to 6 months closure.

A motion was duly made by Mr. Semprini seconded by Mr. Nunheimer and a unanimous vote taken to allow a six month closure for renovations.

- 4. Update on Package Store Renovation:** ANK Liquor d/b/a/ Hyannis Package Store, 775 Main St., Hyannis. All Alcohol Retail Package Goods Store.

Attorney John Mooradian and Nilish Patel appeared on behalf of the application. An Alteration of Premises application will be filed today. A temporary barricade will be constructed. Mr. Scali updated the Board regarding the history of the renovations without permits. There were shut down 2 separate times. Mr. Scali allowed them to reopen but they have made some changes that cannot be brought back to original status. The Board should vote as to allowing them to be open temporarily. Mr. Semprini asked about the new floorplan details. The square footage will increase to 3000 from 800.

A motion was duly made by Mr. Semprini seconded by Mr. Nunheimer and a unanimous vote taken to allow the applicant to use the premises with the exception of the new coolers.

- 5. Request to change hours for food only on All Alcohol Common Victuller License:** Request from South Sea Village Inc. d/b/a Bamboo, Wai Ming Lam Manager, 574 Iyannough Rd., Hyannis to open at 6:00 AM daily for Breakfast. No alcohol to be served until licensed hours beginning at 11:30 AM.

Eric or Wai Ming Lam, want to do an Asian American fusion breakfast buffet. This is only for food; alcohol service will not change. Start serving breakfast in 1 week.

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

- 6. Application for a One Day Entertainment and One Day Beer and Wine Licenses:** Application of Stacie Hevener and Victoria Allard on behalf of the Marstons Mills and Wheldon Memorial Public Libraries for a One day Entertainment and One Day Beer and Wine Licenses for the Summer Concert event. The event is to be held at the Liberty Hall, 2150 Main Street, Marstons Mills on July 26, 2019 from 6:30-8:30 PM. Entertainment is for 4 performers with 4 pieces.

Stacie Hevener and Victoria Allard appeared on behalf of this application. Moving inside and offer beer and hard cider. Confirmation the company serving alcohol is doing so is required.

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

7. **Application for (2) One Day Entertainment and (2) One Day Beer and Wine Licenses:** Application of Amanda Converse on behalf of the LoveLiveLocal, for (2) One Day Entertainment and (2) One Day Beer and Wine Licenses for the LoveLocal Fest. The events are to be held at Aselton Park, South and Ocean St., Hyannis on July 28th and September 29th from 11 AM to 6 PM.

Amanda Converse and Jen Villa appeared on behalf of this application. The West End will be serving the alcohol in the beverage garden. The West End will be served under a 10x10 tent.

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

8. **Application for A One Day All Alcohol And A One Day Entertainment License:** Application of Liz Rabideau on behalf of Cape Cod Maritime Museum for a One day All Alcohol and a One Day Entertainment License for their Summer Soiree by the Harbor event. The event is to be held at the Cape Cod Maritime Museum, 135 South St., Hyannis on August 10, 2019 from 6:00 PM -9:00 PM. Entertainment is for 4-5 non-amplified performers.

Liz Rabideau appeared on behalf of the application. Mr. Scali asked about alcohol service. There may also be a caterer; she will keep everyone updated.

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

9. **Application for a One Day Entertainment and A One day Wine and Beer License:** Application of Marcia Webster and Natessa Brown for a One day Entertainment and Beer and Wine Licenses for the Cape Cod Fun Family day. The event is set to take place on the Hyannis Village Green, 367 Main St., Hyannis on August 18, 2019 from 10:00 AM to 10:00 PM. Entertainment is to include Live Music with a DJ.

Natessa Brown appeared on behalf of the application. This will help to promote the new restaurant; Outa Eaty will be serving the alcohol. Officer Gallant questioned will Marcia be there? Yes. What are your plans for ID's, wristbands, check points and Security Company.

10. **Consent Agenda:**

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

Public Hearings:

1. **Application for a Change of Manager on an Annual All Alcohol Common Victualler License:** Application of Hyannis El Rodeo LLC d/b/a El Rodeo, 1070 Iyannough Rd, Hyannis on their Annual All Alcohol Common Victualler License, for a Change of Manager from Raul Huerta to Efrain Alvarez.

Efrain Alvarez appeared on behalf of this application.

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

2. **Application for a Change of Manager on an All Alcohol Club License:** Application of Hyannisport Club Inc. d/b/a Hyannisport Club, 2 Irving Ave., Hyannisport on their Annual All Alcohol Club License, for a Change of Manager from Scott A Smith to Steve Klemenz.

Steve Klemenz appeared on behalf of the application. He commented that he has been managing private clubs for 37 years.

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

3. **Application for a Change of Manager on an Annual All Alcohol Common Victualler License:** Application of 769 Iyannough Inc. d/b/a Ten Pin Eatery, 769 Iyannough Rd. Unit 139A, Hyannis on their Annual All Alcohol Common Victualler License, for a Change of Manager from Christopher B. Celli to Emily A. Page.

Attorney Beth O'Neil appeared on behalf of the application. Christopher Celli will remain with the restaurant part time. Emily Page and Mike Crowley also appeared. Mr. Scali asked about Mr. Celli's employment, he will be on the bar 2 nights per week.

Lt. Murphy thoroughly endorsed this application. Ms. Page was vital in the investigation. Ms. Page showed exemplary managerial duties.

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

4. **Application for a New Annual Common Victualler License and Non-Live Licenses:** Application of Missako Hashimoto d/b/a Missako Bakery & Cafe, 357 Main St., Hyannis, Missako Hashimoto, Manager, for a new Annual Common Victualler license. Hours of operation will be 7:00 AM to 6:00 PM Monday-

Saturday.. Seating is 34 in total, 20 interior and 14 exterior as approved by the Building Commissioner on 5/20/19.

Non-Live Entertainment is for recorded music and 1 TV..

Non-Live Entertainment hours are the same as operational hours.

Mr. Scali updated the Board and he has not had a license for 6 months. Discussion was had regarding his non-appearance. Mr. Nunheimer stated to be cited and set up continuation and show cause hearing.

5. **Application for a New Annual Class II Auto Dealer License:** Application of Hiline Auto Inc. d/b/a/ Hiline Auto Sales, 367 Yarmouth Rd, Hyannis, for amendments to an existing Class II Auto Dealer License. Change total number of spaces from 32 to 39 (5 customer, 32 display, 2 employee; including 1 handicap space.)

Change ownership from Augusto and Claudio Netto d/b/a Hiline Auto Sales to Hiline Auto Inc. d/b/a Hiline Auto Sales Inc., 367 Yarmouth Rd., Hyannis. (new license)

Ed Pesce and Claudio Netto appeared. Amend the request to 32 spaces from 30. This is a change in name to a Corporation. One brother is leaving. This application did go under site plan review. They are no longer using the Railroad spots. Officer Gallant stated that you need to maintain your new plan. The breakdown is 26 display and 6 employee and customer including 1 handicap spot.

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

6. **Application for a Change of Manager on an Annual All Alcohol Common Victualler License:** Application of CC Entertainment Inc. d/b/a Flashback, 294 Main St, Hyannis on their Annual All Alcohol Common Victualler License, for a Change of Manager from Gregory Vayneris to Kelly Capossela.

******Applicant did not show, Continue to August 19, 2019******

7. **Application for a New Fortune Teller License:** Application of David Eli, 26 Pearl St., Hyannis, David Eli, Manager, for a New Fortune Teller's License, to be operated 10:00 AM to 6:00 PM; daily at 541 Main Street, Hyannis.

David Eli trying to obtain more business for 10-6 pm. Pearl Street will be open from 6-11 PM.

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

Licensing Division Updates:

- 1. Licensing Department updates-** Seasonal Licenses approved and renewed. Viewpermit is still in the working stages. Boards and Commissions training manual.
- 2. Police Department updates –** Lt. Murphy thank you for a moment of silence for Sgt. Sturgis.

- **Matters not reasonably anticipated by the Chair**

The list of matters, are those reasonably anticipated by the president/chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the sub-committee may go into executive session. 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. 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

The meeting was adjourned at 10:35 AM

Respectfully submitted,

**Margaret D. Flynn, Recorder
Town of Barnstable Licensing Authority**

**David Nunheimer; Clerk
Town of Barnstable Licensing Authority**

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BARNSTABLE LICENSING AUTHORITY
CONSENT AGENDA
July 08, 2019

Renewals:

1. **Application for a One Day Entertainment and One Day Wine and Beer Licenses :** Application of Judy Desrochers on behalf of the Meetinghouse Farm for a One Day Entertainment and One Day Beer and Wine licenses for the annual Jazz for a Summer Night event. The event is to take place at The Meetinghouse Farm, 2135 Meetinghouse Way, West Barnstable on July 18, 2019 from 6:00 PM to 8:30 PM. Entertainment is for a 5-6 piece swing band.
2. **Application for (3) One Day Entertainment Licenses and (3) One Day All Alcohol Licenses:** Application of Maria Zombas on behalf of the St. George Greek Orthodox Church for (3) One Day Entertainment licenses and (3) One Day All Alcohol Licenses for the 37th Annual Grecian Festival. The event is to take place at the Greek Church, 1130 Falmouth Rd., Centerville on July 19-21, 2019. Entertainment is for 5 performers with 5 amplified pieces.
3. **Application for One Day All Alcohol License:** Application of Amanda Zimmerman on behalf of the Wianno Club for a one day All Alcohol License for the Tennis Championship event. The event is scheduled to take place at the Wianno Club, 120 Washington St., Osterville on August 18, 2019 from 2 PM to 6 PM. There will be no entertainment.
4. **Application for a One Day Beer and Wine License:** Application of Jennifer Williams on behalf of the Osterville Historical Museum for a One Day Beer and Wine License for the 4th Annual Art at the museum event. The event is to take place at the Osterville Historical Museum, 155 West Bay Rd., Osterville on July 18, 2019 from 4 to 7 PM. There will be no entertainment.

5. **Application for a One Day Entertainment License:** Application of Jennifer Williams on behalf of the Osterville Historical Museum for a One Day Entertainment License for the 28th Annual Antiques Show. The event is to take place at the Osterville Historical Museum, 155 West Bay Rd., Osterville on August 15, 2019 from 9 AM to 4 PM.
6. **Application for a One Day Entertainment License and a One Day All Alcohol License:** Application of Jamie Bohlin on behalf of the Cape Cod Young Professionals for a One Day Entertainment License and a One Day All Alcohol License for the CCYP Back to Business Bash. The event will be held at the Barnstable Airport, 480 Barnstable Rd., Hyannis on September 19, 2019 from 5:30-8:30 PM. Entertainment is 2 performers with 2 amplified pieces.
7. **Application for A One Day Entertainment and A One Day Beer and Wine Licenses:** Application of Wendy O'Keefe on behalf the Mass Audubon for a One Day Entertainment and One Day Beer and Wine Licenses for the Annual Summer Soiree at Long Pasture event. The event is to take place at The Long Pasture Wildlife Sanctuary, 345 Bone Hill Rd., Cummaquid on August 1, 2019 from 5:30 PM to 9:00 PM. Entertainment is the Quartet Giacossa.
8. **Application for A One Day Entertainment and A One Day Beer and Wine Licenses:** Application of Stephen Hemberger on behalf of the Historical Society of Santuit and Cotuit for a One Day Entertainment and Beer and Wine License for the Annual Taste of Cotuit Fundraiser. The event will take place at the Historical Society of Santuit and Cotuit, 1148 Main St., Cotuit on July 20, 2019 from 6 PM to 9 PM. Entertainment is for one performer with one amplified piece.
9. **Application for a One Day Beer and Wine License:** Application of Lucy Loomis on behalf of Sturgis Library for a One day Beer and Wine License for the Annual Chowderfest (Vonnegut Celebration). The event is to take place at the Sturgis Library, 3090 Main St., Barnstable on August 4, 2019 from 4 to 8 PM. There will be no entertainment.