

(TIMESTAMP ALL 3 COPIES IN TOWN CLERK'S OFFICE –
LEAVE ONE TO FILE FOR OUR RECORDS -ONE TO POST IN
TOWN HALL - KEEP ONE COPY FOR YOUR RECORDS).

(clock in stamp)

3:16 PM OCT 10 2019
BARNSTABLE TOWN CLERK

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: October 7, 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, October 7, 2019. Chairman Martin Hoxie called the meeting to order at 9:30 A.M. He introduced; David Nunheimer, Clerk, Larry Decker, Associate Commissioner, Nancy Karlson-Lidman, Associate Commissioner, David A Hirsch, Associate Commissioner; Richard Scali, Licensing Director; Officer Therese Gallant; and Maggie Flynn, Recording Secretary. Ron Semprini and Lt. John Murphy were absent.

Vote to accept Minutes:

1. Vote to accept minutes of the 09/16/19 meeting.

A motion was duly made by Mr. Nunheimer, seconded by Mr. Decker and a unanimous vote taken to accept the minutes of the 09/16/19 meeting.

New Business:

1. **Application for a One Day All Alcohol License:** Application of Susan Feingold on behalf of the Barnstable Village Association for a One Day All Alcohol License for the BVA Monte Carlo Night. The event is to take place at St. Mary's Church, 3055 Main St., Barnstable on November 1st from 6:00 PM – 9:00 PM. Entertainment is for recorded music only.

Susan Feingold appeared on behalf of the application. This is the 3rd year but the first for alcohol. Alcohol will be inside. Mr. Scali asked who will be running the gambling. The organization must be the applicant; there are no rewards allowed.

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

2. **Application for (2) One Day All Alcohol Licenses:** Application of John Contellesa on behalf of the Original Gourmet Brunch for 2 One Day All Alcohol licenses for the Gingerbread Lane Event at the Hyannis Overlook. The event is to take place at the Hyannis Overlook , 51 Ocean St., Hyannis on November 29th and 30th from 10:00 AM to 3:00 PM. No Entertainment is being requested.

John Contelessa and Tamara Scharoff appeared on behalf of the application. The December 7th date was not included in the original application. We will be serving concession food and warm alcohol. Snow fenced area. The patio will be used with 2 exits. Four Tips certified individuals will be utilized. This event is on Town property. This is to bring an additional experience to the public by bringing people to the area. Mr. Decker asked if December 7th is the Christmas Stroll; yes. Officer Gallant confirmed that the Tips certified individual is representing the security; wristbands will be used after first drink. Parking will be at Town Hall. The December 7th date will be placed on the 11/04/19 Licensing Authority Consent Agenda.

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

3. **Consent Agenda:**

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

Public Hearings:

1. **Application for a New Annual Common Victualler and Non-Live Entertainment Licenses:** Application of S-L Snacks MA, LLC. d/b/a Cape Cod Potato Chips, 100 Breeds Hill Rd., Hyannis, Stephen Winters, Manager, for a new Annual Common Victualler license. Hours of operation will be Monday - Friday 9:00 AM to 5:00 PM. Seating is for 8 picnic tables approved by the Building Commissioner on 02-21-19.
Non-Live Entertainment is for 3 TV's. Entertainment hours are the same as operational hours. ****Continued from 8/19/19**** and ****Continued from 9/16/19****

Stephen Winters appeared on behalf of the application. Mr. Scali asked about the abutter notification. There is only one abutter. There needs to be handicapped accessible seats to the patio. The parking locations have specific ramps. Mr. Scali asked are there 7 or 8 tables. There is a gazebo which is considered number 8 since it does have a bench.

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

2. **Application for a New Annual Common Victualler License:** Application of Target Corporation d/b/a Target Store T-3324, 793 Iyannough Rd., Hyannis, Daron Holloway, Manager, for a new Annual Common Victualler license. Hours of operation have yet to be finalized. Store hours are 8:00 AM to 11:00 PM Mon-Sat and Sun 10:00 AM to 11:00 PM. Seating is for 17 interior seats only as approved by the Building Commissioner on 5/10/19.

Daron Holloway appeared on behalf of the application. The store will be opening on the 20th. This will be a Starbuck's. They are Target employees. Ribbon cutting will be on Tuesday the 15th. Mr. Scali confirmed that there are handicapped accessible seats; yes.

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

3. **Application for an Alteration of Premises and Change of Manager on an All Alcohol Common Victualler License and A New Live Entertainment License and an Amend of a Non-Live Entertainment License:** Application of Brasilia Foods, LLC. d/b/a Fogo Brazilian BBQ, 39 Iyannough Rd., Hyannis Elizabeth Hurley, Manager for an Alteration of Premises. Alteration of premise is for increase in seating. Change of Manager is from Elizabeth Hurley to Elson S Goncalves.

New Description: Single story wood frame building. Five total entrances/exits. Seating is for 120. Dining area with seating capacity of 60, deck area of 20. Bar area with 28 seats. Pizza area with 12 seats. Kitchen/prep/dishwashing area, walk-in cooler, dry storage area, 4 bathrooms. Total square footage of 3,250. Live entertainment is for four amplified performers with 4 pieces. Non-Live entertainment amendment is to add 5 TV's. Entertainment hours are 10:30 AM to 12:45 AM; Daily.
All changes approved by the Building Commissioner on 7/26/19.

Attorney David Lawler and Vincent D'Olimpio appeared on behalf of the applications. Attorney Lawler reviewed the history of the parking lot improvements. As a result, expanding the restaurant to add more seating totaling 120 was in order. We would like to add music (4) pieces for events. Noise for abutters will not be an issue. The entertainment will be in the front right corner.

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

4. **Application for a Change of Manager on a Wine and Malt Retail Package Goods Store License:** Application of VE Foods LLC d/b/a Gol Supermarket, 55 Iyannough Rd., Hyannis on their Annual Wine and Malt Retail Package Goods Store License, for a Change of Manager from Vincent D'Olimpio to Elson S Goncalves.

Attorney Lawler and Vincent D'Olimpio appeared on behalf of this application. Elson has been the operational manager for years and he obtained his citizenship so that he can indeed become the licensed Liquor manager.

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

5. **Application for New Annual Common Victualler License:** Application of VE Foods LLC d/b/a GOL Supermarket, 55 Iyannough Rd., Hyannis, Elson S Goncalves, Manager, for a new Annual Common Victualler license. Hours of operation will be 6:00 AM to 9:00 PM Monday-Saturday. Sunday hours are 7:00 AM to 6:00 PM. Seating is for 20 interior seats only as approved by the Building Commissioner on 7/26/19.

Attorney Lawler and Vincent D'Olimpio appeared on behalf of this application. This is a separate entrance where you can have breakfast and lunch. Mr. Scali asked about the handicap accessibility; yes.

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


Licensing Division Updates:

1. **Licensing Department updates** – Renewals will be beginning, same manual process. Viewpermit is stalled until next year to take advantage of the upgrade in the system. A project beginning in January is to upgrade all forms and applications on the website
 2. **Police Department updates** – Officer Gallant stated there are none at this time but there will be updates in November.
- **Matters not reasonably anticipated by the Chair**

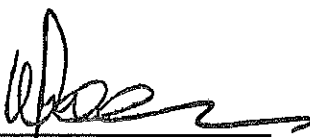
The list of matters, are those reasonably anticipated by the president/chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted 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 10:04 AM

Respectfully submitted,



Margaret D. Flynn, Recorder
Town of Barnstable Licensing Authority



David Nunheimer; Clerk
Town of Barnstable Licensing Authority

Town of Barnstable
Licensing Authority
200 Main Street
Hyannis, MA 02601
www.town.barnstable.ma.us

Telephone: (508) 862-4674

Fax: (508) 778-2412

BARNSTABLE LICENSING AUTHORITY
CONSENT AGENDA
October 7, 2019

Renewals:

1. **Application for a One Day Malt Only License:** Application of Stephen Hemberger on behalf of the Historical Society of Santuit and Cotuit for a One Day Malt only license for the Annual Autumn in Cotuit event. The event is to take place on October 12th from 11:00 AM to 3:00 PM at the Historical Society of Santuit and Cotuit, 1148 Main St., Cotuit. There will be no Entertainment.
2. **Application for a One Day Wine and Malt License:** Application of Stacie Hevener on behalf of the Marstons Mills Public Library for a One day Wine and Malt License for the Annual OktoberFest Fundraiser. The event is to take place on October 19, 2019 from 7:00 PM to 9:00 PM at the Marstons Mills Public Library, 2160 Main St., Marstons Mills. There will be no Entertainment.
3. **Application for a One Day All Alcohol and One day Entertainment License:** Application of Donna Gilberti on behalf of the Cape Cod Synagogue for a One day All Alcohol and Entertainment License for the Annual Raffle Party. The event is to take place at the Cape Cod Synagogue, 145 Winter Street, Hyannis on December 7, 2019 from 6:00 PM to 10:00 PM. Entertainment is for one band.