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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:**      **October 24, 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 Wine & Malt License:** Application of Sarah Biggs on behalf of Casual Gourmet, 31 Richardson Road, Centerville for a Hyannis Chamber of Commerce Business After Hours event to be held at Balise Ford, 90 High School Road, Hyannis for a One Day Beer & Wine License for an event on November 9, 2011, from 5:30 pm to 7:30 pm.

**New Junk Dealer License:** Application of Best Buy Stores, LP #2700, d/b/a Best Buy Mobile, 769 Iyannough Road (Cape Cod Mall), Hyannis, MA, Matthew Dyer, Manager, for a new Junk Dealer License, hours of operation to be Mon – Sat 10 am – 9 pm, Sun 11 am – 6 pm.

**New Common Victualler License:** Application of Paul McGowan, d/b/a 7-Eleven 34380-A, 426 Main Street, Hyannis for a new annual Common Victualler License, hours of operation to be 3 am to 1 am, with seating at 6 tables of 3 and 2 tables of 2 (22).

**Alteration of Premises:** Application of International Inn Bar & Grill, Inc., d/b/a International Inn, 662 Main Street, Hyannis, Ravi K. Ahuja, Manager, for an alteration in

the premises description on it's liquor license, to add 3 alternate seating plans for the restaurant when there is entertainment: #1 scenario – full restaurant capacity; #2 scenario – dance floor in NW corner of atrium, #3 scenario – dance floor in back bar, and an administrative correction of the premises description to reflect the number of hotel rooms which have actually existed since 1999 and number of seats allowed in restaurant, outdoor patio and lounge: 662 Main Street, Hyannis, MA. First floor 41 rooms, second floor 42 rooms, building at the rear 58 rooms. Six storage rooms, basement storage, lobby, coffee shop, conference rooms, restaurant with capacity of 126 seats and lounge (45 seats) with live entertainment. 48 seats on outdoor patio and pool area, also with music.

**New Junk Dealer License:** Application of Catherine Dupuy, d/b/a Simply Vintage, 5 Main Street, Cotuit, MA, Catherine Dupuy, Manager, for a new Junk Dealer License, hours of operation to 10 am – 5 pm.

**Amend Entertainment Hours:** Application of Shiv Sai, LLC, d/b/a Cape Cod Inn/Duck Inn Pub, 447 Main Street, Hyannis, S. Patel, Manager, has requested to amend the closing hour of their Non-Live entertainment license from 11 pm to 12:45 am.

**Change of Manager:** Application of SL Uno Hyannis, Inc., d/b/a Uno Chicago Grill, 574 Iyannough Road, Hyannis, for a Change of Manager on its annual All Alcohol Common Victualler License from Josh Sylvester to Brian S. Clay.

**Change Corporate Name and Alteration of Premises:** Application of Salt & Sea, Inc., d/b/a Salt, 599 Main Street, Hyannis, MA, Matthew P. Conley, Manager, to change the corporate name to Beech Tree Cantina LLC and for an alteration in the premises description on its All Alcohol Common Victualler License to read as follows: 599 Main Street, Hyannis, with one two-story wooden structure containing a restaurant with bar area and coffee shop with two secure exterior patios. The front exterior patio has 38 seats. Interior restaurant has a total of 113 seats which includes a bar having 27 seats and two couches with seating for 8 persons. The interior coffee shop consists of 60 seats for a total of 173 interior seats. The rear courtyard consists of a bar with 13 seats and 35 table seats for a total of 48 rear courtyard seats. There are three handicap accessible bathrooms on the 1<sup>st</sup> floor and one men's and one ladies' bathroom on the 2<sup>nd</sup> floor. The first floor has 11 means of egress and the 2<sup>nd</sup> floor has one means of egress.

**New Class II Auto Dealer:** Application of WAJ Auto Sales, Inc., d/b/a WAJ Auto Sales, 143 Old Yarmouth Road, Hyannis, MA, Alex Barcelos, Manager for a Class II Auto Dealer License for a total of 13 vehicles outside and 4 inside. Hours of operation will be Monday through Saturday, 10 am to 7 pm.

**Show Cause Hearing:** Show Cause Hearing for Cape Cod Precious Gems & Coins, 48 Iyannough Road, Hyannis, MA, Carl Marchetti, Manager, for revocation of its Junk Dealer License as a result of information presented to the Licensing Authority by Detective Sgt. John Murphy of the Barnstable Police Department at the December 7, 2009 Licensing Authority Hearing for failure to comply with the Town of Barnstable Rules and Regulations under Chapter

502 regarding non-reporting of items purchased for sale, that it purchased items which appear on a list of stolen property, and a determination that Mr. Marchetti is an improper person to hold a Junk Dealer License, to show cause why its Junk Dealer License should not be permanently revoked. Continued from 8/10/11, 2/14/11, 6/20/11, 9/19/11. Along with this hearing, the renewal/non-renewal of the Junk Dealer License for 2011-2012 will be determined. Attorney Atwood's Office advised they were still in Court for 9/24/11 but the matter should be wrapped up for the 10/24/11 hearing. Request was made to continue this hearing to 10/24/11.

**Show Cause Hearing:** Show Cause Hearing for H&S Entertainment, LLC d/b/a Dina's, at 350 Stevens Street, Hyannis, MA, Constantinos Mitrokostas, Manager, for violation of MGL, Ch. 138 and the Town of Barnstable Code Ch. 501-6 § L for failure to notify the Licensing Authority in writing of closing of its business, and failure to request a hearing for a closing in excess of two weeks.

**Show Cause Hearing:** A Show Cause Hearing has been called due to a report from the Barnstable Police Department of two violations of Pufferbellies, 183 Rear Iyannough Road, Hyannis, Sunny Aroustamian, Manager on July 19, 2011 of the Code of the Town of Barnstable Licensing Authority, to wit: Chapter 501, §7I, Sale or delivery of an alcoholic beverage to a person under 21 years of age (1 count) and of Chapter 501, §8A, Failure to ensure that a high degree of supervision is exercised over the conduct of the licensed establishment at all times. Hearing was requested to be continued by the licensee from September 19, 2011 & October 3, 2011.

**Renewals:**

**The following renewals have been submitted without any changes from the previous year for Licensing Authority approval.**

**Class I Auto Dealers:**

Buckler's

**Class II Auto Dealers:**

Image Motors  
Ziggy's

**Common Victuallers:**

Cooke's Seafood  
Honey Dew Donuts

**Daily Non-Live Entertainment:**

Lightning Falls Mini Golf

**Lodging Houses:**

Cape Cod Ocean Manor  
High Pointe Inn

**Mini Golf:**

Lightning Falls

**Business Meeting:**

Licensing Authority Vote to accept surrender of the Wine & Malt Common Victualler License of Semp, Inc., d/b/a Cafe at the Airport. 480 Barnstable Road, Hyannis, Ronald Semprini as of September 1, 2011.

Update from Police Liaison officer(s) on the impacts of the new Crowd Manager requirement and the Fire and Building Safety Check list requirement in all section 12 licensed premises during operating hours. What was the level of compliance? Did the new requirement improve the overall management and safety of the facility? Did the new requirement create any problems? And any other pertinent comments.

Discussion: Policy discussion of prior history for alcohol licensee violations. Use of prior owners violations on alcohol transfers.

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.