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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: January 9, 2012

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

Hearings:

New Pool Table License: Application of House of Bud's, Inc., 959 Bearse's Way, Hyannis, Candace Chambers, Manager, for an annual Pool Table License (1 pool table) and Sunday Entertainment License, hours of use to be 11:30 am – 12:45 am M-Sat; noon to 12:45 am Sun.

New Annual Wine & Malt Retail Package Store License: Application of Smithfield Market of Barnstable, d/b/a Barnstable Market, 3220 Main Street, Barnstable, Jeffrey Blankenship, Manager, for a new Annual Wine & Malt Retail Package Store license. Hours of alcohol sales to e Mon-Sat 8 am to 8 pm, Sun noon to 8 pm.

New Annual Wine & Malt Retail Package Store License: Application of ML Fruit & Produce, Inc., d/b/a Lambert's Rainbow Fruit, 1000 West Main Street, Centerville, Matthew W. Lambert, Manager, for a new Annual Wine & Malt Retail Package Store license. Hours of alcohol sales to be Mon-Sat 8 am to 7 pm, Sun noon to 7 pm.

New Annual Common Victualler License: Application of The Blue Plate Diner, LLC, d/b/a The Blue Plate Diner, 3226 Main Street, Barnstable, Susan Finegold, Manager, for a new annual Common Victualler License. Hours of operation 6 am to 4 pm, with 36 seats.

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. Continued from 10/24/11.

Show Cause Hearing: The Licensing Authority has received a formal complaint from Judith Eldredge that the vehicle deposit she paid to Auto Smart, 202 Yarmouth Road, Hyannis, Daryl Feitz, Manager in June of 2011 has not been returned to her, despite returning the vehicle for mechanical issues and higher loan payments. A consumer complaint has also been filed with the Consumer Assistance Council. This disciplinary hearing is being called pursuant to MGL c. 140, §58(c) (1) (v) (8) to determine whether its current Class II Auto Dealer License should be modified, suspended or revoked.

Renewals:

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

Class II Auto Dealers:

Devincent Auto Brokers, 24 Plant Road, Hyannis
Cape Auto Sales, 58 Willow Avenue, Hyannis
Auto Wholesalers of Cape Cod, 92 Rosary Lane, Hyannis

Common Victuallers:

The Common Ground, 420 Main Street, Hyannis
Porky's Barbeque & Grill II, 590 Sandy Neck Road, W. Barnstable
Brown Bag Bagels and Deli, 70 Center Street, Hyannis
TJ's Deli, 1070 Iyannough Road, Hyannis
Michael's Creative Baking, 424 Main Street, Hyannis
Acai Berry Juice Bar, 14 West Main, Hyannis
JJ's Roast Beef, 770 Main Street, Osterville
Cape Cod Wings & Pizza, 696 Yarmouth Road, Hyannis
The Mills Restaurant, 149 Cotuit Road, Marstons Mills

Lodging House:

Beechwood Inn, 2839 Main Street, Barnstable
Green Mountain B&B, 328 Sea Street, Hyannis
The Pilot House, 86 South Street, Hyannis
Yarmouth Road Rooming House, 34 Yarmouth Road, Hyannis

Business Meeting:

Release of Executive Session Minutes, if any (NONE).

FYI to Licensing Authority – Ying's Sushi Bar & Lounge, 59 Center Street, Hyannis will be closed from 1/4/12 to 1/16/12 for the ABCC suspension of 3 days (discussed at 12/19/11 hearing) and our suspension of 10 days. Will pick up the suspension sign and leave alcohol license on 1/3 and return for it on 1/17/12.

Sykes & Cole letter to Mr. Geiler that Fazio's Trattoria has requested to be closed January 10 – January 31, 2012.

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, WITHOUT FURTHER NOTICE.

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.