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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: April 30, 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**

Vote to accept Minutes: Vote to accept minutes of the 4/9/12 Meeting.

A motion was duly made by Mr. Burman, seconded by Mr. Sullivan and a unanimous vote taken to approve the minutes of the 4/9/12 Meeting.

Hearings:

One Day Entertainment Licenses: Application of Peter Rohner on behalf of Cotuit Federated Church, 40 School Street, Cotuit for two One Day Entertainment Licenses for its annual arts & crafts festival to be held on August 18th and 19th, 2012 at the church and Cotuit Town Green, both days from 10 am to 4 pm.

One Day Entertainment Licenses: Application of Amy Jordan for Paul Whitaker on behalf of Up With People, 6830 Broadway, Unit A, Denver, CO for two One Day Entertainment licenses for a concert on August 24 and August 25, 2012 from 8 am to 12 pm each day to be held at Barnstable High School, 744 West Main Street, Hyannis.

One Day Entertainment License: Application of Irene Aylmer on behalf of Hyannis Public Library for a one day entertainment license for its "Rhapsody in Blue" concert co-sponsored by First Baptist Church. The concert will be held at First Baptist Church, 480 Main Street, Hyannis on May 20, 2012 from 3 pm to 5 pm.

One Day Wine and One Day Entertainment Licenses: Application of Stephen Hemberger on behalf of the Historical Society of Santuit & Cotuit, P.O. Box 1484, Cotuit, for a One Day Wine Only License and a One Day Entertainment License for "The Taste of Cotuit" yearly fundraising event to be held on July 14, 2012 from 6:00 pm to 8:00 pm outdoors on the grounds of the Dottridge Museum, 1148 Main Street, Cotuit. A solo guitar player will perform.

One Day Wine & Malt License: Application of William Bishop on behalf of Homeless Not Hopeless, 310 Ocean Street, Hyannis, for a One Day Wine and Malt License for a fundraising dinner auction to be held on June 1, 2012 from 5:30 pm to 9:30 pm at Our Lady of Victory Parish Center, 230 South Main Street, Centerville. Continued from 4/9/12.

One Day Entertainment License: Application of Lucy Loomis on behalf of Sturgis Library for a One Day Entertainment License for an Antique Show held at Barnstable West Barnstable Elementary School on April 21, 2012 from 10 am to 4 pm. The applicant obtained a permit from the school but neglected to come in to the Licensing Authority until it was brought to their attention by the Licensing Authority that this permit was needed. They immediately filed the necessary paperwork and paid the fee. It was determined that they did not need to appear at today's hearing as the event has already taken place.

Two One Day Entertainment Licenses: Application of Susan Mendoza Friedman, Director of Dance Designs, 11 Enterprise Road, Hyannis for two One Day Entertainment Licenses for student dance recitals to be held at the Barnstable High School Performing Arts Center on June 23, 2012 from 7 pm to 9:15 pm and June 24, 2012 from 4 pm to 6:15 pm.

Two One Day Wine & Malt Licenses and a One Day Entertainment License: Application of Wayne J. Enos on behalf of the Holy Ghost Society of Santuit & Cotuit, 154 Able Way, Marstons Mills, for two One Day Wine & Malt Licenses and a One Day Entertainment License (Saturday only) for a band, for its annual Portuguese Feast to be held on June 16, 2012 from 5:00 pm to 11:00 pm and June 17, 2012 from 12:00 pm to 6:00 pm at 53 Main Street, Cotuit, outside only.

New Junk Dealer License: (Existing license – change from sole proprietor to corporation) Application of Tim Ferreira, d/b/a Ferreira's, 85 Old Yarmouth Road, Hyannis, for a new Annual Junk Dealer License, in the name of his newly formed corporation, Ferreira's Recycling, Inc., d/b/a Ferreira's, with no other changes to his current license. This hearing has been postponed to June 4, 2012.

New Common Victualler License: Application of Hyannis Rendezvous, Inc., d/b/a Rendezvous Cafe & Creperie, 394 Main Street, Hyannis, Dylan Jordan, Manager, for a new Common Victualler License for a restaurant with 48 seats, 5 employees, to operate from 8 am to 5 pm.

Change of D/B/A: Application of H&S Entertainment, LLC, d/b/a Dina's, 350 Stevens Street, Hyannis, Constantinos Mitrokostas, Manager for a change of d/b/a on its Annual All Alcohol Common Victualler License to Bistro De Soleil.

Change of Location and Change of Hours: Application of Michael DePaolo, d/b/a Il Maestro Ristorante, 187C West Main Street, Hyannis, Michael DePaolo, Manager for a Change of Location to 297 North Street, Hyannis with the licensed premises described as follows: 297 North Street, Bldg. 2, Hyannis, MA with 3,600 sq ft, 146 seats indoors, 25 seats (seasonal) outdoors. Ground floor bar area 30 x 24 +/- with 15 stools at 20' bar and 26 chairs at tables, separated from dining area by hip wall. Main dining areas 30 x 46 +/- with 46 seats; atrium with chairs & tables of 43 seats, alcove dining 16 seats; open kitchen (hip wall & glass separator) to dining area; restrooms, foyer 6 x 6; coatroom; basement prep kitchen, and for a Change of Hours to increase the alcohol service hours to 1:00 a.m.

Live and Non-Live Entertainment Licenses and 11 AM Alcohol Service on Sundays: Application of 13 Lives Corp., d/b/a Black Cat Harbor Shack, 159 Ocean Street, Scott Brownlee, Manager, for a Daily Live Entertainment License for 1-2 entertainers, amplified, outside, hours to be noon to midnight daily and Non-Live Entertainment for recorded music at conversation level and two T.V.'s. Also applied for is the early alcohol service hour on Sundays of 11:00 a.m.

Application for 11 AM Sunday Alcohol Service: Application of 9 Lives Corp., d/b/a The Black Cat Tavern, 165 Ocean Street, Hyannis, Scott Brownlee, Manager, for permission for 11 am Sunday alcohol service.

Change of D/B/A: Request of Nathanael Cote, Manager, Epic Narbles, Inc., d/b/a Osterville Cheese and Sandwich Shop, 29 Wianno Avenue, Osterville, for Change of D/B/A only on its annual Common Victualler License to Wianno Green Cafe. FYI only; administrative change to license.

Show Cause Hearing: On a request from Meredith Carter, the Licensing Authority has called a Show Cause Hearing for Auto Smart, LLC, Darrell Fietz, Manager, 202 Yarmouth Road, Hyannis, MA, which hearing was called for failure to return her entire deposit or otherwise make her whole and for selling the vehicle she had contracted to buy while it still retained \$500.00 of her deposit under MGL c. 140, §58 (c) (1) (v) (8).

Show Cause Hearing (Re-opened): Due to a request from Judith Eldredge, the Licensing Authority is re-opening its Show Cause Hearing for Auto Smart, LLC, Darrell Fietz, Manager, 202 Yarmouth Road, Hyannis, MA, which hearing was called for January 9, 2012 for failure to return her deposit or otherwise make her whole under MGL c. 140, §58 (c) (1) (v) (8) despite her returning the vehicle to Auto Smart, LLC for mechanical issues and higher loan payments. That hearing was closed as the Licensing Authority was advised that Ms. Eldredge was satisfied with the resolution of the matter. The Licensing Authority may cancel, suspend, revoke or further condition this Class II Auto Dealer License. Continued for final disposition from 4/9/12 until after the hearing on Meredith Carter's complaint.

Renewals:

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

Junk Dealers:

Ferreira's, 85 Old Yarmouth Road, Hyannis
Sweet Pea's Nest, 4083 Main Street, Cummaquid
Gamestop, CC Mall, Hyannis
Cape Abilities, 3239 Main Street, Barnstable
The Teen Exchange, 1667 Falmouth Road, Centerville
More For Less, 640 Main Street, Hyannis
Simply Vintage, 5 Main Street, Cotuit
Atomic Dimestore, 253 Main Street, Hyannis
New England Jewelry, 342 Main Street, Hyannis
Jewelcraft, 585 Main Street, Hyannis
Silva Jewelers, 863 Main Street, Osterville
Play It Again Sports, 425 Lyannough Road, Hyannis

Non-Live Entertainment:

Courtyard Marketplace, 541 Main Street, Hyannis

Automatic Amusement/Video Games:

Courtyard Marketplace, 541 Main Street, Hyannis

Carousel:

Courtyard Marketplace, 541 Main Street, Hyannis

Business Meeting:

Release of Executive Session Minutes, if any (none to release – 1 sealed).

Discussion of complaint received from Joao Holanda with regard to unlicensed Class II Auto Dealers, which complaint was forwarded to Officer Maher on 4/6/12.

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.