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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: **March 25, 2013**

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 3/4/13 Meeting.

Hearings:

One Day All Alcohol and One Day Entertainment Licenses: Application of Gary Cannon on behalf of Waldorf School of Cape Cod, 140 Old Oyster Road, Cotuit, MA for a One Day All Alcohol License for its annual silent auction to be held at the St. George Greek Orthodox Church, 1130 Falmouth Road, Centerville on April 6, 2013 from 5:00 pm to 11:00 pm and a One Day Entertainment License for a band, The Grab Brothers, and silent auction.

One Day All Alcohol License: Application of Casual Gourmet on behalf of Duffy Health Center, 94 Main Street, Hyannis, MA for a One Day All Alcohol License for a fundraising cocktail party and dinner to be held at Rectrix Aerodrome, 730 Barnstable Road, Hyannis on, May 10, 2013 from 5:00 pm to 10:00 pm.

One Day All Alcohol and One Day Entertainment License: Application of Jennifer Wiley on behalf of Cotuit Library Assn., Cotuit, MA in conjunction with John Lebica on behalf of the Legacy Club of Cape Cod Community College, Barnstable, MA for a One Day Wine Only License for a joint fundraiser to be held at the Grossman Commons Bldg. at the college, on March 28, 2013 from 6 pm to 10 pm and a One Day Entertainment License for a murder mystery set in a 1920's speakeasy with authors from the New England area and a jazz quartet at the event. **WITHDRAWN BY APPLICANT 3/19/13.**

One Day Wine Only License: Application of Trish Roberts on behalf of Inspire Salon, 70 Center Street, Hyannis, for a One Day Wine Only License for a Fundraiser/Open House at the salon for clients and local business people on April 4, 2013 from 6 pm to 8 pm.

Change of Manager: Application of Superior Hotel Management Corp., d/b/a Heritage House Hotel, 259 Main Street, Hyannis, holding an Annual All Alcohol Innholder License for a Change of Manager to Peter F. Martino.

New Annual All Alcohol Common Victualler License and Live and Non-Live Entertainment Licenses: Application of Regatta, LLC, d/b/a The Regatta, 4631 Falmouth Road, Cotuit, Matthew P. Conley, Manager for a New Annual All Alcohol Common Victualler License: A 2 1/2 story building at 4631 Falmouth Road, Cotuit with two floors consisting of a restaurant, bar and lounge, kitchen with basement and attic for storage. Restaurant on 1st floor seating 68 including bar with 14 seats. Upper level dining seating 38 and outside seasonal patio with five tables seating 20 on west side of building. Also requested is a Live Entertainment License for 4 performers, dancing by patrons, amplified, from 7 pm to 12:45 am and a Non-Live Entertainment license for radio and recorded music from 8 am to 12:45 am. **Rescheduled to 3/25/13.**

New Annual Package Store Wine & Malt License: Application of Omharsh Corp., d/b/a AM PM Convenience Store, 489 Bearses Way, Hyannis, Chetankum Patel, Manager, for a new Annual Retail Wine & Malt Package Store License, to be operated from 8 am to 11 pm Mon-Sat and noon to 1 am Sun. **Continued from 2/11/13. Continued again to 3/25/13 for ZBA Hearing results on 3/13/13. Rescheduled again to 4/8/13.**

New Annual Retail All Alcohol Package Store License: Application of Smithfield Market of Barnstable, LLC, d/b/a Barnstable Market, 3220 Main Street, Barnstable, Jeffrey Blankenship, Manager, for a new Annual All Alcohol Retail Package Store license at its current location, no change to the floor plan. Hours of alcohol sales to be Mon-Sat 8 am to 8 pm, Sun noon to 8 pm. The current Wine & Malt Retail Package Store License at this location would be turned in upon approval of this license. **Continued from 1/14/13 for decision from ABCC on Town of Barnstable All Alcohol Package Store license quota and discussion of Licensing Authority regarding same on 3/4/13. WITHDRAWN BY APPLICANT ATTORNEY 3/19/13.**

New Annual Junk Dealer License: Application has been filed by Marry Harrigan, d/b/a Cottage Chic Resale, 645 Main Street, Hyannis, for a new annual Junk Dealer License, Mary Harrigan, Manager, hours of operation to be 10 am to 9 pm.

New Annual All Alcohol Common Victualler License and Daily Live and Non Live Entertainment Licenses: Application of Country Saloon Products, Inc., d/b/a The Compound Bar & Grill, 644 Main Street, Hyannis, Sara Keville, Manager for a New Annual All Alcohol Common Victualler License: 644 Main Street, Hyannis. Wood and brick construction approx 4400 sq. ft. including 1ST floor sunroom seating 22, front dining for 36, lounge with 16 seats, 16 at bar and 6 standees. Two restrooms in the rear of the building with handicap access. Kitchen on 1st floor. Downstairs storage and office area with restrooms for employees. Total 96 patrons, 3 employees. Both front and rear entrance/exit. Also requested is a Live Entertainment License for a maximum of 2 performers and 2 pieces, amplified, from 7 pm to 12:45 am and a Non-Live Entertainment license for radio and recorded music from 8 pm to 11 pm M-Th; Fri & Sat 8 pm to 12:45 am, Sun 2 pm to 5 pm, and for a Daily Non-Live Entertainment License for recorded music at conversation level and 2 T.V.'s, 8 am to 12:45 am daily.

New Annual Class II Auto Dealer License: Application of Cape Cod Auto Connection, Inc., d/b/a Cape Cod Auto Connection, 152 Ridgewood Avenue, Hyannis, Tom Lundquist, Manager, for a new Class II Auto Dealer license (license is currently in name of owner/manager rather than corporate name) with a maximum of 70 vehicles including 6 customer and 2 employee spots; no washing or repairs of vehicles on site; must comply with Special Permit No. 2008-03 Conditions 1-13 and incorporating site plan review letter dated 11/19/08, hours of operation to be M-F 8 AM TO 6 PM.

Annual Daily Live Entertainment License: Application of Cape Cod Beer, Inc., 1336 Phinney's Lane, Hyannis, Todd Marcus, Manager, for a New Annual Live Entertainment License for a maximum of 6 performers, 6 pieces, from 8 am to 12:45 am M-Sat, 10 am to 12:45 am Sun, to provide entertainment for events.

Show Cause Hearing: Show Cause Hearing for Maloney Realty Trust, d/b/a The Embassy Inn, 98 High School Rd, Hyannis, holding a Lodging House license, on a complaint forwarded by the Building Commissioner for safety hazards concerning overcrowding and overcapacity of beds up to potential of 31 lodgers; use of two additional rooms and storage areas as bedrooms; lack of inspection allowed of quarters over the garage. The license is approved for 6 rooms and 12 lodgers. Also in the complaint is the use of 104 High School Rd as a lodging house, which location is not licensed. **Request to continue filed by Attorney for April 8 or April 29, 2013 hearing.**

Renewals:

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

Common Victualler:

Ben & Jerry's, 352 Main Street, Hyannis

Common Victualler All Alcohol Seasonal:

The Paddock, 20 Scudder Ave., Hyannis
Mattakeese Wharf, 271 Millway, Barnstable
Blue Water Grille, 213 Ocean Street, Hyannis
Trader Ed's, 1 Willow Street, Hyannis
Fresh Ketch, 462 Main Street, Hyannis
Kian n' Rylee's, 561 Main Street, Hyannis
Spanky's Clam Shack & Seaside Saloon, 138 Ocean Street, Hyannis
Black Cat Harbor Shack, 159 Ocean Street, Hyannis
Harbor Point Restaurant, 156 Harbor Point Road, Cummaquid

Common Victualler Beer & Wine Seasonal:

Cooke's Seafood Hyannis, 1120 Iyannough Road, Hyannis

Innholder All Alcohol Seasonal:

Hyannis Inn Motor Hotel, 473 Main Street, Hyannis

Club All Alcohol Seasonal:

Cotuit Highground, 31 Crocker Neck Road, Cotuit
Baxter's Boathouse Club, 177 Pleasant Street, Hyannis
The Beach Club, 27 Long Beach Road, Centerville

Video Games:

Hyannis Inn Motor Hotel, 473 Main Street, Hyannis

Daily Live Entertainment

The Paddock, 20 Scudder Ave., Hyannis
Baxter's Boathouse Club, 177 Pleasant Street, Hyannis
Mattakeese Wharf, 271 Millway, Barnstable
Blue Water Grille, 213 Ocean Street, Hyannis
Trader Ed's, 1 Willow Street, Hyannis
Fresh Ketch, 462 Main Street, Hyannis
Spanky's Clam Shack & Seaside Saloon, 138 Ocean Street, Hyannis
Black Cat Harbor Shack, 159 Ocean Street, Hyannis

The Beach Club, 27 Long Beach Road, Centerville

Harbor Point Restaurant, 156 Harbor Point Road, Cummaquid

Daily Non-Live Entertainment:

Blue Water Grille, 213 Ocean Street, Hyannis
Trader Ed's, 1 Willow Street, Hyannis
Hyannis Inn Motor Hotel, 473 Main Street, Hyannis
Fresh Ketch, 462 Main Street, Hyannis
Black Cat Harbor Shack, 159 Ocean Street, Hyannis

Karaoke

Fresh Ketch, 462 Main Street, Hyannis

Business Meeting:

Release of Executive Session Minutes, if any (0).

Open Meeting Law Memo from Legal Dept. with attachments.

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.

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.