

(clock in stamp)

(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).

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 24, 2014

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 3/3/13 Meeting.

Hearings:

One Day All Alcohol and One Day Entertainment License: Application of Bill Sykes on behalf of Best Buddies International, 100 SE 2nd Street, Miami, FL for a One Day All Alcohol and One Day Entertainment License (a live band) for its annual Best Buddies event to be held at Eunice Kennedy Shriver Ocean Park, Craigville Beach Road, Centerville on May 31, 2014 from 1 pm to 9 pm. Continued from 1/13/14.

One Day All Alcohol License (2 Days): Application of Scott Swaylik on behalf of Joe Cronin Memorial Jimmy Fund Fishing Tournament, P.O. Box 625, Centerville for a One Day All Alcohol License (2 days) to be held at Nauticus Marina, Osterville, from 4:00 pm to 10:00 pm on July 31 and August 1, 2014.

One Day Alcohol and One Day Entertainment Licenses: Applications of Susan Martin on behalf of Osterville Village Library, 43 Wianno Avenue, Osterville for 6 One Day Wine only licenses in 2014 noted below:

April 20	Cape Cod Commission lecture/reception, 3 pm – 6 pm
May 18	Mindy Todd lecture/reception, 3 pm - 6 pm
June 8	C.L. Fornari lecture/reception, 3 pm – 6 pm
July 27	Scott Doney lecture/reception, 3 pm – 6 pm
August 17	Dan Wolf lecture/reception, 3 pm – 6 pm
Sept. 21	George Price lecture/reception, 3 pm – 6 pm

Application of Gail Nightingale for a One Day Beer & Wine License (June 22, 2014 Annual Clambake 4 pm – 10 pm), Application of Cynthia Shulman for a One Day All Alcohol License (June 27, 2014 Mutt's & Martini's cocktail party 5 pm – 7:30 pm), and application of Cynthia Shulman for 11 One Day Entertainment permits for its summer concert series to run from 5:30 pm – 8 pm, dates in 2014 below:

June 22	clambake, live entertainment – Vernon Paris
June 26	jazz band
July 3	duo voice/guitar
July 17	one man singer/guitar player
July 24	10 piece jazz ensemble
July 31	swing band 1930's to 1950's
August 7	1950's band
August 14	blues & rock & roll band
August 21	jazz quartet
August 28	duo voice/guitar

One Day All Alcohol and One Day Entertainment License: Application of Paul Covell on behalf of Barnstable County Deputy Sheriff's Assn, P.O. Box 2038, Pocasset, MA for a One Day All Alcohol License and One Day Entertainment License (a guitar player and dancing) for its annual event to benefit the association and sheriff's youth programs, to be held at St. George Greek Orthodox Church, 1130 Falmouth Road, Centerville, from 6:00 pm to 12:00 pm on April 4, 2014.

New Annual All Alcohol Common Victualler License: Application of Ling & K, Inc., d/b/a Saga Fusion Restaurant, Hui Ling Chen, Manager, 1560 Old Post Road Unit C, Marstons Mills: One story multi-tenant building; western portion – Unit C, 2156 sq. ft. Seating for 36, 9 employees, 4 takeout as shown on plan dated 2/20/14 signed by Building Commissioner. Hours 11AM -11PM

Transfer of Annual All Alcohol Package Store License: Application of Town Line Package Store Inc., d/b/a Willow Package, Edward A Rosario, Manager, for transfer of its All Alcohol Package Store License, at 700 Yarmouth Road, Hyannis, MA, to Bilal Corporation, d/b/a Willow Package, Shakeel M Farooq, Manager, the hours of operation for alcohol sales to be from 8 am to 11 pm Monday through Saturday, and noon to 11 pm Sundays.

New Annual Common Victualler License: Application of Karina Hernandez, d/b/a El Mariachi Loco, 569 Main Street, Hyannis, MA, Karina Hernandez, Manager, for a New Annual Common

Victualler License, to be operated 11 am to 11 pm. Seating outdoors only with a maximum of 22 seats in accord with plan signed by Building Commissioner on 2/27/14.

Alteration of Premises and Change of Manager: Application of Colombo's Cafe & Pastries, Inc., d/b/a Colombo's Cafe & Pastries, 544 Main Street, Hyannis, Thomas J. Fantom, Manager for an Alteration of Premises description to change the existing premises description to: 1 story cement block & wood structure at 544 Main Street, Hyannis, MA with 1st floor and basement. Basement consists of men's and women's restrooms, storage area and mechanical room. Main floor consists of an ADA handicapped accessible restroom, waitress station, 11 seat main dining room (82 seats at tables, 16 seats at bar, total 108), performance kitchen, separate kitchen area, 2nd dining room (16 seat 2nd bar, 28 seats, 13 standees, total of 57) for a total indoor occupancy of 165. Patio/sidewalk outside dining area (total of 12 seats of which 4 seats, a portion of 2 tables and fence enclosure shall be located on town sidewalk). Total of 3 exits (main entrance at front, one accessing patio from 2nd dining room and one at rear); and for a Change of Manager to Chris M. Basley.

Show Cause Hearing: Show Cause Hearing for The Dockside Restaurant, 110 School Street, Hyannis, Velma Roberts, Manager as a result of a complaint brought forward by Barnstable Police Department that under Ch 501 § 10 Entertainment at premises which serves food or beverages to be consumed on the premises (1) Sec. B – No entertainment at the licensed premises may be conducted in a manner such that the noise from the entertainment can be heard outside the boundaries of the premises. You have allowed music to be heard beyond the property on two occasions, (2) Sec. D, No entertainment may take place at a licensed premises and no member of the public may be at the licensed premises except during the hours and days when the Licensing Authority has approved the premises to be open to the public. You have allowed music to be played beyond the time allowed on their license on three occasions, and (3) Violation of Ch 501 § 8 Environs of the licensed premises, Sec. A, "It shall be the obligation of licenses to ensure that a high degree of supervision is exercised over the conduct to the licensed establishment at all times. Each licensee will be held accountable for all violations that are related to the licensed premises to determine whether or not the licensee acted properly in the given circumstances. It is alleged these actions took place on October 27, 2013 after being advised of the regulations on October 4, 2013.

Request to postpone suspension imposed at Show Cause Hearing on 1/13/14: At the request of the Town of Barnstable Building Division and Barnstable Police Department, a Show Cause Hearing was held on Ferreira's, 85 Old Yarmouth Road, Timothy J. Ferreira, Manager for the purpose of determining if its Annual Junk Dealer License should be modified, suspended, revoked or otherwise conditioned due to the following violation pursuant to a Police Report dated October 25,: Violation of the restriction on its current Junk Dealer's License, to wit: "Recycling bins and related equipment to be utilized and stored within the existing building." At that hearing a 30 day suspension was imposed, of which 15 days was to be served commencing on February 13, 2014. An appeal was filed by the Attorney for Ferriera's. Request that the Board vote to postpone this suspension until the appeal is finalized or to a date certain.

Renewals:

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

Seasonal Common Victualler All Alcohol:

Blue Water Grille, 213 Ocean Street, Hyannis
Kian n Rylee's Pub and Patio, 561 Main Street, Hyannis
Spanky's Clam Shack & Seaside Saloon, 138 Ocean Street, Hyannis
The Black Cat Harbor Shack, 159 Ocean Street, Hyannis
The Paddock, 20 Scudder Ave, Hyannis
Harbor Point Restaurant, 156 Harbor Point Rd, Cummaquid
Mattakeese Wharf Restaurant, 271 Mill Way, Barnstable
Fresh Ketch, 462 Main Street, Hyannis

Seasonal Common Victualler Wine & Malt:

Cooke's, 1120 Iyannough Rd, Hyannis

Seasonal Innholder All Alcohol:

Seasonal Club All Alcohol:

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

Daily Live Entertainment:

Blue Water Grille, 213 Ocean Street, Hyannis
The Beach Club, 27 Long Beach Road, Centerville
Spanky's Clam Shack & Seaside Saloon, 138 Ocean Street, Hyannis
The Black Cat Harbor Shack, 159 Ocean Street, Hyannis
The Paddock, 20 Scudder Ave, Hyannis
Harbor Point Restaurant, 156 Harbor Point Rd, Cummaquid
Mattakeese Wharf Restaurant, 271 Mill Way, Barnstable
Fresh Ketch, 462 Main Street, Hyannis
Baxter's Boathouse Club, Inc., 177 Pleasant Street, Hyannis

Daily Non-Live Entertainment:

Blue Water Grille, 213 Ocean Street, Hyannis
The Beach Club, 27 Long Beach Road, Centerville
Spanky's Clam Shack & Seaside Saloon, 138 Ocean Street, Hyannis
The Black Cat Harbor Shack, 159 Ocean Street, Hyannis
Fresh Ketch, 462 Main Street, Hyannis

Karaoke:

Fresh Ketch, 462 Main Street, Hyannis

Business Meeting:

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

Discussion on Security Plan submitted by International Inn per Licensing Authority sanction imposed on 2/10/14.

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.