

**\*\*\*MEETING RESCHEDULED FROM 3/05/18\*\*\***

(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 Minutes**

**DATE OF MEETING: March 12, 2018**

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**

A meeting of the Barnstable Licensing Authority was held on Monday, March 12, 2108 rescheduled from 3/05/18. Chairman Martin Hoxie called the meeting to order at 9:30 A.M. He introduced; Gene Burman, Vice- Chairman; Ron Semprini. Clerk; Larry Decker, Associate Commissioner; David Nunheimer, Associate Commissioner; Richard Scali, Director of Regulatory Services; Elizabeth Hartsgrove, Consumer Affairs Supervisor; CAO Officer Therese Gallant, Lt. John Murphy and Maggie Flynn, Recording Secretary.

**Vote to accept Minutes**

1. Vote to accept minutes of the 02/12/2018 meeting.

**A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the minutes of the 02/12/18 meeting.**

## **New Business:**

### **1. Application for (3) One Day Wine and Malt and Entertainment Licenses:**

Application of Anthony Crookshank on behalf of New England Event Management for (3) One Day Wine and Malt and Entertainment Licenses for the Cape Cod Boat Show and Seafood festival. The event is to be held at the back parking lot at the Cape Cod Mall, 793 Lyannough Rd., Hyannis on May 26<sup>th</sup>-28<sup>th</sup> from 9:00 AM to 5:00 PM. Entertainment is to include recorded amplified music.

*Tony Crookshank appeared for the event. This is a 3 day event to be held at the Cape Cod Mall.*

**A motion was duly made by Mr. Semprini, seconded by Mr. Hoxie and a 2-1 vote taken to accept the application as presented. .**

### **2. Consent Agenda:**

**A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the Consent Agenda as presented.**

## **Public Hearings:**

### **1. Application for a New Annual All Alcohol Common Victualler License and a Non-Live Entertainment License:** Application of Cape Cod Coffee LLC d/b/ Cape Cod Coffee, 480 Barnstable Rd., Hyannis, Jan Aggerbeck manager for a new Annual All Alcohol Common Victualler License and a non – live Entertainment License.

Premise Description: Retail unit located on first floor of the Barnstable Municipal Airport consisting of approximately 1,390 square feet, including: café with interior seating for thirty (30) patrons, kitchen, storage area, and approximately 460 sq. ft. of exterior patio space including seating for (16) patrons and two (2) means of egress/ingress all approved by the Building Commissioner on 02-06-2018.

Non- Live Entertainment includes 1 Television.

Hours of operation and entertainment are 5:30 AM to 6:00 PM, Daily.

*Jan Aggerback appeared on behalf of the application. This is part two of the process to add alcohol and outdoor seating.*

**A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the application as presented.**

### **2. Application for a Change of Manager on An All Alcohol Common Victualler License:** Application of GMRI Inc. d/b/a The Olive Garden Italian Restaurant

#1523, 1095 Iyannough, Rd. Hyannis on their Annual All Alcohol Common Victualler Malt License, for a Change of Manager from Nicole Lopes to David M McCaffrey.

*David McCaffrey appeared on behalf of the application. He has over 15 years' experience with several Olive Garden locations.*

**A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the application as presented.**

3. **Application to Transfer an Annual All Alcohol Common Victualler License and New Live and Non Live Licenses:** Application has been filed to transfer the Annual All Alcohol Common Victualler License, and New Live and Non-Live Entertainment Licenses from Country Saloon Products Inc. d/b/a Kelly's on Main, 644 Main Street, Hyannis to Murphy's on Main LLC., d/b/a Murphy's on Main, Scott Weichel, mgr, 644 Main Street, Hyannis.

Description of Premise: Approx. 2400 sq. ft. containing a main dining room of 1932 sq. ft. with 36 seats, 250 sq. ft. sunroom with 22 seats, lounge area with 32 seats, 16 of which are at the bar; total seating of 90. There are also 6 standees. Storage area, 2 handicapped bathrooms, one main entrance and two emergency exits. Total seating reduced by 10 seats with entertainment; all approved by the Building Commissioner on floor plans A and B dated 2/2/18.

Live Entertainment to include: 3 performers with 3 pieces. Non-Live Entertainment to include: 10 televisions and recorded music at conversation level. Hours of both Live and Non-Live Entertainment: 8 am-11pm M-TH; 8am-12:45am Fri, Sat; 11am-7pm.

*Attorney Steven Pizzuti and Scott Weichel appeared on behalf of the application. Attorney Pizzuti reviewed the details of the application and Mr. Weichel's experience.*

**A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the application as presented.**

4. **Application for a New Lodging House License:** Application of Black Prince Hospitality Inc. d/b/a Sea Street Inn, 328 Sea Street, Hyannis, Adrian D'Ambrosi; Manager, for a New Lodging House License for 5 rooms as approved by the Building Commissioner on 2-17-18.

*Adrian D'Ambrosi appeared on behalf of the application. This will be a boutique bed Lodging House.*

**A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the application as presented.**

**5. Application of a New Annual All Alcohol Inn Holder License and Live and Non-Live Entertainment Licenses:**

Application has been filed for an Annual All Alcohol Inn Holder, Live and Non-Live Entertainment Licenses from Dilara Hospitality Inc. d/b/a/ Hyannis Inn, 473 Main St., Hyannis; Fulya Tanyu, manager.

Description of Premise: Premise is located at 473 Main Street, Hyannis with 75 guest rooms, 5 buildings, lobby, indoor pool, office, function room and banquet room. Alcoholic beverages and food will be dispensed from two facilities with an off-season and in- season date frames:

**Off-Season Description: September 16th-May 31st**

Facility 1. Dining room, 715 sq. ft., 49 seats. 2 handicapped bathrooms, two entrances/exits.

Facility 2. Dining room/bar, 48 seats including 12 bar seats, storage room, 2 handicapped bathrooms, two entrances/exits.

**In-Season Description: June 1st-September 15th**

Facility 1. Dining room, 715 sq. ft., 49 seats. 2 handicapped bathrooms, two entrances/exits.

Facility 2. Dining room/bar, 26 seats including 12 bar seats, storage room, 2 handicapped bathrooms, 484 sq. ft. patio with 22 outdoor seats, two entrances/exits..

All approved by the Building Commissioner on 1/31/18.

Live Entertainment to include: 2 performer's maximum with amplified pieces.

Non-Live Entertainment to include: 3 televisions.

Hours of operation are 8:00 AM - 12:45 AM.

*Attorney Steven Pizzuti and Fulya Tanyu appeared on behalf of this application. Attorney Pizzuti reviewed the details of the application along with Fulya's extensive hotel experience in Turkey.*

*Elizabeth Wurf Bain added her support of the project and how exciting it will be for Main Street in Hyannis.*

**A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the application as presented.**

**6. Application for an Alteration of Premises on an All Alcohol Common Victualler License, Change of DBA, and New Live and Non Live Licenses:**

Application of GA Hyannis LLC., d/b/a Harborview Restaurant and Bar, 235 A&B Ocean Street, Hyannis, Scott Crowley, Manager, for a change of DBA from The Thirsty Tuna to Harborview Restaurant and Bar and an Alteration of Premises description of the existing premises to add the second floor:

Second floor is 1636 sq. ft. (1,037 sq. ft. dining room, 72 sq. ft. storage and 525 sq. ft. deck). There are 109 seats, 20 standees and 10 employees for an second floor occupancy of 139.

New total seating for entire premise is 208.

Second floor entertainment consists of Non-Live; 2 TV's and recorded music. Live entertainment consists of 2 performers, no outside speakers from 8:00 am to 11:30 PM as previously licensed.

*Attorney Michael Ford appeared on behalf of this application. Attorney Ford explained the details of the application and how the applicant is trying to comply.*

**A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to accept the application as presented.**

**The meeting was adjourned at 10:35 AM**

**Respectfully submitted,**

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**Margaret D. Flynn, Recorder  
Town of Barnstable Licensing Authority  
Licensing Authority**

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**Ron Semprini, Clerk  
Town of Barnstable**

## Licensing Division Updates

1. **Licensing Department updates:** Ms. Hartsgrove commented that the Use of Town Property is being worked on and moving forward with meetings to develop procedures and regulations.
2. **Police Department updates:** The Annual Alcohol Compliance Meetings will be held on April 10<sup>th</sup> and 11<sup>th</sup>. Officer Gallant stated that she will be doing outreach with the local businesses before the season starts.

- Matters not reasonably anticipated by the Chair

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The list of matters, are those reasonably anticipated by the president/chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the sub-committee may go into executive session. 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. 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

# **Town of Barnstable**

## **Consumer Affairs**

**Elizabeth G. Hartsgrove, Supervisor**

**Licensing Authority**

**200 Main Street**

**Hyannis, MA 02601**

**[www.town.barnstable.ma.us](http://www.town.barnstable.ma.us)**

Telephone: (508) 862-4674

Fax: (508) 778-2412

### **BARNSTABLE LICENSING AUTHORITY**

# **CONSENT AGENDA**

**March 12, 2018**

#### **Renewals:**

1. **Application for One Day Entertainment License:** Application of Andrew Glassman on behalf Wimpy' s for a One Day Entertainment license for St. Patrick's Day. The event is to take place on 3/17/18 at Wimpy's, 752 Main St., Osterville beginning at 6:00PM. Entertainment is to be one performer, Colleen Marshall, with one piece.
2. **Application for a One Day Entertainment and Wine and Malt Licenses:** Application of Jeffrey Marcotte on behalf of the Cape Cod Community College for a One Day Entertainment and Wine and Malt Licenses for the Cherish the Ladies event. The event will be held at The Tilden Arts Center, 2240 Iyannough Rd., West Barnstable on March 17, 2018 from 6:00 to 8:30 PM. Entertainment is to include 7 performers.