

# 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

## **Barnstable Licensing Authority** **Regular Meeting Minutes** **March 19, 2018**

The regular meeting of the Barnstable Licensing Authority was called to order at 9:30a.m on Monday, March 19, 2108 in the 2<sup>nd</sup> floor Town Hall Hearing Room by Chairman Martin Hoxie. Members present: Vice-Chairman Gene Burman, Associate Member Larry Decker and Associate member David Nunheimer. Also Attending: Director of Regulatory Services Richard Scali, Consumer Affairs Supervisor Elizabeth Hartsgrove, CAO Officer Therese Gallant and Lt. John Murphy. Authority Clerk Ron Semprini and Recording Secretary Maggie Flynn, were absent.

### **Minutes**

1. March 12, 2018 (rescheduled from March 5, 2018)

**MOTION: To move that the Licensing Authority approve the March 12, 2018 Minutes (rescheduled from March 5, 2018), as printed.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

### **New Business**

1. Application for a One Day Entertainment License

Application of Peter Lally on behalf of Spectacle management for a One Day Entertainment license for the Jess Cook Concert. The event is to take place at the Barnstable Performing Arts Center, 744 West Main St., Hyannis on April 14, 2018 beginning at 7:30 PM.

*Represented by Peter Lally, who briefly described the event.*

**MOTION: To move that the Licensing Authority approve the One Day Entertainment License, as presented.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

2. Consent Agenda

▪ Renewals

1. One Day Beer and Wine Special License

- Puritan Cape Cod, 408 Main Street, Hyannis: 12 - One Day Beer and Wine Licenses for various charity/fundraiser/vendor events, 5:00-8:00 PM. No entertainment.

**MOTION: To move that the Licensing Authority renew the 12 - One Day Beer & Wine Licenses.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

2. Common Victualler Licenses

- The Barnacle, 988 Craigville Beach Rd., Centerville
- The Barnacle Too, 974 Craigville Beach Rd., Centerville

**MOTION: To move that the Licensing Authority renew the Common Victualler Licenses.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

3. Junk Dealer License
  - New England Jewelry, 342 Main St., Hyannis
  - Simply Vintage of Cape Cod, 1600 Falmouth Rd., Centerville
  - Hannoush Jewelers, CC Mall, 793 Iyannough Rd., Hyannis
  - Sweet Pea's Nest, 4083 Main St., Cummaquid
  - Newbury Comics, CC Mall, 793 Iyannough Rd., Hyannis
  - JCM Metals, 142 Corporation St., Hyannis
  - Cape Cod Jewelers, 366 Main St., Hyannis
  - Historical Antiques and Coins, PO Box 1047, East Sandwich
  - Gamestop, CC Mall, 793 Iyannough Rd., Hyannis
  - Silva Jewelers, 1112 Main St., Osterville

**MOTION: To move that the Licensing Authority renew the Junk Dealer Licenses.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

4. Shooting Gallery License
  - Cape Gun Works, 96 Airport Rd., Hyannis

**MOTION: To move that the Licensing Authority renew the Shooting Gallery License.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

5. Common Victualler All Alcohol with Entertainment - Seasonal
  - Spanky's Clam Shack & Seaside Saloon, 138 Ocean St., Hyannis
  - The Chart Room at Crosby's, 330 A West Bay Road, Osterville
  - Mattakeese Wharf, 271 Millway, Barnstable
  - Tequila Charlie's, 577 Main St., Hyannis
  - The Dockside Restaurant, 110 School St., Hyannis
  - The Beach Club, 27 Long Beach Rd., Centerville
  - The West End, 20 Scudder Ave., Hyannis

*Mr. Burman asked the status of the Dockside. Ms. Hartsgrove stated that she was not aware of the development project status however if any development were to begin at the location, the Dockside would either need to change locations or forfeit the licenses which both would require appearance before the Authority for approval at a public hearing.*

**MOTION: To move that the Licensing Authority renew the Seasonal All Alcohol Common Victualler with Entertainment Licenses.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

6. Common Victualler Wine and Malt with Entertainment - Seasonal
  - Cape Cod Melody Tent, 41 West Main Street, Hyannis
  - Ricciardelli's, 575 Main St., Hyannis

**MOTION: To move that the Licensing Authority renew the Seasonal Wine & Malt Common Victualler with Entertainment Licenses.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

7. Club All Alcohol with Entertainment - Seasonal
  - Cotuit Highground Golf Club, 31 Crocker's Neck Rd., Cotuit
  - Baxter's Fish N' Chips, 177 Pleasant St., Hyannis

**MOTION: To move that the Licensing Authority renew the Seasonal All Alcohol Club with Entertainment Licenses.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

8. Common Victualler Wine and Malt - Seasonal
  - Cooke's Seafood, 1120 Rt. 132 Hyannis

**MOTION: To move that the Licensing Authority renew the Seasonal Wine & Malt Common Victualler License.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

9. Inn Holder All Alcohol with Entertainment - Seasonal
  - Hyannis Inn Motor Hotel, 473 Main St., Hyannis

**MOTION: To move that the Licensing Authority renew the Seasonal All Alcohol Innholder License.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

10. Auctioneer
  - Luiz Gonzaga, 16 School St., Hyannis

**MOTION: To move that the Licensing Authority renew the Auctioneer License.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

## **Public Hearings**

### **1. Application for a New Lodging House License**

Application of SMP Realty Investments Inc. d/b/a SMP Realty Investments and Development, 791 Pitchers Way, Hyannis, Shane Pacheco; Manager, for a New Lodging House License for 7 bedrooms, 7 lodgers and a Managers Suite as approved by the Building Commissioner on 2-06-18.

*Application represented by Shane Pacheco and Atty. Brian Wall who gave a brief history of the property. Atty. Wall stated the apartment on premise is not included on the license, and will be registered separately with the Health Department. In addition, there would not be a manager living on the premise. Mr. Scali requested that a sign be posted on the premise with contact information for those needing assistance. Mr. Decker asked about a discrepancy of a name listed on the Articles of Organization submitted with the application, which Atty. Wall stated it was a type-o, and a revised Articles of Organization was in the process and the Licensing Department would receive a corrected copy for their files. Mr. Burman questioned why only one person was allowed per room and if Mr. Pacheco could accept married couples, which Mr. Pacheco replied that per Zoning and Building only one person was permitted per room, as applied for on the license. Return Receipts submitted at public hearing.*

**MOTION: To move that the Licensing Authority approve the new Lodging House License, as presented.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

### **2. Application to transfer and All Alcohol Retail Package Goods Sore License, Pledge of License and Change of Hours**

Application has been filed to transfer the Annual All Alcohol Retail Package Goods Store License from Hyannis Package Store Inc. d/b/a Hyannis Package Store, Cormac Brodar Fitzgerald, mgr., 775 Main Street, Hyannis to ANK Liquors Inc., d/b/a Hyannis Package Store, Nilesh Patel, mgr., 775 Main Street, Hyannis. Pledge of License is to Centreville Bank.

- Description of Premise: One front entrance, one side entrance. 3,312 SF wood and brick structure with three rooms on the first floor- a salesroom with 6 display shelves and built in display refrigerators, storage and office. Full basement for storage; Emergency exit in rear.
- Hours of Operation: Monday – Saturday 8 AM – 11 PM and Sunday 10 AM – 9 PM.

*Represented by Nilesh Patel and Atty. John Mooradian, who stated the operation will remain the same; friends and family were investors listed as owners; the partial pledge was regarding the business loan; experience was vast including a current Beer & Wine Package Store license in Hull, MA. Mr. Scali asked about any potential renovations, which Mr. Patel stated an architect was hired for a hotel/motel he purchased in Yarmouth and could possibly hire for interior work at this location as well. Mr. Scali reminded the applicant that any alterations within the premise might trigger a public hearing in the future and to contact the Licensing Department for guidance. Return Receipts submitted at public hearing.*

**MOTION: To move that the Licensing Authority approve the transfer, change of hours and pledge of stock of the All Alcohol Package Store License, as presented.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

## **Staff Updates**

### 1. Licensing Department

- Mr. Scali notified the Authority that Ms. Hartsgrove spoke at the 1<sup>st</sup> Annual Massachusetts Cultural Council Institute regarding special event permitting.

## **Adjourn**

**MOTION: To move that the Licensing Authority adjourn the meeting at 9:52am.**

**Motion by: Gene Burman Seconded by: Larry Decker Yea 3 Nay 0**

Respectfully submitted,

Elizabeth G. Hartsgrove  
Consumer Affairs Supervisor