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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 Minutes

DATE OF MEETING: May 7, 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: 2nd Floor Hearing Room, 367 Main Street, Hyannis, MA

A meeting of the Barnstable Licensing Authority was held on Monday, May 7, 2018. Vice Chairman Gene Burman called the meeting to order at 9:30 A.M. He introduced; Larry Decker, Associate Commissioner; David Nunheimer, Associate Commissioner; Nancy Karlson-Lidman, Associate Commissioner Richard Scali, Director of Regulatory Services; CAO Officer Therese Gallant, Lt. John Murphy and Maggie Flynn, Recording Secretary. Chairman Martin Hoxie was absent.

Vote to accept Minutes

1. Vote to accept minutes of the 04/09/2018 meeting.

A motion was duly made by Mr. Semprini, seconded by Mr. Nunheimer and a unanimous vote taken to accept the minutes of the 04/09/18 meeting.

New Business:

1. **Application for a One day Entertainment License:** Application of Kevin Shanley on behalf of Cape Cod Concerts for a One Day Entertainment License for The Guess Who Concert. The event will be held at the Barnstable Performing Arts Center, 744 West Main St., Hyannis on July 14, 2018 beginning at 7:30 PM.

Kevin Shanley appeared on behalf of the application. There will be a private security detail and a police detail. This is a 1400 seat auditorium. The parking lot will also be monitored.

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

2. **Application for a One day Entertainment License:** Application of Kevin Shanley on behalf of Cape Cod Concerts for a One Day Entertainment License for The Charlie Daniels Live Band Concert. The event will be held at the Barnstable Performing Arts Center, 744 West Main St., Hyannis on August 18, 2018 beginning at 7:00 PM.

Kevin Shanley updated as above.

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

3. **Discussion of One Day Suspension:** Hyannis Inn Inc. d/b/a Hyannis Inn Motor Hotel, 473 Main Street, Hyannis, Audrey Eaton, Manager. Suspension of One Day was to be served on May 14, 2018 under the above listed ownership; property has been sold.

Mr. Scali updated the Board that the new owners should not be responsible. The Barnstable Police Department stated the sale was not to get out of a one day suspension.

A motion was duly made by Mr. Nunheimer, seconded by Mr. Semprini and a unanimous vote taken to vacate the suspension.

4. **Consent Agenda:**

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

Public Hearings:

1. **Application for a New Annual Common Victualler License:** Application of DG Enterprises LLC., d/b/a Kilwins of Hyannis, 386 Main St., Hyannis, Dominick Marciano, Manager, for a new Annual Common Victualler license. Hours of operation will be 11:00 AM to 11:00 PM daily. There will be 18 total seats, 6 exterior front seats, 6 interior seats and 6 exterior rear seats all approved by the Building Department, March 2018.

Dominic Marciano appeared on behalf of the application. Dominic reviewed the operation and security details. Mr. Semprini asked about the number of employees; 16 in total. Expect busy time in the evenings.

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

2. **Application for an Alteration of Premises on an All Alcohol Common Victualler License:** Application of Barnstable Restaurant Inc.,d/b/a Barnstable Restaurant and Tavern, 3176 Main Street, Barnstable, Susan Feingold, Manager for an Alteration of Premises description of the existing premises. Alteration of premise is for new bar and seating:

New Description: Full kitchen , 2 public restrooms, reception area, dining room with seating for 42, new bar seating for 18 plus a 12 seat bar, lounge area with seating for 34 plus 13 at bar. Total interior seating is 119. Outside patio seating is 29. Two public entrances off Main Street, one public entrance from back deck and one lower landing entrance. All changes approved by the Building Department on 4/2/18.

Susan Feingold appeared on behalf of the application. This is the 14th season. Mr. Scali reviewed that the bar still requires approval from the ABCC.

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

3. **Application of a New Annual All Alcohol Common Victualler License and New Live Entertainment License:** Application of Island Café & Grill LLC d/b/a Island Café & Grill, 251 Iyannough Rd., Hyannis, Erica Sterling manager for a new Annual All Alcohol Common Victualler License and a live Entertainment License has been filed.

Premise Description: 251 Iyannough Road, Hyannis; including one story wooden structure containing a restaurant with counter with 8 seats, kitchen, tables with 32 chairs, one handicap bathroom, and one regular bathroom. There are 2 means of ingress and egress all approved by the Building Commissioner on 04/05/-2018. Live Entertainment includes 2 performers.

Hours of operation and entertainment are 8:00 AM to 1:00 AM, Daily.

Attorney Mark Boudreau and Erica and Patrick Sterling appeared on behalf of the application. The restaurant has been open for several months. They have all of their certificates as well as their employees. Nancy Karlson-Lidman asked about the entertainment hours. The hours of entertainment will be from 10:00 AM -3 PM. We will be serving dinner in the future. Presently, only serving breakfast and lunch. Mr. Semprini asked where the entertainment would be located; one to 2 performers only with steel drums. Additionally, requesting the hours to be amended to begin at 7:00 am for breakfast.

Mr. Scali thanked the applicants for obtaining the handicap parking sign; suggested verifying the state wording to ensure compliance.

A motion was duly made by Mr. Semprini, seconded by Mr. Nunheimer and a unanimous vote taken to accept the application as presented with a request to amend the opening hours to 7:00 AM from 8:00 AM.

- 4. Application for a New Annual Common Victualler All Alcohol License and New Non-Live Entertainment License:** Application of Irie Eats Inc., d/b/a Outa Eaty, 225 Iyannough Rd., Hyannis., Marcia Webster, Manager, for a new Annual All Alcohol Common Victualler license. Hours of operation will be 7:00 AM to 12:45 AM daily.

Premise Description: Restaurant located at 225 Iyannough Rd. with dining area, kitchen, walk-in cooler, storage for dry goods, two bathrooms. There will be 42 interior seats, approved by the Building Commissioner on 3/28/18. No exterior seating.

Non Live Entertainment is to include recorded music at conversation level.

Natessa Brown appeared on behalf of the application, she detailed her significant experience. Natessa will be at the location full time. Breakfast and lunch to begin with; 4 employees; Cape Cod style and Caribbean food.

Mr. Decker asked about Marcia Webster; she is her aunt and manager. Conroy Johnson is her partner and boyfriend. Requesting to open without the liquor license with just food. A proposal has been given to the landlord for the lease. Mr. Scali also thanked Natessa for taking care of the handicap parking sign.

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

Licensing Division Updates:

- 1. Licensing Department updates-** Municipal Licensing Meeting, Tuesday June 5th in Millbury. Mr. Scali reviewed the Agenda for the meeting. Board membership. Mr. Burman is leaving June 11th; need to have election of Officers.
- 2. Police Department updates-** Welcomed the new associate member. Mr. Decker brought up the issue of a separate ownership of the Harborview Hotel.

- Matters not reasonably anticipated by the Chair

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

The meeting was adjourned at 10:15 AM

Respectfully submitted,

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

**Ron Semprini, Clerk
Town of Barnstable Licensing**

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BARNSTABLE LICENSING AUTHORITY
CONSENT AGENDA
May 7, 2018

Renewals:

- 1. Application for (2) One Day Entertainment and Wine and Malt Licenses:** Application of Dean White on behalf of the Holy Ghost Society of Cotuit and Santuit for their annual Portuguese Feast. The event is to take place at 53 Main Street, Cotuit on June 16, 2018 from 6 PM to 11 PM and June 17, 2018 from 12 PM to 6 PM. Entertainment is to include 6 performers with 6 pieces.
- 2. Application for a One Day Entertainment Licenses:** Application of Lisa Kopecky on behalf of Cape Cod Community College for a One Day Entertainment license for the Roger McGuinn concert. The event is to take place at the Tilden Arts Center, Cape Cod Community College, West Barnstable on May 5, 2018 at 7:30 PM. ****This is a retroactive approval****
- 3. Application for (2) One day All Alcohol Licenses:** Application of Scott Swaylik, 970 Putnam Ave., Marstons Mills, on behalf of the Joe Cronin/Jimmy Fund Raiser for (2) One Day All Alcohol Licenses. Event is to take place at Nauticus Marina, 339 West bay Rd., Osterville on August 2, 2018 from 6-10 PM and August 3, 2018 from 4-10 PM. No live entertainment.
- 4. Application for a One Day Entertainment and Wine and Malt Licenses:** Application of Lucy Loomis on behalf of Sturgis Library, PO Box 606, Barnstable, for a one day entertainment and wine and malt license for the annual Family Funktafest. The event is to be held at the Sturgis Library, 3090 Main St., Barnstable on May 12 from 5 PM to 7PM. Entertainment to be provided by Funktapuss.

Common Victualler License:

1. RTPK, 590 Sandy Neck Rd., West Barnstable
2. CBA Snack Bar, 915B Craigville Beach Rd., Centerville

Junk Dealer License:

1. Jewelcraft, 585 Main St., Hyannis
2. Cash Point, 640 Main St., Hyannis
3. Atomic Dimestore, 187 West Main Street, Hyannis