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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: March 18, 2019**

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 18, 2019. Chairman Martin Hoxie called the meeting to order at 9:30 A.M. He introduced; Ron Semprini, Vice-Chairman, Larry Decker, Associate Commissioner, Nancy Karlson-Lidman, Associate Commissioner, Richard Scali, Licensing Director; CAO Officer Therese Gallant, Lt. John Murphy and Maggie Flynn, Recording Secretary. David Nunheimer and David A Hirsch were absent.

### **Vote to accept Minutes**

1. Vote to accept minutes of the 03/04/19 meeting.

**A motion was duly made by Mr. Semprini, seconded by Mr. Decker and a unanimous vote taken to accept the minutes of the 03/04/19 meeting.**

## **New Business:**

### **1. Consent Agenda:**

*Mr. Scali clarified to the Board that on the Puritan events they are obtaining the necessary Health permits.*

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

## **Public Hearings:**

- 1. Application for an Alteration of Premises on an All Alcohol Common Victualler License:** Application of Island Café and Grill LLC d/b/a Island Café and Grill, 251 Lyannough Rd Road, Hyannis, Erica Donna Sterling, Manager for an Alteration of Premises description of the existing premises. Alteration of premise is for outdoor seating.

**New Description:** 251 Lyannough Road, Hyannis; including one story wooden structure containing a restaurant with counter with 8 seats, kitchen, tables with 32 chairs, one handicap bathroom, one regular bathroom. There are 2 means of ingress and egress. Outdoor patio with three tables totaling 12 seats. Total seats are 52, 40 interior and 12 exterior.

All changes approved by the Building Commissioner on 2/11/19.

*Patrick Sterling appeared on behalf of the application. The location will be fenced in. Mr. Scali asked about the patio, is it built? No, not yet. There is only one entrance. Mr. Semprini asked if there were 2 parking spots in the patio location, yes, we lose 2 spots in the back and there are 2 new side on the spots; same side as the building.*

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

- 2. Application to Amend Non-Live Entertainment and Mini Golf Licenses:** Application of Partee Freeze Inc. d/b/a/ Lightning Falls Mini Golf, 455 W Main St., Hyannis, for amendments to an existing Mini Golf and Non-Live Entertainment Licenses.

Amendment is to change from individual ownership; Steven Fedele d/b/a Lightning Falls Mini Golf to Corporate ownership; Partee Freeze Inc. d/b/a Lightning Falls Mini Golf.

*Mr. Scali described that this inaccuracy was discovered during the renewal process. This application is to amend from individual ownership to Corporate.*

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

**3. Application for a Change of Hours on an Annual Malt Only Farmer Brewery**

**Pouring License:** Application of Barnstable Brewing LLC. d/b/a Barnstable Brewing, 485 West Main Street., Hyannis, Peter M Connor, manager, to amend their existing Farmer Brewery Pouring License.

Amendment request is for a change of hours from current 10:00 AM - 6:00 PM to 10:00 AM - 8:00 PM for regular business hours; special events until 10:00PM. The current pouring restriction of prior to 4:00 PM while school is in session still remains in place. The maximum number of special events will be 25 per year per Special permit No. 2018-061.

*Peter and Ann Connor appeared on behalf of this application. Extension of hours request was heard in front of the ZBA to be open until 8pm. Mr. Hoxie asked who will be notified, a suggestion was made to email the Licensing Division on private events. Mr. Decker asked about food, we do not have a food permit. Mr. Semprini asked about parking, we are not concerned about Partee Freeze. They are in support of our operation. We have 31 spaces earmarked for our customers. We do have access to the Partee Freeze when they are closed. Mr. Scali asked about the patio. We do not do any entertainment.*

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

**4. Application for a New Annual Common Victualler License:** Application Aaria Hospitality LLC. d/b/a Heritage House Hotel, 259 Main Street., Hyannis, Dhaval Prajapati, Manager, for a new Annual Common Victualler license. Hours of operation will be daily for hotel guests. Seating is for a maximum of 133 seats approved by the Building Commissioner on 1-30-19.\*\*\*\***Postponed from 3/4/19\*\*\*\***

*Dhaval Prajapati appeared on behalf of the application. This is just for Continental breakfast from 7 am to 10 am. Get through the first year and then see what we do in the future. Restaurants are not my focus. Mr. Scali asked for Dhaval to discuss his background. No major changes are planned; we are going to modernize the building. Clean up the rooms. Fencing will be new. Nothing structurally significant is planned. The location is terrific.*

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

**5. Application for a New Annual All Alcohol Common Victualler License and**

**New Non-Live Entertainment License:** Application of Blue Moon at 430 Main Street, Inc., d/b/a Blue Moon, 430 Main Street, Hyannis, MA, Aubrey Foster,

Manager, for a new All Alcohol Common Victualler License and a new Non-Live Entertainment License.

Premise Description: Building is at street level, consisting of front and rear entrance and exit, interior seating (38 seats), bar seating (6 seats) and patio seating (24 seats) for a total seating capacity of 68 seats. 4 bathrooms (2 staff, 2 customer), basement storage, kitchen area, wash area and total square feet of 1800.

Hours of operation are 10:00 AM to 1:00 AM daily.

Non-Live entertainment includes: recorded music below conversation level and 2 T.V.'s. Non-Live hours are 10:00 AM to 12:45 AM. \*\*\*\*Continued to 4/08/19\*\*\*\*

**The meeting was adjourned at 10:05 AM**

**Respectfully submitted,**

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

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**Ron Semprini; Vice-Chairman  
Town of Barnstable  
Licensing Authority**

## **Licensing Division Updates:**

- 1. Licensing Department updates-** Renewal season for Seasonal licenses. Viewpermit system is being worked on. Renewals will be online. Inspections and final walkthrough of all licensees to ensure that they are adhering to the plan.
- 2. Police Department updates-** Annual meetings, different approach, not mandatory. This is round table approach. Some of the topics, underage compliance checks. Different approach to penalties: fines, community services. Need to educate on Viewpermit. Open discussion of bar safety. Mr. Semprini asked about patrons and weapons. Lt. Murphy stated we have not had many incidents. This will be more of a give and take approach. Mr. Decker asked about the numbers of compliance checks. We are possibly exploring the idea of conducting year round. In prior years we were restricted to the grant money timelines.

- **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

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**Licensing Authority**  
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**BARNSTABLE LICENSING AUTHORITY**  
**CONSENT AGENDA**  
**March 18, 2019**

**Renewals:**

1. **Application for (12) One Day Wine and Malt Licenses:** Application of Andrea McArthur on behalf of Puritan Cape Cod for 12 One Day Wine and Malt Licenses. All events (see attached listing) will take place at Puritan Cape Cod, 408 Main St., Hyannis from 5:00PM to 8:00PM with 1 exception on June 8 from 12-6.
2. **Application for a One Day Malt Only License:** Application of W Patrick Lentell on behalf of SEMC Sports for a One Day Malt only License for the Annual Cotuit Firecracker 5K. The event is to take place on July 11, 2019 at Lowell Park Woodlands, 10 Lowell Ave, Cotuit beginning at 6:00 PM.
3. **Application for (22) One Day Entertainment Licenses:** Application of Jenn Dashnaw on behalf of the Cape Symphony for (22) One day Entertainment License (see attached schedule) for the 2019-2020 Concert Schedule. All performances will take place at the Barnstable High School Performing Arts Center, 744 West Main Street, Hyannis. Concert times range from beginning at 3:00PM.
4. **Application for a One Day Entertainment and All Alcohol Licenses:** Application of Ashley Calise on behalf of the Cape Cod Synagogue for a One Day Entertainment and All Alcohol License for the Purim Shpiel and Deli Dance. The event is to be held at the Cape Cod Synagogue, 145 Winter Street, Hyannis on March 23, 2019 for 5PM to 8PM.

**Junk Dealer Licenses:**

1. 327-006-001 Regalia Jewelers, 342 Main St., Hyannis
2. 293-022 Cape Cod Recycles, 142 Corporation St., Hyannis
3. 336-053 Sweet Pea's Nest, 4083 Main Street, Cummaquid

**Seasonal All Alcohol Common Victualler with Entertainment Licenses:**

1. 116-013 Chart Room, 330A West Bay Road, Osterville
2. 309-225 Fresh Ketch, 462 Main Street, Hyannis

**Seasonal All Alcohol Club License:**

1. 020-097 Cotuit Highground, 31 Crocker's Neck Rd., Cotuit

**Seasonal All Alcohol Club License with Entertainment:**

1. 326-050 Baxter's Fish N' Chips, 177 Pleasant St., Hyannis
2. 326-066 Spanky's Clamshack, 138 Ocean St., Hyannis