

BARNSTABLE
TOWN CLERK

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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

The May 26, 2020 public meeting of the Licensing Authority shall be physically closed to the public to avoid group congregation.

Remote Participation Instructions

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Channel 18 and may be accessed via the Channel 18 website at:

<http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>

2. Real-time public comment can be addressed to the Licensing Authority utilizing the Zoom link or telephone number and access code for remote access below.

Link: <https://zoom.us/j/99497819291>

Telephone Number: 888-475-4499 US Toll-free, Meeting ID: 99497819291

3. Applicants, their representatives and individuals required or entitled to appear before the Licensing Authority may appear remotely and are not permitted to be physically present at the meeting, and may participate through the link or telephone number provide above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to Richard.scali@town.barnstable.ma.us, so that they may be displayed for remote public access viewing.

DATE OF MEETING: May 26, 2020

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: Selectman's Conference Room, 2nd Floor, 367 Main Street,
Hyannis, MA**

A meeting of the Barnstable Licensing Authority was held on Tuesday, May 26, 2020. Chairman Martin Hoxie called the meeting to order at 9:30 AM. He introduced; Associate Commissioners; David Hirsch and Larry Decker, Licensing Director, Richard Scali, Officer Therese Gallant, and Lindsay Parvin, recording secretary (all participating remotely via telephone/Zoom).

Richard Scali noted that with current restrictions in place limiting access to Town Buildings, all applicants will be participating remotely via Zoom or by telephone. An agenda was posted by the Town Clerks office which included instructions for viewing and/or participating remotely.

Vote to accept Minutes:

1. Vote to accept minutes of the 5/11/2020 meeting.

A motion was duly made by Mr. Decker, seconded by Mr. Hirsch and a unanimous vote taken to accept the minutes of the 5/11/2020 meeting.

New Business:

1. **Cost Plus of Massachusetts LLC, d/b/a Cost Plus World Market, 621 Iyannough Road, Hyannis.**

Request to deactivate Annual Wine and Malt Package Store License.

Andrew Upton appeared on behalf of the Licensee. He informed the Licensing Authority that as a result economic hardships due to the covid-19 pandemic, Cost World Plus will be closing the store. They have negotiated with their Landlord to terminate the lease. They plan to open the store in order to sell the current inventory before closing permanently on June 26, 2020. They are requesting 6 months to dispose of the Liquor License.

Richard Scali noted that the request was consistent with normal procedure.

A motion was duly made by Mr. Decker, seconded by Mr. Hirsch and a unanimous vote taken to deactivate the Wine and Malt Package Store License, effective 6/26/2020, for a period of 6 months or until such time the license is transferred.

Public Hearings:

1. ALTERATION OF PREMISE ON ALL ALCOHOL COMMON VICTUALLER LICENSE AND NEW NON-LIVE ENTERTAINMENT LICENSE

Application of Island Café and Grill LLC, d/b/a Island Café and Grill, 251 Iyannough Road, Hyannis, Erica Sterling, Manager for an Alteration of Premise on All Alcohol Common Victualler License and New Non-Live Entertainment License. Alteration of premises is to include the construction of a walk-up service window for takeout food.

New Description: Island Café and Grill located at 251 Iyannough Road, Hyannis. The Café has a total of 52 seats; 40 indoor dining seats with a full bar, 12 outdoor patio seats and a walk-up service window for take-out food. The Café contains; 2 bathrooms, 2 entrance doors and 2 exits.

Non-Live Entertainment to include 3 TV's
Continued from May 11, 2020

Patrick Sterling, Owner and Erica Sterling, Manager appeared on behalf of the application.

Mr. Sterling stated that the establishment has been offering take-out food service on Friday's and Saturday's throughout the pandemic. They hope to resume normal operating hours in June, once reopening guidelines have been released. He expects that take-out orders will continue to be a significant portion of their business. He plans to construct a walk-up service window so that customers may maintain proper social distancing.

Mr. Decker asked if the patio seats would be reserved for full service customers.

Mr. Sterling stated that full service will be offered on the patio when normal operations resume. Takeout customers may use it as well.

Mr. Decker asked if the patio was enclosed.

Mr. Sterling confirmed that the patio is enclosed and there is a a brick walkway leading from the takeout service window.

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

2. NEW LODGING HOUSE LICENSE

Application of Karla Taylor LLC, d/b/a Lamb & Lion Inn, 2504 Main Street, West Barnstable, Lauren Wendelowski, Manager for a New Lodging House License for 10 units.

Continued from May 11, 2020

Mr. Scali noted that the Lodging House transfer has been delayed due to matters related to covid-19 and recommends that if be removed from the consideration at this time.

Chairman Martin Hoxie stated that the application shall be removed from the agenda until further notice by applicant.

3. NEW ANNUAL COMMON VICTUALLER LICENSE AND NEW NON LIVE ENTERTAINMENT LICENSE

Application of The Buttercup Cafe, d/b/a The Buttercup Cafe, 3224 Main Street, Barnstable, Melissa Jankowski, Manager, for a new Annual Common Victualler License and new Non Live Entertainment License. Hours of operation will be 6:30 am to 4:00 pm daily. There will be 49 interior seats.

Non-Live Entertainment is to include recorded music below conversation level.

Melissa Jankowski, Owner, appeared on behalf the application. The café is to serve breakfast and lunch options for both takeout and dine in service. The Blue Plate Diner previously operated at the location. They are currently in the process of remodeling the space.

Chairman Hoxie asked when construction was to be completed.

Ms. Jankowski stated that they are currently addressing plumbing matters and are waiting for specific reopening guidelines from the State.

Chairman Hoxie asked if the applicant had experience managing an establishment with a CV License.

Ms. Jankowski stated that she has worked in the food service industry for 25 years and most recently managed a food establishment in Mashpee. Ms. Jankowski stated that her husband, is an executive chef and will also be involved in the operations.

Mr. Scali noted that abutters had not been notified prior to the hearing due to a correction made to the legal ad. As a result, it was published on a later date. He recommended that the application move forward as it did not involve alcohol or a change in use.

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

SHOW CAUSE HEARING:

The Barnstable Licensing Authority will hold a Show Cause Hearing relative to the Lodging House License for the Sea Beach Inn Co. d/b/a Sea Beach Inn, 388 Sea Street, Hyannis,

Catherine Darling, Manager, for the following violations of the Town of Barnstable Rules and Regulations: Section 501-9 Physical Premises (subsection b), 501-11 Environs of Licensed Premises (subsection f) and 501-14 Other Causes for Revocation, Suspension and Modification of the Town of Barnstable Rules and Regulations (subsection b).

Continued to June 15, 2020, at the request of the Sea Beach Inn.

Licensing Division Updates:

Licensing Department updates –

Mr. Scali informed the Licensing Authority of pending Legislation that will enable municipalities to approve temporary alteration changes due to covid-19. A task force of representatives from all applicable departments has been assembled to administratively review such applications. Site Plan Review Coordinator, Maggie Flynn is creating an application for the Licensee to submit proposed changes. Once administratively approved, the item will be placed on the Consent Agenda and forwarded to the ABCC for notification. Mr. Scali reports that the Melody Tent has decided to suspend operations for the season. The Roadhouse Café and Seaside Pub have closed permanently.

Police Department updates-

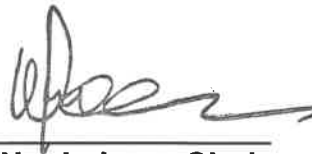
Officer Gallant has no updates at this time.

The meeting was adjourned at 10:01AM

Respectfully submitted,



L. Parvin, Recorder
Town of Barnstable Licensing Authority



David Nunheimer, Clerk
Town of Barnstable Licensing Authority

- **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