



## Town of Barnstable Licensing Authority

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# Meeting Minutes

Forwarded to the Town Clerk  
on 8/8/2022 for the record.

The regularly scheduled Barnstable Licensing Authority Public Meeting was called to order at approximately 9:30a.m. on **Monday, July 11, 2022** and was held via Zoom.

**Members Present:** Vice Chair, David Nunheimer, Clerk, Larry Decker; Nancy Karlson-Lidman; John Flores (Associate)

**Members Absent:** Chair, Martin Hoxie; David Hirsch

**Staff Present:** Licensing Director, Liz Hartsgrove; Consumer Affairs Officer, Chris Kelsey; Licensing Assistant, Erin Logan

**With Chair Hoxie absent, Vice Chair, David Nunheimer was the Acting Chair for the purposes of this meeting.**

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**Public Comment** - *There was no public comment made.*

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## NEW APPLICATIONS

### 1. Special One Day License – Beer & Wine Including Entertainment

Application made Amplify POC, PO Box 284, Hyannis, to hold the “**Amplify POC Summer Vendor Market**” event at Aselton Park, on August 20, 2022 from 12PM to 5PM. The beer and wine will be poured by Island Café & Grill. Entertainment to include live amplified music. Vendors will be selling goods and there will also be food trucks and activities for children.

*Sunny Feldman is present for the event. 2<sup>nd</sup> Vendor Market, similar to a Love Live Local Festival. Vendors, food trucks, kids games. Including live music with beer & wine poured by Island Café & Grill in a separate tent roped off with someone checking ID's. Alcohol will stay in that area. Businesses owned by people of color. There will be raffles the purpose is to amplify the vendors and businesses.*

*Office Kelsey noted that a raffle permit is needed with the town and State and we will also need to request a police detail.*

**MOTION:** *To move the Licensing Authority approve the application as submitted noting a police detail will be requested for this event and a raffle permit will be obtained through the state and town.*

**Motion by:** *Larry Decker* **Seconded by:** *Nancy Karlson-Lidman* **Vote:** *Yea – 4 | Nay- 0*

2. **Special One Day License – Beer & Entertainment Only**

Application made by Trustees of Reservations, Weir River Farm, to hold the “**Village Day Community Picnic**” event at Armstrong Kelly Park, on July 16, 2022 from 4PM to 7PM. The beer will be poured by Anne Smith-White; current TIPS Certification on file. Entertainment to include live amplified music.

*Anne Smith White advised she is proposing a community picnic and will be the finale for Village Day. People will bring their own picnic food. Beer, wine, and snacks will be provided. Officer Kelsey suggests scheduling a detail.*

**MOTION: To move the Licensing Authority approve the application as submitted adding that a police detail will be requested for this event.**

**Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman Vote: Yea – 4| Nay- 0**

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## **PUBLIC HEARINGS**

1. **New Junk Dealer**

Bike Zone, Inc dba **Bike Zone Inc.**, 323 Barnstable Road, Hyannis, for a new Junk Dealer License, to sell second-hand goods.

Kathleen Alty was present and advised that some customers are looking to sell their old bikes and buy new.

**MOTION: To move the Licensing Authority approve the application as submitted.**

**Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman Vote: Yea – 4| Nay- 0**

2. **New Daily Live Entertainment License**

Tasty Crab Seafood Inc. dba **Tasty Crab Seafood and Bar**, 615 Main Street, Suite 13 & 14, Hyannis, for a new Daily Live Entertainment License with a maximum of 4 performers; hours of live entertainment 12PM to 11PM daily.

Rong Gao was present and advised he is looking to have entertainment inside.

**MOTION: To move the Licensing Authority approve the application as submitted.**

**Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman Vote: Yea – 4| Nay- 0**

3. **New Annual Common Victualler**

Christian Camp Meeting Association dba **CBA Snack Bar**, 915B Craigville Beach Road, Centerville, for a new Annual Common Victualler License with 20 inside seats and 24 outdoor seats; hours of operation will be daily from 9:00AM to 4:00PM.

Nancy Brown was present and confirmed she will be managing the Snack Bar again this year after a year off. Decker confirmed this is a seasonal license.

**MOTION: To move the Licensing Authority approve the application as submitted.**

**Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman Vote: Yea – 4| Nay- 0**

**4. Amend Class I Auto Dealer**

CopeCoddor Enterprises Corp dba **Copeland Subaru**, 24 Ridgewood Avenue, Hyannis to change their location to 95 & 123 Falmouth Road, Hyannis and 172 & 180 Walton Avenue, Hyannis; 218 display spaces, 36 employee spaces, 4 handicap spaces, 29 customer spaces for a total of 287 spaces.

**Application represented by Bryan Scarpellini, Robbie Trapp, and Troy Wood. Scarpellini described the project. Decker confirmed with Scarpellini that Chevrolet would be expanding into 24 Ridgewood Avenue.**

**MOTION: To move the Licensing Authority approve the application as submitted.**

**Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman Vote: Yea – 4| Nay- 0**

**5. Amend Annual All Alcohol Common Victualler**

Clartin, Inc. dba **Kettle Ho**, 12 School Street, Cotuit for a Change of Officers/Directors including ownership interest and transfer of stock from Michael Clark, 50% owner and Stephen Curtin, 50% owner to Stephen Curtin 100% owner.

Stephen Curtin was present and confirmed there will be no changes to the daily business operations; this is just a change in ownership.

**MOTION: To move the Licensing Authority approve the application as submitted.**

**Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman Vote: Yea – 4| Nay- 0**

**6. Amend Package Store Wine & Malt**

Super Target Liquor of Massachusetts, Inc. dba **Target**, 769 Iyannough Road, Hyannis for a Change of Manager from Daron Holloway to Sara Tinsley; as well as a change to the Directors and Officers to remove Sarah H. Reizakis, Director; remove Janine Brown-Wiese, Assistant Secretary; add Anthony Frank Heredia, Assistant Secretary.

Libby Pisano of Upton Connell and Devlin, was present and representing Target. Pisano advised the application is for a change of officers. Pisano added that the manager of record was supposed to be Sara Tinsley but that has since changed and she will be submitting a new application for change of manager.

Director Hartsgrove confirmed the change of manager is not considered in this motion.

**MOTION: To move the Licensing Authority approve the change of directors and officers.**

**Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman Vote: Yea – 4| Nay- 0**

**7. Amend Annual All Alcohol Common Victualler**

Mass. Military Support Foundation d/b/a **Gimmy's Tavern**, 1800 Iyannough Road, Barnstable for Change of Manager from Kathy Morelli to Diandra Nugent

Don Cox is present with Diandra Nugent. Cox advised that Nugent has taken over as acting manager. Decker questioned several change of managers. Nunheimer confirmed Nugent's

prior experience. She has been working at Gimmy's Tavern since February and has a history of management experience, though no alcohol management experience. Nugent has restaurant and retail management experience. Cox added that he is working carefully with Nugent to ensure her success.

**MOTION: To move the Licensing Authority approve the application as submitted.**

**Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman Vote: Yea – 4| Nay- 0**

*After the above motion was taken Officer Kelsey expressed concern over the proposed manager and asked that the application be continued to allow for further investigation.*

**MOTION: Moved to rescind the motion to approve the application and postpone to the August meeting.**

**Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman Vote: Yea – 4| Nay- 0**

**8. Amend Annual All Alcohol Common Victualler**

C&D Shamrock, Inc. dba **The Nineteenth Hole (19<sup>th</sup> Hole)**, 11 Barnstable Road, Hyannis for a Change of Manager from Christopher J. Doherty to David Cronan; as well as a change in the Corporate Structure from Partnership to Sole Proprietor.

David Cronan was present and confirmed the changes to the business; change in corporate structure and change of manager.

**MOTION: To move the Licensing Authority approve the application as submitted.**

**Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman Vote: Yea – 4| Nay- 0**

**9. Amend Annual All Alcohol Common Victualler**

Pizza Barbone LLC dba **Pizza Barbone**, 390 Main Street, Hyannis for an Alteration of Premises. New premise description to read: *Located on the first floor of a 2 story brick masonry building, one entrance/exits at the front & one at the rear, 967 sq. ft. main dining room with bar area, 174 sq. ft. staff room, 687 sq. ft. kitchen, 936 sq. ft. prep kitchen, 2 walk-ins, storage room, two restrooms at the front & two restrooms in the rear for customers, dining room has seating for 87, outdoor dining seats 24.*

*Jason O'Toole was present and described the expansion of premise noting there were no other changes to the daily operation.*

**MOTION: To move the Licensing Authority approve the application as submitted.**

**Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman Vote: Yea – 4| Nay- 0**

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## SHOW CAUSE HEARING

1. In accordance with MGL c.138, the Barnstable Licensing Authority will hold Show Cause Hearing to consider the modification, suspension or revocation of the Annual All Alcohol Common Victualler license for Four Seasons Trattoria in Hyannis, Inc. d/b/a **Four Seasons**, 350 Stevens St, Hyannis for the following violations of the Town of Barnstable, MA Code: **501-12 Business Assignments of Licenses; and 502-1 Alcoholic Beverages General Provisions.**

Individuals Present to represent the Four Seasons: Manuel Fernandez, manager of Four Seasons; Attorney David Lawler [Attorney for Grand Café].

Director Hartsgrove provided background and reason for the Show Cause Hearing; the business had been advertising and operating as the “Grand Café”.

Officer Kelsey provided a recap of multiple visits to the property wherein Mr. Paguay [of the Grand Café] was present but Manuel Fernandez [manager of Four Seasons] was not present. Additionally Officer Kelsey noted staff wearing shirts with “Grand Café” on them and he also witnessed the phone being answered as “Grand Café”.

Vice Chair Nunheimer confirmed with Manuel Fernandez that the changes in operation were due to family illness.

Attorney Lawler added that Mr. Fernandez was not present as much as he should have been but that the absence was due to the family illness.

Officer Kelsey disagreed and mentioned a Facebook post from January 2022 wherein the Grand Café advertised a grand opening at 350 Stevens Street, Hyannis. Noting that it was obvious this was a planned change.

Attorney Lawler pointed out that the owners of Four Seasons were attempting to do the right things.

Flores noted there have been violations and there needs to be a clear set of standards adding that everyone should be held accountable to the same standards.

Vice Chair Nunheimer confirmed with Director Hartsgrove that the board can consider suspension in abeyance, suspend to a day or days certain, or the board may revoke the license.

Vice Chair Nunheimer asked Officer Kelsey for a recommendation on how to proceed. Officer Kelsey suggested that the board suspend the license noting that one day is not sufficient but he would recommend five days with two days to serve and three days held in abeyance.

Decker felt that allowing the business to serve food may not work and preferred that the two days served include food and alcohol.

Karlson-Lidman and Flores concurred with Decker; she is in favor of a 2 day suspension with 3 held in abeyance.

- **FINDINGS: To move that the Licensing Authority determine violation of Section §501-12 and §502-1 of the Barnstable Licensing Authority Rules and Regulations(4-0);**

***Motion moved by Larry Decker seconded by Nancy Karlson-Lidman to accept the findings as presented; So voted: Aye - unanimous***

- **VERDICT: To move that the Licensing Authority find the Four Seasons Trattoria located at 350 Stevens Street, Hyannis guilty in violating Section §501-12 and §502-1 of the Barnstable Licensing Authority Rules and Regulations (4-0); and**

- **ACTION:** To move that the Licensing Authority suspend the Annual All Alcohol Common Victualler license (both food and Alcohol service and consumption) for 5 days: of which you will serve a two-day suspension on September 13-14, 2022 and have three day suspension held in abeyance for one year from date of this hearing (4-0).

**Verdict and Action Motions:**

**Motion moved by Larry Decker seconded by Nancy Karlson-Lidman, that any action regarding the Four Seasons Trattoria be postponed for two months and that the Four Seasons Trattoria be served a penalty of two days to serve and three days in abeyance for one year, for a total of five days; So voted: Aye - unanimous**

**Motion moved by Nunheimer that the two-day suspension be served on September 13, 2022 and September 14, 2022. So voted: Aye – unanimous**

**10. Transfer Annual All Alcohol Common Victualler and Daily Non-Live Entertainment**

Grand Café Restaurant, Inc. dba **Grand Café Restaurant, Inc.** 350 Stevens Street, Hyannis to transfer the All Alcohol Common Victualler and Daily Non-Live Entertainment licenses from Four Seasons Trattoria in Hyannis, Inc. dba Four Seasons Trattoria in Hyannis to Grand Café Restaurant, Inc. dba Grand Café Restaurant, Inc. Hours of operation 10AM to 10PM, daily. Daily Non-Live Entertainment is for recorded music and 3 TV's.

Attorney David Lawler requested a continuance until October 17, 2022.

**MOTION: To move the Licensing Authority continue review of this application to the October 17, 2022 meeting.**

**Motion by: Nancy Karlson-Lidman Seconded by: John Flores Vote: Yea – 4| Nay- 0**

**CONSENT AGENDA**

**Renewals**

DBA	License
Cape Quality Car Sales	▪ Class II Auto Dealer

**3. Special One Day License RETRO – Beer & Wine**

Application made by St. George Greek Orthodox Church of Cape Cod, to hold the “**St. George Greek Food Fest**” event held 1130 Falmouth Road, Centerville, a food festival event on July 8, 2022 from 4PM to 10PM. Beer and Wine will be poured by Nikolas Atsalis; current TIPS certification on file.

**MOTION: To move the Licensing Authority approve the consent agenda.**

**Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman Vote: Yea – 4| Nay- 0**

**APPROVAL OF MINUTES - June 13, 2022**

**MOTION: To move the Licensing Authority approve the June 13, 2022 Minutes as printed.**

**Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman Vote: Yea – 4| Nay- 0**

**LICENSING UPDATES**

1. Licensing Authority – Director Hartsgrove noted that Ronny’s Pizza will be coming back before the Authority for an update. Also Harborview Restaurant will be appearing in August for a Show Cause Hearing as they are no longer operating and have not turned in their license. We will be looking at the Licensing Authority goals at the August hearing. Reminder that the August hearing is back in person.
2. Licensing Department – No updates at this time.
3. Police Department – No updates at this time.

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## Adjourn

**MOTION: To move that the Licensing Authority adjourn the meeting at 11:25 a.m.**

**Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman Vote: Yea – 4 | Nay- 0**

Respectfully submitted,

***Erin Logan***

Erin Logan  
Town of Barnstable Licensing Assistant

***Larry Decker***

Larry Decker, Clerk  
Town of Barnstable Licensing Authority

MINUTES APPROVED AT THE AUGUST 8, 2022, LICENSING AUTHORITY MEETING.