

(clock in stamp)

(TIMESTAMP ALL 3 COPIES IN TOWN CLERK'S OFFICE –
LEAVE ONE TO FILE FOR OUR RECORDS -ONE TO POST IN
TOWN HALL - KEEP ONE COPY FOR YOUR RECORDS).

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 Agenda

DATE OF MEETING: July 28, 2014

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

Vote to accept Minutes: Vote to accept minutes of the 07/09/2014 Meeting.

Hearings:

New One Day Beer and Wine and Entertainment Licenses: Application of Elizabeth Butler on behalf of the Centerville Public Library, 585 Main St, Centerville for a One Day Beer and Wine and Entertainment Licenses for a fundraiser wine tasting and auction to be held inside and outside at the Centerville Library.. Event to be held on August 16, 2014 from 4:30 to 7:30 PM with an attendance of 204 people inside and 45 people outside as approved by the Building Commissioner.

New One Day Entertainment License: Application of Stephen Hemberger on behalf of the Historical Society of Santuit/Cotuit, PO Box 242, Cotuit, for a One Day Live Entertainment License for "Cotuit 375th year celebration". Event to be held at Cotuit Green, Main Street, Cotuit on August 9, 2014 from 5:00 P.M. to 7:00 P.M. Music will be provided by the Rum Soaked Crooks; food provided by Boy Scout Troop #52.

New One Day Entertainment Licenses (2): Application of Betsy Newell on behalf of the Sturgis Library, PO Box 606, Barnstable, for two One Day Live Entertainment Licenses for an annual Antique Fair. Event to be held at Barnstable West Barnstable Elementary School, 2463 Main Street, Barnstable on August 15, 2014 from 8:00 A. M. to 4:00 P.M and August 16, 2014 from 9:00 A.M to 6 P.M .

New One Day Entertainment Licenses (18): Application of Kim Corben on behalf of the Cape Symphony, 1060 Falmouth Rd, Suite A, Hyannis, for 18 One Day Live Entertainment Licenses for various symphony concerts. Events are to be held at the Barnstable High School Performing Arts Center, 744 West Main St., Hyannis from September 20, 2014 to May 10, 2015(see below). Each concert is approximately 2 hours.

September 20, 2014 – 7:30 PM	January 1, 2015 – 3:00 PM
September 21, 2014 – 3:00 PM	January 17, 2015 – 7:30 PM
October 11, 2014 – 3:00 PM and 7:30 PM	January 18, 2015 – 3:00 PM
October 12, 2014 – 3:00 PM	February 14, 2015 – 3:00 & 7:30 PM
November 8, 2014 -7:30 PM	February 15, 2015 – 3:00 PM
November 9, 2014 – 3:00 PM	April 11, 2015 – 7:30 PM
December 5, 2014 – 4:00 PM and 8:00 PM	April 12, 2015 – 3:00 PM
December 6, 2014 - 3:00 PM and 7:30 PM	May 9, 2015 – 7:30 PM
December 7, 2014 – 1:00 PM and 5:00 PM	May 10, 2015 – 3:00 PM

New One Day All Alcohol License: Application of Daniel Chamberlain on behalf of Cape Cod Young Professionals, PO Box 634, Barnstable, for a One Day All Alcohol License for an annual Back to Business fundraiser on September 18, 2014 from 5:30 pm to 8:30. Event to be held at the Rectrix Aerodome at the Barnstable Municipal Airport.

New One Day Entertainment License: Application of Michael Leona on behalf of Hyannis Sound Reunion Show, 14 Franbill Road, Hyannis, for a One Day Live Entertainment License for a 20th Reunion Concert. Event to be held at the Barnstable Performing Arts Center, 744 West Main Street, Hyannis on August 2, 2014 from 7:00 PM to 10:00 PM. Music will be provided by various groups from 1994-2014 playing one song.

Change of Manger on Annual All Alcohol Club License: Application of Hyannis Yacht Club, 490 Ocean Street, Hyannis, on their Annual, All Alcohol, Club License, for a Change of Manager from John R. Schuler to Michael W. Murphy.

Change of Annual Beer and Wine Common Victualler License to an All Alcohol Common Victualler License: Application of J&S Montero, LLC, d/b/a/ Vista de Mare Diner, Sergio Montero, Manager, 430 Main Street, Hyannis, MA 02601, Building with 1800 sq. ft., front entrance and rear entrance from public parking lot. Four restrooms, 38 seats inside and 24 seats on front outside patio; sidewalk dining valid only with License from Town Manager; hours during which alcoholic beverages may be sold are weekdays: 8:00 a.m. to 12 Midnight and Sundays: 11:00 a.m. to 12 Midnight for Change of Annual Beer and Wine Common Victualer License to an All-Alcohol Common Victualer license.

Show Cause Hearing for Auto Smart : the Town of Barnstable Licensing Authority has requested a Show Cause Hearing be called for Auto Smart LLC, 202 Yarmouth Road, Hyannis, Darrell Fitz, Manager, for customer complaint with unsatisfactory resolution; to show cause why

the Class II Auto Dealer License at 202 Yarmouth Road, Hyannis should not be modified, suspended or revoked. This hearing is called pursuant to M.G.L. c 140 §58 (c)(v) and M.G.L. c. 140 §58 (c).

** Attorney Freeman requested a continuance until July 28, 2014 hearing due to a scheduling conflict**

Show Cause Hearing for Burger King : The Barnstable Police Department has requested a Show Cause Hearing be called for LBK, LLC, d/b/a Burger King #664, 184 North Street, Hyannis: Eliana Hamelburg, Manager, for the following alleged violations on 6/22/2014: Code of the Town of Barnstable: violation of the 1:00 a.m. to 3:00 a.m. ordinance and MGL. 140 sections 2-9, violation of the closing hour condition; and actions that took place on June 22, 2014 after being advised of the regulations of the Town on at least three different occasions.

Show Cause Hearing for Alcohol Meetings: The Barnstable Police Department has requested a Show Cause Hearing be called for the list of alcohol licensees referenced below for the following violation: Code of the Town of Barnstable, MA, 501- 14, Section C&D, Failure to obey an order or condition of the Licensing Board. Licensees failed to appear to mandatory alcohol licensing meetings offered by the Barnstable Police Department.

Big Daddy's Pizza, 4120 Falmouth Rd, Cotuit
Willow Package Store, 700 Yarmouth Rd, Hyannis
Craigville Mexican and Pizza, 618 Craigville Beach Road, Centerville
Eclectic Café, 606 Main Street, Hyannis
Bangkok Cuisine, 20 Independence Dr, Hyannis
The Beach Club, 27 Long Beach Road, Centerville
Blue Water Grill, 213 Ocean Street, Hyannis
Hyannisport Club, 2 Irving Ave, Hyannisport
King Grant Raquet Club, 12 Old Kings Road, Cotuit
The Paddock, 20 Scudder Ave, Hyannis
Pan D'Avignon Café – Boulangerie, 15 Hinkley Rd, Hyannis
Shanghai Chinese Restaurant, 11 Ridgewood Ave, Hyannis
Wimpy's, 752 Main Street, Osterville

Business Meeting:

Election of Officers for the Licensing Authority:

Request to postpone suspension imposed at Show Cause Hearing on 1/13/14 and Extension of License Approval: At the request of the Town of Barnstable Building Division and Barnstable Police Department, a Show Cause Hearing was held on Ferreira's, 85 Old Yarmouth Road, Timothy J. Ferreira, Manager for the purpose of determining if its Annual Junk Dealer License should be modified, suspended, revoked or otherwise conditioned due to the following violation pursuant to a Police Report dated October 25,: Violation of the restriction on its current Junk Dealer's License, to wit: "Recycling bins and related equipment to be utilized and stored within the existing building." At that hearing a 30 day suspension was imposed, of which 15 days was to

be served commencing on February 13, 2014. An appeal was filed by the Attorney for Ferreira's. Request that the Board vote to postpone this suspension until the appeal is finalized, or to 3/24/14. It was voted 2-1 to further postpone this hearing to 4/14/14. License approved to 8/14/2014.

*** Attorney Houghton to provide an update. Junk Dealer License for Ferreira's expires on 8/14/2014.

Request to Move October 20, 2014 Licensing Authority Hearing to October 27, 2014 :

Release of Executive Session Minutes, if any (0).

And any other new business to come before the Licensing Authority.

PERSONS INTERESTED ARE ADVISED THAT, IN THE EVENT ANY MATTER TAKEN UP AT THE MEETING REMAINS UNFINISHED AT THE CLOSE OF THE MEETING, IT MAY BE PUT OFF TO A CONTINUED SESSION OF THIS MEETING, WITH PROPER POSTING.

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. For 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 in or on the municipal building in which the clerk's office is located.