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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 Agenda

DATE OF MEETING: August 19, 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: 2nd Floor Hearing Room, 367 Main Street, Hyannis, MA

Vote to accept Minutes

1. Vote to accept minutes of the 07/08/19 meeting.

New Business:

1. **Application for two One Day Beer and Wine Licenses:** Application of Dennis Marchant on behalf of the Barnstable Comedy Club for two One Day Beer and Wine Licenses for Jazz Concerts. The events are to take place at the Barnstable Comedy Club, 3171 Main St., Barnstable on August 18th and 25th. Both performances begin at 7:00 PM. The event on 8/18/19 is a retroactive approval.
2. **Consent Agenda:**

Public Hearings:

1. **Application for a Change of Location an Annual Common Victualler License:** Application of BLMT Ventures LLC, d/b/a Five Guys Burgers and Fries, Cape Cod Mall, 793 Iyannough Rd., Hyannis, Mathew Baecker, Manager, for a change of location in the Cape Cod Mall.
Interior seats will now be 70 and exterior seats will be 9 for a total of 79 seats. All approved by the Building Commissioner on 07/3/19. Hours of operation will be 11:00 am to 10:00 pm daily.
2. **Application for a New Annual Common Victualler and Non-Live Entertainment Licenses:** Application of S-L Snacks MA, LLC. d/b/a Cape Cod Potato Chips, 100 Breeds Hill Rd., Hyannis, Stephen Winters, Manager, for a new Annual Common Victualler license. Hours of operation will be Monday - Friday 9:00 AM to 5:00 PM. Seating is for 8 picnic tables approved by the Building Commissioner on 02-21-19.
Non-Live Entertainment is for 3 TV's. Entertainment hours are the same as operational hours.
3. **Application for a Change of Manager on An All Alcohol Common Victualler License:** Application of CC Entertainment Inc. d/b/a Flashback, 294 Main St, Hyannis on their Annual All Alcohol Common Victualler License, for a Change of Manager from Gregory Vayneris to Kelly Capossela. ****Postponed from 6/10/19****
4. **Application for a Change of Manager on An Annual Wine and Malt Retail Package Goods Store License:** Application of Super Target Liquor of Massachusetts, Inc. d/b/a Target, 769 Iyannough Rd., Hyannis on their Annual Wine and Malt Retail Package Goods Store License, for a Change of Manager from Puneet Mathur to Daron Holloway.
5. **Application for an Alteration of Premises on an All Alcohol Retail Package Goods Store License:** Application of ANK Liquors Inc. d/b/a Hyannis Package Store, 775 Main St., Hyannis Nilesh Patel, Manager for an Alteration of Premises. Alteration of premise is for expansion and updating of retail sales area. New Description: First floor retail store consisting of 1 room of approx. 3,441 sq. ft. 1 walk-in cooler with 27 doors that follows side wall of the store to the rear wall. Front and side entrance/exit, rear emergency exit and loading dock. Basement consists of 1 room storage of approx. 3,441 sq. ft. Liquor to be displayed on retail floor and excess product stored in basement.
All changes approved by the Building Commissioner on 7/01/19.

6. **Application of a Change of Location and Manager on an All Alcohol Common Victualler License and a New Non-Live Entertainment License:**

Application of Chipotle Mexican Grill of Colorado LLC., d/b/a Chipotle, 793 Iyannough Rd., Hyannis, David Jamieson, Manager, for a change of location and manager on an All Alcohol Common Victualler License and a new Non-Live Entertainment License. The change of location is within the Cape Cod Mall, the change of Manager is from David Jamieson to Jelani Allen.

Premise Description: Within one unit of the Cape Cod Mall with entrance from within the Mall; kitchen, office and dining area with seating for 39; seasonal outdoor patio (March to October) with seating for 20. Total seating is 59. All changes approved by the Building Commissioner on 6/27/19.

Hours of operation are 10:45 AM to 11:00 PM, Daily.

Non-Live Entertainment is for recorded music at below conversation level; same as operating hours.

7. **Application for a Transfer of an Annual Wine and Malt Retail Package Goods Store License:**

Application of KSMP Enterprises, Inc. d/b/a Sea Street Food Mart, 231 Sea Street, Hyannis., Pasang Diki Sherpa, Manager, for a transfer of an Annual Wine and Malt Retail Package Goods Store License from MA General Inc. d/b/a/ Sea Street Food Mart 231 Sea Street., Hyannis to. KSMP Enterprises, Inc. d/b/a Sea Street Food Mart, 231 Sea Street, Hyannis, Pasang Diki Sherpa, Manager.

Premise Description: The premise consists of 1800 sq. ft. of retail space on one floor with two entrances/exits. There is a cooler on the left wall that has beer and wine at one end. A smaller Cooler on back wall holds beer. Wine is displayed on a rack in the center of the store. Beer and wine inventory is stored in the back storage room.

Hours of operation are 6:00 AM to 11:00 PM, daily.

8. **Application for New Officers/Directors and Transfer of Stock and Change of Manager on an Annual All Alcohol General on Premise License:**

Application of New Sedgewick Inc., d/b/a Puff the Magic, 649 Main Street, Hyannis. MA, James Spindler, Manager, for a change in corporate Officers/Directors and stock interest. Manager change is from James Spindler to Anil Diwan.

9. **Application for an Alteration of Premises of An Annual All Alcohol Common Victualler License and A Change of Manager:**

Application of Not Your Average Joe's, Inc. d/b/a Not Your Average Joe's, 793 Iyannough Road (Cape Cod Mall, Route 132), Hyannis, Bruce Randon, Manager for an Alteration of Premises description of the existing premises. Alteration of premise is for change of location in the Mall.

New Description: One floor full service restaurant including bar area and outdoor patio. Indoor seating for 183 including 64 bar seats, 119 dining tables

and standing waiting areas at host standing and bar area, and Outdoor seating for 38. Total square footage of 6493. There will also be a mezzanine with no public access for dry storage and a utility room.

All changes approved by the Building Department on 7/29/2019.

Change of Manager will be from Bruce Randon to Sean McDaniel.

Show Cause Hearing:

1. The Barnstable Licensing Authority has requested a Show Cause Hearing be called before them for Missako Bakery & Cafe, Matheus Tanaka, Manager at 357 Main St. Hyannis, for the following violation of MGL c. 140, s.2-9 and the Town of Barnstable, MA Code:

•**Section 504-2(a).** Common Victualler (Violation of MGLc140, s. 2): General Provisions-(a) Every food service establishment in the Town of Barnstable with capabilities for cooking, preparing and serving food with seating and/or eating on premise is required to have a common victualler license.

•**Section 501-2(a).** Requirements for Licensure: No individual or establishment may conduct any business which requires a license without first obtaining a valid license.

Public Hearing:

1. Application for a New Annual Common Victualler and Non-Live Entertainment Licenses: Application of Missako Hashimoto d/b/a Missako Bakery & Cafe, 357 Main St., Hyannis, Missako Hashimoto, Manager, for a new Annual Common Victualler license. Hours of operation will be 7:00 AM to 6:00 PM Monday-Saturday.. Seating is 34 in total, 20 interior and 14 exterior as approved by the Building Commissioner on 5/20/19.

Non-Live Entertainment is for recorded music and 1 TV..

Non-Live Entertainment hours are the same as operational hours.

******Postponed from 6/10/19******

Licensing Division Updates:

1. Licensing Department updates

2. Police Department updates

- **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

Town of Barnstable
Licensing Authority
200 Main Street
Hyannis, MA 02601
www.town.barnstable.ma.us

Telephone: (508) 862-4674

Fax: (508) 778-2412

BARNSTABLE LICENSING AUTHORITY
CONSENT AGENDA
August 19, 2019

Renewals:

1. **Application for a One Day Extension of Licensed Premise:** Application of Brian P Mullins on behalf of Hyannis yacht club for a One Day Extension of Licensed premise. The extension is to include a bar on the Dock for the annual HYC Dock party. The event is scheduled for August 10, 2019 beginning at 6:00 PM. The address of the Hyannis Yacht Club is 490 Ocean Street, Hyannis. There will also be a 5 performer with 5 piece band at the event. ******This is a retroactive approval******