



TOWN OF BARNSTABLE Licensing Authority

David Nunheimer, Chair • John Flores, Vice Chair • Larry Decker, Clerk
• Nancy Karlson-Lidman • Jessica Sylver
Town Council Vice President, Craig Tamash - Liaison



Licensing Authority Public Meeting Agenda

The Barnstable Licensing Authority will hold a Public Meeting on **Wednesday, October 23, 2024**, at **10:00 a.m.** at Barnstable Town Hall, in the **James H. Crocker Jr. Hearing Room**, 2nd Floor, 367 Main Street, Hyannis.

The meeting will be televised live via Xfinity Channel 8 or high-definition Channel 1072. It may also be accessed via the Government Access Channel live stream on the Town of Barnstable's website:

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

CALL TO ORDER – Introduction of Board Members and Staff

NOTICE OF RECORDING – This meeting of the Barnstable Licensing Authority is being recorded and broadcast on the Town of Barnstable's Government Access Channel. In accordance with Massachusetts General Laws Chapter 30A, Section 20, the Chair must inquire whether anyone else is recording this meeting and, if so, to please make their presence known.

PUBLIC COMMENT

APPROVAL OF MINUTES – September 25, 2024

NEW BUSINESS

1. **Amend Entertainment License**

An application has been filed by Blue Moon at 430 Main Street dba **Blue Moon**, 430 Main Street, Hyannis, to amend the daily entertainment license to include dancing by patrons. Current hours of entertainment are 10am to 12:45 p.m.

2. **Amend Entertainment License**

An application has been filed by MCRH Hyannis, LLC dba **Roadhouse Café**, 488 South Street, Hyannis, to amend the daily live entertainment license to include up to 5 live performers (including vocals). Current hours for daily live entertainment are daily from 4pm to 11pm.

3. **Amend All Alcohol Common Victualler**

An application has been filed by Sam Diego's Inc. dba **Sam Diego's**, 950 Iyannough Road, Hyannis, to amend the alcohol manager from Robert W. Kershaw to Clarke E. Buchanan.

PUBLIC HEARINGS

1. New Annual Common Victualler

An application was filed by Pain D'Avignon II, Inc. dba **Pain D'Avignon Café – Boulangerie**, 10 Wianno Avenue, Osterville, for a new annual common Victuallers license. With seating for 6, inside. Proposed hours of operation are daily from 7am to 5pm.

2. New Annual Common Victualler

An application was filed by Cape Burgers LLC dba **Five Guys**, 793 Iyannough Road, Hyannis, for a new annual common Victuallers license with seating for 70 inside and 9 outside for a total of 79 seats. Proposed hours of operation are daily from 11am to 9pm.

3. New Annual All Alcohol Common Victualler and Daily Live & Non-Live Entertainment

An application was filed by Boteco Do Manolo Hyannis, LLC dba **Boteco Do Manolo Hyannis**, 1070 Iyannough Road, Hyannis, for a new annual all alcohol common Victuallers license, Seating for 232, inside. Proposed alcohol manager is Fabio V. Barbosa. Daily live entertainment for 1 live, amplified, performer; daily non-live entertainment for 7 TV's and recorded music below conversation level. The proposed hours of alcohol service as well as daily live and daily non-live entertainment are daily from 11:00 a.m. to 11:00 p.m.

TEMPORARY & PERMENANT CLOSURES

Correspondence has been received by Attorney John Kenney's office advising that Snarky, Inc. dba **Barbyann's Restaurant**, located at 120 Airport Road, Hyannis, will be permanently closed effective September 30, 2024.

DISCUSSION

Entertainment Licenses - A discussion will take place regarding the *ending times* for live entertainment licenses and will be based on a report provided by licensing staff. Said report contains data for both live and non-live entertainment including the "doing business as" name of each establishment, address, hours of operation and the specific type of entertainment being offered. This is for discussion purposes only and is intended to ensure consistency with all licenses. No action will be taken at this time.

CORRESPONDENCE

The following correspondence has been received by the Alcoholic Beverages Control Commission, 95 Fourth Street, Chelsea, MA, 02150:

1. Notice of Violation for Deer Hollow Corp dba **Barnstable Bottle Shoppe**, Violation of MGL C 138 §34 - Sale or delivery of an alcoholic beverage to a person under 21 years of age (1 count)
 2. Notice of Violation for KSMP Enterprises, Inc. dba **Sea Street Food Mart**, Violation of MGL C 138 §34 – Sale or delivery of an alcoholic beverage to a person under 21 years of age (2 counts)
 3. **Spiked Drink Advisory** received on October 16, 2024
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CONSENT AGENDA

2025 ANNUAL RENEWALS

Doing Business As	Address	License Type
Cape Cod Cars & Trucks	319 Barnstable Rd, Hyannis	Class II Auto Dealer
Robert J. Trapp	120 Yarmouth Road, Hyannis	Class II Auto Dealer
Willow Street Motors	519 Yarmouth Road, Hyannis	Class II Auto Dealer
Hyannis Foreign Auto Sales	91 Falmouth Road, Hyannis	Class II Auto Dealer
Mariner Café	282 Main Street, Hyannis	Common Victualler

LICENSING UPDATES

1. Licensing Authority & Division Updates
2. Police Department Updates

Next two meetings: November 20, 2024, and December 18, 2024

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

ADJOURNMENT

Town of Barnstable - Licensing Program

367 Main Street, 3rd Floor, Hyannis, MA 02601

(P) 508.862.4774

<https://www.townofbarnstable.us/boardscommittees/LicensingAuthority/>

Staff Support:

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