



Town of Barnstable
Regulatory Services
Richard V. Scali, Interim Director
Licensing Authority

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BARNSTABLE LICENSING AUTHORITY
LICENSING HEARING MINUTES

Town Hall Building, 367 Main Street, 2nd Floor Hearing Room, Hyannis, MA – 9:30 a.m.
April 28, 2014

A regular meeting of the Barnstable Licensing Authority was held on Monday, April 28, 2014. Chairman Martin Hoxie called the meeting to order at 9:30 A.M. He introduced Gene Burman, Vice Chairman and Temporary Clerk; Dick Boy, Associate Commissioner; Ron Semprini, Associate Commissioner; David Nunheimer, Associate Commissioner; Richard V. Scali, Director of Regulatory Services and Licensing Agent, Consumer Affairs Supervisor, Lt. John Murphy and Patrolman Steve Maher, Liaison Officers from the Barnstable Police Department, and Maggie Flynn, Recording Secretary.

Vote to accept Minutes: Vote to accept minutes of the 4/14/14 Meeting.

A motion was duly made by Mr. Burman, seconded by Mr. * and a unanimous vote taken to approve the minutes of the 4/14/14 Meeting.

Hearings:

New One Day Entertainment License: Application of Charlene Colon on behalf of Sposabella Bridal, 28 Barnstable Road, Hyannis, for a One Day Live Entertainment License for an outdoor summer bridal show. Event to be held on the Hyannis Village Green on June 29, 2014 from 12:00 to 4:00 PM. Music will be provided by various bands, DJ's and harpist and there will also be a fashion show.

A motion was duly made by Mr. Burman, seconded by Mr. *and a unanimous vote taken to

New One Day All Alcohol License and One Day Entertainment License:

Application of Michael Brooks on behalf of Cape Cod Synagogue, 145 Winter Street, Hyannis for a One Day All Alcohol License for an Annual Raffle Drawing celebrating the 50th Anniversary of the Beatle's arriving in America. Event to be held at their premises on May

10, 2014 from 7 PM to 11 PM. Also applying for an Entertainment License for a 2 to 4 man band for the same date and time.

A motion was duly made by Mr. Burman, seconded by Mr. *and a unanimous vote taken to

New One Day All Alcohol and One Day Entertainment License: Application of Gary Cannon on behalf of Waldorf School of Cape Cod, 140 Old Oyster Road, Cotuit, MA for a One Day All Alcohol License and One Day Entertainment License for its annual event to benefit the school and its students, to be held at the St. George Greek Orthodox Church, from 5:30 pm to 11:00 pm on May 10, 2014.

A motion was duly made by Mr. Burman, seconded by Mr. *and a unanimous vote taken to

New One Day Entertainment License: Application of Suzan Fellows on behalf of Brenda J. Cottingham, of Maidstone, England, to hold a One Day Entertainment License for her 6th Annual "Evening of Clairvoyance" to be held in the Warren Hall at the Unitarian Church of Barnstable, Main Street, Barnstable, on September 12, 2014 from 7 pm to 10 pm.

A motion was duly made by Mr. Burman, seconded by Mr. *and a unanimous vote taken to

5 One Day Wine Only Licenses: The Barnstable Licensing Authority will hold a public hearing on the application of Susan E. Carey on behalf of Gallery Artrio, 50 Pearl Street, Hyannis for 5 One Day Wine Licenses for artist receptions at the gallery on the following dates and times:

July 12, 2014	5 pm – 7pm or 6 pm – 8 pm
July 26, 2014	5 pm – 7pm or 6 pm – 8 pm
August 9, 2014	5 pm – 7pm or 6 pm – 8 pm
August 23, 2014	5 pm – 7pm or 6 pm – 8 pm
September 13, 2014	5 pm – 7pm or 6 pm – 8 pm

A motion was duly made by Mr. Burman, seconded by Mr. *and a unanimous vote taken to

Carnivals: Application of Harold Fera, on behalf of Rockwell Amusements & Promotions Inc. PO Box 338, North Scituate, RI, 02857 for a Special Permit for Two Carnivals with 16 rides and 10 games for June 9, 2014 through June 15, 2014. Set up will be on June 9th and 10th, carnival June 11th and 12th 5 PM to 10 PM, June 13th 5 PM to 11 PM, June 14th 1PM to 11 PM and June 15th 1 PM to 10 PM. Second Carnival dates, July 13th to July 19th. Set up

will be on July 13th and 14th, Carnival July 15th and 16th 5 PM to 10 PM, July 17th 5 PM to 11 PM, July 18th 1PM to 11 PM and July 19th 1 PM to 10 PM. Ellie Matthews and Carmella White are the Managers and Carnivals will be held at the Cape Cod Mall rear parking lot, 769 Iyannough Road, Hyannis.

A motion was duly made by Mr. Burman, seconded by Mr. *and a unanimous vote taken to

New Annual Common Victualler License: Application of James Turi and Brian Dixon, d/b/a Subway #53322, 14 West Main Street, Hyannis, Jodi Livermore, Manager, for a New Annual Common Victualler License, to be operated 7 am to 11 pm. Maximum of 32 seats, 5 employees, in accord with plan signed by Building Commissioner 3/18/14.

A motion was duly made by Mr. Burman, seconded by Mr. *and a unanimous vote taken to

Transfer of Annual Wine & Malt Package Store License: Application of 4120 Corp D/B/A Big Daddy's Pizza, 4120 Falmouth Rd., Cotuit, Vincent B. Holland, Manager, for transfer of an Annual Wine & Malt Retail Package Store License: 4120 Falmouth Road, Cotuit, with approximately 2500 sq. ft.; one entrance/exit at front of bldg., two exits at rear of bldg. One free standing shelf for display of wine; one walk-in cooler with four doors for beer. One free standing cooler for wine. All beer and wine located in rear left of bldg. Hours of alcohol sales 8 am – 11 pm M-Sat; noon – 11 pm Sun., to Ammar Corp., d/b/a Pepper's Pantry, Mohammad Shafique, Manager.

A motion was duly made by Mr. Burman, seconded by Mr. *and a unanimous vote taken to

New Annual All Alcohol Common Victualler License, Daily Live, Non-Live Entertainment and Karaoke Licenses: Application of F & J Restaurant Bar & Nightclub, Inc d/b/a F & J Restaurant Bar & Nightclub, Marcos N. Gomes, Manager, 477 Yarmouth Rd, Hyannis. Two story wood building containing approximately 3500 square feet. Main floor contains a 15' x 25' kitchen, 2 restrooms, a 45'x25' dining room with 47 seats (35 at tables, 12 at bar) plus 8 standees and 9 employees. 15'x21' furnace/utility room, 6' x 8' entryway. Attached to the rear of the kitchen is a 15' x 11' walk-in refrigerator and freezer. The right side of the building (upstairs) contains a 6' x 10' office, a 7' x 14' storage room, a 25' x 35' dining area with seating for 48 (30 at tables and 18 at bar), 37 standees, 6 band members, 18' x 19' dance floor and 10' x 18' stage and 2 restrooms. Total seating for both floors is 95. Total building occupancy is 166. Patio seating for 11 in rear outside. Also requested is Daily Live Entertainment for up to 6 entertainers with dancing, Daily Non-Live

Entertainment, a screen for events, radio, recorded music, 6 TV's and a karaoke license. Entertainment to run from 11am to 12:45 am.

A motion was duly made by Mr. Burman, seconded by Mr. *and a unanimous vote taken to

New Annual All Alcohol Common Victualler License, Daily Live, Non-Live Entertainment and Karaoke Licenses: Application of Danny Kay's Culinary Productions, Inc, d/b/a Villagio at the Regatta (Landucci Tavern), John J. Bartolomei, Jr., Manager, for an Annual All Alcohol Common Victualler License: A two and one-half story building located at 4631 Falmouth Road, Cotuit with 2 floors consisting of a restaurant, bar and lounge, kitchen with basement and attic for storage. Restaurant on first floor seating 68, including bar with 14 seats. Upper level dining seating 38 and outside seasonal patio with five tables seating 20 on west side of building, as shown on plan dated 4/2/14 signed by Building Commissioner. Hours 11 am -1 am. Also requested are licenses for Daily Live Entertainment for a max of 4 entertainers in the 1st floor dining area, upstairs dining area and outdoor patio and Non-Live Entertainment (recorded music, radio) from 11 am to 12:45 am in the indoor dining areas as well as karaoke, and 4 t.v.'s in the bar area.

A motion was duly made by Mr. Burman, seconded by Mr. *and a unanimous vote taken to

New Annual All Alcohol Common Victualler License: Application of JD Camas, LLC, d/b/a Tumi Ceviche Bar Ristorante, Angel Rodrigo Camas Calle, Manager, 592 Main Street, Hyannis: Renovated wood and brick structure at 592 Main Street, Hyannis consisting of 2,520 sq. ft. +/- . Enter through brick patio having 19 seats. Entrance through 6' doorway, 4'9" hallway. To the left of entrance is the main dining room/bar with 67 seats (7 bar seats, 6 seats at ceviche bar & 54 seats in open dining area at tables). Two emergency exits in dining room/bar area. To the right of the entrance is a private dining room with 13 seats. Kitchen in the rear with emergency exit. Four restrooms including one handicap. Total 80 seats, 10 standees, 14 employees; 104 interior occupancy. The remaining square footage is contained in the hallways and storage.

A motion was duly made by Mr. Burman, seconded by Mr. *and a unanimous vote taken to

Show Cause Hearing: Show Cause Hearing for International Inn Bar & Grill, Inc., 662 Main Street, Hyannis, Ravi Ahuja, Manager for violation of the sanctions imposed in it's Show Cause Decision dated February 11, 2014 to wit: "If the new General Manager (Rick Heroux) leaves his position you must notify the Licensing Authority immediately." The sanctions imposed at the Show Cause Hearing on February 10, 2014 were that a five day suspension be imposed with three days to serve: March 13, 14 and 15, 2014 and two days held in abeyance until February 10,

2015 unless there were further infractions, at which time those two days would then have to be served.

A motion was duly made by Mr. Burman, seconded by Mr. *and a unanimous vote taken for findings that

A motion was duly made by Mr. Burman, seconded by Mr. *and a unanimous vote taken for guilt or innocence that

A motion was duly made by Mr. Burman, seconded by Mr. *and a unanimous vote taken for the following sanctions:

Renewals:

The following renewals have been submitted without any changes from the previous year for Licensing Authority approval.

A motion was duly made by Mr. Burman and seconded by Mr. *and a unanimous vote taken to approve the Junk Dealer License renewal as submitted below:

Junk Dealer Licences:

New England Jewelry, 342 Main Street, Hyannis
A.J. Marks Jewelers, 1140 Iyannough Rd., Hyannis
Cape Cod Jewelers, 366 Main Street, Hyannis
Edythe & Co., 805 Main Street, Osterville
Cottage Chic Resale, 645 Main Street, Hyannis
Best Buy Stores, LP, Cape Cod Mall, Hyannis
Carabelle's, 86 Route 149, Marstons Mills
Jewelcraft, 585 Main Street, Hyannis
Cape Abilities, 3239 Main Street, Barnstable
Best Buy Mobile, Cape Cod Mall, Hyannis
Spinnaker Records, Inc., 596 Main Street, Hyannis
Cotuit Mercantile, 45 Main Street, Cotuit
Cape Cod Recycles, 142 Corporations St, Hyannis
Play it Again Sports, 425 Iyannough Rd, Hyannis
Kay Jewelers, Cape Cod Mall, Hyannis

A motion was duly made by Mr. Burman and seconded by Mr. *and a unanimous vote taken to approve the Annual Auctioneer License renewal as submitted below:

Annual Auctioneer's:

Luiz Gonzaga, 3291 Main Street, Barnstable

Business Meeting:

Release of Executive Session Minutes, if any (0). There were none.

The meeting was adjourned at

Respectfully submitted,

Christine P. Ade, Recorder
Town of Barnstable Licensing Authority

Paul Sullivan, Clerk
Town of Barnstable Licensing Authority