



Town of Barnstable

Regulatory Services

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Licensing Authority

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BARNSTABLE LICENSING AUTHORITY LICENSING HEARING AGENDA

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

February 4, 2008

Request to Close: Request of Rumpy's Beef & Reef, Inc. d/b/a The Dockside, 110 School Street, Hyannis, Paul Skudris, Manager to close until mid March, 2008.

Request to Close: Request of Bumbalini's of Cape Cod, Inc. d/b/a Bumbalini's & The Beechtree Bar, 599 Main Street, Hyannis, Louis Cheschi, Owner, to close for 90 days for renovations.

Hearings:

New Common Victualler License: Application of Great House of Zou Restaurant, Inc., d/b/a Chopsticks, 1600 Falmouth Road, Centerville, MA, Zhong Chan Huang, Manager, for a **New Common Victualler License**, the hours of operation to be 11 am to midnight.

New Annual All Alcohol Common Victualler License: Application of Bagley-Heath LLC, d/b/a Sweet Tomatoes Osterville, 791 Main Street, Osterville, MA, Darren Bagley-Heath, Manager for a **New Annual All Alcohol Common Victualler License**, the hours of operation to be 6:00 am to 12:00 am, with seating for 34 inside and 112 on the patio, for a total of 46..

Transfer of Annual All Alcohol Innholder Licenses, Daily Live, Non-Live & Sunday Entertainment Licenses, Pool Table & Video Games Licenses: Application of Western Host, Inc. d/b/a Four Points by Sheraton Hyannis Resort, 35 Scudder Avenue, Jim Cook, Manager for **Transfer of its Annual All Alcohol Innholder License, Daily Live, Non-Live and Sunday Entertainment Licenses, Pool Table & Video Games (8) Licenses** to TFG Hyannis Hospitality LLC, d/b/a **Resort and Conference Center at Hyannis**, 35 Scudder Avenue, Hyannis, MA, LEEANNE MOULTHROP, Manager.

Amendment to Rules and regulations of the Licensing Authority and Alcohol Fee Changes: Proposed amendment to the Rules & Regulations of the Licensing

Authority, Chapter 501, Section 10: Entertainment at premises which serve food or beverages to be consumed on the premises:

Add a sentence at the end of paragraph "A," "Entertainment is prohibited between the hours of 12:30 a.m. and 11:00 a.m."

Also, amend the Town of Barnstable Licensing Fees – Licensing Authority with respect to alcohol establishments effective 1/1/09 (last changed 7/1/04) as follows:

<u>Fee</u>	<u>Current Fee</u>	<u>Proposed</u>
Club All Alcohol*	\$1,950.00	\$2,150.00
Common Victualler, All Alcohol*	\$2,700.00	\$2,950.00
Common Victualler, Wine & Malt*	\$1,725.00	\$1,900.00
General on Premises, No Food	\$3,450.00	\$3,750.00
Innholder, All Alcohol	\$3,150.00	\$3,450.00
One Day All Alcohol	\$ 85.00	\$ 90.00
One Day Beer & Wine	\$ 35.00	\$ 40.00
One Day Wine Only or Malt Only	\$ 30.00	\$ 35.00
Package Store All Alcohol	\$2,650.00	\$2,925.00
Package Store Wine & Malt	\$1,725.00	\$1,900.00
License for Pharmacist to sell alcohol	\$1,750.00	\$1,900.00

* includes the \$100.00 Common Victualler fee

Change of Manger: Application of Osterville Veterans Assn, 753 Main Street, Osterville, Robert Souza, Manager for a **Change of Manger on the All Alcohol Club License** to Cornelius Andres.

Show Cause Hearing: Show Cause on Up the Creek Again, 36 Old Colony Road, Hyannis, John M. Evans, Manager, for complaints received from neighbor with regard to smoking patio. Continue at request of Owner/Manager, John M. Evans to next hearing – February 4, 2008, as he is out of state until after the present hearing date.

Show Cause Hearing: Show Cause Hearing for the purpose of determining if the terms of the lodging house licenses held by Park Square Trust III, Mark Sheehan, Trustee, Errol Foster, Manager at 156 Main Street and West Wind Trust, Mark Sheehan, Trustee, Errol Foster, Manager, 80 Yarmouth Road, Hyannis, MA are being violated, as the Town of Barnstable Health Department staff have reported that on multiple occasions over the last several years (reports on file at Licensing Office and Board of Health Office), the electricity and/or gas have been turned off because of non-payment for services, resulting in tenants without heat, hot water, lights and cooking facilities.

Show Cause Hearing: **Show Cause Hearing** at the request of the Barnstable Police Department for Hyannis Property, LLC, d/b/a British Beer Company, 412 Main

Street, Hyannis, Jacqueline McCarthy, Manager, for violation of the Town of Barnstable Code Chapter 501-3H, exceeding the number of persons approved by the Building Commissioner for the capacity of the premises minus the number of employees working in the public areas at the time, on 1/12/08 at 12:25 a.m.

Renewals:

Common Victualler:

Subway – 251 Iyannough Road, Hyannis

CBA Snack Bar

Donut World

Burger King #664

Old Country Buffet

Chao Cajun #96 (Mall)

Lodging Houses:

Embassy Lodging & Shelter