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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: January 14, 2013

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 12/17/12 Meeting.

Hearings:

One Day All Alcohol and One day Entertainment License: Application of Bill Sykes on behalf of Best Buddies International, 100 SE 2nd Street, Miami, FL for a One Day All Alcohol and One Day Entertainment License for a band for its annual Best Buddies Challenge at the Eunice Kennedy Shriver Ocean Park, Craigville Beach Road, Centerville on June 1, 2013 from 1 pm to 9 pm.

One Day Entertainment License: Application of Donna Vermette on behalf of CORD (Cape Organization for Rights of the Disabled) for a One Day Entertainment License for a Bingo fundraiser to be held at 106 Bassett Lane, Hyannis on January 25, 2013 from 6:00 pm to 10:00 pm.

New Annual Retail All Alcohol Package Store License: Application of Smithfield Market of Barnstable, LLC, d/b/a Barnstable Market, 3220 Main Street, Barnstable, Jeffrey Blankenship, Manager, for a new Annual All Alcohol Retail Package Store

license at its current location, no change to the floor plan. Hours of alcohol sales to be Mon-Sat 8 am to 8 pm, Sun noon to 8 pm. The current Wine & Malt Retail Package Store License at this location would be turned in upon approval of this license.

Amend Hours on Class II Auto Dealer License: Application of Big Bad One, Inc., d/b/a Ziggy's, 832 Bearses Way, Hyannis, William H. Baron, Manager, to amend the business hours on its Class II Auto Dealer License to Monday – Saturday 8 am to 9 pm, Sunday 11 am – 6 pm.

New Common Victualler License: Application of George Haddad, d/b/a Little Country Pizza 2, 700 Yarmouth Road, Hyannis, for a new Annual Common Victualler License, George Haddad, Manager for a total of 7 seats, to be operated 10 am – 711 pm.

New Junk Dealer License: Application of by CP Enterprise, Inc., d/b/a Cash Point, 640 Main Street, Hyannis, for a new annual Junk Dealer License, Edgar Gevorgyan, Manager, hours of operation to be 10 am to 7 pm.

New Common Victualler License: Application of James Turi & Brian Dixon, Mall Subway, LLC, d/b/a Subway #51116, 793 Iyannough Road, Hyannis for a New Annual Common Victualler License, shared Mall seating in the Food Court, for a, to be operated Monday – Sat 9-9; Sun 10 -6.

New Common Victualler License: Application of James Turi & Brian Dixon, Hyannis Subs, LLC, d/b/a Subway #29595, 425 Iyannough Road, Hyannis for a New Annual Common Victualler License, to be operated Monday – Sun 7 am to 10 pm.

New Class II Auto Dealer License: Application of Wayne Wardwell, d/b/a Ultra Clean, 30 Cit Avenue, Unit 5, Hyannis, for a new Class II Auto Dealer license for primarily internet sales; 6 inside display spots, 2 customer, 2 employee and 1 handicap spot outside, hours of operation to be M-F 8 am -5 pm.

Transfer of Annual Retail Wine & Malt Package Store License: Application has been made by Jennifer L. Cullum, d/b/a Sea Street Market & Provisioners, 231 Sea Street, Hyannis, Jennifer Cullum, Manager, for transfer of her Annual Retail Wine & Malt Package Store License to M.A. General, Inc., d/b/a Sea Street Food Mart, 231 Sea Street, Hyannis, Zahid Rashid, Manager, to be operated from 8 am to 11 pm.

New Class II Auto Dealer License: Application of Quality Auto Center, Inc., d/b/a Quality Auto Center, 91 Barnstable Road, Hyannis, for a new Class II Auto Dealer License, hours of operation to be M-F 8 am to 7 pm, & Sun 8 am to 4 pm. 17 total vehicles on site. This is an existing license which has incorporated.

Request for Reconsideration: Request of Michael J. Princi, Esq., on behalf of Pavilion Indian Cuisine, Paramjit Thind, Manager, 511 Main Street, Hyannis for reconsideration of decision to disapprove the renewal application of Pavilion Indian Cuisine, for its Annual All Alcohol Common Victualler license for failure to pay the required license fee by December 14, 2012.

Remand Show Cause Hearing: The Licensing Authority has called a Remand Show Cause Hearing for Davester, LLC d/b/a Embargo, 453 Main Street, Hyannis, MA, David Noble, Manager for a remand of the appeal of License suspension by the ABCC to the local Licensing Authority.

Show Cause Hearing: Show Cause Hearing for Cape Cod Precious Gems & Coins, 48 Iyannough Road, Hyannis, MA, Carl Marchetti, Manager, for revocation of its Junk Dealer License as a result of information presented to the Licensing Authority by Detective Sgt. John Murphy of the Barnstable Police Department at the December 7, 2009 Licensing Authority Hearing for failure to comply with the Town of Barnstable Rules and Regulations under Chapter 502 regarding non-reporting of items purchased for sale, that it purchased items which appear on a list of stolen property, and a determination that Mr. Marchetti is an improper person to hold a Junk Dealer License, to show cause why its Junk Dealer License should not be permanently revoked. Continued from 8/10/11, 2/14/11, 6/20/11, 9/19/11. Along with this hearing, the renewal/non-renewal of the Junk Dealer License for 2011-2012 will be determined. Attorney Atwood's Office advised they were still in Court for 9/24/11 but the matter should be wrapped up for the 10/24/11 hearing. Request was made to continue this hearing to 10/24/11 and today it was continued to January 30, 2012 as the prior Licensee is still in Court. Per request of Licensee's attorney, this hearing was continued to March 26, 2012. This matter was continued from the June 24, 2012 hearing as it is still in Court and the attorney again requested a continuance from today's meeting to 9/10/12. Lt. Murphy stated it is going to Trial in November so added to 12/17/12 hearing. Attorney for Mr. Marchetti withdrew so Board continued hearing to 1/14/13.

Renewals:

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

Non-Live Entertainment:

Island Carousel, Cape Cod Mall, Hyannis

Carousel:

Island Carousel, Cape Cod Mall, Hyannis

Class I Auto Dealers:

Cape Cod KIA, 115 Bassett Lane, Hyannis – held from 12/17/12 for review

Class II Auto Dealers:

Cars for Kindness, office only at 745 West Main Street, Hyannis

G Motors, 417A&B Yarmouth Road, Hyannis

Auto Wholesalers of Cape Cod, 92 Rosary Lane, Hyannis

Common Victuallers:

D'Angelo Sandwich Shop, 793 Iyannough Road, Hyannis
D'Angelo Sandwich Shop, 187 Falmouth Road, Hyannis
Elaine & Yong's Bagel Co., 70 Center Street, Hyannis
Four Seas Ice Cream, 360 So. Main Street, Centerville
Acai Berry Juice Bar, 14 West Main Street, Hyannis
Starbuck's Coffee #15703, 655 Iyannough Road, Hyannis
Ruby Thai, CC Mall, Hyannis

Lodging Houses:

Beechwood Inn, 2839 Main Street, Barnstable
Cape Cod Yoga Retreat & B&B, 2415 Meetinghouse Way, West Barnstable
Green Mountain Inn B&B, 328 Sea Street, Hyannis
Summerwinds of Hyannis, 511 Ocean Street, Hyannis (change of d/b/a from
Walker Lodging House – no other change)
The Mains'l, 535 Ocean Street, Hyannis

Business Meeting:

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

Discussion regarding Certificates of Good Standing and Licensing Authority procedure to follow.

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.