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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: October 19, 2015**

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: 2<sup>nd</sup> Floor Hearing Room, 367 Main Street, Hyannis, MA**

### **Vote to accept Minutes:**

1. Vote to accept minutes of the 09/21/2015 Meeting.

### **New Business:**

1. **Application for Two New One Day Entertainment Licenses:** Application of David Kuehn on behalf of the Cotuit Center for The Arts, Falmouth Road, Cotuit for:
  - a. American Hootenanny Event to be held on August 29, 2015 from 5:30 to 7:00 PM. Event to be held on the grounds for a barbeque picnic with entertainment prior to the main indoor evening event. Entertainment includes four New England music groups.
  - b. Brazilian Cultural Festival to celebrate the rich culture of Brazil. The event will take place on the grounds of the Center on August 16, 2015 from 4:00-7:00 PM. Entertainment will include a samba dance demonstration and lessons along with food from the Brazilian Grill.

\*\*\*\*Continued from 9/21/2015 Agenda\*\*\*\*

2. **Application for a New One Day Entertainment License:** Application of Pete Lally of Spectacle Management for a One Day Entertainment License for a Judy Collins Concert to be held at the Barnstable Performing Arts Center, 744 West Main Street, Hyannis on November 20, 2015 beginning at 7:30 PM.
3. **Application for (6) New One Day Wine Only Licenses:** Application of Nicole Wellbeloved on behalf of Wellbeloved Wellness for six one day wine licenses to serve wine after Barre exercise class. All events will begin with the 5:30 class with a participation of 13-15 participants. The events are to be held at Wellbeloved Wellness, 3821 Falmouth Rd., Marstons Mills. The schedule of events is for the first Friday of every month: November 6, 2015, December 4, 2015, January 8, 2016, February 5, 2016, March 4, 2016 and April 1, 2016.
4. **Forfeiture of Licenses:** Ocean Partners Inc d/b/a The Island Merchant forfeited the All Alcohol Common Victualler License and Daily Live License.
5. **Forfeiture of Licenses:** F&J Restaurant Bar & Nightclub Inc. d/b/a F&J Restaurant Bar forfeited the All Alcohol Common Victualler, Daily Live and Non-Live, Karaoke and Pool table licenses.
6. **Forfeiture of Licenses:** SL Uno Hyannis Inc., d/b/a Uno Chicago Grill forfeited the All Alcohol Common Victualler license.

### **Show Cause Hearings:**

1. **Show Cause Hearing for Trader Ed's:** The Barnstable Licensing Authority will hold a Show Cause Hearing for Harbor Club, Inc., d/b/a Trader Ed's, Wayne Kurker, Manager, 11 Willow Street, Hyannis for the following violations of the Town of Barnstable, MA Code: **Section 501-12A5 Illegal activity on the licensed premise. (1Count)**  
Not calling police for assistance to protect patrons against injury or to evict unruly patrons or to uncover unlawful conduct or to give medical assistance and providing police with requested information.
2. **Show Cause Hearing for Gol Market:** The Barnstable Licensing Authority will hold a Show Cause Hearing for VE Foods, LLC., d/b/a Gol Market, Vincent Dolimpo, Manager, 55 Iyannough Road, Hyannis for violations of the Code of the Town of Barnstable, Massachusetts: **Section § 501-7I. Alcoholic Beverages Sales and Laws.** (1 count – sale or delivery of an alcoholic beverage to a person under 21 years of age).
3. **Show Cause Hearing for Speedway:** The Barnstable Licensing Authority will hold a Show Cause Hearing for Speedway, LLC., d/b/a Speedway, Mark Barbi,

Manager, 50 Ocean Street, Hyannis for violations of the Code of the Town of Barnstable, Massachusetts: **Section § 501-7I. Alcoholic Beverages Sales and Laws.** (1 count – sale or delivery of an alcoholic beverage to a person under 21 years of age).

4. **Show Cause Hearing for Thai House:** The Barnstable Licensing Authority will hold a Show Cause Hearing for the Jomkwan, Inc. d.b.a. Thai House, 304-306 Main Street, Hyannis, MA, Saithip Atiwethin, Mgr., for violation of Code of the Town of Barnstable, Massachusetts, **§501-14A1, Other causes for revocation, suspension and modification:** due to a number of Health violations, as cited in the attached Public Health Division Food Establishment Inspection Report dated September 24, 2015, at the Thai House located at 304-306 Main Street, Hyannis. **§501-5C, Physical Premise:** Portions of premise covered by the license was found unsanitary. **§501-5A, Physical Premise:** License is considered not in good standing due to failure to comply with statutory Health and Fire codes.
  
5. **Show Cause Hearing for C'Est La Vie:** The Barnstable Licensing Authority will hold a Show Cause Hearing for the C'Est La Vie French Patisserie, LLC. d.b.a. C'Est La Vie French Patisserie, 592 Main Street, Hyannis, MA, Nathalie Tournier, Mgr., for code violations of the Town of Barnstable, Massachusetts: **§501-1D Availability of Rules and Regulations:** Operating a business without a valid license posted on the premise. **§501-5A Physical Premise:** Operating a business without complying with all statutory requirements, including all applicable building, fire, health codes and regulations. **§501-14A1 Other causes for revocation, suspension and modification:** Violating any provision relevant to M.G.L. or any rule and regulation of the Town of Barnstable. **§501-19 Activity without valid license displayed prohibited:** allowing activity on premise that requires a license without a valid license on display at premise.

### **Licensing Division Updates:**

1. Licensing Department updates
  
2. Police Department updates

Release of Executive Session Minutes, if any (0). And any other new business to come before the Licensing Authority.

**Executive Session:** Strategy with respect to ABCC appeal by Scottie's Pizza.

- **Matters not reasonably anticipated by the Chair**

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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 in or on the municipal building in which the clerk's office is located.

# Town of Barnstable

## Consumer Affairs

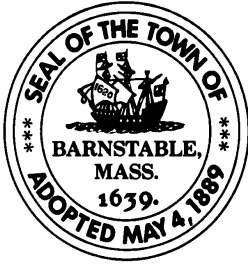
Elizabeth G. Hartsgrove, Supervisor

Licensing Authority

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## BARNSTABLE LICENSING AUTHORITY

# CONSENT AGENDA

October 19, 2015

**1. Application for A new One Day Wine Only Alcohol License:** Application of Susan Carey on behalf Gallery Artrio for a One Day Alcohol License to serve wine at an Artist reception. Event to be held at Gallery Artrio, 50 Pearl Street, Hyannis on December 10, 2015 from 6:30 to 7:30 PM. This event is an addition to earlier approved events for the Gallery.