



Town of Barnstable

Regulatory Services

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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.

July 2, 2007

A regular meeting of the Barnstable Licensing Authority was held on Monday, July 2, 2007. Chairman Martin Hoxie called the meeting to order at 9:30 A.M. He introduced Paul Sullivan, Clerk; Dick Boy, Associate Commissioner; Thomas Geiler, Director of Regulatory Services and Licensing Agent; Lt. JoEllen Jason and Patrolman Steven Maher, Liaison from the Barnstable Police Department; and Christine Ade, Recording Secretary. Gene Burman, Vice Chairman, was absent.

Hearings:

New Annual Common Victualler License: Application of Mark and Michelle Marion, d/b/a Osterville Sundae News, 3 Wianno Avenue, Osterville, MA for a New Common Victualler License, Mark Marion, Manager, hours of operation to be 7 am to 10 pm.

Mark Marion came forward for this application. He will operate Osterville Sundae News. There will be no changes in the establishment except for making it more like a 50's soda fountain.

A motion was duly made by Richard Boy and seconded by Paul Sullivan and a unanimous vote taken to approve the application of Mark and Michelle Marion, d/b/a Osterville Sundae News, 3 Wianno Avenue, Osterville, MA for a New Common Victualler License, Mark Marion, Manager, hours of operation to be 7 am to 10 pm.

Extension of Daily Non-Live Entertainment License: Application of B.P.O. Hyannis Elks, 852 Bearses Way, Hyannis, MA, Steve Lebel, Manager, holding an Annual Non-Live Entertainment License, for the addition of 3 video games.

Mr. Lebel came forward for his application for addition of 3 video games to the Members' Lounge. He hopes it will add some revenue. There will be some sports games and multiple arcade type games – no poker games.

A motion was duly made by Richard Boy and seconded by Paul Sullivan and a unanimous vote taken to approve the application of B.P.O. Hyannis Elks, 852

Bearses Way, Hyannis, MA, Steve Lebel, Manager, holding an Annual Non-Live Entertainment License, for the addition of 3 video games.

Renewals:

Lodging House:

Embassy Lodging & Shelter
Craigville Beach House

A motion was duly made by Richard Boy and seconded by Paul Sullivan and a unanimous vote taken to approve the late filed applications of Embassy Lodging & Shelter and Craigville Beach House for renewal of their Lodging House licenses.

Other Business:

Discussion with Hyannis Sound Committee regarding entertainment - specifically outside speakers and noise. This discussion was continued. Mr. Hoxie reported that he met with Hyannis Sound, Officer Maher, Tom Geiler and the amendment is not ready to be brought forward yet. We will enforce the present anti-noise by-laws and licenses for live and non-live entertainment in the meantime.

Discussion with L.A. regarding non-eligibility of two licensees for the ½ year payment plan for liquor licenses. Mr. Geiler stated that as we adopted the semi-annual license fee option (December and June payments) we have had no problems until this year. We ended up with one which has still not come in to pay. We did take the license; they stated they intended to cease the alcohol sales. Mr. Geiler stated he told them the two choices were to make the payment or send a letter to surrender the license. They have done neither one. He asks that we put them on the next agenda to revoke the license. The other one did come in after a third reminder – they are now in compliance but will not be eligible for the 2 payment plan for 2008. Mr. Geiler stated we initiated this plan to help the licensees – we sent a written reminder and also called them to no avail.

Adjourned at 9:38 pm.

Respectfully submitted,

Christine P. Ade, Recorder
Barnstable Licensing Authority

Paul Sullivan, Clerk
Barnstable Licensing Authority