



Town of Barnstable

Regulatory Services

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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 23, 2007

A regular meeting of the Barnstable Licensing Authority was held on Monday, July 23, 2007. Chairman Martin Hoxie called the meeting to order at 9:30 A.M. He introduced Gene Burman, Vice Chairman; Paul Sullivan, Clerk; Dick Boy, Associate Commissioner, Thomas Geiler, Director of Regulatory Services and Licensing Agent, Patrolman Steven Maher, Liaison from the Barnstable Police Department, and Christine Ade, Recording Secretary. Lt. JoEllen Jason was absent.

Requests:

One Day Beer & Wine License: Application of James Wolf on behalf of **Cotuit Center for the Arts**, 4404 Falmouth Road, Cotuit for a **One Day Wine and Malt License** for a reception after a concert for artists on July 26, 2007 from 9 pm to 10:30 pm.

James Wolf appeared for his application. He explained it is another reception at the Center so the audience could meet some of the performers. It will last about 1-1/2 hours.

A motion was duly made by Gene Burman, seconded by Paul Sullivan, and a unanimous vote taken to approve the application of James Wolf on behalf of **Cotuit Center for the Arts**, 4404 Falmouth Road, Cotuit for a **One Day Wine and Malt License** for a reception after a concert for artists on July 26, 2007 from 9 pm to 10:30 pm.

One Day Beer & Wine License: Application of Carmen Diggs on behalf of **Carmen's Day Spa**, 3878 Route 28, Marstons Mills for a **One Day Wine and Malt License** for an Open House July 28, 2007 from 2 pm to 6:00 pm.

Carmen Diggs appeared for her application. This is a kick off for her new business to promote their services. They opened in March but the grand opening was during the snowstorm. Liberty Liquors will pour and provide TIPS trained waiter/waitress and WCOD will be there. There will be no charge.

A motion was duly made by Gene Burman, seconded by Paul Sullivan, and a unanimous vote taken to approve the application of Carmen Diggs on behalf of **Carmen's Day Spa**, 3878 Route 28, Marstons Mills for a **One Day Wine and Malt License** for an Open House July 28, 2007 from 2 pm to 6:00 pm.

Hearings:

New Junk Dealer's License: Application of Carl Marchetti, d/b/a Cape Cod Precious Gems, 48 Iyanough Road, Hyannis, MA, Carl Marchetti, Manager, for a **New Junk Dealer's License**.

No-one appeared for this application.

A motion was duly made by Gene Burman, seconded by Paul Sullivan, and a unanimous vote taken to dismiss the application of Carl Marchetti, d/b/a Cape Cod Precious Gems, 48 Iyanough Road, Hyannis, MA, Carl Marchetti, Manager, for a **New Junk Dealer's License**. It was further stated that if applicant wishes to obtain the license he must re-apply.

Daily & Sunday Non-Live Entertainment License: Application of Cotuit Harbor Enterprises, d/b/a Gringo's, 577 Main Street, Hyannis, MA, James Carey, Manager, holding a Seasonal All Alcohol License, has applied for a Daily & Sunday Non-Live Entertainment License for recorded music from 11 am to 12:30 pm Monday through Saturday and Sundays 1 pm to midnight inside and on their patio.

Mr. Carey appeared to ask for permission for recorded music – simple background music for mature audience, not nightclub crowd. It is not audible off the property. Mr. Burman expressed concern over the outside speakers – Mr. Hoxie stated we limited outside speakers for places which have caused disturbances; this place has NOT. They have been doing it for 27 years. Mr. Sullivan confirmed the music is contained within the property so he has no problem with it. Officer Maher stated they have had no complaints about them.

A motion was duly made by Gene Burman, seconded by Paul Sullivan, and a unanimous vote taken to approve the application of Cotuit Harbor Enterprises, d/b/a Gringo's, 577 Main Street, Hyannis, MA, James Carey, Manager, holding a Seasonal All Alcohol License, has applied for a Daily & Sunday Non-Live Entertainment License for recorded music (which is to be background music) from 11 am to 12:30 pm Monday through Saturday and Sundays 1 pm to midnight.

New Common Victualer License: Application of ARK Foods II, Inc, d/b/a Subway of Hyannis, 251 Iyanough Road, Hyannis, MA for a New Common Victualer License, Richard Hennessey, Manager, hours of operation to be 10:00 am to 10:00 pm.

Richard Hennessey appeared for his application. He will be open 10 – 10; he has purchased this franchise.

A motion was duly made by Gene Burman, seconded by Paul Sullivan, and a unanimous vote taken to approve the application of ARK Foods II, Inc, d/b/a Subway of Hyannis, 251 Lyannough Road, Hyannis, MA for a New Common Victualler License, Richard Hennessey, Manager, hours of operation to be 10:00 am to 10:00 pm.

Change of d/b/a and Change of Hours: Request for a **Change of d/b/a** from Solon Enterprises, Inc., **d/b/a Samba Grill of Brazil**, Miriam Solon, Manager, 570 Main Street, Hyannis holding an Annual All Alcohol Common Victualler License **to Rangel's Café** and a **Change of Hours** from 12 pm to 10 pm to 7 am to 3 pm, adding breakfast and omitting dinner.

Miriam Solon appeared for her application. She asked if the entertainment license would be affected. She hopes to have entertainment at night, maybe once a month, or have special functions (weddings, etc.). Mr. Hoxie stated they can serve until the normal time. Mr. Geiler stated they do not have to give up their evening hours. Maybe she could let Licensing know when the functions will take place so there will be no surprises. Mr. Geiler stated this is not a new owner, they have a good track record. He is comfortable with it.

A motion was duly made by Gene Burman, seconded by Paul Sullivan, and a unanimous vote taken to approve the application of Solon Enterprises, Inc., **d/b/a Samba Grill of Brazil**, Miriam Solon, Manager, 570 Main Street, Hyannis holding an Annual All Alcohol Common Victualler License **for Change of d/b/a to Rangel's Café** and **Change of Hours to run** from 7 am to closing, adding breakfast. No alcohol service until regular time.

Adjourned at 9:50 a.m.