



# Town of Barnstable

## Regulatory Services

Thomas F. Geiler, Director

### Licensing Authority

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### BARNSTABLE LICENSING AUTHORITY LICENSING HEARING MINUTES

Town Hall Building, 367 Main Street, 2<sup>nd</sup> Floor Hearing Room, Hyannis, MA – 9:30 a.m.  
December 19, 2005

A regular meeting of the Barnstable Licensing Authority was held on Monday, December 19, 2005. Chairman Martin Hoxie called the meeting to order at 9:32 A.M. He introduced Gene Burman, Vice Chairman; Paul Sullivan, Clerk; Thomas Geiler, Director of Regulatory Services and Licensing Agent, Sgt. Sean Sweeney, Liaison from the Barnstable Police Department, and Christine Ade, Recording Secretary.

#### **Requests:**

Request of VN Management Corp., d/b/a **Cape Cod Inn**, 447 Main Street, Hyannis, MA Johnny Vo, Manager, to close for internal renovations from the end of December for approximately 2 months.

Mr. Vo appeared to request a closing for renovations. They need to repair the boilers and plumbing downstairs. He plans to reopen in March. Deputy Fire Chief Dean Melanson of Hyannis Fire has been dealing with the property owner for some time. He is concerned and wants to make sure the fire alarm system remains live and monitored 365 days per year. It was off-line several times in recent months. They will be doing an inspection again before he reopens. He said Mr. Vo had refused to allow the alarm company to inspect the property but wants this done prior to reopening in March. Just wanted the Board to be aware of this. Mr. Hoxie asked Mr. Vo if he has an objection to the alarm company coming. He said no. He will close and the work will begin January 4. Mr. Geiler stated the deputy is stressing that the system be maintained while the renovations take place - there must be a functioning system in place. He asked Mr. Vo to send a copy of the alarm company's approval to Hyannis Fire. Hyannis Fire will arrange for the inspection to re-open and keep the Board apprised of the status. Mr. Burman suggested that the 2006 license be surrendered when he closes January 4<sup>th</sup> until which time he is re-inspected to re-open. Mr. Hoxie asked Mr. Geiler his recommendation. Mr. Geiler stated we would do an inspection anyways. Deputy Melanson stated they are fine with Mr. Vo holding the license. They will come back to the Board should any problem occur.

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the request of VN Management Corp., d/b/a Cape Cod Inn, 447 Main Street, Hyannis, MA Johnny Vo, Manager to close for internal renovations from the end of December for approximately 2 months. Mr. Sullivan reiterated after seconding the motion that we will hear from Hyannis Fire prior to reopening.

Request of William Morgan, General Manager, Black Cat Enterprises, Inc. d/b/a **The Black Cat**, 165 Ocean Street, Hyannis, Glenworth Ream, Manager, to close for renovations from January 1, 2006 until approximately the end of March, 2006. Mr. Morgan stated they have a heating problem, problem in the basement and want to revamp the kitchen, put down new rugs. Deputy Melanson stated that again this applicant refused to allow the hood system to be inspected recently – cleaning and service. They have now been spoken to by Lt. Hublker. This restaurant is required to maintain the hood system. They will work with the applicant and if a further problem will come to the Board for a show cause hearing. Mr. Morgan was unaware of this problem – just took over as General Manager about a month ago. Deputy Melanson stated they must be reinspected in March prior to reopening.

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the request of William Morgan, General Manager, Black Cat Enterprises, Inc. d/b/a **The Black Cat**, 165 Ocean Street, Hyannis, Glenworth Ream, Manager, to close for renovations from January 1, 2006 until approximately the end of March, 2006.

William Morgan, General Manager, Black Cat Enterprises, Inc. d/b/a **The Black Cat**, 165 Ocean Street, Hyannis, Glenworth Ream, Manager, to close for renovations from January 1, 2006 until approximately the end of March, 2006.

### **Hearings:**

**New Annual Common Victualler License:** Application of Aparecida DeSouza /Thomas M. Bayuk, Jr., d/b/a Back Again Café, 12 Thornton Drive, Hyannis, MA, Thomas M. Bayuk, Jr., Manager, for a **New Annual Common Victualer License**, the hours of operation being 6 am to 6 pm.

Mr. Bayuk appeared for the application. This is the old Murph's Recession. It will be good old fashioned home cooking. Owned and ran restaurant ion West Dennis, South Yarmouth. Will do breakfasts and lunch – 7 days a week 6 – 6. No alcohol. Wants to open as soon as possible.

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the application of Aparecida DeSouza /Thomas M. Bayuk, Jr., d/b/a Back Again Café, 12 Thornton Drive, Hyannis, MA, Thomas

M. Bayuk, Jr., Manager, for a **New Annual Common Victualer License**, the hours of operation being 6 am to 6 pm.

**Renewals:**

**Common Victualler**

Dunkin Donuts – 156 Iyannough Road  
Dunkin Donuts – 702 Iyannough Road  
Village Landing Restaurant  
Wendy's  
Caffe E Dolci  
Sunnyside Restaurant  
Border's  
Christian Camp Meeting Assn. Snack Bar  
Honey Dew Donuts

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for an annual Common Victualler License.

**Class I Auto**

JMR Honda  
Tracy Volkswagen Audi  
Saturn of Hyannis  
Puritan Buick Pontiac GMC  
Hyannis Nissan

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for an annual Class I Auto Dealer License.

**Class II Auto**

European Car Service  
Cape Cod Cars and Trucks  
Barnstable Auto Exchange  
Hyannis Auto Center, Inc.  
Jay's Auto Sales  
Eloy's Auto Sales  
Huhtanen's Auto Sales  
Argus Auto Sales  
Davis Auto Sales  
Rotary Auto Body  
Dick Garbitt Investment Autos

Ron's Truck Stop  
Auto Wholesaler's of Cape Cod

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for an annual Class II Auto Dealer License.

### **Class III Auto**

Blackburn's Auto Salvage

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for an annual Class III Auto Dealer License.

### **Lodging House**

Salt Winds B&B Guest House  
The Lamb & Lion  
Craigville Conference Center – 19 Vine Ave.  
Craigville Conference Center – 1 Bluff Ave.  
Craigville Conference Center – 39 Prospect Ave.  
Craigville Conference Center – 125 Ocean Ave.  
The Mains'l

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for an annual Lodging House License.

### **Innholder**

Craigville Conference Center – 208 Lake Elizabeth Dr.

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for an annual Innholder License.

### **Miniature Golf**

Cape Cod Mini Golf  
Lightning Falls

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for an annual Miniature Golf License.

**Automatic Amusement**

Ryan Family Amusements – 441 Main Street  
Ryan Family Amusements – Cape Cod Mall

A motion was duly made by Gene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the above applications for an annual Automatic Amusement and Sunday Entertainment License.

**Other Business:** Mr. Hoxie announced the Special Meeting December 28, 2005, and reminded everyone that the first meeting of January is January 9, 2006.

Adjourned at 9:51 a.m.

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Christine P. Ade, Recorder  
Barnstable Licensing Authority

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Paul Sullivan, Clerk  
Barnstable Licensing Authority