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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: April 9, 2012**

**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: Vote to accept minutes of the 3/26/12 Meeting.**

A motion was duly made by Mr. Burman, seconded by Mr. Sullivan and a unanimous vote taken to approve the minutes of the 3/26/12 Meeting.

**Hearings:**

**One Day Wine and Malt License: Application of Jane K. Walsh on behalf of the Barnstable Yarmouth Lions Club, 30 Ansel Hallett Road, West Yarmouth, for a One Day Wine and Malt License for a fundraising event for its Cambodian Eye Project to be held at the JFK Museum, 397 Main Street, Hyannis, on April 26, 2012 from 5:30 pm to 7:30 pm.**

**One Day Entertainment: Application of Kim Greenlaw on behalf of Falmouth Dance Academy, 150 Oyster Pond Road, Falmouth, for a one day entertainment license for its annual dance recital to be held at the Barnstable High School on June 1, 2012 from 6 pm to 8 pm and June 3, 2012 from 4 pm to 6:30 pm.**

**One Day Wine & Malt and One Day Entertainment Licenses: Application of MJ Carpenter on behalf of Cape Cod Beer, 1336 Phinney's Lane, Hyannis, for a One Day Wine and Malt License for a fundraising event for seven local charities to be held on August 17, 2012 from 5:00 pm to 9:00 pm at it's Phinney's Lane facility. Also requested is a One Day Entertainment License for a band as well as a live/silent auction.**

**One Day Wine & Malt and One Day Entertainment Licenses:** Application of Elizabeth Marcus on behalf of Cape Cod Beer, 1336 Phinney's Lane, Hyannis, for a One Day Wine and Malt License for an Earth Day festival event to be held on April 22, 2012 from 11:00 am to 4:00 pm at it's Phinney's Lane facility. Also requested is a One Day Entertainment License for live music.

**One Day Wine & Malt and One Day Entertainment Licenses:** Application of Michael Brooks on behalf of Cape Cod Synagogue, 145 Winter Street, Hyannis, for a One Day Wine and Malt License for its annual raffle party to be held on May 12, 2012 from 6:00 pm to midnight at its Winter Street facility. Also requested is a One Day Entertainment License for live music.

**One Day Wine & Malt License:** Application of Sarah Biggs of Casual Gourmet, 31 Richardson Road, Centerville, on behalf of the Bill Keating Committee, P.O. Box 3065, Buzzards Bay, for a One Day Wine and Malt License for a fundraising event to be held on April 27, 2012 from 5:30 pm to 7:30 pm at the JFK Museum, 397 Main Street, Hyannis.

**One Day Wine & Malt License:** Application of William Bishop on behalf of Homeless Not Hopeless, 310 Ocean Street, Hyannis, for a One Day Wine and Malt License for a fundraising dinner auction to be held on June 1, 2012 from 5:30 pm to 9:30 pm at Our Lady of Victory Parish Center, 230 South Main Street, Centerville.

**One Day Entertainment License:** Application of Pastor John Machado on behalf of Life House Church, 17 Jericho Street, Middleboro, for a one day entertainment license for a fundraising event with Christian folk/rock music and John Machado preaching to be held at the Calvary Baptist Church property outside at 25 Lincoln Road, Hyannis on April 21, 2012 from 8 am to 6 pm.

**Two One Day Entertainment Licenses:** Application of Janet C. Preston on behalf Cape Cod Maritime Museum, 135 South Street, Hyannis for two one day entertainment licenses for its 11<sup>th</sup> annual Cape Cod Maritime Festival at Aselton Park, Hyannis, with live music on June 9<sup>th</sup> and 10, 2012 from 10 am to 6:30 pm. All activities will benefit the museum's mission to celebrate and preserve Cape Cod's maritime past, present and future.

**One Day All Alcohol and One Day Entertainment License:** Application of Janet C. Preston on behalf Cape Cod Maritime Museum, 135 South Street, Hyannis for a One Day All Alcohol license and a one day entertainment license for its Pirate's Ball fundraiser for the museum, to be held in a tent, open shed and in the courtyard behind the museum, with a raw bar, hors d'oeuvres and a cash bar, silent auctions, a raffle and a dance band on July 13, 2012 from 6 pm to 11 pm. All activities will benefit the museum's programs, exhibits and operations.

**One Day Entertainment License:** Application of Donna Giberti on behalf of Independence House, 160 Bassett Lane, Hyannis for a One Day Entertainment license for The Nicholas Xiarhos Respectful Youth Relationship Program with a dance troupe to be held on April 15, 2012 from 5:30 pm to 8:00 pm at the BHS Knight Auditorium, Hyannis, MA.

**One Day Beer & Wine License:** Application of Richard Ekross on behalf of Baybridge Clubhouse, 278 Main Street, Hyannis, for its 8<sup>th</sup> annual Dessert First – A Chocolate Soiree” fundraising event for Baybridge to be held at the JFK Museum, Main Street, Hyannis for a One Day Beer & Wine License on April 12, 2012 from 5:00 pm to 7:30 pm. Continued from March 26, 2012.

**One Day Entertainment License:** Application of Brian Morrison on behalf of the Masons (Centerville Building Corp.) and Kiwanis Club of Hyannis as well as several other organizations for a One Day Entertainment license for a community service fair to raise money for the rebuilding of the children’s playground on Main Street, Centerville, next to the Centerville Community Building. The event will also promote these service groups to the public to hopefully increase their membership. The fair will be April 21, 2012 at the Fraternal Lodge, 1989 Falmouth Road, Centerville, from noon to 4 pm.

**One Day Entertainment License:** Application of Suzan Fellows on behalf of Brenda J. Cottingham for a One Day Entertainment License for the third annual Evening of Clairvoyance to be held at the Barnstable Unitarian Church, Main Street, Barnstable from 7 pm to 10 pm on September 14, 2012.

**Re-confirm vote on Prova Brazil Steakhouse – entertainment licenses portion:** Board to vote to re-confirm the entertainment licenses portion of the vote from the 3/26/12 Licensing Authority Hearing as it was not specifically referenced in the motion to approve the application “as written.” Entertainment applied for was Daily Live entertainment for up to 4 entertainers, dancing (560 sq ft dance floor), Non-live entertainment, and 4 T.V.’s, all from 11 am to 12:45 am daily.

**Alteration of Premises:** Application of Brazilian Grill Inc., d/b/a Brazilian Grill, 676-78 Main Street, Hyannis. Kelly A. DePaula, Manager, for Alteration of Premises to change to the following premises description: Wood frame building at 676-78 main Street with 1 entrance on Main Street, 2 exits to rear of building. 74 x 16 kitchen, 8 1/2 x 4 1/2 coffee room. Central dining room 48 x 18 with 67 seats, 2<sup>nd</sup> dining room 48 x 17 with 44 seats, garden room 38 x 28 with 48 seats. Garden room has 1 entrance from central dining corridor and 2 emergency exits to sidewalk. Bar room 28 x 18 with 20 seats. Outside patio 9 x 12 with 16 seats. 10 x 24 salad bar, 3 restrooms with handicap provisions, 8 x 14 registration area, 15 x 15 waiting area. Total seating 195. Application approved 3/12/12 but back on the agenda because abutter notification/affidavit was not done within 3 days of publication.

**New Junk Dealer License:** Application of Nicole Lynch, d/b/a Kyle’s Consignment Corner, 505 Main Street, Hyannis, for a new Annual Junk Dealer License, hours of operation to be 9 am to 6 pm.

**Change of Manager:** Application of Hyannis Lodge #1549 BPO Elks, Hyannis Elks, 852 Bearse’s Way, Hyannis, for a Change of Manager on its Annual All Alcohol Club License from Stephen R. Lebel to Richard J. Walker.

**New Annual Common Victualler License:** Application of Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle Mexican Grill, 793 Iyannough Road, Hyannis, Chris Baglieri,

Manager, for a new annual Common Victualler License. Hours of operation will be 11 am to 10pm, with 48 seats inside and 6 seats outside.

**New Annual Common Victualler License:** Application of Mary Phelps, d/b/a Earthly Delights, 15A West Bay Road, Osterville, Mary Phelps, Manager, for a New Annual Common Victualler License, the hours of operation to be 7:00 a.m. to 3:00 p.m. with outside seating only for 12 at 6 tables in front of the restaurant.

**New Class I Auto Dealer License:** Application of 440 Falmouth Road, Inc., d/b/a BMW of Cape Cod, 25 Falmouth Road, 49 Bearse Road and 28 Bearse Road, Hyannis, Joseph Laham, Manager, for a New Class I Auto Dealer License, hours of operation to be Mon – Thurs 8 am – 8 pm, Fri 8 am – 6 pm, Fri & Sat 8 am – 6 pm, Sun 12 noon – 5 pm, sharing space with Volvo of Cape Cod, 213 total spaces; 135 display, 42 employee, 34 customer and 2 handicap spaces.

**New Class I Auto Dealer License:** Application of 25 Falmouth Road, Inc., d/b/a Volvo of Cape Cod, 25 Falmouth Road, 49 Bearse Road and 28 Bearse Road, Hyannis, Joseph Laham, Manager, for a New Class I Auto Dealer License, hours of operation to be Mon – Thurs 8 am – 8 pm, Fri 8 am – 6 pm, Fri & Sat 8 am – 6 pm, Sun 12 noon – 5 pm, sharing space with BMW of Cape Cod, 213 total spaces; 135 display, 42 employee, 34 customer and 2 handicap spaces.

**Show Cause Hearing (Re-opened):** Due to a request from Judith Eldredge, the Licensing Authority is re-opening its Show Cause Hearing for Auto Smart, LLC, Daryl Fietz, Manager, 202 Yarmouth Road, Hyannis, MA, which hearing was called for January 9, 2012 for failure to return her deposit or otherwise make her whole under MGL c. 140, §58 (c) (1) (v) (8) despite her returning the vehicle to Auto Smart, LLC for mechanical issues and higher loan payments. That hearing was closed as the Licensing Authority was advised that Ms. Eldredge was satisfied with the resolution of the matter. The Licensing Authority may cancel, suspend, revoke or further condition this Class II Auto Dealer License.

**Renewals:**

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

**Common Victualler All Alcohol:**

Eclectic Cafe, 606 Main Street, Hyannis  
The Islander, 72 Crosby Circle, Osterville

**Daily Live Entertainment:**

Eclectic Cafe, 606 Main Street, Hyannis

**Daily Non-Live Entertainment**

Eclectic Cafe, 606 Main Street, Hyannis

**Common Victualler:**

Coffee Table Cafe, 230A Ocean Street, Hyannis

**Junk Dealers:**

Spindle City Precious Metals, 769 Iyannough Road, Hyannis (CC Mall), Hyannis  
Diamond Perfections, 433 Main Street, Hyannis  
Newbury Comics, CC Mall, Hyannis  
Hannoush Jewelers, 793 Iyannough Road, Hyannis  
J. Craig Medeiros, 142 Corporation Street, Hyannis  
Kay Jewelers, 793 Iyannough Road, Hyannis  
A.J. Marks Jewelers, 1140 Iyannough Road, Hyannis  
Edythe & Co., 805 Main Street, Osterville

**Business Meeting:**

Release of Executive Session Minutes, if any (none to release – 1 sealed).

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, WITHOUT FURTHER NOTICE.**

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.