

(clock in stamp)

(TIMESTAMP ALL COPIES IN TOWN CLERK'S OFFICE - LEAVE 1 COPY WITH CLERK WHO WILL POST ONE IN TOWN HALL - KEEP A COPY FOR YOUR RECORDS).

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: **May 21, 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: **2nd Floor Hearing Room, 367 Main Street, Hyannis, MA**

Vote to accept Minutes: Vote to accept minutes of the 4/30/12 Meeting.

Hearings:

Two One Day Wine & Malt Licenses and a One Day Entertainment License:

Application of Wayne J. Enos on behalf of the Holy Ghost Society of Santuit & Cotuit, 154 Able Way, Marstons Mills, for two One Day Wine & Malt Licenses and a One Day Entertainment License (Saturday only) for a band, for its annual Portuguese Feast to be held on June 16, 2012 from 5:00 pm to 11:00 pm and June 17, 2012 from 12:00 pm to 6:00 pm at 53 Main Street, Cotuit, outside only.

One Day Wine & Malt and One Day Entertainment License:

Application of Henry Farnham on behalf of the West Barnstable Civic Assn., P.O. Box 243, W. Barnstable, for a One Day Wine & Malt License and a One Day Entertainment License for a 3 piece jazz band (5 pm – 8 pm) for its 2nd annual scholarship fundraising event to be held at 1595 Main Street, W. Barnstable outdoors in a tent from 2:30 pm to 8:00 pm on June 23, 2012.

One Day Wine Only and One Day Entertainment License: Application of Elizabeth Wurfbein on behalf of the Hyannis Main Street BID, 397 Main Street, Hyannis, for a One

Day Wine License and a One Day Entertainment License for a jazz trio and violinist, for a culinary event to be held outside only at the Beech Tree Alley, 599 Main Street, Hyannis from 6 pm to 10 pm on June 28, 2012.

One Day Entertainment License: Application of Patricia Janiak on behalf of Cape Abilities, 895 Mary Dunn Road, Hyannis for a One Day Entertainment License for Young @ Heart Chorus from Northampton, MA to raise funds to support Cape Abilities non-profit that provides jobs, homes, transportation and support for people with disabilities across Cape Cod. The event will be held on October 14, 2012 from 1:30 pm to 6:00 pm.

Two One Day All Alcohol Licenses: Application of E.J. Jaxtimer, for the Joe Cronin Memorial Jimmy Fund (Dana Farber) Fishing Tournament for two One Day All Alcohol Licenses for its annual fundraising event to be held at Nauticus Marina, 338-339 West Bay Road, Osterville outside in tents on August 2nd and August 3rd, 2012 from 4:00 pm to 10:00 pm.

Alteration of Premises and Change of D/B/A: Application of Radisson Bistro, Inc., d/b/a Radisson Bistro, 287 Iyannough Road, Hyannis. Christopher Connelly, Manager, for Alteration of Premises to change the premises description to read: 287 Iyannough Road, Hyannis, 160 unit two (2) story hotel with forty-three (43) first floor and sixty-four (64) second floor rooms in the main building and twenty-five (25) first floor and twenty-two (22) second floor rooms in the east building with first floor restaurant/pizzeria bar occupying 3,900 sq. ft. with seating capacity of 174 seats restaurant and 86 seats bar/pizzeria (including 10 bar stools), kitchen, storage area, employee area, two (2) restrooms & office, four (4) function rooms, outdoor pool/patio & Lobby Food & Beverage Outlet with 26 seat capacity (including 6 bar stools); Lower Level includes two (2) function rooms. Two exits at Ridgewood Ave., one exit to Iyannough Road, three exits at Engine House Road, and to change the d/b/a name of the hotel to Doubletree Bistro.

Alteration of Premises: Application of Brasilia Foods, LLC, d/b/a FOGO Brazilian Barbeque, 39 Iyannough Road, Hyannis, Elizabeth Hurley, Manager, for a Change in License Description to read: Single floor restaurant at 39 Iyannough Road, Hyannis, with a front room w/26 seats, a bar area w/28 seats and an outside deck w/29 seats; total of 83 seats. Two fire suppression systems – kitchen & griddle area. Three exits/entrances, one in front room, bar area and in the kitchen with clearly marked signage. Three(3) bathrooms – men's/women's and one handicap accessible. Buffet area in the corner has 9 stations – 3 cold & 6 hot. Griddle & vent hood facing South wall, with exhaust, rotisserie, prep area, refrigerated counter, hand sink. Bar in SW corner has 2 sinks, blender station, 3 soda guns, ice chest, 2 bottle coolers, barb back & beer cooler, glass froster. Kitchen has dry storage, 6 burner gas stove, walk-in cooler, ice machine, prep area, deep fryer, freezer, water filter, dishwasher, 2 bin sink & mop sink.

New Annual Common Victualler License: Application of Kandy K Inc., d/b/a Kandy Korner, 474 Main Street, Hyannis, Paulo Paraguay, Manager, for a new annual Common Victualler License. Hours of operation 8 am to 11 pm (summer) and 10 am to 6 pm (winter), with 24 seats outside and to the east side of the building.

New Lodging House License: Application of Happy Tails Hospitality, LLC d/b/a Long Dell Inn, 436 South Main Street, Centerville, Marc Jacobson and Donna Wrenn, Managers, for a new Lodging House License for an existing premises with a maximum of ten (10) lodgers with five (5) lodging rooms.

Alteration of Premises: Application of Mad Hat DP, Inc., d/b/a Harry's at the Depot, 477 Yarmouth Road, Hyannis, Don Patchin, Manager for Alteration of Premises to change the premises description to read: 2 story wood building containing approx 3500 sq ft. Main floor contains a 15' x 25' (375 sq ft) kitchen, 4 restrooms (2 upstairs, 2 downstairs), a 45' x 25' (1125 sq ft) dining room with a bar; seats 50 plus 10 standees, 9 employees. 15' x 21' (315 sq ft) furnace/utility room, and a 6' x 8' (48 sq ft) entryway. Attached to the rear of the kitchen is a 15' x 11' (165 sq ft) walk-in refrigerator and freezer. The right side of the building (upstairs) contains a 6' x 10' (60 sq ft) office, a 7' x 14' (98 sq ft) storage room, a 25' x 35' (875 sq ft) dining area seating 32 with a bar seating 18, an 18' x 19' (324 sq ft) dance floor, a 10' x 18' (180 sq ft) stage and 2 restrooms. The upstairs (right side) of building contains 50 seats with 12 employees/band and 37 standees. The total seating for both floors is 100. The total building capacity is 168.

Amend Annual Daily Non-Live Entertainment License: Application of Prova Brazil Steakhouse, LLC d/b/a Prova Brazil Steakhouse, 415 Main Street, Hyannis to amend its approved annual non-live entertainment license to add 6 outside speakers in the patio area with light amplification at and below conversation level and 2 additional T.V.'s at the outside bar, with exterior amplification to cease at 11:00 pm.

Amend Common Victualler License: Application of Paul Sage, d/b/a Common Ground, 420 Main Street, Hyannis, Paul Sage, Manager, to amend its annual Common Victualler License to include outside dining in front of the restaurant for a maximum of 8 seats in accordance with the plan on file dated 4/20/12.

Show Cause Hearing: On a request from Meredith Carter, the Licensing Authority has called a Show Cause Hearing for Auto Smart, LLC, Darrell Fietz, Manager, 202 Yarmouth Road, Hyannis, MA, which hearing was called for failure to return her entire deposit or otherwise make her whole and for selling the vehicle she had contracted to buy while it still retained \$500.00 of her deposit under MGL c. 140, §58 (c) (1) (v) (8).

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. Continued for final disposition now until May 21, 2012.

Renewals:

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

Common Victualler:

The Barnacle, 988 Craigville Beach Road, Centerville
Craigville Beach Grill, 974 Craigville Beach Road, Centerville

Junk Dealers:

Second Time Around, 631 Main Street, Hyannis
Spinnaker Records, 596 Main Street, Hyannis
Best Buy Stores, LP #2700, 769 Iyannough Road, Hyannis
Best Buy, 793 Iyannough Road, Hyannis

Business Meeting:

Release of Executive Session Minutes, if any (0).

Discussion on Chapter 138, Section 33B “The local licensing authority of any city or town which accepts this section may authorize licensees under section twelve to sell alcoholic beverages between the hours of 10:00 a.m. and 12:00 noon on Sundays, the last Monday in May and on Christmas day or on the day following when said day occurs on a Sunday.”

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.