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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: March 6, 2017**

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**

1. Vote to accept minutes of the 2/13/17 meeting.

### **New Business:**

1. **Application for a One Day Malt License:** Application of Michelle Johnson on behalf of the Bursley Manor, 651 Main Street, Barnstable for a one day malt license for a St. Patrick's Day Beer tasting event. The event is to be held at the Bursley Manor, 651 Main Street, Barnstable on March 17, 2017 from 4:00 pm to 6:00 pm.
2. **Discussion of Issuance of Seasonal Package Store Licenses:** Per Board request, a review of potential policies and procedures relative to the potential issuance of Seasonal Package Store licenses.
3. **Consent Agenda**

## **Public Hearings:**

1. **Application to Amend Hours of a Seasonal Common Victualler License:** Application of Barnacle Enterprises Inc., d/b/a The Barnacle, 974 Craigville Beach Rd., Centerville to amend the business hours on its Seasonal Common Victualler License to 8 am to 9 pm from 11 am to 9 pm; daily.
2. **Application for a new Annual Common Victualler License:** Application of The Pineapple Caper LLC., d/b/a Pineapple Caper Cafe, 21 Wianno Ave., Osterville, Tammy Russell, Manager, for a new Annual Common Victualler license. Hours of operation will be 7:00 am to 3:00 pm daily. There will be 22 interior seats only as approved by the Building Commissioner on 2-9-17.
3. **Application for a new Annual Fortune Teller License:** Application of David Eli d/b/a Hyannis Psychic Readings, 26 Pearl Street, Hyannis, David Eli, Manager, for a New Annual Fortune Teller's License, to be operated Monday through Friday 10 am to 10 pm and Saturday-Sunday 9 am to 10 pm.
4. **Application for a new Annual All Alcohol Common Victualler License and Live and Non-Live Entertainment Licenses:**
  - a) Application has been filed by The Tavern on the Fairway LLC., William T Hensley manager, d/b/a Tavern on the Green located at 1460 Route 149, Marstons Mills, for a new Annual All Alcohol Common Victualler, and annual Non-Live Entertainment Licenses. Beverage Cart will also service the golf course.  
Description of Premise: 155 Acre golf course, two story building with two floors to be licensed consisting of kitchen, dining room, bar and deck. Total seating of 136; seating to include 40 interior seats, 48 exterior seats on main floor and 48 interior basement level seats with 2 employees all approved by the Building Commissioner on 2/3/17.  
Hours of Alcohol service are: 8:00 AM to 12:45 AM Monday – Saturday; Sunday 10:00 AM – Midnight.  
Non-Live Entertainment to include: 3 televisions and recorded music below conversation level. Hours of Non-Live Entertainment: 10:00 AM – Midnight.
  - b) **Application for (5) One Day Beer and Wine Licenses;** Application of WT Hensley on behalf of Tavern on the Fairway LLC, 1460 Route 149, Marstons Mills for five one day beer and wine licenses to be held at the Olde Barnstable Fairgrounds Golf Course, Tavern on the Green Restaurant, 1460 Route 149, Marstons Mills . Event dates are 3/16, 4/8, 4/13, 4/15 and 4/20/17. This is in support of golf course events.

**5. Application for a new Seasonal All Alcohol Common Victualler Licenses and Live and Non-Live Licenses:**

Application has been filed for a new Seasonal All Alcohol Common Victualler License and Non-Live Entertainment Licenses for CRAC, Inc. d/b/a Chart Room at Crosby's, Thomas J Gordon Jr. ,manager, 330 West Bay Rd, Osterville.

Description of Premise: First floor of 3 story wood frame building. One front Entrance/Exit. Two side Entrances/exits, 1500 sq. ft. open area, bar seating, 400 sq. ft. storage area, 100 sq. ft. walk in refrigerator and dry storage shed in Northwest side; 420 +/- sq. ft. patio/deck/outdoor area. 49 total seats with 2 scenarios as follows: Scenario 1: Bar seats -12, table seats – 24, and 13 outdoor seats with 14 standees and 15 employees. Scenario 2: Bar Seats - 12, table seats - 32 and outdoor seats – 5 with 5 standees and 15 employees. All approved by the Building Commissioner on 2/6/17.

Hours of alcohol sales: 11 AM – 12:30 AM Daily.

Non-Live Entertainment to include: 2 televisions; hours of entertainment 11:00 am -12:30 pm daily.

**6. Application for a new Seasonal Wine & Malt Retail Package Store:**

Application has been filed by Food Port International Market Inc. d/b/a Food Port International Market, 338 Main St., Hyannis for a new Seasonal Wine and Malt Retail Package Store license. Fredy Chavez, manager.

Description of Premise: Main floor 3 rooms, 2 entrances/exits; main entrance located on Main Street. 12 ft. x 11 ft. room for liquor display located at furthest corner of store, away from entrances/exits. Back room 18 ft. x 24 ft. used as a work room including utility closet, hallway and stairs to basement of approximately 2200 sq. ft. with two 10 ft. x 6 ft. restrooms and a large 35 ft. x 24 ft. storage area for food and liquor.

Hours of Alcohol sales: Weekdays 9:00 AM to 10:00 PM and Sunday 11:00 AM to 6:00 PM.

**7. Application for a new Seasonal All Alcohol Package Store:** Application has been filed by Cotuit Grocery d/b/a Cotuit Fresh Market, 737 Main St., Cotuit for a new Seasonal All Alcohol Retail Package Store license. Steven Gould, manager.

Description of Premise: Wood frame 3 story building with 3600 sq. feet on ground floor with two exterior exits. All liquor display and storage in one area of 790 sq. feet as approved by the Building Commissioner. 50 ml. bottles (NIPS) will not be sold on premise at any time.

Hours of Alcohol sales: Monday through Saturday 8:00 AM to 8:00 PM and Sunday 10:00 AM to 8:00 PM. \*\*\*Continued form 1/23/17 Hearing\*\*\*

**Old Business:**

**1. 2017 Lodging House License Renewal Discussion:** Embassy Inn, 98 High School Road, Hyannis, MA. 02601.

\*\*\*\*Continued from 2/13/17 Hearing\*\*\*\*

## **Show Cause Hearing:**

1. **Show Cause Hearing for an All Alcohol Common Victualler License:** The Barnstable Licensing Authority will hold a Show Cause Hearing to consider violations of Section § 502-1r. Alcoholic Beverages General Provisions of the Town of Barnstable Code, for the sale or delivery of an alcoholic beverage to a person under 21 years of age by Pacific Bay, Inc., d/b/a Tiki Port Restaurant, Wai Fai Mah, Manager, 720 Route 132, Hyannis.  
**\*\*\*\*Postponed until 3/20/17 Hearing\*\*\*\***

## **Licensing Division Updates**

1. **Licensing Department updates**
2. **Police Department updates**

## **Executive Session:**

The Licensing Authority may vote to enter into executive session pursuant to G. L. c. 30A s. 21(a)(3) to discuss strategy with respect to the following litigation if the chair declares that discussion in an open meeting may have a detrimental effect on the litigating position of the Authority.

1. **Review of ABCC Appeal:** New England Clambake Inc. d/b/a Wimpy's, 752 Main St., Osterville, Ma. Daniele Siscoe, Manager.

Release of Executive Session Minutes, if any (0).And any other new business to come before the Licensing Authority.

- **Matters not reasonably anticipated by the Chair**

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The list of matters, are those reasonably anticipated by the president/chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the sub-committee may go into executive session. 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. 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

# Town of Barnstable

## Consumer Affairs

Elizabeth G. Hartsgrove, Supervisor

Licensing Authority

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### BARNSTABLE LICENSING AUTHORITY

# CONSENT AGENDA

March 6, 2017

#### Renewals:

1. **Application for two One Day Entertainment Licenses:** Application of Cecilia Carey on behalf of the Hyannis Rotary, 146 Main Street, Hyannis for two One Day Entertainment Licenses for the Annual Home and Garden & Lifestyle Show. The event is to take place at the Barnstable High School, 744 West Main Street, Hyannis on March 18<sup>th</sup> and 19<sup>th</sup>, 2017 from 8:00 am - 5:00 pm. Two guitar players will be at the event.
2. **Application for a One Day Malt Only License:** Application of W Patrick Lentell on behalf of SEMC Sports, PO Box 2017, Cotuit for a One Day Malt License for the annual Tour de Barnstable event. The event is to take place at the Cape Cod Maritime Museum, 135 South Street, Hyannis on May 7, 2017 from 8:00 am – 6:30 pm.
3. **Application for (8) Wine and Malt and one Wine Only Alcohol Licenses:** Application of Andrea McArthur on behalf of Puritan Cape Cod, 408 Main Street, Hyannis for 8 wine and Malt and 1 wine only alcohol licenses. The Charity events are all located at the store and are from 5:00 pm to 8:00 pm. (See attached list).
4. **Application for a One Day Entertainment and Wine and Malt License:** Application of Jeff Marcotte on behalf of Cape Cod Community College for a One Day Entertainment and One Day Wine and Malt license for a music concert at Cape Cod Community College, 2240 Iyannough Rd., Hyannis. Event is to take place on March 19, 2017 from 2 PM to 5 PM at the Tilden Arts Center, CCCC, 2240 Iyannough Rd., Hyannis.
5. **Lodging House License:**  
Beechwood Inn, 2839 Main St., Barnstable