



# 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.  
June 22, 2009

A regular meeting of the Barnstable Licensing Authority was held on Monday, June 22, 2009. Gene Burman, Vice Chairman called the meeting to order at 9:30 A.M. He introduced; Paul Sullivan, Clerk; Thomas Geiler, Director of Regulatory Services and Licensing Agent, Lt. JoEllen Jason and Patrolman Steve Maher, Liaison Officers from the Barnstable Police Department, and Christine Ade, Recording Secretary. Chairman Martin Hoxie was absent.

#### Hearings:

**One Day Wine Only and One Day Entertainment License:** Application of W. Bruce Wallin on behalf of the Historical Society of Santuit and Cotuit for a One Day Wine Only License and a One Day Entertainment License for a piano player for July 18, 2009 from 6 pm to 8 pm at the Society premises located at 1148 Main Street, Cotuit, all outdoors in a tent.

Mr. Wallin appeared for his request. Mr. Burman asked who would be handling the alcohol; it will be Andy's Market. Mr. Burman asked if they were savvy about alcohol service; Mr. Wallin stated they have done this before. Mr. Boy suggested Mr. Burman read the "Taste of Cotuit" flyer for the record – and asked for public comment.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of W. Bruce Wallin on behalf of the Historical Society of Santuit and Cotuit for a One Day Wine Only License and a One Day Entertainment License for a piano player on July 18, 2009 from 6 pm to 8 pm at the Society premises located at 1148 Main Street, Cotuit, all outdoors in a tent.

**One Day All Alcohol and One Day Entertainment Licenses:** Application of Jaci Barton on behalf of **Barnstable Land Trust**, 407 North Street, Hyannis, for a One Day All Alcohol License and One Day Entertainment License for its annual auction and lawn party, all to be held outdoors in a tent at the premises of Mr. and Mrs. O'Brien, 205 Ocean View Avenue, Cotuit, on August 1, 2009 from 5:30 pm to 8:30 pm., as a fundraiser for this non-profit organization.

No-one appeared for this application.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to continue the application of Jaci Barton on behalf of **Barnstable Land Trust**, 407 North Street, Hyannis, for a One Day All Alcohol License and One Day Entertainment License for its annual auction and lawn party, all to be held outdoors in a tent at the premises of Mr. and Mrs. O'Brien, 205 Ocean View Avenue, Cotuit, on August 1, 2009 from 5:30 pm to 8:30 pm., as a fundraiser for this non-profit organization to July 6, 2009.

**One Day Entertainment License:** Application of Carol J. Eklund on behalf of CCPEN/For the Love of a Pet, 301 Quaker Meetinghouse Road, E. Sandwich, MA for a One Day Entertainment License for karaoke, a maximum of 8 bands with dancing, rides, games, etc. for a fundraising event to be held at CJ's Ranch, 1445 Osterville West Barnstable Road, Marstons Mills, MA on August 9, 2009 from 10 am to 5:30 pm.

Ms. Eklund appeared for this family day to raise money for the pets. There is a rain date set for August 16<sup>th</sup>, so Mr. Sullivan brought up that date as well. Mr. Burman asked for public comment; Martin MacNeely, COMM Fire Dept., asked about the event – they have the address as the Cape Cod Animal Hospital – asking for clarification of the address. It was clarified as 1445. Mr. MacNeely asked about parking; Ms. Eklund stated the front field will be split in half and used for parking. Mr. MacNeely asked about indoor use of the facility...Ms. Eklund stated there are demonstrations inside but the event is all outdoors. Mr. MacNeely was fine with that.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of Carol J. Eklund on behalf of CCPEN/For the Love of a Pet, 301 Quaker Meetinghouse Road, E. Sandwich, MA for a One Day Entertainment License for karaoke, a maximum of 8 bands with dancing, rides, games, etc. for a fundraising event to be held at CJ's Ranch, 1445 Osterville West Barnstable Road, Marstons Mills, MA on August 9, 2009 from 10 am to 5:30 pm, with a rain date of August 16, 2009.

**One Day All Alcohol and One Day Entertainment Licenses:** Application of Jim McGillen, Oysterville Yacht Club on behalf of the Cam Neely Cancer Fund for a One Day All Alcohol for July 20, 2009 6 pm to 11 pm at Oyster Harbors Marine Little Island Facility and a and One Day Entertainment License from 7:30 pm to 11 pm with 7 entertainers. Capacity to be determined by the Building Dept. and Dire Dept. Continued from 6/8/09.

Jim McGillen appeared for this application representing the Oysterville Yacht Club and Cam Neely event for cancer for children. He stated it generates over \$50,000 per year. It is a mature event. Bartenders are TIPS trained and restaurant bartenders. Last year they had a glitch with parking – this year they are providing trolley and/or limo services to and from the location. Our Lady of Assumption (200 spaces) has allowed them to

use their facility and they will use a town lot (80) and town landing and Wianno Yacht Club lot. On site are dedicated spaces to the boat owners and 70+ spaces around Crosby boat yard. The caterers, committee, band and people who have the dedicated spaces, security personnel only will be allowed in those spaces. He has spent extensive amounts of time on this application – getting bids for the parking shuttle, etc. so that there will be no problems. Tom Perry has given permission for the building for a \maximum capacity of 400; they had about 300 last year and do not think it will exceed that if they even get the 300 this year. Martin MacNeely came forward again from COMM Fire Dept. He made the board aware of issues last year – stating they were significant. The primary one was parking. It is a limited access site. One lane road designed for minimal boat owners and boat storage. No restrictions last year on the parking lot even though it was promised there would be restrictions. They believe last year the building had over 300 and was only permitted for 290. They do believe the building can accommodate 400 people. He has been working with Mr. McGillen and the applicant Mr. Liakos for the past two months to make sure it goes smoothly this year. Mr. Sullivan stated he recognizes the problems the Fire Dept. brought up and thinks that Mr. McGillen’s presentation adequately addressed this. Mr. Geiler asked if this was a weekday event – it is; a Monday afternoon. Mr. Burman stated it would appear there is a meeting of the minds this year.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of Jim McGillen, Oysterville Yacht Club on behalf of the Cam Neely Cancer Fund for a One Day All Alcohol for July 20, 2009 6 pm to 11 pm at Oyster Harbors Marine Little Island Facility and a and One Day Entertainment License from 7:30 pm to 11 pm with 7 entertainers for a total capacity of 400 persons determined by the Building Commissioner.

**One Day All Alcohol and One Day Entertainment Licenses:** Application of Todd H. Walantis on behalf of the Cape Cod \$5000, 960 Putnam Ave., Marstons Mills, MA for a One Day All Alcohol License and a One Day (Sunday) Entertainment License for its first annual Striped Bass and Bluefish Tournament to benefit charity. Festivities to include food and entertainment will be held at Oyster Harbors Marine, 182 Bridge Street, Osterville, MA on 6/28/09 from 3 pm to 7 pm.

Mr. Walantis appeared for his application. This will also be held at Oyster Harbors Marine. It is the first year of this fishing tournament – it will benefit the Independence House of Hyannis. They are expecting 80 to 100 people. They are restricting all parking from that side of the bridge. The main facility has parking and a number already have their boat spots and from Crosby Boat Yard. They do not feel the parking will be an issue. The Islander Restaurant will handle the food and alcohol (Joseph Dunn). Mr. Geiler asked about it being for profit; Mr. Walantis stated all proceeds are going to charity. Mr. Geiler stated they still are not a non-profit organization. Mr. Burman asked the same question about being a non-profit. Mr. Geiler stated they could amend the application to a beer and wine or amend the application to Independence House as the applicant, provided they would like to do so. Mr. Sullivan stated he would rather

approve beer and wine only for this year. Mr. Walantis stated that would be fine. Martin MacNeely, COMM Fire, stated they are in approval for this event.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of Todd H. Walantis on behalf of the Cape Cod \$5000, 960 Putnam Ave., Marstons Mills, MA for a One Day Wine & Malt License and a One Day (Sunday) Entertainment License for its first annual Striped Bass and Bluefish Tournament to benefit charity. Festivities to include food and entertainment will be held at Oyster Harbors Marine, 182 Bridge Street, Osterville, MA on 6/28/09 from 3 pm to 7 pm.

**Request to remain open for market and deli sales:** Request of Jennifer Cullum, Manager, Sea Street Market & Provisioners, 231 Sea St., Hyannis, holding a retail package store wine and malt license, for permission to remain open for market and deli sales during their alcohol sales suspension on July 26, 2009.

Jennifer Cullum appeared for her application. She is the owner of Sea Street Market. She respectfully requests they be open for the market, deli and ice cream window only – they are a local market for milk, eggs, deli, etc. and locals depend on her market. She stated she could certainly use the Sunday market sales with chains across the alcohol areas. Mr. Burman asked if it is segregated – she stated she can close off the alcohol areas, Mr. Burman stated that would be his only concession. She will have signs near the alcohol that it can't be sold that day as well as one sign on the front door. Mr. Sullivan agrees that for others in the community he thinks it would be fair. Ms. Cullum had stated she is very serious about this – she is a small owner with a family and it is difficult to police 24/7. She does understand that this is serious. She commented as an aside that the same employee she fired last season who sold to the minor applied for her job back this year! Mr. Burman stated each case will be handled separately. Mr. Geiler asked how much of the total sales is alcohol; Ms. Cullum stated about 1/3. They now accept an EDT card (food stamps), which she is hoping will boost sales. Mr. Burman asked for public comment. There was none.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the request of Jennifer Cullum, Manager, Sea Street Market & Provisioners, 231 Sea St., Hyannis, holding a retail package store wine and malt license, for permission to remain open for market and deli sales and ice cream during their alcohol sales suspension on July 26, 2009.

Ms. Cullum thanked the Board and noted she understands the Board has a responsibility to the police department and upholding the laws but appreciates the concession made so she can be open for non-alcohol sales.

**Change of Hours:** Application of Shanghai Chinese Restaurant, Inc., 11 Ridgewood Avenue, Hyannis, MA, Henry Yang, Manager, for a Change of Hours from 11:00 pm closing (a rollback of hours imposed on 12/8/08) to 12:30 am closing, 7 days a week.

Attorney Robert Mills appeared with Mr. Yang and Lucy, the other employee, for this request. They are here today voluntarily and he said he thinks they now have a firm grasp on the running of the business in accord with Town rules and regulations and ABCC regulations. They also have a better grasp on some of the bad people who were hanging around the restaurant and going in and out frequently. He stated that the rollback has diminished their 1<sup>st</sup> quarter drastically (about \$12K). Attorney Mills said he pulled the police logs for the property and there were some calls to that address – one was a man in a taxi who was disorderly and a few others, but he did not think they were specific calls to the restaurant. He is asking for consideration to 12:30 – even to midnight would be greatly appreciated. He stated it could be on a “probationary” basis if the Authority chose. It is hard to base the diminished revenue on the economy – but rather they think it is mostly the rollback of hours. Officer Maher asked what percent change the revenue drop might be – for the 1<sup>st</sup> quarter Attorney Mills stated it is roughly 15-20%. Officer Maher stated this brings up another establishment in town who basically inherited the people who used to be at the Shanghai – they have now hired a security group for \$70K to handle these people. He asked what the Shanghai plans to do with regard to the security issue if they are granted the later hour for closing. Officer Maher stated the log does not show any actual Shanghai issues. But he is concerned that it not return to how it was before the rollback. Mr. Boy stated he would like to see the rollback last for at least a year before making a decision to change it. Mr. Burman was looking at the statement for 2009 and he could not make head nor tail of the 1<sup>st</sup> page; Mr. Mills stated these numbers are not correct – there are some numbers missing on the beginning (\$10,000 or \$12,000) January 1, 2009 \$14,000+ gross receipt; Mr. Burman stated that the numbers in the report are pretty much meaningless. Officer Maher stated the problem with the restaurant is not the percent of alcohol/food but the people who were frequenting the place. Mr. Burman asked Mr. Geiler about whether they need to make findings first and then vote. Mr. Geiler stated it would be a good idea. He also stated that part of the issue for the rollback was the lack of oversight at night – what has changed? How will it change if the hours are expanded? Attorney Mills stated in the past there was only one or two people on; Mr. Yang is there much more now; there are more signs – restrooms for patrons only, etc. He said they cannot afford to put any other people on duty. Mr. Yang will spend more time there. Their revenues are so down they can’t afford security. Mr. Geiler asked if they have had training or something – Mr. Mills stated they have not taken training but he has tried to explain to them about the transient business going on in there – it has not been going on lately at all. Henry will be there more at night and Lucy in the daytime. Lt. Jason asked how many employees they have and was told they have 4. There are 4 all the time; 2 in the kitchen, one at the bar and another out front. They serve the food, run the register and run the bar. Lt. Jason thinks the bathrooms and out front are the problem, and there is still a communication problem – she does not know how we can have an understanding if they cannot speak English. She stated we need a few more months of trial time with the rolled back hours. Officer Maher speaking from experience said that the faces he has seen there before the rollback are some of the same faces there lately. He stated the owners do not have the experience and know-how to control these people; they are intimidated by them. The element is definitely still in town – just pushed from one place to another because of the rollback hours. These owners do not

have the ability to deal with the problem people. Mr. Mills stated they are looking not for 1 am as before but anything the board could give them. Mr. Sullivan said he heard drugs mentioned – outside, bathrooms, etc. and that this is not an alcohol but a drug issue. Cape Cod does not escape that. He would just as soon put somebody out of business who cannot control this type of element in its premises. He would like to see some closer relationship with the police department to get some help. Maybe after the summer the board could consider later hours if the police department agrees. He needs convincing that the owners will be vigilant and that they can recognize what is going on. He would like to see more positive action by the owners. Mr. Burman asked for findings.

Paul Sullivan found that the Shanghai Restaurant entrepreneurs have made some efforts to correct the problems there, but there is a lot of suspicious type of activity outside and problems with the bathrooms. He stated there has not been sufficient effort to warrant the change in hours from the 11 pm closing at this time. He would like to see a greater effort of the attorney working with the owners and the police department. He suggested this be revisited in the Fall. Findings were unanimously adopted.

Mr. Geiler stated there are two different ways to handle this. The questions is would we like to continue the hearing to the Fall to a date certain, or disapprove it now.

Mr. Sullivan moved that the hearing be continued to October 26, 2009. Mr. Boy seconded the motion and Mr. Burman agreed that the hearing be continued to 10/26/09.

**Request for Outdoor Entertainment Thursday Nights:** Request of Smilin' Jack's Restaurant Corp., d/b/a La Paz Surf Cantina, 573B Main Street, Hyannis, John Downes, Manager, for permission to amend its Daily Live Entertainment License to allow outside entertainment on their front patio Thursday nights during the summer season from 6 pm to 10 pm, in conjunction with the Hyannis BID Thursday evening events.

Mr. Burman read the request to amend the daily live entertainment license for Thursday evening events only. John Downes appeared again from 2 weeks ago and stated he hopes the Board has checked with the BID so we can go forward. Mr. Downes said he has spoken with Scott Lajoie and his associate – they have a license for Main Street. entertainment on Thursday nights. Mr. Downes stated he is here for a level playing field. Mr. Burman stated the BID has no jurisdiction over the entertainment license of the alcohol establishments. Mr. Downes stated the music starts 7/9 and that other restaurants without entertainment licenses of their own for outside did it last year outside on their patios. He would like it to be across the board for all on Main Street.

Mr. Geiler stated those with outside entertainment licenses are allowed to have it but those who do not have that license cannot. The board looks at the size of the establishments. He asked the size of the patio – Mr. Downes stated about 800 sq ft. Mr. Geiler indicated he thought it was much smaller. He then stated the nature of the business was to be a restaurant. To make that into something else, except within the walls of the building as approved by the Board, is not acceptable or appropriate here.

Mr. Downes asked why the neighbors on BOTH side have outside speakers and they cannot have them? Mr. Geiler stated the others have had them for 50 years. Mr. Geiler states this is a public trust they are allowed to apply for, but they need to convince the Board that they deserve the outside speakers. Mr. Downes stated he will abide by the decision made by the Board but wants it on the record that there is NOT a level playing field on Main Street.

Mr. Sullivan suggested this hearing be postponed until 7/6 to clarify the BID issue (what exactly their license covers) before making a decision on this case. Officer Maher suggested there ARE some others with music outside without their own license. As an example, the Nam Vets have it on Thursday nights. Others with outside speakers have been told by the BID they can do it, as well as La Paz. Mr. Burman asked if Mr. Geiler could contact the president of the BID about this. Mr. Geiler stated he would much prefer to have the Town Manger spell out what in fact he has approved for this Thursday event. Mr. Downes stated he would happily have brought the BID people with him but thought the Board was looking into that. He was told that Mr. Hoxie had agreed to contact the BID but at the last minute could not attend the meeting today.

A motion was duly made by Paul Sullivan, seconded by Dick Boy and a unanimous vote taken to continue the application of Smilin' Jack's Restaurant Corp., d/b/a La Paz Surf Cantina, 573B Main Street, Hyannis, John Downes, Manager, for permission to amend its Daily Live Entertainment License to allow outside entertainment on their front patio Thursday nights during the summer season from 6 pm to 10 pm, in conjunction with the Hyannis BID Thursday evening events to 7/6/09.

**New Common Victualler License:** Application of AlecASam, Inc., d/b/a Village Landing Restaurant, 3224 Main Street, Barnstable, MA, Richard S. Scoville, Manager, for a new Common Victualler License, hours of operation to be 7 am to 2 pm.

Mr. Scoville appeared for this application. They will be open 7 am to 2 pm as it is being run presently. Mr. Burman stated there are only 2 sitting members as the 3<sup>rd</sup> had to leave – Mr. Boy – and he wished to proceed. Mr. Sullivan had no questions; it was asked if the capacity is not being changed? It is not.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of AlecASam, Inc., d/b/a Village Landing Restaurant, 3224 Main Street, Barnstable, MA, Richard S. Scoville, Manager, for a new Common Victualler License, hours of operation to be 7 am to 2 pm.

**Transfer of Annual All Alcohol Common Victualler and Live and Sunday Entertainment Licenses:** Application of Roo Bar, LLC, d/b/a Roo Bar City Bistro, 586 Main Street, Hyannis, Narinder Thind, Manager for Transfer of its Annual All Alcohol Common Victualler License (11 am to 1 am Mon-Sat and noon to 1 am Sun) and Daily Live, Non-Live and Sunday Entertainment Licenses, 9:30 pm to 12:45 am to SJR Group, Inc., d/b/a Five Eighty Six Bistro & Bar.

Attorney Jeremy Carter appeared for this application. Mr. Thind appeared as well as the proposed new manager – Jason Schlidge, as well as Raymond Roy and Steven Roy (owners of the business). Mr. Carter stated that it has been brought to his attention that there is a need to amend the lease from the current owner to SJR Group to include the RooBar owner currently licensed until the transfer is approved. That is in the works and will be done by this afternoon. Mr. Geiler asked about that. Attorney Carter stated that until the license is approved by this Board AND the ABCC, the current owner will continue to run the business – RooBar – and will be added to the lease until approval by the ABCC. He said that was an oversight only. There are not any other issues from the police department. They will ask the Board to approve the new licensees and allow the RooBar people to continue to run it until the new people are approved. There will be a formal written lease showing the RooBar people as lessees and Byron Haseotes as owner. Mr. Geiler stated he had been told there are other issues – a name change and internal changes. The position they are taking today is that there will be no changes until approval. There was a structural change – a wall and counter, not affecting capacity. They understand in the future that any change must come before the Board. Attorney Carter represented again that the current owner is continuing to run the place until the approval takes place under the Manager, Mr. Thind.. Mr. Sullivan asked if Mr. Schlidge has any connection with SJR; he said he does not. He was host and bartender and floor manager at Captain Parker's in Yarmouth. The owner was always there. Mr. Schlidge will be in full charge at the new restaurant. Mr. Schlidge was bar supervisor at the Ground Round in Connecticut. He will be having all his employees attend an ABCC seminar for training. Officer Maher stated he is all set with what was presented today.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of Roo Bar, LLC, d/b/a Roo Bar City Bistro, 586 Main Street, Hyannis, Narinder Thind, Manager for Transfer of its Annual All Alcohol Common Victualler License (11 am to 1 am Mon-Sat and noon to 1 am Sun) and Daily Live, Non-Live and Sunday Entertainment Licenses, 9:30 pm to 12:45 am to SJR Group, Inc., d/b/a Five Eighty Six Bistro & Bar subject to receipt of the new lease to RooBar.

**Yearly Sunday Entertainment License:** Application of Paul Mazzeo, Manager. Palio Pizzeria, Inc., 435 Main Street, Hyannis, MA, for a yearly Sunday Entertainment License for up to 2 acoustic entertainers from 5 pm to 8 pm.

No-one appeared from Palio Pizzeria.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to continue the application of Paul Mazzeo, Manager. Palio Pizzeria, Inc., 435 Main Street, Hyannis, MA, for a yearly Sunday Entertainment License for up to 2 acoustic entertainers from 5 pm to 8 pm to July 6, 2009.



**Class II Auto Dealer License – Change of Location:** Application of Robert J. Trapp, Inc., 123 Falmouth Road, Hyannis, Robert J. Trapp, Manager, for a new location for its Class II Auto Dealer License, with a maximum of 41 display spaces.

Robert Trapp appeared for his application. He has held a Class II Auto Dealer license since 1991 at the old location, owned by TransAtlantic Motors, which is slated to be taken down in the near future. His request is to move to 123 Falmouth Road. He had a license at 95 Falmouth Road and 123 Falmouth Road back in the 1980's. It became Hyannis Hyundai. When they sold Hyundai he moved to 49 Bearnse Road. The lot is .9 acre. Mr. Geiler asked what changes have taken place on the lot. Mr. Trapp stated a lot of effort went into cleaning the lot up which was Reliable Fence recently. Numerous dumpsters have been filled. Buildings have been renovated and work done to make it much more presentable. Mr. Burman asked if the Building Commissioner has looked at the capacity – there is no sign off on the plan in his package. Mr. Geiler stated they did meet with the Building Commissioner and it has more uses than the present tenant will utilize. He currently has 25 vehicles; the new lot and application is for 41. The space is considerably larger. Mr. Burman stated the new number of 41 will be all inclusive – sale vehicles, employees, etc. Officer Maher asked about spaces used by the repair business nextdoor. Mr. Trapp stated the property to the rear of the building Officer Maher was talking about has recently been cleared of debris as has the property he will be occupying. There were actually homeless shanties there which are not there now. The repair vehicles there now could not be in the rear before, as Reliable Fence used the area for storage of fencing. The autos were on the front corner then. Now they can be in the rear. There are still 3 buildings there. Officer Maher asked how the vehicles are going to be separated. (Spaces 30-17). Spaces 1-4 abut the spaces for Cape Motors. Those cars will no longer be Cape Motors cars. That area had been leased to them; they no longer have a lease agreement to use it. Those cars will have to be moved from that space – they are not licensed to be there.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of Robert J. Trapp, Inc., 123 Falmouth Road, Hyannis, Robert J. Trapp, Manager, for a new location for its Class II Auto Dealer License, with a maximum of 41 total spaces.

**New Seasonal Common Victualler License:** Application of Cape Cod Concessions, LLC, d/b/a Harborside, 159 Ocean Street, Hyannis, MA, Don Cox, Manager, for a new Seasonal Common Victualler License (May 1 to October 31 each year), hours of operation 7:30 am to 11:30 pm, with 30 seats outdoors only, maximum 3 parking spots on property.

Mr. Cox appeared for this license. He stated this restaurant has been in operation for 7 years. He has changed the ice cream to Four Seas Ice Cream. He wants to change the opening hour to 6 am and closing to 11 pm, rather than what he had originally applied for. He stated they have permission for parking for employees in Demetrius Atsalis' parking lot.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of Cape Cod Concessions, LLC, d/b/a Harborside, 159 Ocean Street, Hyannis, MA, Don Cox, Manager, for a new Seasonal Common Victualler License (May 1 to October 31 each year), hours of operation 6 am to 11 pm, with 30 seats outdoors only, maximum 3 parking spots on property.

**Business Meeting:**

KENO TO GO discussion – to see if any Board members object to it. Mr. Geiler stated this is what the commission does if someone applies for a KENO license. The application is pending – the Board may file an objection if they wish to. Mr. Burman asked Officer Maher about it – it is just purchasing a ticket. The Board members both did not object.

Adjourned at 11:08 am.

Respectfully submitted,

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Christine P. Ade, Recorder  
Barnstable Licensing Authority

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Paul Sullivan, Clerk  
Barnstable Licensing Authority