



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, 2nd Floor Hearing Room, Hyannis, MA – 9:30 a.m.
December 3, 2012

A regular meeting of the Barnstable Licensing Authority was held on Monday, December 3, 2011. Chairman Martin Hoxie called the meeting to order at 9:30 A.M. He introduced Gene Burman, Vice Chairman; Paul Sullivan, Clerk; Ron Semprini, Associate Commissioner; Thomas Geiler, Director of Regulatory Services and Licensing Agent, Richard V. Scali, Consumer Affairs Supervisor, and Christine Ade, Recording Secretary. Dick Boy was absent. Lt. John Murphy and Patrolman Steve Maher, Liaison Officers from the Barnstable Police Department, were also absent.

Vote to accept Minutes: Vote to accept minutes of the 11/19/12 Meeting.

A motion was duly made by Mr. Burman, seconded by Mr. Semprini and a unanimous vote taken to approve the minutes of the 11/19/12 Meeting.

Hearings:

Two One Day Entertainment Licenses: Application of Susan Campbell on behalf of Coastal Dance Company in conjunction with Atlantic Coast Academy of Dance for two One Day Entertainment Licenses for its 27th annual performances of the Nutcracker Ballet at the Barnstable High School Performing Arts Center on December 9th and December 10th from 2 pm to 4 pm each day.

Coby Vincent appeared for their application which is the 27th year. No charge increase. Mr. Hoxie wished them good luck again this year.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of Susan Campbell on behalf of Coastal Dance Company in conjunction with Atlantic Coast Academy of Dance for two One Day Entertainment Licenses for its 27th annual performances of the Nutcracker Ballet at the Barnstable High School Performing Arts Center on December 9th and December 10th from 2 pm to 4 pm each day.

Two One Day Entertainment Licenses: Application of Carol Saunders on behalf of Hyannis Public Library, 4012 Main Street, Hyannis for two One Day Entertainment Licenses for its 37th annual President's Holiday Antiques Show at the Barnstable High School Field House on February 16, 2013 from 10 am to 5 pm and February 17, 2013 from 11 am to 4 pm.

Ms. Saunders appeared for the 37th annual event with no changes. It is a library fundraiser for the library. It is \$6; \$5 with discount coupon.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of Carol Saunders on behalf of Hyannis Public Library, 4012 Main Street, Hyannis for two One Day Entertainment Licenses for its 37th annual President's Holiday Antiques Show at the Barnstable High School Field House on February 16, 2013 from 10 am to 5 pm and February 17, 2013 from 11 am to 4 pm.

Junk Dealer License: Application of Donna M. Medeiros on behalf of J. Craig Medeiros holding an existing Junk Dealer License to JCM Metals, Inc., d/b/a JCM Metals, 142 Corporation Road, Hyannis, Donna M. Medeiros, Manager for an Annual Junk Dealer License, hours of operation to be T, W, Th 9 am to 5 pm, Sat 9 am – noon.

Donna Medeiros appeared for the change from her father's license to herself. Mr. Medeiros was with her. She is taking over as her Dad is getting older and she has been his right hand girl for many years.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of Donna M. Medeiros on behalf of J. Craig Medeiros holding an existing Junk Dealer License to JCM Metals, Inc., d/b/a JCM Metals, 142 Corporation Road, Hyannis, Donna M. Medeiros, Manager for an Annual Junk Dealer License, hours of operation to be T, W, Th 9 am to 5 pm, Sat 9 am – noon.

Class I Auto Dealer License: Application of AMR Holdings – KH, LLC, d/b/a KIA of Cape Cod, 1056 Iyannough Road, Hyannis, Matt McGovern, Manager, for a Class I Auto Dealer License for 1056 Iyannough Road as its showroom, 1020 for administrative offices, 1040 for service parking and 756 Bearse's Way for storage of new/used vehicles.

Jack Carter, current owner, appeared to advise that AMR Holdings had written down 7 pm for the hearing and would not be here today. He represented that he has known them over 20 years. They are solid. He also advised there will be no changes from the numbers he is using at present on all the lots.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of AMR Holdings – KH, LLC, d/b/a

KIA of Cape Cod, 1056 Iyannough Road, Hyannis, Matt McGovern, Manager, for a Class I Auto Dealer License for 1056 Iyannough Road as its showroom, 1020 for administrative offices, 1040 for service parking and 756 Bearse's Way for storage of new/used vehicles, and subject to the new owners appearing at the December 17, 2012 meeting to answer any questions the Board may have

Class I Auto Dealer License: Application of AMR Holdings – TH, LLC, d/b/a Hyannis Toyota and Hyannis Scion, 1020 & 1040 Iyannough Road, Hyannis Matt McGovern, Manager, for a Class I Auto Dealer License with 1020 for its showroom & offices, 1040 for service parking and 756 Bearses Way for storage of new/used vehicles.

Jack Carter, current owner, appeared to advise the Board that AMR Holdings had written down 7 pm for the hearing and would not be here today. He said he is transferring everything to the new owners – he has known them over 20 years. Mr. Scali asked why they were not here; he stated they had it on for 7 pm. Mr. Burman suggested we approve today but ask them to come to the next hearing on 12/17 for any questions the Board may have. Mr. Geiler stated they have an extensive resume and suggested the January 13, 2012 meeting.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of AMR Holdings – TH, LLC, d/b/a Hyannis Toyota and Hyannis Scion, 1020 & 1040 Iyannough Road, Hyannis Matt McGovern, Manager, for a Class I Auto Dealer License with 1020 for its showroom & offices, 1040 for service parking and 756 Bearses Way for storage of new/used vehicles, and subject to the new owners appearing at the December 17, 2012 meeting to answer any questions the Board may have.

Class II Auto Dealer License: Application of Application of AMR Holdings – TH, LLC, d/b/a Hyannis Toyota, 756 Bearse's Way, Hyannis, Matt McGovern, Manager, for a Class II Auto Dealer License with its extra storage facility. Maximum of 60 new/used vehicles on site.

Jack Carter, current owner, appeared to advise that AMR Holdings had written down 7 pm for the hearing and would not be here today.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of AMR Holdings – TH, LLC, d/b/a Hyannis Toyota, 756 Bearse's Way, Hyannis, Matt McGovern, Manager, for a Class II Auto Dealer License with its extra storage facility. Maximum of 60 new/used vehicles on site, and subject to the new owners appearing at the December 17, 2012 meeting to answer any questions the Board may have..

New Karaoke License: Application of Hyannis Properties, LLC Brown, d/b/a British Beer Company, 412 Main Street, Hyannis, Michael Otto, Manager, for a New Karaoke License for Tuesday and Sunday evenings from 7:00 pm to 11:00 pm.

Michael Otto appeared for this license application for Sunday evenings from 9 to 12:45.

It was asked if this would be renewed for 2013 and determined that it would be.

A motion was duly made by Gene Burman, seconded by Paul Sullivan and a unanimous vote taken to approve the application of Hyannis Properties, LLC Brown, d/b/a British Beer Company, 412 Main Street, Hyannis, Michael Otto, Manager, for a New Karaoke License for 9:00 pm to 12:45 am, not listing any particular days.

New Annual Retail All Alcohol Package Store License: Application of Smithfield Market of Barnstable, LLC, d/b/a Barnstable Market, 3220 Main Street, Barnstable, Jeffrey Blankenship, Manager, for a new Annual All Alcohol Retail Package Store license at its current location, no change to the floor plan. Hours of alcohol sales to be Mon-Sat 8 am to 8 pm, Sun noon to 8 pm. The current Wine & Malt Retail Package Store License at this location would be turned in upon approval of this license.

Mr. Hoxie asked Mr. Scali if anything was new on this; Mr. Scali stated he had contacted both Bill Kelley and Ralph Sacramone at the ABCC who had advised in the past we definitely have 1 beer and wine package store license and maybe 2 but are now advising there are no full package store licenses in Barnstable available. They asked Mr. Scali if they could analyze their answer further because of our population decrease after Mr. Kelley comes back from vacation. He stated that the problem is because of the annual vs. seasonal package store licenses in the past.

Attorney Lawler appeared and complimented Mr. Scali for being very helpful in the process. The ABCC was initially telling us that Barnstable has 2 open all alcohol package store licenses but were unsure of it was 1 or 2. They are now advising it is none but he is willing to continue this to the mid January hearing for an answer from the ABCC.

Mr. Geiler stated the complication for Barnstable is that in the 70's it was a home rule petition to eliminate the seasonal package store licenses and convert them to annual package store licenses – it was 3-5 at that point. Shortly after that there were changes to the law allowing communities to make that decision themselves and not require ABCC approval. That created a different formula for determining the quota for Barnstable from rest of the State. The ABCC is supposed to provide us with a number in writing which they have not done. The verbal answer was given but we have nothing in writing. He suggested we continue this hearing generally rather than to a date certain to get this answer from the ABCC.

Attorney Lawler advised he would rather it be continued to January at this time so we at least have a deadline for the ABCC – to get back to us by the deadline date. Mr. Hoxie stated if we find we do have a license available we have to open it up to other applicants. Mr. Lawler state he is aware of that.

Mr. Hoxie stated this hearing will be continued to the January meeting.

Renewals:

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

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Class I Auto Dealer renewals as submitted below:

Auto Dealer Class I:

Premier Cape Cod, 460 Yarmouth Road, Hyannis
Buckler's, 100-116 Ridgewood Ave, Hyannis

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Class II Auto Dealer renewals as submitted below:

Class II Auto Dealers:

Cape Cod Cars & Trucks, 319 Barnstable Road, Hyannis
Auto Smart, 202 Yarmouth Road, Hyannis
Adymar's Auto & Truck Repair, 31 Thornton Drive, Hyannis
Jack Ellis Foreign Auto, 515 West Main Street, Hyannis
Cape Motors, 125A Falmouth Road, Hyannis
All Cape Auto Sales, 711 Yarmouth Road, Hyannis
Cape Cod Auto Auction, 700 Bearnse's Way, Hyannis
Cape Wide Auto and Marine I, 730 Bearnse's Way, Hyannis
Willow Street Motors, 519 Yarmouth Road, Hyannis
All Motors Auto Sales, 66 Barnstable Road, Hyannis
American Classic Dream Cars, 119 Thornton Drive, Hyannis
Harbor Auto Sales, 380 Yarmouth Road, Hyannis
Cape & Island Motors, 153 Corporation Road, Hyannis
Davis Auto Sales, 50 Airport Road, Hyannis

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve Cinema/Theatre renewals as submitted below:

Cinema/Theatre:

Barnstable Comedy Club, 3171 Main Street, Barnstable
Cotuit Center for the Arts, 4404 Falmouth Road, Cotuit

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Common Victualler renewals as submitted below excepting those marked No CGS:

Common Victuallers:

Panera Bread, Capetown Plaza, Hyannis
Sarku Japan, CC Mall, Hyannis
Regina Pizzeria, CC Mall, Hyannis
Barnes & Noble, CC Mall, Hyannis
Earthly Delights, 15 West Bay Road, Osterville
Persy's Place, 247 Main Street, Hyannis
Subway Sandwiches, 2145 Iyannough Road, Hyannis
Subway Sandwiches, 793 Iyannough Road, Hyannis
Mitie's Sushi House, 225 Iyannough Road, Hyannis
Cape Cod Chocolatier, 1600 Falmouth Road, Centerville
CCH Nutrition & Food Services, 27 Park Street, Hyannis
The Blue Plate Diner, 3226 Main Street, Barnstable
Osterville Village Cafe, 3 Wianno Avenue, Osterville
Wianno Green Cafe, 29 Wianno Avenue, Osterville
Rendez Vous Cafe, 394 Main Street, Hyannis
Kandy Korner, 474 Main Street, Hyannis
CCH Nutrition & Food Services, 27 Park Street, Hyannis
Fame Food Mgmt. – CC Community College
JJ's Roast Beef, 770 Main Street, Osterville

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Lodging House renewals as submitted below:

Lodging House:

Pilot Guest House, 56 Pleasant Street, Hyannis
The Hillcrest B&B, 70 Gosnold Street, Hyannis
Saltwinds B&B, 319 Sea Street, Hyannis
Simmons Homestead Inn, 288 Scudder Avenue, Hyannis
900 Realty Trust - 961 Pitcher's Way, Hyannis
900 Realty Trust – 975 Pitcher's Way, Hyannis
900 Realty Trust – 989 Pitcher's Way, Hyannis
Cape Cod Ocean Manor, 543 Ocean Street, Hyannis
Craigville Retreat Center, 19 Vine Ave., Centerville
Craigville Retreat Center, 208 Lake Elizabeth Drive, Centerville
Craigville Retreat Center, 45 Prospect Avenue, Centerville

Craigville Retreat Center, 125 Ocean Street, Centerville
Craigville Retreat Center, 39 Prospect Avenue, Centerville
Captain David Kelley House, 539 Main Street, Centerville
Acworth Inn, 4352 Main Street, Cummaquid
Edmund J. Flynn, 791 Pitcher's Way, Hyannis

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Club All Alcohol renewals as submitted below excepting those marked No CGS:

Club All Alcohol:

Oyster Harbors Club, 170 Grand Island Drive, Osterville
West Barnstable Deer Club, 1800 Old Stage Road, West Barnstable
Cummaquid Golf Club, 35 Marstons Lane, Cummaquid
Hyannis Yacht Club, 490 Ocean Street, Hyannis
Osterville Veteran's Assn., 753 Main Street, Osterville
Hyannis Elks, 852 Bearse's Way, Hyannis

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Common Victualler All Alcohol renewals as submitted below excepting those marked No CGS:

Common Vic All Alcohol:

British Beer Company, 412 Main Street, Hyannis
Dolphin Restaurant, 3250 Main Street, Barnstable
Chipotle Mexican Grill, CC Mall, Hyannis
Seaside Pub on Main, 615 Main Street, Hyannis
DJ's Wings, Ribs, Subs 'n More, 165 Yarmouth Road, Hyannis
Fazio's Trattoria, 294 Main Street, Hyannis
FOGO Brazilian BBQ, 55 Iyannough Road, Hyannis
UNO Chicago Grill, 574 Iyannough Road, Hyannis
Five Bays Bistro, 825 Main Street, Osterville
Bobby Byrne's Hyannis Pub, 489 Bearse's Way, Hyannis
Outback Steakhouse, 1070 Iyannough Road, Hyannis
Olive Garden, 1095 Iyannough Road, Hyannis
99 Restaurant & Pub, 1600 Falmouth Road, Centerville
Kobi House, 489 Bearse's Way, Hyannis
Kettle Ho, 12 School Street, Cotuit
Harry's at the Depot, 477 Yarmouth Road, Hyannis
Alberto's Ristorante, 360 Main Street, Hyannis
Tiki Port, 790 Iyannough Road, Hyannis
Jack's Lounge, 373 West Main Street, Hyannis
The Island Merchant, 302 Main Street, Hyannis

Chipotle Mexican Grill, CC Mall, Hyannis
Oceans/Hyannis Angler's Club, 235 Ocean Street, Hyannis
Barnstable Restaurant & Tavern, 3176 Main Street, Barnstable
Scottie's Famous Pizza, 244 Iyannough Road, Hyannis
Shanghai Chinese Restaurant, 11 Ridgewood Avenue, Hyannis
The 19th Hole, 11 Barnstable Road, Hyannis
Hyannis Golf Club, 1800 Iyannough Road, Hyannis
Not Your Average Joe's, CC Mall, Hyannis
Dragonlite Restaurant, 620 Main Street, Hyannis
Wimpy's, 752 Main Street., Osterville
Prova Brazil Steakhouse, 415 Main Street, Hyannis
Cape Cod Inn/Duck Inn Pub, 447 Main Street, Hyannis
Barbyann's, 120 Airport Road, Hyannis
Five Eighty Six Bistro, 586 Main Street, Hyannis
Ying's Sushi Bar & Lounge, 59 Center Street, Hyannis
Embargo, 453 Main Street, Hyannis
B&B Pizza, 10 Seaboard Lane, Hyannis
Brazilian Grill, 676-78 Main Street, Hyannis
Beechtree Cantina, 599 Main Street, Hyannis
Misaki, 379 West Main, Hyannis
Philbrick's, 1460 Rte 149, Marstons Mills
Schooner's, 372 Main Street, Hyannis

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Common Victualler Wine & Malt renewals as submitted below:

Common Vic Beer & Wine:

Pizza Barbone, 390 Main Street, Hyannis
The Original Gourmet Brunch, 517 Main Street, Hyannis
Pizza Wave, 3864 Falmouth Road, Marstons Mills
Golden Fountain Restaurant, 203 West Main Street, Hyannis
Mike's Pizza, 1220 Iyannough Road, Barnstable
Pinocchio Pizza, 1661 Falmouth Road, Centerville
B2 Burrito Bistro, 790 Iyannough Road, Hyannis
Craigville Pizza & Mexican, 618 Craigville Beach Road, Centerville
New England Pizza, 187A West Main, Hyannis
Bangkok Cuisine, 20 Independence Drive, Hyannis
The Daily Paper, 644 West Main Street, Hyannis
Palio Pizzeria, 435 Main Street, Hyannis
Caffe e Dolci, 430 Main Street, Hyannis

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Farmer/Brewery All Alcohol Pouring License listed below:

Farmer/Brewery All Alcohol Pouring License:

Cape Cod Beer, 1336 Phinney's Lane, Hyannis

Mr. Burman asked to confirm that this is the correct name for the license – Farmer/Brewer Pouring License; Mr. Geiler and Mr. Scali confirmed.

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the General On Premises All Alcohol renewals as submitted below:

General on Premises All Alcohol:

Pufferbellies, 183R Iyannough Road, Hyannis
Cotuit Center for the Arts, 4404 Falmouth Road, Cotuit
Ryan Family Amusement, 441 Main Street, Hyannis
Quarterdeck Lounge, 247 Iyannough Road, Hyannis
Puff the Magic, 649 Main Street, Hyannis

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Innholder All Alcohol renewals as submitted below:

Innholder All Alcohol:

Cape Codder Resort, 1225 Iyannough Road, Hyannis
International Inn, 662 Main Street, Hyannis
Resort & Conference Center, 35 Scudder Avenue, Hyannis
Courtyard by Marriott, 707 Iyannough Road, Hyannis
The Greenhouse Restaurant, 1127 Iyannough Road, Hyannis
Doubletree Bistro, 287 Iyannough Road, Hyannis

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Package Store All Alcohol renewals as submitted below:

Package Store All Alcohol:

Hyannis Package Store, 775 Main Street, Hyannis
Osterville Package Store, 11 Wianno Avenue, Osterville
Parker's Discount Liquors, 1166 Iyannough Road, Hyannis
Cotuit Liquors, 3858 Falmouth Road, Marstons Mills
Luke's Super Liquors, 395 Barnstable Road, Hyannis
Craigville Package Store, 2946 Falmouth Road, Unit 1
Blanchard's Liquors, 167 Corporation Street, Hyannis

Willow Package Store, 700 Yarmouth Road, Hyannis
Cape Cod Package Store, 1495 Falmouth Road, Centerville
Grain & Vine, 101 Iyannough Road, Hyannis
Cotuit Grocery, 747 Main Street, Cotuit
7 G's Liquor Shoppe, 990 Route 6A, West Barnstable
Barnstable Bottle Shoppe, 10 Seaboard Lane, Hyannis
Fancy's Farm Market, 699 Main Street, Osterville

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Package Store Wine & Malt renewals as submitted below:

Package Store Beer & Wine:

Willow Tree Market, 15 Charles Street, Hyannis
GOL Supermarket, 55 Iyannough Road, Hyannis
Mini Food Mart, 252 Main Street, Hyannis
Lambert's Rainbow Fruit, 1000 West Main Street, Centerville
Hess Express, 50 Ocean Street, Hyannis
Old Village Store, 2455 Meetinghouse Way, West Barnstable
Sea Street Market, 231 Sea Street, Hyannis
Big Daddy's Pizza, 4120 Falmouth Road, Cotuit
Barnstable Market, 3220 Main Street, Barnstable

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Annual Daily Live Entertainment renewals as submitted below:

Entertainment - Daily Live:

British Beer Company, 412 Main Street, Hyannis
Cape Codder Resort, 1225 Iyannough Road, Hyannis
Barnstable Comedy Club, 3171 Main Street, Barnstable
Fazio's Trattoria, 294 Main Street, Hyannis
International Inn, 662 Main Street, Hyannis
Oyster Harbors Club, 170 Grand Island Drive, Osterville
UNO Chicago Grill, 574 Iyannough Road, Hyannis
Courtyard by Marriott, 707 Iyannough Road, Hyannis
Pufferbellies, 183R Iyannough Road, Hyannis
Harry's at the Depot, 477 Yarmouth Road, Hyannis
West Barnstable Deer Club, 1800 Old Stage Road, West Barnstable
Alberto's Ristorante, 360 Main Street, Hyannis
Cotuit Center for the Arts, 4404 Falmouth Road, Cotuit
Hyannis Yacht Club, 490 Ocean Street, Hyannis
The Island Merchant, 302 Main Street, Hyannis
Oceans/Hyannis Angler's Club, 235 Ocean Street, Hyannis

Barnstable Restaurant & Tavern, 3176 Main Street, Barnstable
Rendez Vous Cafe, 394 Main Street, Hyannis
Hyannis Golf Club, 1800 Iyannough Road, Hyannis
Sam Diego's, 950 Iyannough Road, Hyannis
Prova Brazil Steakhouse, 415 Main Street, Hyannis
Cape Cod Inn/Duck Inn Pub, 447 Main Street, Hyannis
Five Eighty Six Bistro, 586 Main Street, Hyannis
Puff the Magic, 649 Main Street, Hyannis
Ying's Sushi Bar & Lounge, 59 Center Street, Hyannis
Doubletree Bistro, 287 Iyannough Road, Hyannis
Embargo, 453 Main Street, Hyannis
Hyannis Elks, 852 Bearse's Way, Hyannis
Brazilian Grill, 676-78 Main Street, Hyannis
Philbrick's, 1460 Rte 149, Marstons Mills
Beechtree Cantina, 599 Main Street, Hyannis
Schooner's, 372 Main Street, Hyannis

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Annual Daily Non-Live Entertainment renewals as submitted below:

Entertainment - Daily Non-Live:

British Beer Company, 412 Main Street, Hyannis
Cape Codder Resort, 1225 Iyannough Road, Hyannis
Seaside Pub on Main, 615 Main Street, Hyannis
Fazio's Trattoria, 294 Main Street, Hyannis
Resort & Conference Center, 35 Scudder Avenue, Hyannis
UNO Chicago Grill, 574 Iyannough Road, Hyannis
Courtyard by Marriott, 707 Iyannough Road, Hyannis
Bobby Byrne's Hyannis Pub, 489 Bearse's Way, Hyannis
Pufferbellies, 183R Iyannough Road, Hyannis
Harry's at the Depot, 477 Yarmouth Road, Hyannis
Alberto's Ristorante, 360 Main Street, Hyannis
Jack's Lounge, 373 West Main Street, Hyannis
Ryan Family Amusement, 441 Main Street, Hyannis
Quarterdeck Lounge, 247 Iyannough Road, Hyannis
Oceans/Hyannis Angler's Club, 235 Ocean Street, Hyannis
Barnstable Restaurant & Tavern, 3176 Main Street, Barnstable
Rendez Vous Cafe, 394 Main Street, Hyannis
The 19th Hole, 11 Barnstable Road, Hyannis
Hyannis Golf Club, 1800 Iyannough Road, Hyannis
Not Your Average Joe's, CC Mall, Hyannis
Craigville Pizza & Mexican, 618 Craigville Beach Road, Centerville
Osterville Veteran's Assn., 753 Main Street, Osterville
Prova Brazil Steakhouse, 415 Main Street, Hyannis

Cape Cod Inn/Duck Inn Pub, 447 Main Street, Hyannis
Puff the Magic, 649 Main Street, Hyannis
Hyannis Elks, 852 Bearse's Way, Hyannis
Beechtree Cantina, 599 Main Street, Hyannis
Schooner's, 372 Main Street, Hyannis

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Annual Karaoke renewals as submitted below:

Karaoke:

Seaside Pub on Main, 615 Main Street, Hyannis
International Inn, 662 Main Street, Hyannis
UNO Chicago Grill, 574 Iyannough Road, Hyannis
Harry's at the Depot, 477 Yarmouth Road, Hyannis
Ying's Sushi Bar & Lounge, 59 Center Street, Hyannis
British Beer Company, 412 Main Street, Hyannis

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Annual Pool Table renewals as submitted below:

Pool Table(s):

Quarterdeck Lounge, 247 Iyannough Road, Hyannis
The 19th Hole, 11 Barnstable Road, Hyannis
Osterville Veteran's Assn., 753 Main Street, Osterville
Hyannis Elks, 852 Bearse's Way, Hyannis

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Annual Automatic Amusement/Video Games renewals as submitted below:

Video Games:

Cape Codder Resort, 1225 Iyannough Road, Hyannis
Seaside Pub on Main, 615 Main Street, Hyannis
Resort & Conference Center, 35 Scudder Avenue, Hyannis
Bobby Byrne's Hyannis Pub, 489 Bearse's Way, Hyannis
Harry's at the Depot, 477 Yarmouth Road, Hyannis
Jack's Lounge, 373 West Main Street, Hyannis
Ryan Family Amusement, 441 Main Street, Hyannis
Quarterdeck Lounge, 247 Iyannough Road, Hyannis
Oceans/Hyannis Angler's Club, 235 Ocean Street, Hyannis
The 19th Hole, 11 Barnstable Road, Hyannis

Craigville Pizza & Mexican, 618 Craigville Beach Road, Centerville
Osterville Veteran's Assn., 753 Main Street, Osterville
Cape Cod Inn/Duck Inn Pub, 447 Main Street, Hyannis
Hyannis Elks, 852 Bearse's Way, Hyannis

A motion was duly made by Mr. Burman and seconded by Mr. Sullivan and a unanimous vote taken to approve the Non-Renewals as documented below:

Non-renewals:

Ardeo on Main, 644 Main Street, Hyannis	closed
Sweet Tomatoes, 791 Main Street, Osterville	closed
Regatta of Cotuit, 4631 Falmouth Road, Cotuit	closed
Thai House, 304-306 Main Street, Hyannis	no show

Mr. Hoxie made a motion that all on problem list be deleted from approval today; just continuing them to the 12/17/12 meeting.

Mr. Burman read into record the list of renewals which have not yet obtained the DOR Certificates of Good Standing with no aspersions against them, on hold for administrative reasons to 12/17/12:

Alcohol:

Heritage House Hotel, 259 Main Street, Hyannis
King's Grant Racquet Club, 12 Old King's Road, Cotuit
Wianno Club, Parker Rd., Cotuit
Wianno Club, Seaview Avenue
Pavilion Indian Cuisine, 511 Main Street, Hyannis
Hyannisport Club, 2 Irving Avenue, Hyannisport
Bistrot de Soleil, 350 Stevens Street, Hyannis
Dennis F. Thomas Post VFW, 455 Iyannough Road, Hyannis
McGrath's, 380 Barnstable Road, Hyannis
Wequaquet Lake Yacht Club, 150 Anable Point Road, Centerville
Tommy Doyle's, 334 Main Street, Hyannis
Il Maestro, 297 North Street, Hyannis
The Steak House and Sports Bar, 72 North Street, Hyannis
Roadhouse, 488 South Street, Hyannis
Colombo's, 544 Main Street, Hyannis
Black Cat, 165 Ocean Street, Hyannis

Non-Alcohol:

Barnes & Noble, 769 Iyannough Road, Hyannis
Dunkin Donuts, 156 Iyannough Road, Hyannis
Dunkin Donuts, 751 West Main Street, Hyannis
Dunkin Donuts, 1220 Iyannough Road, Hyannis

Dunkin Donuts, 147 North Street, Hyannis
Dunkin Donuts, 3821 Falmouth Road, Marstons Mills
Dunkin Donuts, 627 Main Street, Hyannis
Dunkin Donuts, 1648 Falmouth Road, Centerville
Dunkin Donuts, CC Mall, Hyannis
Dunkin Donuts, 317 Falmouth Road, Hyannis
Dunkin Donuts, 702 Iyannough Road, Hyannis
Katie's Homemade Ice Cream, 568 Main Street, Hyannis
Wendy's, 554 Route 132, Hyannis
Old Village Store, 2455 Meetinghouse Way, West Barnstable
The Mills Restaurant, 149 Cotuit Road, Marstons Mills
Perry's Main Street Deli, 546 Main Street, Hyannis

Mr. Geiler stated this new requirement went into effect in July. We had anticipated some problems on getting this from people – but the majority had no problems obtaining it at no cost on line. There have been problems with chain restaurants with one tax number as well as other issues. The reason we separated these renewals is because under the law the applicants must submit their alcohol renewals in the month of November. This is a law. The ones who do not yet have the required certificate we have had to put on this separate list.

We are pleased at how it went in general, but there were some problems as the DOR was not responding as expected in some cases.

Mr. Hoxie asked if it was a new law in July; Mr. Geiler stated that no, it is an existing law but the DOR sent a notice in the spring that the cities/town adopt this requirement for proof of payment of meals/hotel taxes to make sure they are getting what they need. Barnstable and a number of other communities have adopted this.

Mr. Hoxie stated he has a problem with us doing their work. Mr. Geiler stated a portion of these taxes go to Barnstable General Fund; most of it does go to the State. Several people had conversations with the DOR that people should be able to do this easily on line for no cost. That is the procedure we sent a memo out on late summer. Most of the licensees had no issues. They were able to get that back in 24 hrs. or so.

Mr. Hoxie stated he knows the DOR has full time employees who are supposed to be doing this but they are not, or there are not enough of them.

Mr. Geiler stated there will be a difference in tax receipts this year because of this.

Mr. Hoxie said he can understand the process with the DOR, but possibly some people being closed down for this reason does not seem fair; our local office closing them down because of tax disputes.

Mr. Geiler stated the taxes we are talking about are NOT the corporate taxes; they are the taxes that customers pay for meals/lodging, which are supposed to go to the DOR.

Mr. Hoxie stated the DOR should go after them then, not us at renewal time.

Mr. Geiler stated we should work well with the DOR; there is always a percentage that do not comply; when brought to a hearing they have suddenly seen the light and look for consideration. It is unfair when most have complied and a few have not.

Mr. Burman said he objects for our Board to be used as a collection agency. Mr. Semprini stated that with these problem restaurants it could be that they have just had an administrative problem; not that they are behind in taxes. Mr. Geiler stated there are some just waiting for the actual certificate but some may have problems.

Business Meeting:

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

The meeting was adjourned at 10:30 am.

Respectfully submitted,

Christine P. Ade, Recorder
Town of Barnstable Licensing Authority

Paul Sullivan, Clerk
Town of Barnstable Licensing Authority