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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: May 16, 2011
TIME: 9:30 A.M.
PLACE: 367 Main St., Hyannis (Town Hall Bldg.), 2nd Floor Hearing Room

Hearings:

One Day Wine & Malt License: Application of Kristen Hughes on behalf of Cape Cod Chamber of Commerce, 5 Patti Page Way, Centerville, for a One Day Wine & Malt License for a gathering after the annual Quahog Day celebration at Aselton Park on Tuesday, June 21, 2011 from 3:30 to 5:30 at the Cape Cod Maritime Museum, 35 South Street, Hyannis.

One Day & Sunday Entertainment Licenses: Application of Susan Mendoza Friedman on behalf of Dance Designs, 11 Enterprise Road, Hyannis, for a One Day Entertainment and Sunday Entertainment License for events to be held at Barnstable High School Performing Arts Center, 744 Main Street, Hyannis on June 8, 2011 at 7 pm and June 9, 2011 at 4 pm.

Special Alcoholic License for Farmer's Market: Application of David Neilson on behalf of Coastal Vineyards, 61 Pardon Hill Road, South Dartmouth, for a Special Alcohol License for Agricultural Events to be held at Osterville Farmer's Market, outdoors at Osterville Historic Museum, 155 West Bay Road, Osterville every Friday from 9 am to 1 pm beginning June 3, 2011 and ending September 30, 2011 at which they will sell wine and offer wine tastings.

One Day All Alcohol License, Two Daily Entertainment and a Sunday Entertainment License: Application of Janet Preston on behalf of Cape Cod Maritime Museum, 135 South Street, Hyannis, for a One Day All Alcohol License (June 10th only), Two One Day Entertainment Licenses and a Sunday Entertainment License for its 3rd annual Pirates Ball on June 10, 2011 from 7 pm to 11 pm in a tent outside the museum, a fundraiser, at which they will have alcohol service and a band with dancing, a silent auction and raffle; the 9th Annual Cape Cod Maritime Festival June 11, 2011 from 10 am to 4 pm and June 12, 2011 from 10 am to 4 pm at the Museum and Aselton Park, at which there will be various bands, exhibits, family activities, and food vendors.

One Day All Alcohol, One day Beer & Wine and Sunday Entertainment Licenses: Application of Gail Nightingale on behalf of Osterville Village Library, 43 Wianno Avenue, Osterville for a One Day All Alcohol License for June 24, 2011 for its annual Auction Preview

Party, and a One Day Beer & Wine License and an Entertainment license for Sunday, June 26, 2011 for its annual clambake with 1 man steel drum. Both are fundraising events for the library.

New Annual All Alcohol Common Victualler License, Daily Live, Non-Live, & Sunday Entertainment Licenses: Application of Oceans Harbor, LLC, d/b/a Oceans 10, 235 Ocean Street, Hyannis, MA, John Greene, Manager, for a New Annual All Alcohol Common Victualler License for premises consisting of a 3348 sq. ft. two story bldg., 1st floor with one bar in the middle with a food prep station & storage closet behind the bar, shelving & utility sink. Two bathrooms to left of the bar. To right of bar is a small galley kitchen. 18 stools surrounding bar. One table with 6 seats facing the bar in the corner. Two counters with bar stools for 16. Two well-lit exits/entrances. Total seats 40. Also requesting a Daily Live, Non-Live (jukebox & CD's) and Sunday Entertainment Licenses. Maximum of 3 entertainers. Entertainment amplified. Hours of entertainment requested 6 pm to 12:30 am Mon-Fri and 10 am – 12:30 am Sat and Sun.

New Annual Common Victualler License: Application of The Broken Cone Limited Partnership, d/b/a The Broken Cone, 569 Main Street, Unit 1, Hyannis, MA, Randy Gold, Manager, for a New Annual Common Victualler License, hours of operation to be 11 am to 11 pm, with a maximum of 9 seats indoors and 20 outdoors.

Extension of Hours: A request has been submitted by Hyannis Property, LLC, d/b/a British Beer Company, 412 Main Street, Hyannis, Michael J. Otto, Manager, for Sunday alcohol service to begin at 11:00 a.m.

Class I Auto Dealer License – Change of Location: Application of Cape Hy, Inc., d/b/a Balise Hyundai of Cape Cod, currently holding a Class I Auto Dealer License at 268 Stevens Street, Hyannis, relocating to 518 & 556 Yarmouth Road, Hyannis, James E. Balise, Jr., Manager, with a total of 62 vehicles at #518 and 405 vehicles at #556; total vehicles for both lots being 467.

New Seasonal Common Victualler License: Application of Vito C. Marotta and Mark L. Lawrence, d/b/a Porky's Barbeque and Grill II, Sandy Neck Beach, West Barnstable, Vito C. Marotta, Manager, for a New Seasonal Common Victualler License, hours of operation to be 8 am to 9 pm, with seating at 5 picnic tables, a maximum of 40 seats, in a common area at the beach.

New Junk Dealer License: Application of Richard Paige, d/b/a Atomic Dimestore, 255 Main Street, Hyannis, MA, Richard Paige, Manager, for a new Junk Dealer License, hours of operation to be noon to 8 pm.

Appeal of Licensing Authority revocation: Appeal of Julie Fagin, d/b/a Goldfinger, 64 Enterprise Road, Hyannis, MA, Julie Fagin, Manager, of Licensing Authority decision for violation of the Town Code Chapter 502, Sections 4B (2 counts): (1) Not filling out a purchase report form in all relevant aspects at the time of purchase and (2) Not requiring the seller to sign his name to the purchase report form, 4C: Not photographing items taken in from a seller at the time of purchase, 4D: Not providing a copy of ALL transactions recorded, 6B: conducting business outside the property as designated on the Junk Dealer License, 8A: Not having a copy of purchase report on the premises as

required, 8C: Not holding regulated property for 21 days as required and 8D: Not storing the regulated property on the licensed premises as required, to revoke its annual Junk Dealer License.

Renewals:

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

Junk Dealers:

Kay Jewelers #695, Cape Cod Mall, Hyannis
Cotuit Mercantile, 45 Main Street, Cotuit
Play It Again Sports, 25 Iyannough Road, Hyannis

Business Meeting:

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

Executive Session: Executive Session to discuss appeals filed by R&Y Enterprises, Inc., d/b/a Ying's Sushi Bar & Lounge, 59 Center Street, Hyannis, Tanida Suriyawong, Manager with the Superior Court of Barnstable and the ABCC.

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.