

TOWN CLERK  
BARNSTABLE, MASS.

2011 JUL -7 AM 10:44

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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:** July 18, 2011

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

#### Hearings:

**One Day Entertainment License:** Application of Kevin Pidgeon for The Hyannis Sound, a 10 person a capella singing group for a One Day Entertainment License for its annual Alumni/Reunion Show held at the Barnstable High School auditorium, 744 West Main Street, Hyannis, on August 6, 2011 at 8:00 pm.

**Sunday Entertainment License:** Application of Heather Donnelly for the MSPCA, 1577 Falmouth Road, Hyannis for a Sunday Entertainment License for its annual Walk for Animals fundraiser with music, contests and awards with PIXY 103, to be held at Aselton Park, South Street, Hyannis on September 11 from 11 am to 2 pm, 2011 from 9:00 am to 8:00 pm.

**Two One Day Wine & Malt Licenses and Two One Day Entertainment Licenses:** The Barnstable Licensing Authority will hold a public hearing on the application of Tony Zombas on behalf of St. George Greek Orthodox Church for its 2<sup>nd</sup> annual Surf & Turf event to be held on Friday, August 19, 2011 from 3 pm to 11 pm and Saturday, August 20, 2011 from 11:30 am to 11 pm. They are requesting a two One Day Entertainment licenses for a band (3 pcs.), a 2 piece jazz combo and a pianist, playing from 4 pm to 11 pm each day.

**New Annual Common Victualler License:** Application of Ambro Management Corp., d/b/a Tasty Wok, 793 Iyannough Road, Hyannis, Ji Chen, Manager, for a New Common Victualler License, the hours of operation to be Mall hours.

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**Change of Manager:** Application of SL Uno Hyannis, Inc., d/b/a Uno Chicago Grill, 574 Iyannough Road, Hyannis, for a Change of Manager on its annual All Alcohol Common Victualler License from Josh Sylvester to Michael Rosa.

**New Common Victualler All Alcohol, Daily Non-Live and Sunday Entertainment Licenses:** Application of 401013 Ontario, Ltd., d/b/a da Grazia, 297 North Street, Bldg. 2, Hyannis, MA for a New All Alcohol Common Victualler License, Michael Carlevale, Manager, hours of operation to be 11:30 am to 11:30 pm M-F, Sat 4 pm to 12 am, Sun 4 pm to 10 pm, and a Daily Non-Live Entertainment License (recorded background music below conversation level and a t.v.) and Sunday Non-Live Entertainment, during hours of operation. Seating 146 indoors, 25 outdoors.

**New Common Victualler License, Non-Live Entertainment, Automatic Amusement and Sunday Entertainment Licenses:** Application of JJ Roast Beef, Inc., d/b/a JJ's Roast Beef, 770 Main Street, Osterville, MA, Jason Sanders, Manager, for a New Common Victualler License with 16 seats, hours of operation to be 10 am to 8 pm, and Daily Non-Live, Automatic Amusement (2 video games) and Sunday Entertainment Licenses.

**Amendment to Class I Auto Dealer License:** Application of R&J Nissan, Inc., d/b/a Balise Nissan of Cape Cod, to amend its Class I Auto Dealer License approved on 6/20/11 to change the street number to 322 instead of 332 Falmouth Road, and to add Lot 516 and 528 Bearse's Way to the license description.

**Amendment to Common Victualler License:** Application of SLM Enterprises, Inc., d/b/a Box Lunch, 357 Main Street, Hyannis, Holly Gagner, Manager, to add to the existing common Victualler license outside dining at 5 tables, a maximum of 15 seats, on its own property, not the Town sidewalk.

**Show Cause Hearing:** Show Cause Hearing to determine whether the annual All Alcohol Common Victualler License of Outback Steakhouse, 1070 Iyannough Road, Hyannis, MA, Thomas Ward, Manager should be modified, suspended or revoked as a result of a report made to the Licensing Authority by Deputy Chief Frank Pulsifer, Barnstable Fire Department, that Outback Steakhouse in Hyannis has failed for the past two years to file its annual fire alarm certification report with the Barnstable Fire Department. Proper paperwork has been filed according to Frank Pulsifer and Outback is in compliance. **This hearing is withdrawn from the hearing agenda as being satisfied.**

**Show Cause Hearing:** Show Cause Hearing to determine whether the annual All Alcohol Common Victualler License of GMRI, Inc., d/b/a Olive Garden, 1095 Iyannough Road, Hyannis, MA, Tracy Kempaner, Manager should be modified, suspended or revoked for failure to respond to the Barnstable Licensing Authority to clarify the status of its disapproved application dated 5/25/10 for New Officers/Directors. Tax clearance was submitted on 7/7/11 and a new Form 43 for Reconsideration was submitted with the documentation to the ABCC. **This item is being withdrawn from the hearing agenda.**

**Business Meeting:**

Nomination and election of Licensing Authority officers.

Release of Executive Session Minutes, if any (1). Vote to release these Executive Session Minutes – the topic of discussion was the Ying's matter which has been resolved.

...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, WITH PROPER POSTING.**

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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.





**Town of Barnstable**  
**Regulatory Services Department**

Thomas F. Geiler, Director

**Licensing Authority**

200 Main Street

Hyannis, MA 02601

[www.town.barnstable.ma.us](http://www.town.barnstable.ma.us)

TOWN CLERK  
BARNSTABLE, MASS.

2011 JUL 12 PM 12:23

Office: (508) 862-4674

Fax: (508) 778-2412

**MEMORANDUM**

TO: Licensing Authority  
FROM: Richard V. Scali  
SUBJECT: Late filed applications – please add to Agenda for 7/18/11  
LOCATION: 367 MAIN STREET, HYANNIS, HEARING ROOM @ 9:30 A.M.  
DATE: 7/12/2011

Agenda Items addition:

**One Day All Alcohol License:** Application of Olive Chase, The Casual Gourmet, on behalf of The Hyannis Area Chamber of Commerce, Hyannis, MA 02601, to be held at TD Bank, 226 Falmouth Road, Hyannis, MA 02601 for a One Day All Alcoholic License for Hyannis Area Chamber Business After Hours meeting on Wednesday, July 20, 2011 from 5:30 p.m. to 7:30 p.m.

**One Day & Sunday Entertainment License:** Application of Calvary Baptist Church, 25 Lincoln Road, Hyannis, MA 02601, for four one day entertainment licenses for a carnival on July 28, 29, and 30<sup>th</sup>, 2011 from 6:00 p.m. to 10:00 p.m. and on Sunday, July 31, 2011 from 1:00 p.m. to 6:00 p.m., rides to be provided by Cushing Amusements, 196 Wildwood Street, Wilmington, MA .

**One Day Beer & Wine License:** Application of Lee McGraw on behalf of the JFK Hyannis Museum Foundation, 397 Main Street, Hyannis, MA 02601, for a fundraiser for the museum on July 22, 2011, from 5:30 to 7:30 p.m.