



# **Town of Barnstable**

## **Regulatory Services**

Thomas F. Geiler, Director

### **Licensing Authority**

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### **BARNSTABLE LICENSING AUTHORITY SPECIAL LICENSING HEARING MINUTES**

**Town Hall Building, 367 Main Street, 2<sup>nd</sup> Floor Hearing Room, Hyannis, MA – 10:00 a.m.**

**January 15, 2008**

A special meeting of the Barnstable Licensing Authority was held on Tuesday, January 15, 2008. Chairman Martin Hoxie called the meeting to order at 10:00 A.M. He introduced Gene Burman, Vice Chairman; 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.

#### **Requests:**

**One Day Wine & Malt Licenses (3):** Request of James Wolf on behalf of Cotuit Center for the Arts, 4404 Falmouth Road, Cotuit, for three one day wine & malt licenses for a Poetry and Chili Fest on 1/19/08 from 6 pm to 10 pm; a Concert on 1/26/08 from 8 pm to 11 pm and an Art Show Opening on 3/8/08 from 4:30 pm to 7:30 pm. Continued from 1/7/08.

Mr. Wolf appeared for these requests. The poetry and chili fest is the 8<sup>th</sup> annual event. The poetry reading and art show are fundraisers. ID's are checked at the door. Beer and wine sold at two of the events but just there for the offering at the art show.

A motion was duly made by Eugene Burman and seconded by Paul Sullivan commending them for bring such wonderful art to the community and a unanimous vote taken to approve the request of James Wolf on behalf of Cotuit Center for the Arts, 4404 Falmouth Road, Cotuit, for three one day wine & malt licenses for a Poetry and Chili Fest on 1/19/08 from 6 pm to 10 pm; a Concert on 1/26/08 from 8 pm to 11 pm and an Art Show Opening on 3/8/08 from 4:30 pm to 7:30 pm.

#### **Hearings:**

**Change of D/B/A:** Request of 4120 Corp., d/b/a Cotuit Pantry, Vincent Holland, Manager, 4120 Falmouth Road, Cotuit holding an Annual Wine & Malt Package Store License for **Change of d/b/a to Big Daddy's Pizza**. Continued from 1/7/08.

Mr. Holland appeared for his application. He stated that he is merely changing the d/b/a – the idea is just to sell more pizza. It is takeout only. He decided to capitalize on the equipment already there. Has changed the sign as well. There has always been a food service operation; no seating. Mr. Burman asked when he anticipated changing the name – Mr. Holland stated he has already changed the name, got a permit from Health and the Building Dept.; he apologized for doing it “after the fact” with our Board.

Mr. Geiler stated the name may give the people the idea that people can sit there and have beer and wine. Also, he wanted to make it very clear that delivery is not authorized and that permission for alcohol delivery has to come directly from the ABCC. He wanted Mr., Holland to know this so that they do not get themselves in a lot of trouble. Mr. Holland stated he was aware of that and would comply if and when it came up, but they have no delivery plans.

A motion was duly made by Eugene Burman and seconded by Paul Sullivan and a unanimous vote taken to approve the request of 4120 Corp., d/b/a Cotuit Pantry, Vincent Holland, Manager, 4120 Falmouth Road, Cotuit holding an Annual Wine & Malt Package Store License for **Change of d/b/a to Big Daddy’s Pizza**.

**New Annual Wine & Malt Package Goods Retail License:** Application of Christy’s of Cape Cod, LLC, d/b/a **Christy’s of Cape Cod**, 50 Ocean Street, Hyannis, MA 02601, Christy Mihos, Manager, for a **New Annual Wine & Malt Package Goods Store License**.

Attorney Pat Butler appeared for this application along with Christy Mihos. He stated that he had met with Tom Perry last week to present case law...and that Mr. Perry indicated this morning to him before<sup>3</sup> the hearing that a change of use special permit would be necessary. Mr. Butler requested a continuance so they could go to the Planning Board to get the Special Permit required.

Tom Perry, Building Commissioner, appeared with respect to this and confirmed that the Planning Board, Special Permit granting authority is where they need to go. Mr. Butler stated he would like to have the hearing continued to the 25<sup>th</sup> of February.

Mr. Hoxie stated we would be keep the hearing open and continue it to the 25<sup>th</sup> of February.

Adjourned at 10:20 a.m.

Respectfully submitted,

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Christine P. Ade, Recorder  
Town of Barnstable Licensing Authority

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Paul Sullivan, Clerk  
Town of Barnstable Licensing Authority