



Town of Barnstable Licensing Authority

367 Main Street, Hyannis, MA 02601

www.town.barnstable.ma.us

Telephone: 508-862-4674 Fax: 508-778-2412



Meeting Minutes

Minutes sent to the Town Clerk
at 10:20AM on 3/31/2023 for
the Public Record

The regularly scheduled Barnstable Licensing Authority Public Meeting was called to order at approximately 9:30a.m. on **Monday, February 6, 2023** and was held at Barnstable Town Hall, 2nd Floor Hearing Room, 367 Main Street, Hyannis.

Members Present: Chair, Martin Hoxie, Clerk, Larry Decker; Nancy Karlson-Lidman, John Flores, and Max Mitrokostas.

Members Absent: Vice Chair, David Nunheimer

Staff Present: Asset Management Director, David Anthony; Consumer Affairs Officer, Chris Kelsey; Licensing Assistant, Erin Logan

Public Comment - *There was no public comment made.*

NEW LICENSES

1. New Annual Common Victualler

Adventure Cafe, Inc., d/b/a, **Galaxy Pizza**, 225 Iyannough Road, Hyannis for a new Annual Common Victualler License, Ophia Smith - Manager. Daily Hours of Operation are Monday through Thursday 6AM to 10:30PM and Friday through Sunday 6AM to 12:45AM; 36 interior seats.

Application represented Jorge & Ophia will be the manager and the purpose is to have a pizza place with coffee in the morning. Provide work for persons. Larry confirmed that the applicant will be operating under Adventure Café. There was no public comment for this application.

MOTION: *To move the Licensing Authority approve this application as submitted.*

Motion by: *Larry Decker* **Seconded by:** *Nancy Karlson-Lidman*

Vote: *Aye – 5 | Nay – 0 | Abstain - 0*

2. Annual Club All Alcohol – Change of Manager

Application made by Hyannis Yacht Club d/b/a **Hyannis Yacht Club**, 490 Ocean Street, Hyannis for a Change of Manager from Robert Signoriello to Emily A. Mezzetti.

Applicant represented by Emily Mezzetti. Ms. Mezzetti has been acting as manager since Mr. Signoriello left.

MOTION: *To move the Licensing Authority approve this application as submitted.*

Motion by: *Larry Decker* **Seconded by:** *Nancy Karlson-Lidman*

Vote: *Aye – 5 | Nay – 0 | Abstain - 0*

3. Annual All Alcohol Common Victualler – Change of Directors & Officers

Application made by Interstate Theatre Corporation d/b/a **Regal Cape Cod Mall Stadium 12**, 793 Iyannough Road, Hyannis to remove Vincent Fusco and add Tal Soudry as President, Chief Financial Officer, Treasurer, and Director.

Logan noted that the applicant's attorney is located in Florida and will not be present.

MOTION: To move the Licensing Authority approve this application as submitted.

Motion by: Larry Decker Secoded by: Nancy Karlson-Lidman

Vote: Aye – 5 | Nay – 0 | Abstain - 0

4. Annual All Alcohol Common Victualler – Transfer

Application made by Fire & Sirens, LLC dba **The Kettle Ho**, 12 School Street, Cotuit to transfer the Annual All Alcohol Common Victualler license and Daily Non-Live Entertainment from Clartin, Inc. dba The Kettle Ho to **Fire & Sirens, LLC dba The Kettle Ho**, 12 School Street, Cotuit. Hours of operation to remain Monday through Sunday 11AM to 12AM. The proposed manager is Peter Emerson. Noting the following premise description:

ONE STORY WOOD STRUCTURE APPROXIMATELY 2,000 sq. ft. CONTAINING DINING AREA, CAFE AREA, COUNTER/BAR WITH SEATING FOR 18, KITCHEN, RESTROOMS, OFFICE AND BASEMENT FOR STORAGE. TWO ENTRANCES/EXITS ON SCHOOL STREET. SERVICE ENTRANCE TO KITCHEN IN REAR. MAXIMUM SEATING - 50 INCLUDING COUNTER/BAR STOOLS.

Applicant represented by Peter Emerson. Hoxie confirmed Peter is currently the manager and managing for the last few years. He started as a bar tender and has worked there since 2015. Emerson is purchasing the business with no changes to the operations at this time.

MOTION: To move the Licensing Authority approve this application as submitted.

Motion by: Larry Decker Secoded by: Nancy Karlson-Lidman

Vote: Aye – 5 | Nay – 0 | Abstain - 0

5. Pledge of License - All Alcohol Package Store

Application made by Osterville Market Partners dba **Fancy's Market**, 699 Main Street, Osterville, for a Pledge of License to M&T Bank, One M&T Plaza, Buffalo, NY 14203, for a period of 60 months beginning December 3, 2022 ending November 3, 2027.

Applicant represented by Paul Delory. Pledge of the all alcohol license. M&T Made a commercial loan and a requirement of the collateral. Decker asked about the duration of the loan. December to December 2027.

MOTION: To move the Licensing Authority approve this application as submitted.

Motion by: Larry Decker Secoded by: Nancy Karlson-Lidman

Vote: Aye – 5 | Nay – 0 | Abstain - 0

6. Amend Common Victualler, Daily Live and Daily Non-Live Entertainment

Application made by Great Awakening Coffee House Inc. dba **Great Awakening Coffee House**, 20 Independence Drive, Unit B, Hyannis, to

- (1) Amend the hours of operation and Daily Non-Live hours from Monday through Saturday 7AM to 9PM and Sundays 1PM to 9PM **to** Monday through Sunday, 6AM to 10PM.

- (2) Amend the Daily Live Entertainment license from 4 to 6 performers, and amend the hours of Live Entertainment from Fridays and Saturdays 5PM to 9PM ~~to~~ Monday through Sunday, 6AM to 10PM

Applicant Ina Taylor is present. Decker questioned the hours of operation. Nancy asked if there is enough area for 6 performers. Decker questioned if 6 performers was allowed. Kelsey noted that historically the # of entertainers does vary. Approval can be dictated by the facility; noting that 6 is not unheard of and location should be taken into consideration. Mitrokostas asked if the neighboring businesses have complained. Ms. Taylor noted that they have become good friend with neighbors and have had no complaints. Hoxie is in favor of 6 performers.

MOTION: To move the Licensing Authority approve this application as amended noting that Live Entertainment may start at 10AM.

Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman

Vote: Aye – 5 | Nay – 0 | Abstain - 0

7. Amend Common Victualler All Alcohol, Daily Live and Daily Non-Live Entertainment

Application made by Sunny Boy, Inc. dba **Kookoos**, 372 Main Street, Hyannis to make the following amendments:

1. Change the DBA on the All Alcohol Common Victualler, Daily Live Entertainment and Daily Non-Live Entertainment from Downtown Bistro to **Kookoos**
2. Change of Corporate Structure and ownership interest from Corporation to Partnership
3. Change the License Class from Annual to Seasonal
4. Alteration of Premise to remove one table and extend the bar seating. New premise description as follows:

372 Main St., Hyannis wood frame building with entrances on Main Street and North Street. Interior space approximately 2450 sq. feet. Total Seating is 145. Interior seating of 81, dining room - 62 and bar -19. Outdoor seating is 64, front – 28 and rear – 36.

Applicant represented by Tim Gaudette. They want to move to seasonal open for lunch and dinner. Decker asked if the corporation is being desolved; Gaudette advised it was just a DBA change. They will have a similar menu and increase capacity by 4 seats.

MOTION: To move the Licensing Authority approve this application as submitted.

Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman

Vote: Aye – 5 | Nay – 0 | Abstain - 0

8. Transfer All Alcohol Inn Holder, Daily Live and Daily Non-Live Entertainment Licenses

Application made by Hyannis LSOF Operation LLC. dba **Cape Codder Resort**, 1225 Iyannough Road, Hyannis to transfer the Annual All Alcohol Inn Holder, Daily Live, and Daily Non-Live Entertainment licenses from Hearth'n Kettle of Hyannis Inc. dba Cape Codder Resort to Hyannis LSOF Operation LLC. dba **Cape Codder Resort**, 1225 Iyannough Road, Hyannis. Proposed manager of record is Rachel Thayer. Daily Live Entertainment includes live amplified music with dancing; Daily Non Live Entertainment includes 42 video games. Premise description to read as follows:

Concrete block with brick and wood veneer building with one exit/entrance of Route 132 and one entrance/exit on Bearse's Way. 261 unit hotel containing 9 meeting rooms, lobby, one lounge, two restaurants, deck, outdoor pool, courtyard, indoor pool and waterpark with café,

spa, fitness center and arcade. Basement has 5 meeting rooms; seating capacity totaling 634 as well as assorted office space. First floor seating capacity totaling 1,046 ; two restaurants (seating 82 & 279), one lounge seating 94, lobby, 5 meeting rooms with seating capacity totaling 591. Also an outdoor pool seating 80, waterpark and café seating 258, courtyard, fitness center, guest rooms and arcade.

Applicant represented by Tyler Hensler, Attorney. Hensler advised the applicant is seeking alcohol and entertainment licenses. Also a pledge of the license. Cape Codder is the DBA. No immediate operation changes at this time. Lindcrust Hotel Group are the principals and will operate this with a management agreement. Rachel Thayer has been the General Manager of other major hotel groups. Pledge of the license will be Harbor One.

MOTION: To move the Licensing Authority approve this application as submitted.

Motion by: Larry Decker Seconded by: Nancy Karlson-Lidman

Vote: Aye – 5 | Nay – 0 | Abstain - 0

CONSENT AGENDA

SPECIAL ONE DAY LICENSE RENEWALS

1. **Special One Day – Entertainment Only** – Application made by Barnstable High School, c/o Paul Lococo 744 West Main Street, Hyannis, to hold the “**11th Annual Benefit Concert**” a live, amplified, performing arts event on February 18, 2023 from 7:30pm to 10:30pm. This a renewal with no changes from 2022.
2. **Special One Day – Beer, Wine & Entertainment** - Tour De Barnstable, DEVO Cycling Cape Cod, to hold “**Tour De Barnstable**” a non-profit charity bike ride through the villages of Barnstable on June 4, 2023 from 9am to 2pm with the participants ending at the Cape Cod Maritime Museum, 135 South Street, Hyannis. Beer & Wine to be poured by Cape Cod Beer. Entertainment will be amplified recorded music. This is a renewal with the addition of wine.

NOTICE OF TEMPORARY CLOSURES

1. **The West End** – Notice of temporary closure – closing for cleaning and interior maintenance from January 30, 2023 to March 7, 2023.
2. **Wimpy’s** – Notice of temporary closure – January 16, 2023 through February 7, 2023 for general maintenance
3. **Tap City** – Notice of temporary closure – January 30, 2023 through February 9, 2023 for general maintenance

2023 RENEWALS

DBA	License
Cape Cod Carz, 153 & 158 Corporation Road & 740 Bearses Way, Hyannis	<ul style="list-style-type: none"> ▪ Class II Auto Dealer
Great Awakening Coffee House, 20 Independence Drive, Hyannis	<ul style="list-style-type: none"> ▪ Common Victualler ▪ Daily Live Entertainment ▪ Daily Non-Live Entertainment
Cape Cod Hospital, 27 Park Street, Hyannis	<ul style="list-style-type: none"> ▪ Common Victualler
Saltwinds B&B and Guesthouse, 319 Sea Street, Hyannis	<ul style="list-style-type: none"> ▪ Lodging House
Cape Auto Sales, 58 Willow Street, Hyannis	<ul style="list-style-type: none"> ▪ Class II Auto Dealer
Spoon & Seed, 12 Thornton Dr, Hyannis	<ul style="list-style-type: none"> ▪ Common Victualler

Mayflour Bakery & Café, 185-187 Falmouth Rd, Hyannis	▪ Common Victualler
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APPROVAL OF MINUTES

- 1. December 12, 2022
MOTION: *To move that the Licensing Authority approve the December 12, 2022 minutes.*
Motion by: *Larry Decker* ***Seconded by:*** *Nancy Karlson-Lidman*
Vote: *Aye – 5 | Nay – 0 | Abstain - 0*

- 2. December 28, 2022
MOTION: *To move that the Licensing Authority approve the December 28, 2022 minutes.*
Motion by: *Larry Decker* ***Seconded by:*** *Nancy Karlson-Lidman*
Vote: *Aye – 5 | Nay – 0 | Abstain - 0*

LICENSING UPDATES

Licensing Updates - *David Anthony Director of Asset Management noted that the Town is working on a replacement for Liz Hartsgrove. In the interim, Erin Logan has been promoted while they look for a replacement. If all goes as planned they could have someone on board in February.*

Police Department Updates - *Kelsey advised that there was another incident at Jacks Pizza. The police responded as the Barnstable Police Department was looking for a suspect and the manager at Jacks told the police were told they could not be on the premise. Kelsey will be holding a meeting with the manager to go over the Rules and Regulations.*

Adjourn

MOTION: *To move that the Licensing Authority adjourn the meeting at 10:10 am.*
Motion by: *Larry Decker* ***Seconded by:*** *Nancy Karlson-Lidman*
Vote: *Aye – 5 | Nay – 0 | Abstain - 0*

Respectfully submitted,

Erin Logan
Erin Logan
Town of Barnstable Licensing Assistant

Larry Decker
Larry Decker, Clerk
Town of Barnstable Licensing Authority

LICENSING AUTHORITY APPROVED ON 03 20 23