



Town of Barnstable Licensing Authority

367 Main Street, Hyannis, MA 02601

www.town.barnstable.ma.us

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Sent to Town Clerk on 4/22/23

Meeting Minutes

The regularly scheduled Barnstable Licensing Authority Public Meeting was called to order at approximately 9:30a.m. on **Monday, March 20, 2023** and was held at Barnstable Town Hall, 2nd Floor Hearing Room, 367 Main Street, Hyannis.

Members Present: Vice Chair, David Nunheimer; Clerk, Larry Decker; Nancy Karlson-Lidman, John Flores,

Members Absent: Chair, Martin Hoxie; Max Mitrokostas

Staff Present: Asset Management Director, David Anthony; Licensing Assistant, Erin Logan

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

NEW BUSINESS

1. Special One Day License – Wine Only – Retro Approval

An application was submitted by Marty Bruemmell of the Greater Hyannis Chamber of Commerce for a Special One Day Alcohol License with respects to the **JFK Hyannis Museum and Hyannis Chamber Member Networking** event held on March 9, 2023 from 5:30pm to 7pm at the JFK Museum, 397 Main Street, Hyannis. Service of wine only poured by Cape Cod Package Store.

The applicant was not present.

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

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

Vote: *Aye – 4 | Nay – 0 | Abstain - 0*

2. Special One Day License – All Alcohol & Entertainment – Retro Approval

An application was submitted by Joseph Berlandi of the Barnstable Historical Society for a Special One Day Alcohol and Entertainment License with respects to **Old Times Chowder and Tales** event held on March 10, 2023 from 6pm to 8pm at 3055 Main Street, Barnstable. Service of alcohol was provided Denise Meyer. TIPS Certificate on file.

The applicant was not present.

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

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

Vote: *Aye – 4 | Nay – 0 | Abstain - 0*

3. Special One Day License – Beer & Wine

An application was submitted by Sean Randall of the Sturgis Parent's Association for a Special One Day Beer & Wine License with respects to **2023 SPA Charity Auction** event scheduled for April 1, 2023 from

2pm to 5pm at Sturgis Charter Public School located at 529 Main Street, Hyannis. Beer & Wine will be poured by Michael Jeffrey and Robert Gillis; current TIPS Certificates are on file.

The application was represented by Dan Kelly. Mr. Kelly noted the time of the event is 5pm to 10pm. Nunheimer confirmed that a police detail has been requested. Kelly advised this is a Charity Auction, catered with beer & wine and soft drinks. Decker confirmed with Kelly that while a police detail is not required, the Parent's Association decided to do this on their own.

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

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

Vote: Aye – 4 | Nay – 0 | Abstain - 0

4. Change of Manager

An application was submitted by Cummaquid Golf Club of Yarmouth and Barnstable dba **Cummaquid Golf Club**, 35 Marstons Lane, Barnstable/Cummaquid, to change the manager from Neal J. Renaud to John B. DuFault.

The application was represented by John Dufault. Dufault has been working in the hospitality industry for over 30 years; he is TIPS and Serve Safe certified and he is also certified to teach TIPS training.

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

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

Vote: Aye – 4 | Nay – 0 | Abstain - 0

5. Change of Manager

An application was submitted by Wianno Club dba **Wianno Club**, 107 Seaview Avenue, Osterville, to change the manager from Jennifer Lepage to Mark Krebs.

6. Change of Manager

An application was submitted by Wianno Club dba **Wianno Club**, 379 Parker Road, Osterville, to change the manager from Jennifer Lepage to Mark Krebs

The application was represented by Mark Krebs. Krebs has been the general manager at the Wianno club for two years; he has extensive experience in hospitality.

MOTION: To move the Licensing Authority approve both applications for the Change of Manager at Wianno Club, as submitted.

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

Vote: Aye – 4 | Nay – 0 | Abstain - 0

PUBLIC HEARINGS

1. Transfer Annual All Alcohol Common Victualler, Daily Live & Daily Non-Live Entertainment Licenses

Dubh Linn dba **British Beer Company**, 412 Main Street, Hyannis to transfer the Annual All Alcohol Common Victualler license and Daily Live Entertainment and Daily Non-Live Entertainment from Hyannis Property LLC dba British Beer Company to **Dubh Linn dba British Beer Company**, 412 Main Street, Hyannis. Hours of operation to remain Monday through Saturday 10AM to 1AM, Sunday 11AM-12AM. The proposed manager is Crissie Cuoco. Noting the following premise description:

4400 Sqft on ground floor. Main entrance on Main Street, rear entrance/exit to North Street Parking lot; 2 handicapped restrooms, full service kitchen, bar seating for 15, dining room seating for 158, separate vestibule & waiting area for 12, employees (12), total indoor capacity 217. Outdoor seating on sidewalk with 5 tables and 20 seats. Full cellar for storage & employee restroom. Sidewalk dining valid only with License from the Town Manager.

The application was represented by Attorney Patrick Nickerson. The new owners have property management and personal management experience. Currently Crissie Cuoco has bar management and law enforcement experience. Mr. Simon, the founder of British Beer Company (BBC) is not present. Mr. Simon will be staying on in an advisory capacity for the next year. New owners are seeking to continue BB noting this is an as-is transfer of the licenses. Decker clarified that the LLC should be Dubh Linn LLC. Nunheimer asked if Crissie Cuoco was present. Attorney Nickerson noted that Cuoco . Flores clarified with Nickerson that the new owners have exclusive use of the BBC name; They cannot use that name to open other establishments. David Anthony confirmed with Nickerson that the outdoor seating will not change. Anthony advised that the outdoor dining agreement will need to reflect the new owners.

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

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

Vote: Aye – 4 | Nay – 0 | Abstain - 0

2. New Annual Common Victualler License and New Daily Non-Live Entertainment License

An application has been filed by Armando Nazareth dba ***Cheese Bread Bakery Café***, 70 Center Street, #2, Hyannis for a new Annual Common Victualler License with indoor seating for 30 and a new Daily Non-Live Entertainment License for 1 TV. Daily hours of operation are proposed to be 6AM to 1AM daily.

This application was represented by Armando Nazareth. Nazareth advised he will be making sandwiches and ice cream and Brazilian lunch. He plans to be open from 6am-1am in the summer. Decker confirmed this is a café. He plans to open until 1 until he determines the best hours. Karlson-Lidman confirmed with Armando that he has a background in retail operation on Martha's Vinyard before moving to Cape Cod five years ago.

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

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

Vote: Aye – 4 | Nay – 0 | Abstain - 0

3. New Annual Common Victualler License and New Daily Non-Live Entertainment License

An application has been filed by Gone Acai Hyannis Inc. dba ***Gone Acai***, 561 Main Street, Hyannis for a new Annual Common Victualler License with indoor seating for 34 and outdoor seating for 32; a new Daily Non-Live Entertainment License for 3 TV's. Hours of operation will be daily from 10AM to 8PM.

The application was represented by Camilla Vialante; she was manager at Gone Chocolate in Osterville and is now the business partner and she plans to open 10am to 8pm. Summer hours to be applied for in the future.

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

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

Vote: Aye – 4 | Nay – 0 | Abstain - 0

4. Amend Daily Live Entertainment License

An application has been filed by House of Hatchets dba **House of Hatchets**, 489 Bearnse's Way, Hyannis to amend the Daily Live Entertainment license to include live amplified music, up to 5 performers.

The application is represented by Cliff Harris, owner. Harris plans is to have axe throwing in the current space and music after 8pm. Decker asked about advertising for entertainment also questioned if food is allowed. Harris allows food but does not encourage it. Flores asked for information regarding the safety. Hatchet throwing is rented by the hour. Nunheimer has been there. You cannot be drinking and throwing the hatchet at the same time. Cliff polices the place very well. Nunheimer was impressed how much people were cognizant of the rules. Harris noted that his application stated 11 but he has been closing at 10. 11 is the latest he would like to offer entertainment.

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

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

Vote: Aye – 4 | Nay – 0 | Abstain - 0

5. New Class II Auto Dealer

An application has been filed by 50 Airport LLC dba **50 Airport LLC**, 50 Airport Road, Hyannis for a new Class II Auto Dealer License; 137 display spaces, 4 customer spaces including one handicapped accessible space, 4 employee spaces.

The application was represented by Tallas Lana. Lana is keeping the Rosary Lane location and is seeking a separate license for this new location. Nunheimer confirmed with Tallas that he understands the rules and regulations.

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

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

Vote: Aye – 4 | Nay – 0 | Abstain - 0

6. TRANSFER INN HOLDER ALL ALCOHOL COMMON VICTUALLER INCLUDING TRANSFER OF DAILY LIVE AND DAILY NON LIVE ENTERTAINMENT LICENSES; ALSO CHANGE OF LICENSE TYPE AND ALTERATION OF PREMISES

An application has been filed by 473 Partners Restaurant LLC dba **Hyannis Inn**, 473 Main Street, Hyannis for the following transactions:

- **Transfer** the Inn Holder All Alcohol Common Victualler license including transfer of the Daily Live and Daily Non-Live Entertainment licenses from Dilara Hospitality Inc dba Hyannis Inn to **473 Partners Restaurant LLC dba Hyannis Inn**; proposed manager is Alexander Tamargo. Proposed hours of alcohol service are Monday through Saturday 8AM to 12:45AM and Sundays, 10AM to 12AM. Outdoor seating will be limited to 11PM nightly.
- **Change of license type** from §12 Hotel to §12 Restaurant
- **Alteration of Licensed premise** per the following descriptions

On-Season Premises (June 1st to September 30th): Alcoholic beverages and food will be provided in the restaurant/dining room consisting of 715 sqft, 29 seats, 2 handicapped bathrooms, two entrances/exits and a 400sqft outdoor patio with 20 seats and a separate restaurant/dining room with a bar consisting of 567 sqft, 26 seats including 12 bar seats, storage room, 2 handicapped bathrooms, two entrances/exits with a 484sqft outdoor patio with 22 seats; for a total of 67 indoor and 42 outdoor seats.

Off-Season Premises (October 1st to May 31st): Alcoholic beverages and food will be provided in a restaurant/dining room consisting of 715sqft, 49 seats, 2 handicapped bathrooms, two entrances/exits,

and in a separate restaurant/dining room with a bar, 48 seats including 12 bar seats, storage room, 2 handicapped bathrooms, two entrances/exits

The application was represented by Trish Farnsworth and Alex Tamargo. Farnsworth noted that Tamargo is the proposed manager. The applicant is only moving into the restaurant space, not the Inn. Farnsworth explains that the owners are qualified and know how to run restaurants. They have owners five restaurants; including one on Marthas Vineyard and one in Provincetown. They are currently developing the menu. Tamargo is part owner of 473 Partners LLC. Farnsworth noted they hope to open Memorial Day weekend.

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

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

Vote: Aye – 4 | Nay – 0 | Abstain - 0

DISCUSSION

- **J&J Auto**, 381 Camp Street, Hyannis – discussion regarding possible violations of the Class II Auto Dealers license relating to overcapacity, operating outside of the boundaries of the licensed premise, and no posted hours of operation. The Authority will determine if a Show Cause Hearing is required.

Erin Logan provided the board with a background with regards to violations found on the property. The applicant was notified by both Town of Yarmouth and the Town of Barnstable that there were compliance issues. Logan noted that Officer Kelsey followed up last week with a check of the property and found they were still well over the allowable vehicle count. Karlson-Lidman expressed her support for a Show Cause Hearing.

MOTION: To move the Licensing Authority call for a Show Cause Hearing for this

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

Vote: Aye – 4 | Nay – 0 | Abstain - 0

CONSENT AGENDA

1. Special One Day License – Entertainment Only – renewal applicaton

An application was submitted by Rockwell Amusements for a Special One Day Entertainment License with respects to ***Cape Cod Mall Spring Carnival*** event scheduled June 8th & 9th from 3pm to 10pm, June 10th from 1pm to 10pm and June 11th from 1pm to 8pm at the Cape Cod Mall parking lot, 180 Falmouth Road, Hyannis. Entertainment to include amplified recorded music and 15 amusement rides.

2. Special One Day License – Entertainment Only – renewal application

An application was submitted by Stephen Hayes of the Hyannis Rotary Club for a Special One Day Entertainment License with respects to ***Home, Garden, and Lifestyle Show*** scheduled for March 25th 2023 from 10am to 5pm and March 26, 2023 from 10am to 4pm at the Barnstable Performing Arts Center located at 744 West Main Street, Hyannis. Entertainment to include Live performing arts (dancing) and amplified music.

2023 SEASONAL RENEWALS FOR CONSENT AGENDA APPROVAL

Doing Business As	License Type
Trader Ed's, 11 Willow St, Hyannis	All Alcohol Common Victualler
Chart Room at Crosby's, 330A West Bay Rd,	All Alcohol Common Victualler

Osterville	Daily Non-Live Entertainment
Fresh Ketch , 460 Main St, Hyannis	All Alcohol Common Victualler Daily Live & Daily Non-Live Entertainment
Spanky's Clam Shack , 138 Ocean St, Hyannis	All Alcohol Common Victualler
The Black Cat Harbor Shack , 159 Ocean St, Hyannis	All Alcohol Common Victualler
The Raw Bar on Ocean Street , 213 Ocean St, Hyannis	All Alcohol Common Victualler Daily Live & Daily Non-Live Entertainment
Mattakeese Wharf , 271 Millway, BV	All Alcohol Common Victualler Daily Live Entertainment
Baxter's Boathouse , 177 Pleasant St, Hyannis	Club All Alcohol Daily Live & Daily Non-Live Entertainment
Cape Cod Melody Tent , 41 W Main St, Hyannis	Wine & Malt Common Victualler Daily Live Entertainment
Cotuit Highground Golf Club , 31 Crockers Neck Rd, Cotuit	Club All Alcohol Common Victualler
The Beach Club , 27 Long Beach Rd, Centerville	Club All Alcohol Common Victualler
Ben & Jerry's , 352 Main St, Hyannis	Common Victualler
CBA Snack Bar , 915 Craigville Beach Rd, CtvI	Common Victualler
Gracie Fitness , 92 Barnstable Rd, Hyannis	Common Victualler
Steve & Sue's Par Tee Freeze , 455 West Main St, Hyannis	Common Victualler Mini Golf
Kilwins of Hyannis , 368 Main St, Hyannis	Common Vitualler
Best Buy , 793 Iyannough Rd, Hyannis	Junk Dealer
Game Stop #4225 , 793 Iyannough Rd, Hyannis	Junk Dealer
JCM Metals , 142 Corporation St, Hyannis	Junk Dealer
Sweet Pea's Nest , 4083 Main St, Barnstable	Junk Dealer

MOTION: To move that the Licensing Authority approve the December 28, 2022 minutes.

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

Vote: Aye – 4 | Nay – 0 | Abstain - 0

APPROVAL OF MINUTES

MOTION: To move that the Licensing Authority approve the February 6, 2023 minutes.

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

Vote: Aye – 4 | Nay – 0 | Abstain - 0

LICENSING UPDATES

1. Licensing Authority & Division Updates: Asset Management Director, David Anthony, advised that during a recent cold snap, several pipes burst at the Hyannis Golf Club. At this time the building is vacant and the tenant, Gimmy's Tavern, is not able to operate until portions of the structure have been rebuilt. Anthony surmised that September 2023 may be the earliest the building will be ready to resume operations.

Adjourn ***MOTION: To move that the Licensing Authority adjourn the meeting at 10:29 am.***

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

Vote: Aye – 4 | 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

MINUTES APPROVED AT THE APRIL 10, 2023 MEETING