



Town of Barnstable Licensing Authority

367 Main Street, Hyannis, MA 02601

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Meeting Minutes

TOWN CLERK CLOCKED
ON JULY 1, 2022

The regularly scheduled Barnstable Licensing Authority Public Meeting was called to order at approximately 9:30a.m. on **Monday, May 23, 2022** and was held at Barnstable Town Hall, 367 Main Street, James H. Crocker Jr. Hearing Room, Hyannis.

Members Present: Clerk, Larry Decker; Nancy Karlson-Lidman; John Flores (Associate)

Members Absent: Chair, Martin Hoxie; Vice Chair, David Nunheimer; David Hirsch

Staff Present: Licensing Director, Liz Hartsgrove; Consumer Affairs Officer, Chris Kelsey; Licensing Assistant, Erin Logan

With Chair Hoxie absent, Clerk, Larry Decker was the Acting Chair for the purposes of this meeting.

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

NEW APPLICATIONS

1. **Special One Day License – Entertainment Only**

Application made by The Hyannis Sound / The Boys of Summer, Inc., a 10 member a cappella singing group to hold the **“Hyannis Sound Alumni Show”** at the Hyannis Village Green and Bandstand on August 6, 2022 from 6PM – 8PM

Application represented by Max Pinson, Business Manager. Decker confirmed with Pinson that the event will be held at the Hyannis Village Green.

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

Motion by: *Nancy Karlson-Lidman* **Seconded by:** *John Flores* **Vote:** *Yea – 3 | Nay- 0*

2. **Special One Day License – Beer and Wine**

Application made by the Centerville Library, to hold the **“Library Mini Golf Fundraiser”** event at the Centerville Library, 585 Main Street, Centerville, on July 8, 2022 from 5PM to 7PM. Beer and Wine will be poured by Cape Cod Package Store and Cape Cod Beer.

Application represented by Andrea Wood, Trustee. At Decker’s request, Ms. Wood clarified that Beer will be served by Cape Cod Beer and the Wine will be served by Cape Cod Package Store.

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

Motion by: *Nancy Karlson-Lidman* **Seconded by:** *John Flores* **Vote:** *Yea – 3 | Nay- 0*

PUBLIC HEARINGS

1. Common Victualer All Alcohol – Change of Manager

Application made by Interstate Theatre Corporation d/b/a **Regal Cape Cod Mall Stadium 12**, 793 Iyannough Road, Hyannis for a Change of Manager from Jeffrey Ortiz to James Lamere.

With no representative present a motion was made to continue to this application to the June 13, 2022 public hearing.

MOTION: To move the Licensing Authority continue this application to the June 13, 2022 meeting.

Motion by: Nancy Karlson-Lidman Seconded by: John Flores Vote: Yea – 3 | Nay- 0

2. Common Victualer All Alcohol –Change in Entertainment Hours

Application made by Mass. Military Support Foundation d/b/a **Gimmy’s Tavern**, 1800 Iyannough Road, Barnstable. The applicant proposes to amend the Daily Live license from 3 performers to 6 performers.

Application represented by Don Cox. Decker confirmed with Cox that at this time they Gimmy’s is serving breakfast and lunch but they hope to open for dinner once there is ample staff to do so. It was confirmed the change in manager application will be reviewed at the June 13, 2022 meeting and at this time they propose to increase the number of performers on the Daily Live License from 3 to 6 performers.

MOTION: To move the Licensing Authority approve the Daily Live Entertainment changes.

Motion by: Nancy Karlson-Lidman Seconded by: John Flores Vote: Yea – 3 | Nay- 0

3. General On Premise All Alcohol – Change of Premise Description

Application made by Cotuit Center for the Arts, Inc. d/b/a **Cotuit Center for the Arts**, 40 Savinelli Road, 4404 Falmouth Road, and 4418 Falmouth Road, Cotuit, change premise description to read: **A total of 3 abutting parcels: 40 Savinelli Rd, 4418 Falmouth Rd, 4404 Falmouth Rd. Auditorium: 2 story (total 13,964 sqft) building with 225 seats, full basement, restrooms & elevator with 8 entrance/exits. Annex: 2 story (total 1792 sqft) building with 49 max occupancy, two entry/exits & 2 bathrooms, basement, & enclosed deck of 176 sq. ft. Outdoor Space: 16,995sqft lawn space with 4500sqft outdoor stage & 175 seats/190 Occupancy.**

Application represented by David Kuehn, Executive Director. Mr. Kuehn proposed to move the outdoors stage to a new location. The bar would operate prior to events and during intermission. Decker confirmed with Kuehn that the square footage was staying the same.

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

Motion by: Nancy Karlson-Lidman Seconded by: John Flores Vote: Yea – 3 | Nay- 0

4. Common Victualer – Alteration of Premises

Application made by Kami Perry & Fabio Lima d/b/a **Perry-Lima Café**, 573 Main Street, Hyannis, Fabio Lima, mgr, to expand their premises into 575 Main Street, Hyannis. Total interior and exterior seating capacity to be amended from “maximum of 23 seats; 7 interior seats and 16 outdoor patio seats” to “51 interior seats and 36 exterior seats for a total of 87 seats”.

Application represented by Fabio Lima and Kami Perry. Mr. Lima is the chef and owner and Ms. Perry is the manager. Lima proposes to expand into an abutting vacant store front. Director Hartsgrove noted that the total number of proposed seats does not exceed that of the previous occupant. Decker advised that the board received a letter of concern from Ms. Laura Cronin. Ms. Cronin is concerned about changes to the rear parking lot; specifically with parking, deliveries, and increase in traffic. Lima advised that patrons are expected to park on Main Street confirming that parking in the rear is not for patrons. Director Hartsgrove mentioned that the parking was part of the Site Plan Review application further adding that the property is not town owned. Hartsgrove also advised that there is no live entertainment at this location and that there have been no complaints on record.

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

Motion by: Nancy Karlson-Lidman Seconded by: John Flores Vote: Yea – 3 | Nay- 0

5. TRANSFER INCLUDING CHANGE OF STOCKHOLDERS OF ANNUAL ALL ALCOHOL COMMON VICTUALLER, DAILY LIVE ENTERTAINMENT, DAILY NON-LIVE ENTERTAINMENT AND AUTO AMUSEMENT LICENSES

Application made by Ryan Family Amusements, Inc. to transfer the All Alcohol Common Victualler license from 769 Iyannough, Inc. dba TenPin Eatery to ***Ryan Family Amusements, Inc. dba TenPin Eatery***, 793 Iyannough Road, Hyannis. The transfer includes a change of stockholders as well as transfer of the Entertainment licenses: Daily Live Entertainment - maximum of 5 performers and 5 pieces. Daily Non-Live Entertainment - 24 TV's and recorded music below conversation level. Auto Amusements – 50 video games. Premise Description – The total square footage of the premises is 25,128 sq ft. Alcohol is dispensed from the bar (1,254 sq ft) for service and consumption in the restaurant (1,662 sq ft), community seating (1,925 sq ft), VIP flex suite (818 sq ft), game room (3,978 sq ft), lobby (661 sq ft), and golf simulator (300 sq ft). There is no service or alcohol allowed in the Laser Tag room, briefing room, restrooms and areas not open to the public.

Application represented by Peter Campbell, Manager Partner. Campbell advised that the stockholder have changed; some retired. Director Hartsgrove noted that the Alcoholic Beverages Control Commission advised that a transfer application was required.

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

Motion by: Nancy Karlson-Lidman Seconded by: John Flores Vote: Yea – 3 | Nay- 0

CONSENT AGENDA

SEASONAL RENEWALS

DBA	License
Daily Paper, 546 Main Street, Hyannis	<ul style="list-style-type: none"> ▪ COVID Outdoor Dining Agreement – Common Victualler, no alcohol
The Buttercup Café	<ul style="list-style-type: none"> ▪ COVID Outdoor Dining Agreement – Common Victualler, no alcohol
CBA Snack Bar	<ul style="list-style-type: none"> ▪ Common Victualler

SPECIAL ONE DAY LICENSE– RENEWALS

- 1. Love Live Local 539 South Street, Hyannis, proposes the following renewal events:**

- a. **Special One Day – Beer, Wine & Entertainment:** Love Local Fest to be held on July 31, and September 25, 2022 at Aselton Park, Hyannis from 11AM – 5PM. The West End will be pouring Beer & Wine. Entertainment to include live performers/bands.
- b. **Special One Day – Beer & Wine:** Holiday Fest to be held on December 3, 2022 from 11AM – 4PM at the Hyannis Village Green. The West End will be pouring Beer & Wine. There is no entertainment proposed for this event.

2. Special One Day Beer, Wine & Entertainment Renewal:

Rotary Club of Osterville aka Osterville Rotary Foundation Inc. proposes to hold the “**Osterville Rotary 26th Annual Bluefish and Striped Bass Fishing Tournament**” on July 16, 2022 from 4AM to 8PM. Entertainment will consist of amplified and recorded/DJ music. Rebecca Richardson will be pouring the Beer & Wine; current TIPS certificate is on file.

3. Change Event Date for Previously Approved Special One Day – All Alcohol

The “**Cigar & Whiskey**” event at Cape Cod Gateway Airport, 480 Barnstable Road, Hyannis, previously scheduled and approved to be held on May 18, 2022 has been rescheduled to June 23, 2022. There are no other changes to this previously approved application.

MOTION: To move the Licensing Authority approve the Consent Agenda as presented.

Motion by: Nancy Karlson-Lidman **Seconded by:** John Flores **Vote:** Yea – 3 | Nay- 0

DISCUSSION – UPCOMING LICENSING COMPLIANCE ITEMS

1. **Four Seasons, 350 Stevens St Hyannis** - Officer Kelsey advised that there are some questions regarding who is running this business. Flores confirmed with Kelsey that there is new management operating without licenses.
 2. **Cape Cod Used Auto, 155 Rosary Lane, Hyannis** – Officer Kelsey advised that he has been in conversations with the owners since August of 2021. Kelsey added that while the owner is cooperative, he feels they have outgrown their location and are operating outside of the boundaries of what is allowed. Flores confirmed with Kelsey that the number of vehicles on site is the biggest issue. Kelsey issued on citation thus far. Karlson-Lidman confirmed with Kelsey that there is no capacity for additional vehicles.
 3. **19th Hole, 11 Barnstable Rd, Hyannis** - Kelsey advised that one of the partners passed away a few years back and a change of manager application has yet to be submitted.
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APPROVAL OF MINUTES

MOTION: To move the Licensing Authority approve the May 9, 2022 minutes.

Motion by: Nancy Karlson-Lidman **Seconded by:** John Flores **Vote:** Yea – 3 | Nay- 0

LICENSING UPDATES

1. Licensing Authority – Director Hartsgrove advised the June & July Licensing Authority meetings will be held remote. Also worth noting, Ronny’s Pizza received ABCC approval a few months ago, we they will be on the June agenda. The Auto Compliance meeting was postponed. The plan is to go remote for both the Auto Compliance and Liquor Compliance meeting.
2. Licensing Department – No updates at this time.

3. Police Department – Officer Kelsey advised there has been an increase of “roofieing”. Kelsey clarified that roofies are also know as Rohypnol or the “date rape drug”. The Barnstable Police Department is aware of these incidents and is investigating accordingly.

Adjourn

MOTION: To move that the Licensing Authority adjourn the meeting at 9:56am.

Motion by: Nancy Karlson-Lidman Seconded by: John Flores Vote: Yea – 3 | Nay- 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 these minutes at the June 13, 2022 meeting.