



Town of Barnstable Licensing Authority

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10 JUN '21 PM 1:50
BARNSTABLE TOWN CLERK

Meeting Minutes

The regularly scheduled Barnstable Licensing Authority Public Meeting held remotely on **Monday April 12, 2021** and was called to order at 9:30am by Chairman Hoxie with a roll call vote.

Members Present by Remote: Chairman Martin Hoxie, Larry Decker; David Nunheimer; Nancy Karlson-Lidman (Associate); David Hirsch (Associate); John Flores (Associate).

Staff Present by Remote: Licensing Director Liz Hartsgrove; Licensing Assistant Lindsay Parvin.

Minutes

1. March 22, 2021

MOTION: To move the Licensing Authority approve accept the minutes of March 22, 2021 as printed.

Motion by: David Nunheimer **Seconded by:** Larry Decker **Roll Call:** Yea 6 Nay 0

Consent Agenda – Renewals

Seasonal All Alcohol Common Victualler

1. 326-039, **Black Cat Harbor Shack**, 159 Ocean Street, Hyannis

Seasonal Non-Alcohol Common Victualler

1. 226-005, **The Barnacle**, 988 Craigville Beach Road, Centerville
2. 226-005, **The Barnacle Too**, 974 Craigville Beach Road, Centerville

2021 Temporary Outdoor Expansion

1. 308-074, **Colombo's Café**, 554 Main Street, Hyannis
2. 327-262, **Little Miss Cupcake**, 388 Main Street, Hyannis
3. 327-262, **Pizza Barbone**, 390 Main Street, Hyannis
4. 327-004, **Albertos**, 360 Main Street, Hyannis
5. 311-020, **Pain D'Avignon**, 15 Hinckley Road, Hyannis
6. 309-221, **Naked Oyster**, 410 Main Street, Hyannis
7. 308-068, **Tap City Grill**, 586 Main Street, Hyannis
8. 326-050, **Baxter's Fish N' Chips**, 177 Pleasant Street, Hyannis

Junk Dealer/ Second Hand Goods

1. 293-024, **GameStop**, 793 Iyannough Road, Hyannis
2. 293-024, **Hannoush Jewelers**, 793 Iyannough Road, Hyannis
3. 118-013-A03, **Silva Jewelers**, 1112 Main Street, Osterville
4. 293-002 **JCM Metals**, 142 Corporation Street, Hyannis

Mini Golf

1. 269-225 **Par-Tee Freeze Inc.**, 455 West Main Street, Hyannis

Live and Non-Live Entertainment

1. 308-269 **Sturgis Public Charter School**, 529 Main Street, Hyannis

2. 292-077 *House of Hatchets*, 489 Bearses Way, Hyannis

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

Motion by: David Nunheimer **Seconded by:** Larry Decker **Roll Call:** Yea 6 Nay 0

Public Hearings

1. New Annual Common Victualler and Non-Live Entertainment

Application of Francisco Padilla, d/b/a *F & L Pizza and Cafe*, 700 Yarmouth Road, Hyannis, Francisco Padilla, Manager, for a new Annual Common Victualler license and Non-Live Entertainment license. Hours of operation will be: Monday-Thursday, 10:00AM to 9:00PM, Friday-Saturday, 10:00AM-10:00PM, Sunday, 12:00PM-8:00PM. Seating is for 7 interior seats. Non-Live Entertainment is for recorded music and 2 TV's. Non-Live entertainment hours are Monday-Friday, 10:00AM-9:00PM, Saturday, 10:00AM-10:00 PM, Sunday, 12:00PM-8:00pm.

Attorney, Mark Boudreau and Francisco Padilla, Owner/Manager, appeared on behalf of the application. Attorney Boudreau noted that the applicant has since registered the business as F & L Pizza and Café LLC and seeks to amend the application to reflect said change. Attorney Boudreau noted that the proposal has been presented to the Site Plan Review Committee and has received preliminary approval by all applicable departments. DJ's Wing's was previously located at the proposed business location.

Paul Logan, Cotuit resident and Disability Commission member, noted that the plaza does not contain an adequate number of handicap spaces as required by Massachusetts General Law. Attorney Boudreau will speak to the property owners about the installation of adequate handicap signage and asked that the license be granted on a provisional basis until such matter is addressed. Director Hartsgrove stated that she will follow up with the Building Commissioner and update Attorney Boudreau and Mr. Logan on the her findings.

MOTION: To move the Licensing Authority approve F & L Pizza and Café Inc. for an Annual Common Victualler License and Non-Live Entertainment License with the condition that handicap parking spaces and signage, as required by Massachusetts General Law, be installed within 30 days.

Motion by: David Nunheimer **Seconded by:** Larry Decker **Roll Call:** Yea 6 Nay 0

2. New Lodging House

Application of Kicklighter Freedom Trust, d/b/a *Kicklighter Freedom Trust*, 80 Yarmouth Road, Hyannis, Ronald Bourgeois, Manager for a new Lodging House License for 8 rooms/10 lodgers as approved by the Building Commissioner, February 26, 2021

Ronald Bourgeois, Bass River Properties and Kevin Kicklighter, Kicklighter Freedom Trust, appeared on behalf of the application. Mr. Bourgeois stated that he has owned and operated the property as a Lodging House for 9 years. He intends to transfer ownership to Mr. Kicklighter, but will continue to manage the property.

MOTION: To move the Licensing Authority approve the Lodging House License to Kicklighter Freedom Trust.

Motion by: David Nunheimer **Seconded by:** Larry Decker **Roll Call:** Yea 6 Nay 0

3. New Class I Auto Dealer

Application of Danvers-TIV Inc., d/b/a *Ira Toyota of Hyannis*, Danielle Belair, Mgr., for a new Class I Auto Dealer License operating at the following locations:

- 1020 Iyannough Road, Hyannis (6 Handicap Spaces, 225 Display/Employee/Customer Spaces)
- 1040 Iyannough Road, Hyannis (3 Handicap Spaces, 73 Display/Employee/Customer Spaces)
- 1056 Iyannough Road, Hyannis (1 handicap, 46 Display/Employee/Customer)
- 756 Bearses Way, Hyannis (80 STORAGE ONLY vehicles)

Danielle Belair, Controller and John Villio, Regional Market Controller appeared on behalf the application. Ms. Belair stated that Dennis Lopes will serve as Manager of the location. The parcels located on Pine Needle Lane, as listed on the current Class I License, were not included as part the sale.

MOTION: To move the Licensing Authority approve the Class I Auto License for Danvers-TIV Inc.
Motion by: David Nunheimer **Seconded by:** Larry Decker **Roll Call:** Yea 6 Nay 0

4. Change Of Classification To Amend From Seasonal To Annual, Change in D/B/A and Alteration Of Premise on All-Alcohol-Beer & Wine Common Victualler

Application of The Whole Fish, LLC, d/b/a Cooke's Seafood, 1120 Iyannough Road, Hyannis for a change of classification amending the All-Alcohol Beer & Wine Common Victualler License from seasonal to an annual; change in d/b/a to **The Knack**; and an alteration of premises, revised description as follows:

One story wood framed building with front entrance on Route 132, rear access for deliveries and a rear entrance door. Building is approximately 4,400 sq. ft. with seating for 80 in dining area. Six restrooms (4 on main floor, 2 employee restrooms in the basement), kitchen, storage and a small office account for the balance of space. Outside dining area of 52'x15' with seating for 32.

Attorney Andrew Singer and Whole Fish LLC owners, Mike and Dan Haidais appeared on behalf of the application.

Paul Logan, Cotuit resident and Disability Commission member asked if the parking lot was going to be re-stripped. Mr. Haidais stated that they do intend on re-stripping the lot. Mr. Logan suggested that the handicap parking signage be lowered and noted that the existing handicap ramp is 4ft rather than the required length of 5ft. Mr. Logan stated that (3) handicap spaces must be provided with an access aisle of 5 ft. Space for a handicap accessible van must be available with an access aisle of 8ft. Mr. Haidais stated that they have yet to finalize the parking configurations and ensures the site will meet ADA requirements.

MOTION: To move the Licensing Authority approve the Whole Fish LLC application as presented.
Motion by: David Nunheimer **Seconded by:** Larry Decker **Roll Call:** Yea 6 Nay 0

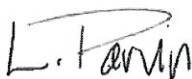
Licensing Division Updates

1. Licensing Authority
Mr. Decker found the Staff Report prepared by Director Hartsgrove to be extremely helpful.
2. Licensing Department
Director Hartsgrove noted that the next Licensing Authority hearing is to take place on April 26, 2021. Five public hearing items are scheduled.

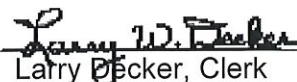
Adjourn

MOTION: To move that the Licensing Authority adjourn the meeting at 10:05am
Motion by: David Nunheimer **Seconded by:** Larry Decker **Roll Call:** Yea 6 Nay 0

Respectfully submitted,



L. Parvin, Recorder
Town of Barnstable Licensing Assistant



Larry Decker, Clerk
Town of Barnstable Licensing Authority