

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, May 1, 2018, at the Weymouth Town Hall, Chambers located at 75 Middle Street, Weymouth, MA

Attendance (present): Acting Chairman Daniel McCormack, Director of Public Health; Jeffrey E. Richards, Director of Municipal Licenses & Inspections, Clerk; Police Chief Richard Grimes; Fire Chief Keith Stark; Deputy Chief Justin Myers and Licensing Officer Edward Chase (absent): Chairperson Kathleen A. Deree, Town Clerk

Acting Chairperson McCormack called the meeting to order at 2:03 PM.

APPROVALS

- Minutes: March 27, 2018

Mr. Richards made a MOTION to approve the minutes of March 27, 2018. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Wine & Malt Permit: Ryan Packer – Classic Car & Motorcycle Show

Mr. Richards made a MOTION to approve a One-Day Wine & Malt Permit for Ryan Packer for an event to be held on August 25, 2018 from 10 AM – 6 PM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Liquor Permit: Weymouth-Braintree Lodge of Elks

Mr. Richards made a MOTION to approve a One-Day Liquor Permit for the Weymouth-Braintree Lodge of Elks on May 19, 2018 from 11 AM to 3 PM for a Touch-A-Truck event. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Entertainment Permit: Napoli Pizza

Mr. Richards made a MOTION to approve a One-Day Entertainment Permit for Napoli Pizza, 81-97 Washington Street on June 16 & 23, 2018. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Wine & Malt Permit: Food Truck Rodeo – Union Point

Attorney John Walker and Mrs. Casey Mahoney presented the applications, stating the Duxbury Gridiron Club would be holding the events of the Food Truck Rodeo and The Hangout at Memorial Grove, Weymouth.

Mr. McCormack stated the Health Department would be working with them to make sure the food service is properly permitted.

Mr. Richards made a MOTION to approve the following dates for the Food Truck Rodeo: 5/25 & 5/26; 6/22 & 6/23; 7/20 & 7/21; 8/24 & 8/25 and 9/28 & 9/29. Chief Stark seconded the motion and

it was UNANIMOUSLY VOTED.

Mr. Richards made a MOTION to approve the following dates for The Hangout: 5/25, 26 & 27; 6/22, 23, 24 and 7/20, 21 & 22 from 12 PM – 11 PM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

Mr. Richards made a MOTION to approve the following dates for Sunday Entertainment at The Hangout: 5/27; 6/3, 10, 17 & 24 and 7/1, 8, 15, 22, 29 and 8/5, 12, 19, 26 and 9/2, 9, 16, 23, 30 and 10/7, 14, 21, 28. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Liquor Permit: Weymouth Club

Mr. Richards made a MOTION to approve a One-Day Liquor Permit application with the amended date as June 9, 2018 from 5 PM – 12 AM for a fundraiser. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

PURSUANT TO M.G.L. CHAPTER 138 HEARING TO CONSIDER MODIFICATION, SUSPENSION, REVOCATION OR CANCELLATION OF THE ALL ALCOHOLIC RESTAURANT LICENSE OF **WI LLC D/B/A MCSWIGGAN'S** AT 450 WASHINGTON ST.

Mr. Richards stated the Board has a copy of the complaint and a request for a continuation of the hearing.

Mr. Richards made a MOTION to continue the hearing until their next meeting. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF **TRI M. VO D/B/A SALON DE BEAUTY** FOR A BODY ART ESTABLISHMENT LICENSE AT 624 MIDDLE ST.

Mr. Richards stated their hours of operation will be 9 AM – 8 PM Monday through Friday; Saturday: 9 AM – 7 PM and Sunday: 9 AM – 5 PM for cosmetic tattooing. The Board has a copy of the application and lease agreement. The application went before the Board of Health requirements and the Town's Zoning bylaw and tattooing bylaws and was found to be in compliance.

Attorney John Walker, 775 Pleasant Street was present with Mr. Tri Vo. He's been in business for 20 years in the town of Weymouth primarily in the salon business offering facials, hair, massage and spa. The proposed application is for cosmetic tattooing for those that have lost their facial hair to put on eyebrows and things of that nature. Mr. Vo had extensive meetings with the Health Department and Mr. Richards on how to build out the space to make it comfortable for how they want to make the access to the customers. They are here today to respond to any questions that they may have.

Mr. Richards stated it is body art. He announced the public hearing for comment; none.

Mr. McCormack stated they met on several occasions and finally made it work to meet all of the Town regulations. It is not a tattoo parlor and is only for cosmetic tattooing of eyebrows and parts of the face. They won't expand that part of the business. If the license was granted today. The establishment and practitioner would be required to obtain permits through the Health Department.

Mr. Richards stated the Building Department will require a Building Permit and a Certificate of Occupancy.

Mr. Richards made a MOTION to approve a Body Art Establishment license for 624 Middle Street. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF HONG THI VO D/B/A SALON DE BEAUTY FOR A BODY ART PRACTITIONER LICENSE AT 624 MIDDLE ST.

Attorney Walker introduced Mrs. Hong Thi Vo and stated she is educated and received necessary certifications in CPR and thing required under the general rules. She is hoping to shorten her work commute to not have to go to Amesbury anymore to practice her profession. She believes this service is very necessary.

Mr. Richards stated the Board received a letter from Senator Patrick O'Connor. Mr. Richards summarized the letter, "I have found that cosmetic tattooing has played a significant role in assisting those undergoing chemotherapy as it affects their appearance in today's society. Thank you for the attention to the matter."

Mr. Richards made a MOTION to approve a Body Art Practitioner License for 624 Middle Street. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

DISCUSSION REGARDING THE CODE OF ORDINANCES SECTION 5-306: DELINQUENCY OF TAXES

- NEXT PAGE CAFÉ, 550 BROAD ST.
- GABRIELLA'S, 1690 MAIN ST.
- OLYMPIC PIZZA, 15 UNION ST.
- 7-ELEVEN, 585 NORTH ST.
- 7-ELEVEN, 1453 COMMERCIAL ST.

Mr. Richards made a MOTION that all have paid balances and satisfied the requirements of Section 5-306. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF EMMANUEL DUBOIS D/B/A CECE'S PIZZA AND CATERING FOR ALTERATIONS TO THE LICENSED PREMISES OF WINE & MALT RESTAURANT LICENSE AT 4 UNION ST.

Mr. Richards read the departmental referrals in to the record. Licensing Officer Chase reported no public safety objection to an alteration of the Wine & Malt Restaurant License for 52 seats at the

above location provided that all requirements of the Board are met by the applicant and all inspections are successfully completed. On the Building Department aspect it would require a Building Permit and Occupancy Permit. The application is to go from 20 seats to 60 seats. The Board has a copy of the proposed floor plan and lease. All of the abutters have been notified.

Mr. Richards asked Mr. Emmanuel DuBois, owner, what his plans are.

Mr. DuBois replied to get bigger by taking down a wall and expanding the restaurant.

Mr. Richards stated the Building Code is affected for the type of work proposed. The new section is required to be constructed under the 9th Edition of the Building code. It's a little more restrictive than the existing code.

Deputy Chief Justin Myers stated they would be required to go before the Fire Department for plan review. A survey of the location and code review would be required by a registered architect.

Mr. Richards announced the public hearing for comment.

A representative of the abutting travel agency came forward stating it would affect him directly by displacing his business of 22 years. He doesn't want to move because this is where he's been representing his business, family and employees. There are plenty of pizza places in Weymouth as well as places to move to to expand.

Mr. Richards asked Mr. DuBois if he had talked to the landlord about the travel agency.

Mr. DuBois replied, yes, he had talked about moving the travel agency two doors down within the building and giving him a larger space.

Mr. Richards said you may not be aware of the cost involved with the project where it is to be done through the 9th Edition of the Building code. He suggested that he review that before he actually takes the wall down. By code it would be going from a retail establishment to a restaurant and it requires certain items to be done in accordance to the new code.

Mr. Richards made a MOTION to continue the hearing until the next meeting. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF R.K. MARKETING, INC. FOR A CHANGE OF D/B/A ON THEIR ALL ALCOHOLIC PACKAGE STORE LICENSE TO RK CONVENIENCE & LIQUORS AT 141 BROAD ST.

APPLICATION OF R.K. MARKETING INC. D/B/A RK CONVENIENCE & LIQUORS FOR ALTERATIONS TO THE LICENSED PREMISES OF 141 BROAD ST.

Attorney Gregory Galvin and Mr. Ratankumar Lillaney, owner, were present. There are currently two businesses operating at 141 Broad Street, which will be combined to one, under the name of

RK Convenience & Liquors. They will propose to expand the liquor store by cutting off one of those front entrances. There will be one entrance and an exit out back. The cash register counter will be raised for full vision of the entire store.

Mr. Richards said there were two cash registers with separated businesses. Now they will get a broader spectrum of the entire establishment and will be able to see all their customers from one location.

Mr. Richards announced the public hearing for comment; none.

Deputy Myers stated it would have to follow the building process. This submittal was very general. In the future it should come in with a departmental review.

Chief Grimes said he think it would make the business a little bit more manageable with the change. They will also have a better oversight of what's going on at the establishment.

Mr. McCormack said from the Health aspect that plan is very generic. They will need to depict the mop sink/hand wash sink and preparation sinks would be. Also, any changes proposed should be depicted.

Mr. Richards said it will be the same use code wise.

Mr. McCormack said they would like the opportunity to review the plans prior to Licensing.

Mr. Richards asked if they could continue the hearing to the June 19th meeting for further review.

Attorney Galvin replied it would definitely affect plans. He said they would work with Deputy Myers and Mr. McCormack to get what they need.

Mr. Richards made a MOTION to approve the d/b/a change to RK Convenience & Liquor at 141 Broad Street. Chief Stark seconded and the motion was approved.

Mr. Richards made a MOTION to approve alterations to the licensed premises at 141 Broad Street. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF WANG CHUNG DYNASTY, LLC D/B/A JADE CHEF FOR A COMMON VICTUALLER LICENSE AT 585 NORTH ST.

Mr. Richards read the departmental referrals in to the record. Officer Chase reported no public safety objection to a Common Victualler license at the location provided that all requirements have been met by the application and all inspections are carried out. Mr. McCormack reported if license is issued, a permit to operate a food establishment must also be obtained at the Health Department. They must submit plans, application, certificates and fee. The establishment must be inspected prior to the opening.

Deputy Myers asked if there was a cooking line change.

Attorney for Wang Chung Dynasty stated they'd be taking over making slight changes/cleaning.

Mr. Richards stated it is a 1,066 square foot location and they'd be looking for the hours as: Monday through Thursday 11 AM – 10 PM and Friday through Sunday 11 AM – 11 PM.

Mr. Richards made a MOTION to approve the Common Victualler license at 585 North Street. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

CHAIRMAN'S REPORT

- Next Meeting:

Mr. Richards stated the next meeting would be held on Tuesday, June 19, 2018 at 2 PM. He made a MOTION of approval. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

CORRESPONDENCE

- DelGreco Coins Inc., 399 Washington Street – business dissolved

Mr. Richards made a MOTION to accept the correspondence. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

ADJOURNMENT

Mr. Richards made a MOTION to adjourn at 2:40 PM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

Respectfully submitted,

Lisa VanWinkle
Recording Secretary

Approved:

Date:

Jeffrey E. Richards, C.B.O., Clerk, Director of Municipal Licenses & Inspections