

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, December 18, 2018, at the Weymouth Town Hall, Chambers located at 75 Middle Street, Weymouth, MA

Attendance (present): Chairperson Kathleen A. Deree, Town Clerk; Daniel McCormack, Director of Public Health; Jeffrey E. Richards, Director of Municipal Licenses & Inspections, Clerk; Fire Captain Thomas Still; Licensing Officer Edward Chase and Solicitor Joseph Callanan (absent): Police Chief Richard Grimes and Fire Chief Keith Stark

Chairperson Deree called the meeting to order at 2:00 PM.

**APPLICATION OF SANTA FE BURRITO GRILL, LLC D/B/A SANTA FE BURRITO FOR AN ALL ALCOHOLIC RESTAURANT/COMMON VICTUALLER LICENSE AT 415 WASHINGTON ST.**

Mr. Richards stated the tabled item from the September 25, 2018 meeting was going forward today.

Mr. Hector Angel, President of Santa Fe Burrito Grill, LLC, stated he hoped that he could get a liquor license this time. The neighbors had concerns about noise and the restaurant of not being open yet. They've been open for three months and there hasn't been any issues.

Mr. Richards said there were a few other items: the landscaping and the wall.

Mr. Angel said they fixed some of the wall that was damaged. He presented pictures to Mr. Richards. The landscaping will be done in the spring per his conversation with Mr. Robert Luongo.

Mr. McCormack stated the Health Department has no objections during the few months that they've operated. They've been a fine operator since opened.

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

Mr. McCormack made a MOTION to approve the All Alcoholic Restaurant License to Santa Fe Burrito Grill, LLC d/b/a Santa Fe Burrito at 415 Washington Street. Mr. Richards seconded the motion and it was UNANIMOUSLY VOTED.

**APPLICATION OF OCHO CAFÉ OF MA INC. D/B/A OCHO CAFÉ TACOS & TEQUILA FOR AN ALL ALCOHOLIC RESTAURANT LICENSE AT 765 BRIDGE ST.**

Attorney Ryan McDonald was present. He stated they are applying for licenses for Ocho Café of Ma, Inc. d/b/a Ocho Café Tacos & Tequila at 765 Bridge Street, Weymouth. He said Mr. Hector Brambila, is the proposed manager. He is the brother of the owner, Edgar Brambila. They've submitted a complete application to the Board. They complied with all of the statutory notice requirements. They incorporated on 5/15/18 with the Secretary of the State's Office. Edgar Brambila is the sole owner of the corporation. He has been in the industry for 20 years and has interest in three other establishments in the Commonwealth. Licensed premises is approximately 4,800 square feet with the seating capacity of 158 seats. Applicant has entered into a 10 year lease at \$129,000 per year; conditioned upon the approval of the license. Mr. Hector Brambila has been

in the industry since 2011. They plan to open in three months, after the build out of the location. They have a finance lease with Victoria Capital—a line of credit for \$150,000 for the project. He asked that the Licensing Board approve the All Alcoholic Restaurant, Common Victualler, Annual Entertainment and Sunday Entertainment licenses.

Mr. Richards asked where Mr. Hector Brambila resides.

Attorney McDonald stated he currently resides in Fairfield, CT. He plans to move his family here and manage the build out of the location and in three month window plan to operate.

Mr. Richards stated as the manager he has to reside close to the establishment. He noted a three hour window. They would have to have proof of residency (Massachusetts's Driver's License) prior to issuance of the licenses.

Mr. Richards announced the public hearing for comment.

Mr. McCormack asked if the manager was TIP's trained.

Attorney McDonald replied Hector has been in the past. On January 15<sup>th</sup> they are going to have a training for all employees.

Mr. Richards read the departmental referrals into the record. The Tax Office had no issues. The Health Department reported if the license is issued a permit to operate a Food Establishment must have been established with the Board of Health. They would need to apply and pay the appropriate fees. The Building Department would require a Certificate of Occupancy, Inspection and Sign Permit.

Mr. Richards made a MOTION to approve an All Alcoholic Restaurant License to Ocho Café of MA, LLC d/b/a Ocho Café Tacos and Tequila at 765 Bridge Street, with the condition that the TIP's training certificates be supplied prior to the issuance of the license and that the Manager, Hector Brambila, has a valid Massachusetts residency, proof through a valid driver's license prior to operating. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

**APPLICATION OF OCHO CAFÉ OF MA INC. D/B/A OCHO CAFÉ TACOS & TEQUILA FOR A COMMON VICTUALLER LICENSE AT 765 BRIDGE ST.**

Mr. McCormack said that historically the floor drains in the kitchen & bar area have been an issue. He asked that a plumber review it for proper pitch.

Mr. Richards made a MOTION to approve the Common Victualler license. Mr. McCormack seconded and the motion was UNANIMOUSLY VOTED.

**APPLICATION OF OCHO CAFÉ OF MA INC. D/B/A OCHO CAFÉ TACOS & TEQUILA FOR ANNUAL AND SUNDAY ENTERTAINMENT LICENSES AT 765 BRIDGE ST.**

Mr. Brambila conferred that it would be for a trio of musicians during family hours.

Mr. Richards made a MOTION to approve an Annual Entertainment and Sunday Entertainment license. Mr. McCormack seconded and the motion was UNANIMOUSLY VOTED.

**APPLICATION OF WASHINGTON ST WEYMOUTH INC. D/B/A EZ MART FOR A FOOD VENDOR LICENSE AT 1166 WASHINGTON ST.**

Mr. Ayaz Akhtar, owner, was present, stating the location would be subject to a change of management.

Mr. McCormack said he would be subject to paperwork and permits through the Health Department.

Mr. Richards made a MOTION to approve the Food Vendor License to Washington St Weymouth, Inc. d/b/a EZ Mart at 1166 Washington St. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

**APPLICATION OF PLEASANT ST WEYMOUTH INC. D/B/A PLEASANT MARKET FOR A FOOD VENDOR LICENSE AT 1305 PLEASANT ST.**

Mr. Ayaz Akhtar was present for the change of ownership. He stated the place is going to stay the same, not a change in operation.

Mr. McCormack stated the Health Department would need updated paperwork.

Mr. Richards made a MOTION of approval of the Food Vendor license of Pleasant St Weymouth Inc. d/b/a Pleasant Market at 1305 Pleasant Street. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

**APPLICATION OF LEONARDO'S PIZZERIA, INC. D/B/A LEONARDO'S PIZZERIA FOR A FOOD VENDOR LICENSE AT 407A MIDDLE ST.**

Ms. Kristen Kelly, Owner, was present.

Mr. Richards stated the 460 square foot location is next to the Donut Shop at 407A Middle Street. It would be for pizza and subs; take-out only. They have a three year lease.

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

Mr. McCormack asked that they work with the Health, Fire and Building departments to make sure that all of the equipment they install is compliant with regulations.

Mr. Richards made a MOTION to approve the Food Vendor license of Leonardo's Pizzeria, Inc. d/b/a Leonardo's Pizzeria for the location of 407A Middle Street. The hours of operation would be

from 10 AM – 10 PM and Sunday: 11AM – 9 PM. Mr. McCormack seconded the motion was it was UNANIMOUSLY VOTED.

## **CALENDAR YEAR LICENSE RENEWALS**

Mr. Richards stated during the renewal process they going through Municipal Finance to see if anyone is outstanding. There have been a few reported and they will be followed up on to make sure that they are paid to date.

- **All Alcoholic Restaurant**

Mr. Richards read the inspectional report from Officer Edward Chase regarding All Alcoholic Restaurant licenses, which stated an inspection of all holders was carried out and all holders were found to be in compliance with their licenses.

Mr. Richards made a MOTION to approve all the All Alcoholic Restaurant license renewals. Mr. McCormack seconded. UNANIMOUSLY VOTED.

- **All Alcoholic Club**

Mr. Richards read Officer Chase's report stating all All Alcoholic Club licenses were in compliance with their licenses.

Mr. Richards made a MOTION to approve the All Alcoholic Club license renewals. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **All Alcoholic Package Store**

Mr. Richards read Officer Chase's report stating All Alcoholic Package Store licenses were in compliance with their licenses.

Mr. Richards made a MOTION to approve the All Alcoholic Package Store license renewals. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Wine & Malt Restaurant**

Mr. Richards read Officer Chase's report stating Wine & Malt Restaurant licenses were found to be in compliance with their licenses.

Mr. Richards made a MOTION to approve the Wine & Malt Restaurant license renewals. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Farmer Brewery Malt Pouring**

Mr. Richards read Officer Chase's report stating Farmer Brewery Malt Pouring licenses were found

to be in compliance.

Mr. Richards made a MOTION to approve the Farmer Brewery Malt Pouring license renewal. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **General On-Premise Wine & Malt**

Mr. Richards read Officer Chase's report stating General On-Premise Wine & Malt licenses were found to be in compliance.

Mr. Richards made a MOTION to approve the General On-Premise Wine & Malt license renewal. Mr. McCormack seconded. UNANIMOUSLY VOTED.

- **Wine & Malt Package Store**

Mr. Richards read Officer Chase's report stating Wine & Malt Package Store licenses were in compliance.

Mr. Richards made a MOTION to approve the Wine & Malt Package Store license renewals. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Common Victualler**

Mr. Richards read Officer Chase's report, which stated as a result of his inspection all license holders were found to be in compliance with their licenses.

Mr. Richards made a MOTION to approve the Common Victualler license renewals. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Food Vendor**

Mr. Richards read Officer Chase's report stating that all Food Vendor licenses were found to be in compliance.

Mr. Richards made a MOTION to approve Food Vendor license renewals. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Annual Entertainment**

Mr. Richards read Officer Chase's report stating that all Annual Entertainment licenses were found to be in compliance with their licenses.

Mr. Richards made a MOTION to approve Annual Entertainment license renewals. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Sunday Entertainment**

Mr. Richards read Officer Chase's report stating based on a list supplied by the Licensing Board an inspection of all holders of Sunday Entertainment licenses was carried out. As a result of this inspection all license holders were found to be in compliance with their licenses.

Mr. Richards made a MOTION to approve Sunday Entertainment license renewals. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Video Game**

Mr. Richards read Officer Chase's report stating as a result of the inspection all license holders were found to be in compliance with their licenses.

Mr. Richards made a MOTION to approve Video Game license renewals. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Coin-Operated Device**

Mr. Richards read Officer Chase's report stating all Coin-Operated Device licenses were found to be in compliance.

Mr. Richards made a MOTION to approve Coin-Operated Device license renewals. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Pool Table**

Mr. Richards read Officer Chase's report stating Pool Table licenses were inspected and were found to be in compliance.

Mr. Richards made a MOTION to approve Pool Table license renewals. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Juke Box**

Mr. Richards read Officer Chase's report stating all Juke Box licenses were found to be in compliance.

Mr. Richards made a MOTION to approve Juke Box licenses. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Class I Auto Dealer**

Mr. Richards read Officer Chase's report stating as a result of the inspection all license holders were found to be in compliance with their Class I Auto Dealer licenses.

Mr. Richards made a MOTION to approve Class I Auto Dealer license renewals.  
Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Class II Auto Dealer**

Mr. Richards read Officer Chase's report stating as a result of the inspections of all Class II Auto Dealer licenses all were found to be in compliance.

Mr. Richards made a MOTION to approve all Class II Auto Dealer license renewals. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Body Art Establishment**

Mr. Richards read Officer Chase's report stating all holders of a Body Art Establishment were found to be in compliance.

Mr. Richards made a MOTION to approve the Body Art Establishment renewal. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Body Art Practitioner**

Mr. Richards read Officer Chase's report stating all holders of a Body Art Practitioners were found to be in compliance.

Mr. Richards made a MOTION to approve the Body Art Practitioner license renewal. Mr. McCormack seconded. UNANIMOUSLY VOTED

- **Lodging House**

Mr. Richards read Officer Chase's report stating all holders of a Lodging House license were found to be in compliance.

Mr. Richards made a MOTION to approve Lodging House license renewal. Mr. McCormack seconded. UNANIMOUSLY VOTED

## **APPROVALS**

- Minutes: November 27, 2018

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

- Extension of Package Store Hours Request for New Year's Eve: Weymouth Elks #2232, 1197 Washington St.

Mr. Richards stated a request was received from the Weymouth Elks for an extension of hours on New Year's Eve, December 31, 2017. They were requesting an extension to 2 AM.

Mr. Richards made a MOTION to approve the request for an extension of the closing hour until 2 AM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

- Extension of Hours Request for Package Stores on Sunday, December 23, 2018

Mr. Richards stated the request was for package stores and the extension of the closing hour from 6 PM to 9 PM on Sunday, December 23, 2018.

Mr. Richards made a MOTION to allow all package store operators to extend their closing hour until 9 PM on Sunday, December 23, 2018. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

### **CHAIRMAN'S REPORT**

- Next Meeting:

Mr. Richards stated the next meeting would be held on Tuesday, January 29, 2019 at 2 PM. He made a MOTION of approval. Mr. McCormack seconded and the motion was UNANIMOUSLY VOTED.

### **CORRESPONDENCE**

- List of Delinquencies of License Holders

Mr. Richards said the Board is in receipt of a list of delinquencies of license holders. The Town will collect the outstanding monies. Most are current Personal Property taxes.

### **ADJOURNMENT**

Mr. Richards made a MOTION to adjourn at 2:38 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

Respectfully submitted,

Lisa VanWinkle  
Recording Secretary

Approved:

Date:

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