

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, April 23, 2019, 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 Chief Keith Stark; Captain Thomas Still; Police Chief Richard Grimes; Solicitor Joseph Callanan and Licensing Officer Edward Chase

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

APPROVALS

- Minutes: March 26, 2019

Mr. Richards made a MOTION to approve the minutes of March 26, 2019. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- Annual Poppy Drive: George R. Bean American Legion Post Auxiliary Unit #79

Mr. Richards made a MOTION to approve the Annual Poppy Drive on May 23 through May 26. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF WINDY CITY PIZZA WEYMOUTH, LLC D/B/A WINDY CITY PIZZA FOR A COMMON VICTUALLER LICENSE AT 1049 MAIN ST.

Mr. Muzo Bayturk, proprietor, was present.

Mr. Richards stated the space is 1,800 square feet and they are proposing the hours of 11 AM – 11 PM, serving American food and pizza. The Purchase and Sales agreement is in place and Articles of Organization. The dumpster must be enclosed. This is the former D'Angelo's site.

Mr. Richards read the departmental referrals into the record. The Health Department reported they have met and given health information to the applicant. The establishment must be inspected prior to opening. The Building Department requires a Sign Permit and Certificate of Occupancy. Everyone has the site plan, as well as, the floor plan.

Mr. Bayturk stated they have been operating at their Dorchester and Quincy locations.

Mr. Richards informed Mr. Bayturk that 20 residential condo units were building built next to the site.

Mr. Richards announced the public hearing for comment.

Mr. John Dolan, Fern Road, spoke stating they'd be directly affected by the dumpster pick up and employees leaving late night as well as the smell of the food.

Mr. Robert Luongo, Planning Director, came forward, stating he doesn't usually come before the Board to discourage business. Route 18 is under construction. Any type of business with fast food is going to create an issue. He presented a quick survey including a map of the area. There are establishments (Gabriella's, Louie's, Papa Gino's, Main Street Bar & Grill, Ecco Trattoria, Stockholders, Warren's, Olympic Pizza, The Cottage Bar and Cece's) within the close proximity that serve pizza and are takeout facilities. He questioned if we really need this and would it be beneficial. As the Planning Director, he didn't think the public would benefit from it, and if, he was on the Board, he would be opposed to it.

Mr. Bayturk replied that D'Angelo's had been at the location for years. There will be no refrigerator or freezer outside of the building. Employees will be leaving by 11:05 PM. The menu is primarily pizza and wings. He believes everyone offers different types of food.

Mr. Richards made a MOTION to table the hearing until the next meeting so that the applicant can do outreach with the neighbors and the Planning Department. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF GRILLE 117 @ WEATHERVANE GOLF LLC D/B/A TAVERN 117 @ WEATHERVANE FOR AN ALL ALCOHOLIC RESTAURANT LICENSE AT 117 CLUBHOUSE DR.

Mr. Richards stated this location was established as part of a planned unit development and approved by the Board of Appeals with clubhouse activities. The dimensions of the building is 17,000 square feet and the proposed hours of operation are: Monday through Friday 10 AM – 11 PM, Saturday and Sunday 7 AM – 1 AM. The types of food are American cuisine. Tavern style location—clubhouse. It's located in an Industrial Park zone, Planned Urban Development zone. The entertainment application consists of DJ's and musical instruments, functions and comedians.

Attorney Gregory Galvin, 775 Pleasant Street, introduced himself as well as Ms. Leeann Stearns, proposed Manager. He stated the members of the LLC were present. This is a brand new building that is being constructed—the clubhouse. The golf course will serve the public. They are seeking an approval to have an All Alcoholic Restaurant license at the site with the building design to hold 316 people. There's 151 parking spaces, which under the Town of Weymouth zoning bylaws it would allow for 453 people. This restaurant would provide for not only the golfers but for the public as well as wedding and other functions. Ms. Stearns has extensive history in the restaurant industry as well as Mr. William O'Connell. The applicant's proposal would be to have this clubhouse and function facility operating by this summer. The Board of Zoning Appeals case goes back to September of 1998. The applicant had applied for a special permit for not only the golf course and the clubhouse but a planned unit development for the housing that's there. The decision is 10 pages long and within the application the proponents were seeking for a clubhouse with a function room.

Mr. Richards said the golf course today is a public/private course.

Attorney Galvin replied that's correct.

Mr. Luongo stated the Planning Department reviewed the application and it feels that was the intent when it was approved in 1998 to have a restaurant as part of the development.

Mr. Richards announced the public hearing.

Ms. Andrea Gardner, Golden Bear Lane resident, came forward, stating Weathervane was a 55 plus neighborhood and to have a place that is going to be open until 1 AM seems rather inappropriate. She couldn't see how 150 cars would fit in the parking lot. The only access would be down a very narrow road off of which the four impacted streets will be located. Cars are going to park on that road causing an issue if there is an emergency. She suggested that last call be strict for 10 PM and everyone cleared out by 12 midnight. This would impact their life and they didn't think there would be noise of such.

Mr. Richards stated the Town of Weymouth conducted an analysis on the streetscape and the restaurant and the Traffic Engineer determined that the 316 seat restaurant at 117 Clubhouse Drive will not result in a significant traffic impact to the Weymouth streets or that area. His concern was to make sure the fire protection would be established. The Conservation Agent determined an overload parking area adequate to service a wedding or function.

Ms. Gardner asked what is going to stop someone from parking on Clubhouse Drive.

A neighbor spoke asking that signage be posted that parking would not be allowed and that speed bumps be installed.

Mr. Igor Verbitzki, 4 Golden Bear Lane, reiterated that it is a 55 plus older community and he moved there for peace and quiet. With alcohol and golf there will become noise. When inviting the public noise is bound to happen. He questioned who is going to police the area. He said if the license is granted, he asked for the time to be limited.

Ms. Pat Kimball, 5 Ben Hogan Ln., said she is excited that she can walk to the clubhouse. Although, she requested that speed bumps are installed to deter speeding.

Ms. Jean Borrelini, 8 Ben Hogan Landing, said there will be a noise factor that will impact the whole neighborhood. She likes to sleep with the windows open during the warmer months. She doesn't want to hear noise all night. The speed of cars needs to be factored as well.

Ms. Gardner said this is going to cost the Town a lot of money to police the area. They will be calling if there are issues. She questioned how many police officers will be on duty when there is a police detail. She didn't feel that the neighborhood was fully informed of the proposal.

Mr. Jim Bristol, Weathervane Companies, stated the clubhouse has been on the plan with Weathervane since the beginning. There's probably 150 people that are at home that are in favor of the proposal. He stated they've worked with the Association and there will be at least two speed bumps and they will also propose no parking signs to be posted on all three cul-de-sacs. The building will be insulated so there would be no noise coming from the interior.

Mr. Richards questioned how they would handle the traffic from a wedding function.

Mr. Bristol stated management has extensive experience in handling people. He cited the example of them working at Granite Links and the Range Bar & Grill.

Mr. Will O'Connell stated there are neighborhoods by the Quincy Shanty and the Hingham Range and they have managed to have no concerns. 02045 in Hull had similar concerns from the start and there haven't been any issues.

Betsy Keating, resident, had concerns where some of the bedrooms abutted the parking lots. She didn't think there should be parking allowed on Clubhouse Drive.

Mr. Chuck Golden, resident, spoke stating the proposal was approved over 20 years ago. Things have changed; have to consider what is now. 350 parking spaces is the capacity for the building. What about the weddings and functions? Clubhouse Drive is a private way and they don't get the services as the rest of the Town. Granite Links is not in the same residential housing of a thickly settled neighborhood.

Mr. Bristol presented the parking lot plan.

Mr. George Keys, Golden Bear Lane, was concerned about the noise that would come from the entertainment on the outdoor patio. He questioned if they would have contact numbers of management to call for complaints.

Ms. Karen Golden questioned if police details would be hired for functions.

Mr. O'Connell stated they would follow the rules and regulations of the Town. They would also cater towards the resident's requests. Their employees have been through training and would follow rules and regulations.

Ms. Gardner voiced her concern about the parking lot as being smaller than depicted on the plan. She asked why they couldn't gain access through Liberty Street.

Mr. Richards said the Board of Zoning Appeals established a clubhouse to be opened to the public, at the time the public wanted it to be public and it is their duty to allow that to happen. The other item that came up was that it is going to be available for wedding functions because it is going to be maintained to be profitable. The proposed hours that were proposed were: Monday through Friday: 10 AM – 11 PM and Saturday and Sunday: 7 AM – 1 AM. Under a typical golf community this is not extenuated. The Traffic Engineer did a review recently and this plan is adequate. Therefore, it is the Board's intention to move forward with the decision.

Attorney Galvin stated the management team and the Weathervane building team are ready to implement no parking signs and they've already agreed to install speed bumps along Clubhouse Drive. They are more than willing to work with the neighbors regarding the direct impact. The patio noise for the most part will be directed the other direction away from the residential

neighborhood. The building has been soundproofed extensively, which should minimize any noise. Management crew should be managing the parking lot areas as well during operational hours.

Mr. Richards made a MOTION to approve the All Alcoholic Restaurant License at 117 Clubhouse Dr. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF GRILLE 117 @ WEATHERVANE GOLF LLC D/B/A TAVERN 117 @ WEATHERVANE FOR A COMMON VICTUALLER LICENSE AT 117 CLUBHOUSE DR.

Attorney Galvin stated the management team for the Common Victualler license will be Ms. Leanne Stearns. He reviewed her past restaurant/events work history of 20 plus years with Siros at Marina Bay and Granite Links.

Mr. Richards made a MOTION of approval for a Common Victualler license for Tavern 117 Weathervane and 117 Clubhouse Dr. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF GRILLE 117 @ WEATHERVANE GOLF LLC D/B/A TAVERN 117 @ WEATHERVANE FOR AN ANNUAL ENTERTAINMENT LICENSE AT 117 CLUBHOUSE DR.

Mr. Richards made a MOTION to approve an Annual Entertainment license for Tavern 117 @ Weathervane, 117 Clubhouse Dr. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF GRILLE 117 @ WEATHERVANE GOLF LLC D/B/A TAVERN 117 @ WEATHERVANE FOR A SUNDAY ENTERTAINMENT LICENSE AT 117 CLUBHOUSE DR.

Mr. Richards made a MOTION to approve a Sunday Entertainment License for Tavern 117 @ Weathervane, 117 Clubhouse Dr. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF GRANITE PACKAGE STORE OF WEYMOUTH, INC. D/B/A GRANITE PACKAGE STORE FOR A CHANGE OF MANAGER ON THEIR ALL ALCOHOLIC PACKAGE STORE LICENSE AT 622 MIDDLE ST.

Attorney Carl Johnson introduced Mr. Daniel T. Hill, stating he had been Granite Package Store's Assistant Manager since 2002.

Mr. Richards asked if he was TIP's trained.

Mr. Hill replied he was.

Mr. Richards stated Personal Property taxes are due. He asked that they be taken care of.

Mr. Richards made a MOTION to approve the change of manager at 622 Middle Street. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF WESSAGUSSET YACHT CLUB FOR A CHANGE OF MANAGER ON THEIR ALL ALCOHOLIC CLUB LICENSE AT 212 WESSAGUSSET RD.

Ms. Deborah Casna, proposed manager, was present.

Mr. Richards asked if she was TIP's trained, of which she replied she was.

Ms. Casna stated she has not had experience managing the club. Although, she is a manager for National Grid and has been on the Wessagussett Yacht Club's Board of Directors and was the past Commodore. She will be managing the alcohol only. The food will be outsourced.

Mr. McCormack stated the food caterer would need to be permitted through Health.

Mr. Richards made a MOTION to approve the change of manager on the All Alcoholic Club license at 212 Wessagussett Road. Chief Stark seconded and it was UNANIMOUSLY VOTED.

APPLICATION OF PEREIRA INVESTMENTS INC. D/B/A WEYMOUTH HOUSE OF PIZZA FOR A COMMON VICTUALLER LICENSE AT 779 BROAD ST.

Mr. Kelson Pereira and Ms. Kristen Kelly, proprietors, were present.

Mr. Richards stated the hours of operation would be Monday through Saturday 10 AM – 10 PM and Sunday 11 AM – 9 PM. They submitted a lease agreement and the Articles of Organization are in good standing. He read the departmental referrals into the record. The Health Department reported if the license is issued, a permit to operate a food establishment must also be obtained. They must submit the following: floor plan layout, food permit application, workers compensation affidavit, Food Manager and Allergen Awareness Certificates and the appropriate fee. The establishment must be inspected prior to opening.

Mr. Pereira stated they plan on continuing the same operation that has been in business for 20 years. Floor plan will remain the same and they are not going to keep the beer and wine.

Mr. Richards made a MOTION to approve the Common Victualler license at 779 Broad Street. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF SOUTH SHORE FOOD TRUCK ASSOCIATION FOR A FOOD VENDOR LICENSE AT 7 PERFORMANCE DR.

Ms. June Somers, President of South Shore Food Truck Association, was present.

Mr. Richards stated per the lease agreement, there shall be no more than two (2) vendors at the site of 7 Performance Drive on Wednesday and Thursday. Mangia has their own license, but is part of

the group rotation. The area needs this type of business. It is the parking lot next to the Santander bank kiosk.

Ms. Somers stated the patrons are requesting a variety. A list was provided of the vendors. This would be available during the months of April through October.

Mr. Richards stated the Board would license the South Shore Food Truck Association for two trucks, rotated scheduled, per week. The trucks would be required to be permitted through the Health Department.

Mr. McCormack asked if the list was in order. There were three to four vendors that weren't currently permitted through the Health Department.

Ms. Somers replied yes. They would be. The seasonal vendors would get their permit in May.

Mr. McCormack requested a list of when each vendor would be on per day. He questioned if bathroom facilities usage was included on the lease.

Ms. Somers replied it was.

Mr. Richards made a MOTION to approve South Shore Food Truck Association for two vendors at a time per the lease agreement at 7 Performance Drive. 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, May 28, 2019 at 2 PM. He made a MOTION of approval. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

NEW BUSINESS

- Extension of Hours Request for Passport Sips & Tapas, 59 Washington St.

Mr. Richards made a MOTION to approve the request of Passport for an extension of hours on Sunday, May 19th for a private party between 5 PM – 9 PM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

ADJOURNMENT

Mr. Richards made a MOTION to adjourn at 3:25 PM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

BOARD OF LICENSING COMMISSIONERS

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Respectfully submitted,

Lisa VanWinkle
Recording Secretary

Approved:

Date:

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