

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, May 28, 2013, at the Weymouth Town Hall, Chambers, 75 Middle Street

Attendance (present): Acting Chairman Daniel McCormack, Health Director; Jeffrey E. Richards, Director of Municipal Licenses & Inspections; Police Chief Richard Grimes; Fire Chief Joseph Davis; Fire Prevention Officer Justin Myers; Officer Brian King; George E. Lane, Jr., Town Solicitor; and Lisa VanWinkle, Recording Secretary (absent): Chairperson Kathleen A. Deree

Acting Chairman McCormack called the meeting to order at 2:02 PM.

APPROVALS

- April 2, 2013 Minutes

Mr. Richards made a MOTION to approve the April 2, 2013 meeting minutes. Chief Grimes seconded and the motion was UNANIMOUSLY VOTED.

- April 23, 2013 Minutes

Mr. Richards made a MOTION to approve the April 23, 2013 meeting minutes. Chief Davis seconded and the motion was UNANIMOUSLY VOTED.

- Special Event Request – Columbian Square Spring Festival

Mr. Richards stated the request was applied for an event by the Columbian Square Business Association.

Mrs. Laura Tanner and Mrs. Frannie Xerocostas presented the application. The event will be held in Columbian Square on June 1, 2013 from 11 AM – 2 PM. A jumpy house will be placed on the Fogg Library grounds. They requested three police details. A bicycle parade will take place in the Shepard Funeral Home parking lot. Away Café truck will be serving fried dough, parking on the side of the Fogg Library. Store owners will be having sidewalk sales. Street performers in front of Snyders Jewelers.

Mr. Richards made a MOTION of approval. Chief Grimes seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF **YOGURT BAR WEYMOUTH LLC D/B/A THE YOGURT BAR** FOR A COMMON VICTUALLER LICENSE AT 93 PLEASANT ST.

Mr. Gregory McDonald, Proprietor/Manager, was present.

Mr. Richards stated they have applied for the hours of 11 AM – 10 PM, seven days a week and a closing of 11 PM over the summer. They are asking for 20 seats. A site plan was included with the submitted application. Abutter's have been notified and the legal advertisement appeared in the newspaper. He read the departmental referrals into the record. Mrs. Paul MacLeod, Municipal

Finance Department reported the parcel id shows the property as 95 Pleasant Street as being assessed to Columbian Square LLC. No history of Personal Property assessments for the location. Real Estate taxes are current. Utilities under "6 Chauncy Street" are current. Mr. McCormack reported if the license is issued, a permit to operate a food establishment must also be obtained at the Health Department. They have already received the 2013 food permit application, workers compensation affidavit and Food Manager and Allergen Awareness Certificates. The establishment must be inspected prior to opening. Officer King reported no public safety objection. The use of a retail yogurt shop (Common Victualler) is allowed in the B-2 Zone in which it is located. 20 seats are allowed based on parking within the square and the adjacent municipal parking lot. Therefore, a license a be granted. A Certificate of Occupancy will be required prior to opening.

Mr. Gregory McDonald introduced himself, stating they are proposing a self-serve frozen yogurt store. They current operate stores in Braintree and Quincy.

Mr. McCormack stated inspections are required before taking over the business, if license granted.

Mr. Richards made a MOTION to approve the Common Victualler license for Yogurt Bar Weymouth LLC d/b/a The Yogurt Bar for 20 seats at 93 Pleasant Street. Chief Davis seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF VINNIE'S EURO, INC. D/B/A CANNOLIS FOR A VIDEO GAME LICENSE FOR ONE GOLF MACHINE, 920 WASHINGTON ST.

Mr. Vasilis Axios, owner, was present for the approval.

Mr. Richards read the departmental referrals into the record. Officer King reported no public safety objection. Mr. McCormack reported no objections to the issuance of the juke box, video game and pool table licenses.

Mr. Axios stated he is applying for two pool tables and two video games and a juke box.

Mr. Richards asked if the basement bar was currently open.

Mr. Axios replied yes.

Chief Davis stated an inspection by the Fire Department would be required, if approved. They are concerns about the exits and egress.

Mr. Richards asked if the door to the office would to remain closed during operations.

Mr. Axios replied yes.

Mr. Richards made a MOTION to approve a Video Game License for two machines. Chief Davis seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF VINNIE'S EURO, INC. D/B/A CANNOLIS FOR JUKE BOX LICENSE, 920 WASHINGTON ST.

Mr. Richards made a MOTION to approve a Juke Box License. Chief Davis seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF VINNIE'S EURO, INC. D/B/A CANNOLIS FOR A POOL TABLE LICENSE FOR TWO TABLES, 920 WASHINGTON ST.

Mr. Richards made a MOTION to approve a Pool Table License for two tables. Chief Davis seconded and the motion was UNANIMOUSLY VOTED.

- One-Day Wine & Malt Permit:

Mr. Richards made a MOTION to approve the One-Day Wine & Malt Permit for Rural Lodge to be held at New England Wildlife Center, 500 Columbian Street from 2 PM – 6 PM on June 9, 2013. Chief Grimes seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Wine & Malt Permit

Mr. Richards made a MOTION to approve the One-Day Wine & Malt Permit for Weymouth Elks, 1197 Washington Street for an event on August 4, 2013 from 12 PM – 12 AM. Chief Grimes seconded the motion and it was UNANIMOUSLY VOTED.

CHAIRMAN'S REPORT

- Meeting Schedule

Mr. made a MOTION to schedule their next meeting for Tuesday, June 18, 2013 at 2 PM. Chief Grimes seconded the motion and it was UNANIMOUSLY VOTED.

- License renewals for licenses expiring June 30th have been mailed and will be on the June agenda for approval

Officer King confirmed that the Police Department will perform inspections.

CORRESPONDENCE

- Officer King RE: Weymouth Gulf, 237 Main St.

Officer King stated he responded to a complaint received on the Weymouth Gulf, 237 Main Street, of the display of used motor vehicles for sale on the grass area in front of the gas station. He spoke with the owner, informing him that he had to remove the vehicles from the grass to the paved area of his property. He was informed verbally for the second time that his license was for a total of six vehicles not eight or nine as had been in the past. He was informed that if there was another

violation, he would be subject to a hearing of the Licensing Board.

- Officer King RE: Honey Baked Ham Company, 587 Washington St.

Officer King reported that the Honey Baked Ham Company, 587 Washington Street had closed. They are the holders of a Food Vendor License and have failed to notify the Board of their closing and have not surrendered their license.

Mr. Richards MOTIONED for a letter to be mailed to the company asking for the license to be surrendered. Chief Davis seconded and the motion was UNANIMOUSLY VOTED.

- Officer King RE: CTC Gold Refineries, 1170 Washington St.

Officer King reported that CTC Gold Refineries, 1170 Washington Street had closed. They are holders of a Precious Metals License and have failed to notify the Board of their closing and have not surrendered their license.

Mr. Richards MOTIONED for a letter to be mailed to the company asking for the license to be surrendered. Chief Davis seconded and the motion was UNANIMOUSLY VOTED.

- Officer King RE: South Shore Automotive, 1338 Pleasant St.

Officer King reported that during the April meeting, a condition was placed on the cleanup of the property. Since that time the debris has been cleaned up. However, the fence on the hillside is still in need of repair and the awning is still laying on the ground behind the dumpster. While these conditions still have to be met to comply with both the Zoning Board and Licensing Board requirements, they feel that it is unfair to hold the business who is leasing the property responsible for the failures.

Officer King referred the matter to the Building Inspectors for power of enforcement.

NEW BUSINESS

- Chief Joseph Davis's Retirement

Mr. Richards announced Chief Davis' retirement from the Weymouth Fire Department, and thanked him, wishing him.

- Papa John's Commissary Trucks Correspondence from Bob Montgomery Thomas

Mr. Bob Montgomery Thomas came forward stating the drivers have been behaving lately. He questioned who is responsible for the repair of the damaged sidewalk as a result of the commissary trucks parking along the sidewalk. He requested that a letter be sent to the company stating the Town expects repair costs to be reimbursed for damages caused by the trucks by parking on the sidewalk in front of 856 Washington Street.

Solicitor Lane suggested that a letter be sent from the Chairman to the Mayor requesting for a appraisal from the DPW for damages. This will be brought forward to the commissary.

Chief Grimes relayed the MOTION and it was seconded by Chief Davis and UNANIMOUSLY VOTED.

ADJOURNMENT

Mr. Richards made a MOTION to adjourn at 2:30 PM. Chief Grimes 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