

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, April 26, 2016, at the Weymouth Town Hall, Chambers, 75 Middle Street

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

Chairman Richards called the meeting to order at 2 PM.

**APPLICATION OF JOSEPH MOUHANNA D/B/A JOEY'S PIZZA AND CHICKEN FOR A COMMON VICTUALLER LICENSE AT 336 WASHINGTON ST.**

Mr. Richards stated the application was for a restaurant with 16 seats and the hours of operation of 10 AM – 10 PM. He read the departmental referrals in to the record, stating the Health Department has met with the applicant and received Food Permit application. If the license is issued, they will need to finalize their process and conduct a pre-operation inspection. Any modification to the kitchen in the establishment must be approved. The Police Department reported no public safety objection to the application.

Lt. Myers stated the Fire Department is comfortable with the location itself. He asked if the kitchen equipment would remain the same.

Mr. Mouhanna replied it would remain the same. Only change is they will have better food.

Lt. Myers stated the sprinkler system should be maintained.

Mr. Richards stated a Certificate of Occupancy with no changes would be required.

Mr. McCormack announced the public hearing for comment. There was none.

Mr. Richards made a MOTION to approve the Common Victualler license for Joseph Mouhanna d/b/a Joey's Pizza and Chicken. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

**APPLICATION OF HOW YOUNG, INC. D/B/A SUNRISE AUTO GALLERY FOR A CLASS II AUTO DEALER LICENSE AT 352-360 BRIDGE ST.**

Mr. Richards stated the site is in a B-2 District and was a former flower landscape business location. Plot plan was submitted with the application. Conditions were determined by the Zoning Board of Appeals Case #3268 and approved by the Board in December. There are 45 parking spaces on site and they are looking for a 40 car license.

Mr. Richards read the departmental referrals in to the record. The Health Department reported if the license is approved, the applicant must install floor drains and gas/oil/water separator discarding to the municipal sewer. They must register with the Health Department as a Hazardous Material

Storage Facility as well. The Police Department reported no public safety objection to a Class II Auto Dealer License at the location provided the number of allowed vehicles do not exceed the capacity of the lot.

Mr. Richards stated the Board has a copy of the plan which went through a public process.

Mr. Richards announced the public hearing for comment.

Sandy Gildea, River Street resident, came forward. She asked if there were artist renderings on the site and if they are leasing or purchasing the site.

Mr. Nguyen replied they went through the Planning Board. Plans are available for viewing through their office. There will be a six foot white fence. Lighting will be lit for public safety and won't be a nuisance to the neighbors. One gate will be closed. Buildings will be painted. Site at 360 will be in use for the parking lot. Service garage is in back. They are looking for 40 vehicles for sale on the lot.

Mr. McCormack stated the exterior of both structures are remaining the same with the exception of paint?

Mr. Nguyen replied yes, except for building 360. It's worn and Building Permits will be applied for to replace rotting boards and the roof. Lot will be cleaned up, lighting will be in place, fence will be fixed, garage, service bay, catch basin, everything will be in place.

Sandy Gildea asked if they will be leasing or purchasing the property.

Mr. Nguyen replied initially leasing for five years. They spoke with the North Weymouth Civic Association and they are in favor of the application as well as Council Becky Haugh.

Ms. Gildea asked what color the property is going to be. What signage will you have?

Mr. Nguyen replied a little darker tan than the current color. Signage will stay in place for what is current.

Mr. McCormack asked for the status of the flooring draining.

Mr. Nguyen stated they spoke with the DPW and also left a deposit with an engineering firm in Kingston for the engineering and surveying plans.

Mr. Richards made a MOTION to approve the application of How Young Inc. d/b/a Sunrise Auto Gallery at 352-360 Bridge Street for 40 vehicles for sale based on the Board of Appeals conditions. Chief Stark seconded the motion was UNANIMOUSLY VOTED.

**APPLICATION OF LOUIE'S PIZZA AND ROAST BEEF, LLC D/B/A LOUIE'S PIZZA AND ROAST BEEF FOR A COMMON VICTUALLER LICENSE AT 1596 MAIN ST. U-2**

Mr. Richards stated correspondence was received requesting the application be withdrawn as owner of the property is selling the property.

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

**APPLICATION OF MORTON DONUT, INC. D/B/A DUNKIN DONUTS FOR A COMMON VICTUALLER LICENSE AT 1255 MAIN ST.**

Attorney Galvin spoke regarding the public notice requirement, stating when his office received the public notice they forwarded it to the Patriot Ledger and it didn't make the newspaper. For that reason, the hearing can't go forward. There is a court order for the closing scheduled for May 5<sup>th</sup>; an extension will need to be requested.

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

**APPLICATION OF THE WEYMOUTH CLUB RESTAURANT GROUP, LLC D/B/A BLAZING SALADS AND MANAGEMENT BY BLAZING SALADS FAMILY, INC. FOR A WINE & MALT RESTAURANT LICENSE AT 75 FINNELL DR.**

Attorney Galvin stated the application asked for an All Alcoholic Restaurant and his client would like to amend the application to Wine & Malt. Weymouth Club was before the Board a year ago with Welch Restaurant management group. Blazing Salads Family Inc. is proposing a healthy meal menu. Mr. Cheney, Manager, has had a liquor license in the past. He is TIP's certified. Food will be served on the first level and alcohol will be maintained from the back window of the kitchen. Mr. Goldman as the license holder will have the ultimate responsibility in accordance with rules and regulations.

Mr. McCormack stated this is the third operator in the past three years. Upstairs will be closed and the 1<sup>st</sup> floor kitchen will be in use. Number of seats will be 239 less 75 seats (upstairs) equals 164 seats. He questioned if it would restrict the number for future purposes.

Mr. Richards replied not on a zoning standpoint.

Lt. Myers stated for Fire regulations seating should be designated by indoor and outdoor spaces. 44 seats indoor and 120 outside.

Mr. Richards made a MOTION to approve Wine & Malt Restaurant license for 8 AM – 10 PM Monday through Sunday with 44 indoor seats and 120 exterior seats as per plan. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

**APPLICATION OF THE WEYMOUTH CLUB RESTAURANT GROUP, LLC D/B/A BLAZING SALADS AND MANAGEMENT BY BLAZING SALADS FAMILY, INC. FOR A COMMON VICTUALLER LICENSE AT 75 FINNELL DR.**

Mr. Richards stated the restaurant have first floor seating with 44 seats inside and 120 outside.

Mr. McCormack announced the public hearing for comment. None. Health Department permit applications will need to be filed.

Attorney Galvin requested that the Common Victualler license be expedited while the alcohol application is pending.

Mr. Richards made a MOTION to approve Common Victualler License for 44 seat indoors and 120 outdoor seats. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

## **APPROVALS**

- Minutes: March 22, 2016

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

- One-Day Wine & Malt Permit: Tio Juan's Margaritas Mexican Restaurant, 765 Bridge St.

Mr. Richards made a MOTION to approve a One-Day Wine & Malt Permit for Margaritas annual event to be held on May 5, 2016 from 11:30 AM to 1 AM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Wine & Malt Permit: Weymouth Club

Mr. Richards made a MOTION to approve an errata item for a One-Day Wine & Malt Permit for the Weymouth Club to be held on April 16, 2016 from 6 PM – 10 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Wine & Malt Permit: Sacred Heart School

Mr. Richards made a MOTION to approve a One-Day Wine & Malt Permit for an event at the Sacred Heart School on May 14, 2016 from 7 – 11 PM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Wine & Malt Permit: Southcoast Connected, Inc. - Southfield Events, 495 Shea Memorial Dr.

Mr. Richards made a MOTION to approve One-Day Wine & Malt Permits for Southcoast Connected, Inc. for the following dates: May 27; June 10; July 8; July 29; August 12; September 9; September 30; and October 1 & 2. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Food Vendor: Homebrew Emporium Inc. – Annual Homebrew Day

Mr. Richards made a MOTION of approval for a One-Day Food Vendor Permit for the Annual Homebrew Day event to be held on May 7, 2016 from 9 AM – 6 PM at 59 Randolph Street. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Food Vendor: Whitman's Pond Association – Annual Fishing Festival

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

- One-Day All Alcoholic Beverages Permit: Masonic Temple, 610 Broad St.

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

- One-Day All Alcoholic Beverages Permit: Weymouth/Braintree Elks, 1197 Washington St.

Mr. Richards made a MOTION to approve a One-Day All Alcoholic Beverages Permit for Weymouth/Braintree Elks on May 8, 2016 from 8 – 1 PM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Wine & Malt Permit: Weymouth Club, 75 Finnell Dr.

Mr. Richards made a MOTION to approve a One-Day Wine & Malt Permit for the Weymouth Club for an event on May 19, 2016 from 5 PM – 8 PM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

#### **NEXT MEETING**

Mr. Richards made a MOTION to schedule the next meeting for May 24, 2016 at 2 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

#### **CORRESPONDENCE**

#### **ADJOURNMENT**

Mr. Richards made a MOTION to adjourn the meeting at 2:34 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

Respectfully submitted,

Lisa VanWinkle  
Recording Secretary

BOARD OF LICENSING COMMISSIONERS

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Approved:

Date:

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