

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, March 28, 2017, at the Weymouth Town Hall, Chambers, and 75 Middle Street

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

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

Mr. Richards took an item out of order under APPROVALS:

- Carnival Permit: Dean & Flynn d/b/a Fiesta Shows (Weymouth Carnival 4/19-23)

Ms. Kerry Knapp, Assistant to Mayor Hedlund presented the application stating that Dean & Flynn would be holding a carnival at the Weymouth High School known as the Weymouth Carnival April 19th through the 23rd. Hours would be as follows: Wednesday and Thursday: 2 PM – 10:30 PM; Friday: 2 PM – 11 PM; Saturday: 1 PM – 11 PM; Sunday: 1 PM – 8 PM for rides, games and food. They are also applying for a Sunday Entertainment license for April 23, 2017.

Mr. Richards made a MOTION to approve the Carnival Permit. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

- Sunday Entertainment Permit: Dean & Flynn d/b/a Fiesta Shows

Mr. Richards made a MOTION to approve the Sunday Entertainment License. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF CP ENTERPRISE, INC. D/B/A CASH POINT FOR A PRECIOUS METALS LICENSE, 176 MIDDLE ST.

APPLICATION OF CP ENTERPRISE, INC. D/B/A CASH POINT FOR A JUNK DEALER LICENSE, 176 MIDDLE ST.

Attorney Harnais was present with Mr. Edgar Gevorgyan.

Attorney Harnais stated the Precious Metals and Junk Dealer licenses were continued from the last meeting. They are proposing to open a store that buys and sells products. They brought pictures as requested of the floor plan (1,600 sq. ft.) and the display areas of current stores for viewing, per the request of the Board. Areas were pointed out from the pictures showing the display counters and the back storage area. They have access to the computer security system at all times via their phones. They have a very good reputation with the towns, as they keep their stores clean and keep the items shelved correctly and work well with the towns. They are more than welcome to sit down with any of the members of the Board or the public to discuss how they operate the business. They're seeking the approval of the Board and would answer any questions they may have.

Acting Chairman McCormack announced the public hearing for comment.

Mr. John Deady, 520 Commercial Street resident spoke, stating he owns the old Clapp Memorial Building that's been renovated and the old bike shop in the square which he plans to renovate. During the construction, he had materials and tools stolen from the site. It is a concern of his where it appears to be a pawn shop that is being proposed where people can sell stolen goods; therefore, he is very much against it and he asked that it not be granted. However, if the license is granted, he would suggest that a license is copied of the person selling the item.

Mr. Richards stated on a zoning standpoint there is an issue with the parking as there is only about nine spaces within the lot and that area gets full, with the flow of traffic there would be a concern. There's only about four street spaces. A typical retail store wouldn't have that constant flow of product. From a building standpoint the building is a 5-B construction building and there is a concern for the amount of quantity of product on site and the types of items.

Attorney Harnais stated the storage area in the back would be regulated by the Fire Department. Weymouth is not categorized as a depressed area. Everything they keep is documented and kept 30 days prior to sale. Police Department can monitor and see items prior to sale. The fear that exists they will take away, as they have a very good reputation. The parking will not be long term parking.

Mr. McCormack stated if someone brought in an item for sale, they would park in the front of the building to unload the item, as there is no entrance to the public from the rear parking lot. He questioned how large items would be received.

Mr. Gevorgyan replied if the item is too large they won't be accepting it. Large items would clutter the store and there is a 30 day holding period.

Captain Myers asked what their procedure was for accepting gas powered tools as the building is an unprotected structure and is not fire protected. He stated it is not a good place for flammable storage.

Chief Stark stated there was mention of storage in the basement at the previous presentation, will the area be blocked off from the public?

Attorney Harnais replied that there will no longer be storage in the basement.

Mr. Gevorgyan replied they have a fire box and items would be drained of fluids. They would coordinate the procedure with the Fire Department to comply.

Mr. Richards made a MOTION to deny the Precious Metals license based on the type of building construction and insufficient parking.

Chief Grimes stated detectives from his department looked into the locations they have on Cape Cod. The captain reported back extremely favorable on their behalf. They made everything readily

available to the police. Their software system recorded information on items. The law enforcement side was satisfied the anticipated cooperation of the business.

Mr. Richards reiterated his MOTION to deny the Precious Metals license based on the type of building construction and on insufficient parking. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

Mr. Richards made a MOTION to deny the Junk Dealer license. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF HLW ENTERPRISES, LLC D/B/A NISHI'S CAFÉ FOR A FOOD VENDOR LICENSE, 541 MAIN ST.

Mr. Richards stated the Food Vendor license application is for a seven days per week operation from 7 AM – 5 PM. He read the departmental referrals into the record, stating Health Department reported Mr. Wang has applied for a Health Department Food Permit. The establishment must be inspected prior to opening. Officer Chase reported no public safety objections provided that all requirements of the Licensing Board are met by the applicant and all inspections are successfully completed. Mr. Richards stated for a Building Department standpoint, a Certificate of Occupancy will be required.

Capt. Myers stated the Fire Department is okay with the operation as long as it remains the same use.

Acting Chairman McCormack announced the public hearing for comment; there was none.

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

APPLICATION OF PRECINCT 10, LLC, 110 MAIN ST., FOR A PLEDGE OF THEIR ALL ALCOHOLIC RESTAURANT LICENSE & INVENTORY TO ROCKLAND TRUST COMPANY

Mr. Kevin Hynes, President of Precinct 10, LLC, was present for the application.

Mr. Richards made a MOTION to approve the pledge of inventory and liquor license to Rockland Trust Company. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF GHUMAN INTERNATIONAL, INC. FOR A CHANGE OF D/B/A ON THEIR FOOD VENDOR LICENSE TO 7-ELEVEN 37463A AT 1039 MAIN ST.

Mr. Shahid Ghuman, President of Ghuman International, Inc., was present.

Mr. Richards read a department referral from Officer Chase into the record, stating there was no public safety objection to the request.

Captain Myers stated the Fire Department had no objections and noted that the location had submitted an application for renovations.

Mr. Ghuman stated they will be closed for 10 days and will submit a letter with the dates.

Mr. Richards replied a Certificate of Occupancy will be required where they will be closing down for a period of time.

Mr. Richards made a MOTION of approval for the D/B/A name change to 7-Eleven 37463A. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF STM BUSINESS CORP. FOR A CHANGE OF D/B/A ON THEIR FOOD VENDOR LICENSE TO 7-ELEVEN 37449A AT 259 BRIDGE ST.

Mr. Mohammed Saleem, President of STM Business Corp., was present for the application.

Mr. Richards read a department referral from Officer Chase into the record, stating there was no public safety objection to the request.

Captain Myers stated the Fire Department had no objections, stating the location would need to be inspected once the construction is completed.

Mr. Saleem stated they will be closed for 10 days and will submit a letter with the dates.

Mr. Richards replied a Certificate of Occupancy would be required with necessary inspections.

Mr. Richards made a MOTION to approve the D/B/A name change to 7-Eleven 37449A. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF JOANNE McMANUS D/B/A THE LIGHT INSIDE FOR A FORTUNE TELLER LICENSE AT 175 MIDDLE ST.

Ms. Joanne McManus was present for her Fortune Teller license application.

Mr. Richards read the departmental referrals into the record, stating the Health Department had no objections. Officer Chase reported no public safety objection to the Fortune Teller license being issued.

Ms. McManus stated she is a five year resident and grew up in Weymouth.

Captain Myers asked if there would be candle usage at the site.

Ms. McManus replied no.

Mr. Richards stated from the Building Department a Certificate of Occupancy and Business Certificate would be required.

Mr. Richards made a MOTION of approval of the Fortune Teller license. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF MARY MITCHELL D/B/A PSYCHIC READINGS BY MARY FOR A FORTUNE TELLER LICENSE AT 1099 MAIN ST.

Ms. Mary Mitchell was present for the Fortune Teller License application.

Mr. Richards stated that Mary is a 20 year resident. He read the departmental referral from the Health Department stating that there was no objection. The Building Department would require a Certificate of Occupancy and Business Certificate.

Captain Myers asked if she would be burning candles.

Ms. Mitchell replied no.

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

APPROVALS

- Minutes: February 28, 2017

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

- Poppy Permit: Wessagussett V.F.W. Post #1399

Mr. Richards reviewed the application for a Poppy Permit of the Wessagussett V.F.W. Post #1399 for their annual poppy drive to be held at Walmart, Stop & Shop and Shaw's on April 29th and 30th and May 6th and 7th.

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

- One-Day Liquor Permit: The Arc of the South Shore, 371 River St.

Mr. Richards stated an application had been received for a One-Day Liquor Permit for The Arc of the South Shore for their annual event to be held at 371 River Street on June 8, 2017 from 6:30 PM to 9:30 PM.

Mr. Richards made a MOTION of approval. Chief Stark seconded and the motion was

UNANIMOUSLY VOTED.

- One-Day Wine & Malt Permit: Cocktails LLC – Pond Plain Assoc., 330 Pond St.

Mr. Richards stated applications were submitted by Cocktails LLC for events at the Pond Plain Association, 330 Pond Street, to be held on May 19th from 7 PM -11 PM; May 21st from 1 PM – 5 PM and June 11th from 1 PM – 5 PM.

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

- Poppy Permit: George R. Bean Post #79 Ladies' Auxiliary, 19 Hollis St.

Mr. Richards reviewed the application for a Poppy Permit by the George R. Bean Post #79 Ladies' Auxiliary, 19 Hollis Street, for their annual poppy drive to be held at in Weymouth on May 25th through May 28th.

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

CHAIRPERSON'S REPORT

- Meeting Schedule

Mr. Richards made a MOTION to schedule the next meeting for April 25th at 2 PM. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

CORRESPONDENCE

- Mass State Lottery Commission – KENO To GO – Bridge Street Mart, 409 Bridge St.

Mr. Richards voted the acknowledgment of the receipt from the Mass State Lottery Commission for the KENO To GO application of Bridge Street Mart at 409 Bridge Street. Chief Stark seconded and it was UNANIMOUSLY VOTED.

NEXT MEETING

Mr. Richards made a MOTION to schedule the next meeting for April 25, 2017 at 2 PM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

ADJOURNMENT

Mr. Richards made a MOTION to adjourn the meeting at 2:35 PM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

BOARD OF LICENSING COMMISSIONERS

Tuesday, March 28, 2017

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Respectfully submitted,

Lisa VanWinkle
Recording Secretary

Approved:

Date:

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