

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, May 23, 2017, at the Weymouth Town Hall, Chambers, 75 Middle Street

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

Chairperson Deree called the meeting to order at 2 PM.

**APPLICATION OF CAPPO MANAGEMENT XLVII, LLC D/B/A OCEAN HONDA OF WEYMOUTH FOR CLASS I AUTO DEALER LICENSE AT 211 MAIN ST.**

Mr. Richards stated the advertising is in place and the intent is to go from Weymouth Honda to Ocean Honda. They have a letter from Honda as a commitment to renovate within a year. Harvey Gordon will sell motorcycles at the site until September. They are going to keep the Weymouth Honda licenses in place and issue a new Class I and Class II Auto Dealer license to Ocean Honda, if the Board approves it.

Mr. Richards read the departmental referrals in to the record. The Building Department has no issues provided that they issue a Certificate of Occupancy. Officer Chase reported no public safety objection to the issuance as long as the Licensing Board requirements are successfully completed.

Mr. Travis Zollner, Corporate Counsel for Victory Automotive Group, presented the application, stating they have 40 stores across the country, half being Honda stores. They are compliant in and very good franchise partners with Honda, as evidence of their number of stores. They are consistently renovating their stores to remain up to date for specifications. This store will be no exception. As part of their agreement they will have someone from the facility onsite within a few months after the close. After that that have agreed that by mid-summer next year they will start construction to be done within a year.

Mr. Richards asked if the Planning Office has any concern with the timeframe of the construction.

Mr. Robert Luongo, Planning Director, came forward and asked if the construction would be complete by 2019.

Mr. Zollner stated Mr. Harvey will be selling motor cycles from the site for a few months and until they have full use of the site, they won't have the full projection for the future of the site.

Mr. Luongo asked Mr. Zollner for his opinion of the site.

Mr. Zollner stated that it needs a lot of work.

Mr. Luongo stated the site is an important site for the Town of Weymouth as it is the gateway from Route 18. It hasn't been maintained well for a number of years. The chain link fence is down, the storage of the vehicles on the site, and condition of the building is of a concern. They will hold

them to improvements to make the place physically appealing and a more profitable location. Once they are able to develop their plans, he asked that they contact the Planning Department.

Mr. Zollner stated they are in the business for the good of the community and also for the profitability of the site.

Mr. Richards announced the public hearing for comment.

Mr. Gordon stated he wanted to be clear that there would be two licenses at the site one for Victory Automotive Group and one for Weymouth Honda. Weymouth Honda's licenses would be good until the fall. If Victory Automotive's construction does not start as anticipated, they will probably extend their lease. They want to be able to renew their licenses.

Mr. Richards replied the licenses will expire on December 31<sup>st</sup> and they are non-renewable. The intent is for one license per facility. A new license would be subject to Planning Board/Zoning Board review at a public hearing.

Mr. McCormack asked for the status of the 875 Washington Street site.

Mr. Zollner stated it would be for off-site storage; will have ownership of the property; although, they do not have plans as of yet for the site.

Mr. Richards stated the applicant did not apply for a license at the location to sell but can stay at the site; license will expire December 31, 2017. They may apply to sell in the future.

Mr. Richards made a MOTION to approve the Class I Auto Dealer license to Cappo Management XLVII, LLC d/b/a Ocean Honda of Weymouth at 211 Main Street. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

**APPLICATION OF CAPPO MANAGEMENT XLVII, LLC D/B/A OCEAN HONDA OF WEYMOUTH FOR CLASS II AUTO DEALER LICENSE AT 211 MAIN ST.**

Mr. Richards made a MOTION to approve the Class II Auto Dealer license to Cappo Management XLVII, LLC d/b/a Ocean Honda of Weymouth at 211 Main Street. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

**APPLICATION OF PRECINCT 10, LLC FOR ALTERATIONS TO THE ALL ALCOHOLIC RESTAURANT/COMMON VICTUALLER LICENSE PREMISES AT 110 MAIN ST.**

Mr. Erik Hynes, Manager, was present.

Mr. Richards stated the application was complete with public notice. The plan submitted was flawed and needs to be revised. The Building Code requires that there be a 36" clear path for handicapped access; therefore, they will have to remove proposed trees from the ends, abutting the tables.

Mr. Richards read the departmental referrals in to the record, stating there were no health/fire issues. Building Department requires that the seats are seasonal and are to be removed from the site after the summer.

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

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

**APPLICATION OF WEYMOUTH LODGE #2232 BPOE OF USA INC. D/B/A WEYMOUTH ELKS FOR A CHANGE OF MANAGER ON THEIR ALL ALCOHOLIC CLUB LICENSE, 1197 WASHINGTON ST.**

Ms. Joyce Hoisington, proposed manager, was present, and stated that Ms. Gina Trapp has left a month ago.

Mr. Richards made a MOTION to approve the Weymouth Elks 2232 change of manager. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

**APPLICATION OF THE NEW ENGLANDER RESTAURANTS, LLC D/B/A 7 KIDS LATER EATERY FOR A COMMON VICTUALLER LICENSE AT 407A MIDDLE ST.**

Mr. Richards stated the site has been inspected by Building and Fire departments. Officer Chase, Police, has no public safety issues with the request.

Mr. Joseph Armstrong, owner, stated he will be serving pizza, sandwiches and salads. Hours of operation will be 11:30 AM – 10 PM, 7 days per week.

Mr. Richards read the departmental referrals in to the record, stating the Health Department approval would require an application, floor layout plan and certifications. The Building Department would require a Certificate of Occupancy at the time of license issuance. The picnic tables outside are protected from the traffic.

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

Mr. McCormack asked what the timeline is for opening.

Mr. Armstrong replied within a week.

Mr. McCormack asked that he submit appropriate paperwork to the Health Department.

Mr. Richards made a MOTION to approve a Common Victualler license to The New Englander Restaurants, LLC d/b/a 7 Kids Later Eatery, 407A Middle Street. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

**APPLICATION OF SRI BAJANS, INC. D/B/A BAWARCHI FOR AN ALL ALCOHOLIC RESTAURANT LICENSE TRANSFER FROM MANAKAMANA, INC. AT 532 POND ST. #3**

**APPLICATION OF SRI BAJANS, INC. D/B/A BAWARCHI FOR A COMMON VICTUALLER LICENSE, 532 POND ST. #3**

Attorney Gregory Galvin, 775 Pleasant Street, was present with Mr. Vjaysheshu Dadhirao, Manager. He stated they are seeking to transfer the business from the existing owner Mr. Jal Ghimire (7 years). They will continue to operate the same type of operation with Indian food. The alteration plans are to remove a wall, expanding by 400 sq. ft. to have a retail store as well. Mr. Dadhirao is TIP's certified and has operated a convenience store for the past 5 years. Signage will change and they will be closing for renovations until July 2017.

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

Mr. Richards read the departmental referrals in to the record. A Certificate of Occupancy and Certificate of Inspection will be required for the Building Permit as well as the Fire Inspection. Plans are required to be filed for the retail store. Officer Chase reported no public safety objection. Health Department application, floor plans and inspections are required. They will review dumpster location. A-frame sign on the sidewalk needs to be removed per Planning.

Mr. Richards made a MOTION to approve the transfer and alterations of the All Alcoholic Restaurant license to SRI Bajans, Inc. d/b/a Bawarchi, 532 Pond Street. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

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

**APPLICATION OF SRI BAJANS, INC. D/B/A INDIA MART FOR A FOOD VENDOR LICENSE, 532 POND ST. #1**

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

**APPLICATION OF RIVERWAY RESTAURANT GROUP INC. D/B/A TIO JUAN'S MARGARITAS MEXICAN RESTAURANT FOR A CHANGE OF MANAGER AT 765 BRIDGE ST.**

Mr. Stephen Belanger, District Manager, was present as the proposed manager.

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

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

## **APPROVALS**

- Minutes: April 25, 2017

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

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

Mr. Richards made a MOTION to approve a One-Day Wine & Malt permit for an event of Cocktails LLC to be held at the Pond Plain Association on June 17, 2017 from 2 PM – 7 PM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Liquor Permit: St. Francis Xavier Parish, 234 Pleasant St.

Mr. Richards made a MOTION to approve a One-Day Wine & Malt permit for St. Francis Xavier Parish for an event to be held on June 4, 2017 from 12 PM – 8 PM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

## **CHAIRPERSON'S REPORT**

- Meeting Schedule

Mr. Richards made a MOTION to schedule the next meeting for June 20, 2017 at 2 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

- License Renewals for Licenses expiring June 30<sup>th</sup> have been mailed and are due by June 5<sup>th</sup>

## **CORRESPONDENCE**

- Licensing Officer Chase RE: Alleged Liquor Violation – Washington Street Liquor Mart, 21 Washington St.

Mr. Richards made a MOTION to schedule a hearing for a future meeting. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

- Liquor License Transfer Termination from Hajjar Corp to Majoia, LLC d/b/a Giardino's Ristorante, 969 Washington St.

Mr. Richards made a MOTION to accept the transfer termination from Hajjar Corp. to Majoia, Inc. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

- Request for Closure for a Private Party: ThomasHannah, Inc. d/b/a Red Rose Café, 800 Broad St.

Mr. Richards made a MOTION to approve the request for a closure for a private party at the Red Rose Café, 800 Broad Street, on June 4, 2017 from 3 PM – 7 PM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

**ADJOURNMENT**

Mr. Richards made a MOTION to adjourn the meeting at 2:49 PM. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

Respectfully submitted,

Lisa VanWinkle  
Recording Secretary

Approved:

Date:

---

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