

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, September 26, 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; Deputy Richard Chase; Captain Justin Myers, Fire Prevention (absent): Fire Chief Keith Stark & Licensing Officer Edward Chase

Chairperson Deree called the meeting to order at 2 PM.

Mr. Richards made a MOTION to take an item out of order under APPROVALS. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

- Carnival Permit: The Great Pumpkin Give-A-Wey (10/14/17; 12 PM – 4 PM)
- One-Day Food Vendor Permits: The Great Pumpkin Give-A-Wey

Ms. Kerry Knapp, Mayor's Assistant, was present, stating the 10th Annual event would take place on Saturday, October 14th at 12 PM – 4 PM at the Weymouth High School. She provided a list of vendors to the Board. The Carnival Permit would be for inflatables provided by It's 2 Cool.

Mr. Richards made a MOTION to approve the One-Day Food Vendor Permits for The Great Pumpkin Give-A-Wey on October 14th. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

Mr. Richards made a MOTION to approve the Carnival Permit for the Great Pumpkin Give-A-Wey on October 14th from 12 PM – 4 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF GAQ ENTERPRISES, INC. D/B/A 7-ELEVEN 37486A FOR A COMMON VICTUALLER LICENSE AT 474 COLUMBIAN ST.

Mr. Richards stated the Common Victualler license application was for the hours of 6 AM – 11 PM, seven days a week. He read a departmental referral from Officer Edward Chase in to the record, stating there was no public safety objection. Mr. Richards stated that there are no proposed changes to the operation or site.

Mr. Richards announced the public hearing for comment.

Mr. & Mrs. Blakeley-Smith, 296 Forest Street, came forward, asking questions about the proposed operation. They asked if the type and amount of food and drink they would be selling would change. They also asked if they were proposing a drive-through.

Mr. Richards answered the operation will remain the same, with a change of franchisee. They will be selling food and grocery convenience items, similar to what Tedeschi's had.

Mr. McCormack stated the Health Department didn't have any issues as it will be the same

operation.

Mr. Richards made a MOTION to approve the Common Victualler license to GAQ Enterprises, Inc. d/b/a 7-Eleven 37486A, 474 Columbian Street. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF RICHARD CURRIER D/B/A SUNSET AUTOMOTIVE FOR A FUEL STORAGE LICENSE AT 195 PARK AVE. WEST

Mr. Richards stated Sunset Automotive has gone through a substantial process between Planning and the Board of Zoning Appeals. They have advertised and notified the abutters by Certified Mail.

Mr. Richards read the departmental referrals in to the record, stating Officer Chase submitted no public safety objections. The Health Department submitted the applicant must amend their Hazardous Materials Registration Form once the renovation is complete.

Mr. Richard Currier and Mr. Robert Burke were present. They stated that they currently had 16,000 gallons of fuel storage and were seeking an increase of 6,000.

Mr. Richards announced the public hearing for comment.

Mr. MacDonald spoke for his Mother, Donna Munichiello, 319 Columbian Street, asking what the original capacity of storage was.

Mr. Burke replied two 6,000 gallon tanks and one 4,000 gallon tank. They are seeking to increase by 6,000 gallons. They will be adding high test octane and diesel.

Mr. MacDonald was concerned about 18-wheelers fueling up at the site.

Mr. Burke stated that they are offering diesel for light duty equipment, not 18-wheelers, as they won't fit on site.

Ms. Munichiello stated she is embarrassed of the condition of the site at times and asked for the storage containers to be removed.

Mr. MacDonald stated she is concerned about the how the site looks as she overlooks it from her deck. They are also asking that work does not start before 7 AM.

Captain Myers asked for the existing storage.

Mr. Burke replied they currently have two 6,000 tanks and a 4,000 tank. They are increasing to one 12,000 regular and another 10,000, split—high test and diesel.

Captain Myers said, therefore, they will be increasing by 6,000 for combustible storage. The Fire Department has no objection to the increase. It will go through the Department and they will be

brought to the current code.

Mr. McCormack stated the Health Department has no objection to the application. They have met with them for the past couple of months and find this the best way to be in compliance and be safe with water bodies that are adjacent to that area.

Mr. Richards stated the Building Department has also reviewed the site also for traffic and determined it was a good fit for the location. Conservation is aware of the application.

Mr. Bob Luongo, Planning Director, spoke, asking that the dumpster be screened and that they try to accommodate the neighbor's concerns.

Mr. Richards made a MOTION to approve the Fuel Storage increase at the site of 195 Park Ave. West of 22, 000 gallons subject to the requirements of the Fire Department and the Commonwealth of Massachusetts. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF 99 WEST, LLC D/B/A 99 RESTAURANT FOR A CHANGE OF OFFICERS & DIRECTORS ON THEIR ALL ALCOHOLIC RESTAURANT LICENSE AT 1094 MAIN ST.

Mr. Richards stated Attorney Joseph Devlin submitted an application for a change of Officers and Directors on the All Alcoholic Restaurant license of 99 West, LLC d/b/a 99 Restaurant. He is not present today.

Mr. Richards made a MOTION to approve the change of Officers/Directors as per application. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF WEYMOUTH AUTO MOTORS, INC. FOR A CLASS II AUTO DEALER LICENSE AT 1670 MAIN ST.

Mr. Richards stated the applicant has been through an extensive planning process. They have made a few changes to the site and will be making others. The current used car dealer license has 40 vehicles, separate 25 autos fenced. All the abutters were notified of the change and an advertisement was made. Mr. Richards read the departmental referrals in to the record. The Health Department had no objections, reporting that if the license is issued they must contact Matt Brennan the Environmental Health Officer to determine if they must register as a Hazardous Materials Storage Facility. Officer Chase reported no public safety objection to the application.

Attorney Scott Rubins stated he represented Eduardo Deoliverira, Weymouth Auto Motors, Inc., who is looking to purchase the property. The spot has been a sore sport for cleanliness and he has made tremendous strides to clean it up. The repossession business will come to an end by the end of the year. The side lot had storage of vehicles, which have been removed all but three. They will not be operating from that lot. They are subject to a Purchase and Sales agreement. Applicant has spent substantial money. They will be subject to a street taking by the State. There is new landscaping at the site. The shed which is the existing office needs some work as well.

Mr. Richards stated the Planning Department and the Mayor's Office has worked on a plan. They are not looking to add additional used car dealers in Town or suppress current businesses in Town.

Mr. Bob Luongo, Planning Director, said 32 car lots is way too many for the Town of Weymouth. Where this is a transfer they are not going to oppose it. The previous owner had a junk dealer business that was totally illegal. Cars will be removed by Friday. He stated there is to be no advertising streamers on the cars. He asked that the site be kept clean and respect it. He wished them well.

Mr. Richards announced the public hearing for comment. There was no response.

Captain Justin Myers stated on the plans that were submitted show three underground storage tanks on Schedule A.

Attorney Rubins stated he believed there was an issue with DEP in the past and the tanks were removed.

Capt. Myers said if the tanks haven't been removed they will need to be.

Attorney Rubins replied he would be happy to provide him with the confirmation that they were removed.

Mr. Richards stated the current license is for 65 vehicles and the request is for 67.

Attorney Rubins stated there are three handicapped spaces, which are not needed.

Mr. Luongo said if the shed is being taken down it would create more space and that wouldn't be an issue for 67 vehicles.

Mr. Richards made a MOTION to approve the Class II Auto Dealer license to Weymouth Auto Motors, Inc. at 1670 Main St. Mr. McCormack seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF STM FAMILY, INC. FOR A CHANGE OF D/B/A TO 7-ELEVEN 37473A AT 425 WASHINGTON ST.

Mr. Richards stated the application was for a d/b/a name change only.

Mr. Richards announced the hearing for comment; none.

Mr. Richards made a MOTION to approve the change of d/b/a from Tedeschi's to 7-Eleven 37473A at 425 Washington Street. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF CAFÉ AROMA BAKERY, INC. D/B/A CAFÉ AROMA FOR A

COMMON VICTUALLER LICENSE AT 316 WASHINGTON ST.

Mr. Richards stated the application is for an existing 1,600 square foot bakery with the hours of operation as: Monday through Saturday: 6 AM – 10 PM and Sunday: 6 AM – 8 PM with 24 seats.

Mr. Richards asked the applicant if he proposes any changes. He commented that the place was very well kept and seemed to be well liked.

Mr. Kendrick Gomes, President of Café Aroma Bakery, Inc., stated basic changes in the quality of the product they offer as well as offering a menu.

Mr. Bob Luongo stated they have a concern with the dumpsters. Enclosed dumpster needs to be repaired and the exposed dumpster should be enclosed with some type of opaque fencing. He spoke with the landlord and he said they would be enclosed—hopefully, by the end of the week. He would like to see a commitment for that to be done.

Mr. Richards announced the public hearing for comment.

Mr. Robert Stecke, 35 Kensington Avenue, came forward and stated that he would like to see the dumpsters enclosed, as the trash blows in to his yard.

Mr. Richards read a departmental referral from Officer King reporting no public safety objection. The Health Department has met with the prospective buyer. Should the license be granted, he would be subject to necessary inspections.

Capt. Myers stated they have been there recently for fire inspections. The landlord is in the process of completing a fire sprinkler system.

Mr. McCormack commented that he didn't feel it was fair to stipulate that the business owner enclose the dumpster as it is used by other businesses in the plaza.

Mr. Richards made a MOTION to approve the Common Victualler license of Café Aroma Bakery Inc., 316 Washington Street, subject to working with the landlord to enclose the dumpster. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

APPROVALS

- Minutes: July 25, 2017

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

- One-Day Liquor Permit: St. Jerome School, 598 Bridge St.

Mr. Richards made a MOTION to approve a One-Day Liquor Permit for all alcohol for the Saint Jerome School, 598 Bridge Street, for a 60th Anniversary Celebration on November 4, 2017 from 7 PM – 10 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Liquor Permit: Immaculate Conception Parish, 1199 Commercial St.

Mr. Richards made a MOTION to approve a One-Day Liquor Permit for wine and malt for the Immaculate Conception Knights of Columbus, 720 Broad Street, for a dinner dance to be held on October 7, 2017 from 5 PM – 10 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

CHAIRPERSON'S REPORT

- Meeting Schedule

Mr. Richards made a MOTION, mentioning the Council Chambers would be closed to meetings in August and to schedule the next meeting for Tuesday, October 24, 2017 at 2 PM.

Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

CORRESPONDENCE

- Terry Stanton d/b/a Psychic Vision, 515 Bridge St. – Fortune Teller is Out of Business

Mr. Richards stated that Psychic Vision, 515 Bridge Street has gone out of business and has surrendered their Fortune Teller license.

- Mass State Lottery Commission – Keno To Go – Metro Convenience, 230 Bridge St.

Mr. Richards acknowledged receipt of the Keno-To-Go application of Metro Convenience, 230 Bridge Street.

NEW/OLD BUSINESS

ADJOURNMENT

Mr. Richards made a MOTION to adjourn the meeting at 2:40 PM. Mr. McCormack 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