

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, June 29, 2010, at the Weymouth Town Hall, Chambers, 75 Middle Street

Attendance (present): Jeffrey E. Richards, Director of Municipal Licenses & Inspections; Richard Marino, Director of Health; Fire Chief Robert Leary; Police Chief Richard Grimes; Town Solicitor George E. Lane, Jr., Lisa VanWinkle, Secretary; and Licensing Officer Brian King (absent): Chairman Franklin Fryer

Mr. Richards called the meeting to order at 2 PM as the Acting Chairman.

APPROVALS

- Minutes: May 25, 2010

Mr. Richards entertained a MOTION to approve the minutes of the May 25, 2010 meeting. Chief Leary moved the motion. Chief Grimes seconded. UNANIMOUSLY VOTED

- One-Day Food Vendor Permits – Fourth of July Celebration
- Carnival Permit: 2 Cool Entertainment, Inc. – Fourth of July Celebration

Mrs. Lee Hultin, Assistant to the Mayor, presented the applications for the Fourth of July event, stating the celebration would be held on Saturday, July 3rd at the George Lane Beach from 5:30 PM to 10:30 PM. She stated the 4th of July Committee submitted seven One-Day Food Vendor Permits and a Carnival Permit for approval.

Mr. Richards entertained a MOTION for the approval of the One-Day Food Vendor Permit for Costaco, Inc. Chief Leary moved the MOTION. Mr. Marino seconded. UNANIMOUSLY VOTED

Mr. Richards entertained a MOTION for the approval of the One-Day Food Vendor Permit for Weymouth Band Parents Association. Chief Leary moved the MOTION. Mr. Marino seconded. UNANIMOUSLY VOTED

Mr. Richards entertained a MOTION for the approval of the One-Day Food Vendor Permit for Express Pizza. Chief Leary moved the MOTION. Mr. Marino seconded. UNANIMOUSLY VOTED

Mr. Richards entertained a MOTION for the approval of the One-Day Food Vendor Permit for James Cadin d/b/a JC's Ice Cream. Chief Leary moved the MOTION. Mr. Marino seconded. UNANIMOUSLY VOTED

Mr. Richards entertained a MOTION for the approval of the One-Day Food Vendor Permit for Away Café, LLC. Chief Leary moved the MOTION. Mr. Marino seconded. UNANIMOUSLY VOTED

Mr. Richards entertained a MOTION for the approval of the One-Day Food Vendor Permit for

Weymouth Rotary Club, Inc. Chief Leary moved the MOTION. Mr. Marino seconded. UNANIMOUSLY VOTED

Mr. Richards entertained a MOTION for the approval of the One-Day Food Vendor Permit for Peter Anastasi d/b/a Pete's Pushcarts. Chief Leary moved the MOTION. Mr. Marino seconded. UNANIMOUSLY VOTED

- One-Day Liquor Permit: Weymouth Elks

Chief Leary made a MOTION of approval for a One-Day Liquor Permit for the Weymouth Elks event to be held on August 28, 2010 from 12 PM – 6 PM for an outdoor barbeque cook-off. Mr. Marino seconded. UNANIMOUSLY VOTED

LICENSE RENEWALS (EXPIRING JUNE 30th)

- Antique Dealer

Officer King read his report into the record, stating all license holders were found to be in compliance.

Mr. Marino made a MOTION of approval of all Antique Dealer license renewals. Chief Leary seconded. UNANIMOUSLY VOTED

- Auctioneer

Mr. Richards stated there are no auctioneer licenses currently within town.

- Fortune Teller

Officer King read his report, stating the Fortune Teller License of: Meredith Joyce, Rainbows, 93 Bridge Street, is a non-renewal as the location is vacant and for rent.

Chief Leary made a MOTION of approval except those noted. Mr. Marino seconded. UNANIMOUSLY VOTED

- Junk Dealer

Officer King read his report, stating Elmer Baird is deceased; therefore, the Junk Dealer License will not be renewed.

Chief Leary made a MOTION to approve all Junk Dealer licenses, except those noted. Mr. Marino seconded. UNANIMOUSLY VOTED

- Precious Metals

Officer King read his report, stating all Precious Metals Licenses were in compliance except I Sold

It.com, 1212 Washington Street, who is out of business.

Chief Leary made a MOTION to approve all Precious Metals licenses except those noted. Mr. Marino seconded. UNANIMOUSLY VOTED

DISCUSSION – QUARTERLY REVIEW – COLONIAL BOWL, 1055 MAIN ST.

Mrs. Lynne Burbine, owner, was present for the review. She stated she is trying to stay on schedule, although, they recently had a set back with the accident. She has been dealing with the insurance agent to settle. The summer time is a slow time for them—she hopes to increase payments by the fall.

Chief Leary made a MOTION to continue the review for the next quarter. Mr. Marino seconded. UNANIMOUSLY VOTED

**ESTABLISHMENT HAS CLOSED WITHOUT NOTICE TO THE LICENSING BOARD—
DELIBERATION TO CONSIDER THE SUSPENSION, REVOCATION OR
CANCELLATION OF THE COMMON VICTUALLER LICENSE OF CBI ENTERPRISES,
INC. D/B/A LIL BRAZIL, 532 POND ST.**

Mr. Richards stated a letter was received from Mr. and Mrs. Coe surrendering the Common Victualler license of CBI Enterprises, Inc. d/b/a Lil Brazil at 532 Pond Street.

Mr. Richards entertained a MOTION for a revocation and/or acceptance of the surrender of the license. Chief Leary moved the MOTION. Mr. Marino seconded. UNANIMOUSLY VOTED

**APPLICATION OF WENDI LOU'S SUNRISE CAFÉ, INC. D/B/A WENDI LOU'S
SUNRISE CAFÉ FOR A COMMON VICTUALLER LICENSE, 924 BROAD ST.**

Mr. Jon Aieta and Mr. Peter Winqvist, co-owner/manager, presented the application.

Mr. Richards read the departmental referrals into the record. Officer King reported no public safety objection. Mrs. Paula MacLeod, Municipal Finance, reported outstanding FY2010 Real Estate taxes and an outstanding Motor Vehicle Excise for Peter A. Winqvist 2009 and 2010. Mrs. Mary Williamson, Health Inspector, reported she performed a walk-through with Mr. Marino. Major renovations are required in the establishment: floors, sub-floors, walls, ceilings, bathroom, counters, equipment, etc. She has met several times with Mr. Winqvist—she will continue to work closely with the Building Inspectors.

Mr. Aieta, Cassis & Cayer, stated they are hoping to complete required work two months after the approval. The site is the former Stokesy's Egghouse. The restaurant will be a similar operation,

Serving breakfast and lunch. Mr. Winquist has extensive experience in the business.

Solicitor Lane noted that no asset purchase agreement was filed. The advertisement ran listing Peter Windquist d/b/a Wendi Lou's Sunrise Café.

Mr. Aieta explained that since the application was filed Articles of Organization were filed with the State for the corporate name of: Wendi Lou's Sunrise Café, Inc.

Mr. Richards said there is adequate parking with access to the Municipal Parking lot for the requested number of seats.

Mr. Marino suggested a posting is displayed informing their customers that there is no parking on adjacent private parking lots. Plumbing, electrical and building renovations shall be subject to Massachusetts State Code.

Mr. Winquist stated they have a budget to make necessary repairs and get the location up to code.

Mr. Richards announced the public hearing for comments.

Mr. Nicholas Papachristos, owner of Niko's Restaurant, 948 Broad Street, questioned where the customers of Wendi Lou's would be parking.

Mr. Richards stated there is on street parking and parking across the street at the Municipal lot.

Mr. Winquist stated he wants to be a good neighbor and would like to establish a good relationship with Nikos. He will inform his customers that they shouldn't park in Niko's lot.

Chief Leary made a MOTION to approve the Common Victualler license. Chief Grimes seconded.
UNANIMOUSLY VOTED

**APPLICATION OF STOCKHOLDERS, LLC D/B/A STOCKHOLDERS FOR A
TRANSFER OF THE ALL ALCOHOLIC RESTAURANT LICENSE OF KARMA
RESTAURANT, LLC, 1073 MAIN ST.**

Mr. Kevin Hynes, proprietor, and Ms. Karen Diep, President of Karma Restaurant, LLC, were present for the application.

Mr. Hynes stated he is applying for the approval of the transfer of the All Alcoholic Restaurant license from one party to another. He referenced his background, stating he had been in the business for the past 45 years, running all aspects. He is currently down to one restaurant in Quincy, The Inn at Bay Point. He made an arrangement with Mrs. Diep to purchase the assets of Karma Restaurant, LLC. The restaurant will market as a high end steakhouse with affordable prices. Fish and other entrees will be available as well. Aesthetics will be completed inside and out; no structural improvements to be made to the Building.

Solicitor Lane questioned about the writ of attachment.

Ms. Diep stated the matter has been resolved and the necessary paperwork has been filed.

Officer King said he's known Mr. Hynes for nine years and know his work ethic and recommended the approval as the business would be an asset to the Town.

Chief Leary acknowledged Ms. Diep's business adventure and thanked her for bringing her business to the Town of Weymouth. He wished her well in her future endeavors.

Solicitor Lane noted the Municipal Finance Department reported outstanding taxes.

Mr. Marino made a MOTION for favorable action for the approval of the transfer of the All Alcoholic Restaurant license from Karma Restaurant, LLC to Stockholders, LLC. Chief Grimes seconded. UNANIMOUSLY VOTED

Mr. Hynes said he is hoping to open in August.

APPLICATION OF STOCKHOLDERS, LLC D/B/A STOCKHOLDERS FOR A COMMON VICTUALLER LICENSE AT 1073 MAIN ST.

Mr. Marino made a MOTION to approve a Common Victualler License to Stockholders, LLC. Chief Grimes seconded. UNANIMOUSLY VOTED

APPLICATION OF STOCKHOLDERS, LLC D/B/A STOCKHOLDERS FOR AN ANNUAL ENTERTAINMENT LICENSE AT 1073 MAIN ST.

Mr. Marino made a MOTION to approve the issuance of an Annual Entertainment License. Chief Leary seconded. UNANIMOUSLY VOTED

Mr. Richards informed Mr. Hynes that the permits are subject to the issuance of occupancy, health and building permits.

CHAIRMAN'S REPORT

- Meeting Schedule

Mr. Richards made a MOTION to schedule the next meeting for Tuesday, September 21, 2010 at 2 PM. The Licensing Board will be on summer recess until such time. Chief Leary seconded. UNANIMOUSLY VOTED. (Meeting time has been amended to 1 PM to coincide with the Building Department hours).

CORRESPONDENCE

- Common Victualler License of Stephen Zervos d/b/a Papa Giorgio's Pizza, 1616 Main St. has

been surrendered (June 1, 2010)

Mr. Richards entertained a MOTION for the acceptance of the surrender of the Common Victualler license of Stephen Zervos d/b/a Papa Giorgio's from the location of 1616 Main Street. Chief Leary moved the MOTION. Mr. Marino seconded. UNANIMOUSLY VOTED

- Massachusetts State Lottery Commission RE: KENO-to-GO application of Maria's Convenient Express, 505 Columbian St.

Chief Leary made a MOTION to accept the application of Maria's Convenient Express for a Keno-to-GO License. Mr. Marino seconded. UNANIMOUSLY VOTED

- Surrender of Class II Auto Dealer License – Auto Braz-USA, 367 Washington St.

Mr. Richards entertained a MOTION for the acceptance of the surrender of the Class II Auto Dealer license of Auto Braz-USA from the location of 367 Washington Street. Chief Leary moved the MOTION. Mr. Marino seconded. UNANIMOUSLY VOTED

- Mass State Lottery Commission – Keno Application: Peppercornz, 1037 Main St.

Chief Leary made a MOTION to accept the application of Peppercornz for a Keno License. Mr. Marino seconded. UNANIMOUSLY VOTED

NEW/OLD BUSINESS

- Municipal Licensing Group – Upcoming Meeting: June 15, 2010

Officer King stated he, Mr. Richards and Mr. Fryer attended the meeting. The ABCC was present discussing their newly updated web site, which will not only benefit the public but also the municipalities. He stated the Registry of Motor Vehicles was also present regarding registry updates for cars and boats.

ADJOURNMENT

Mr. Richards made a MOTION to adjourn at 2:40 PM. Chief Leary seconded. UNANIMOUSLY VOTED

Respectfully submitted,

Lisa VanWinkle,
Recording Secretary

BOARD OF LICENSING COMMISSIONERS

Tuesday, June 29, 2010

Page 7 of 7

Approved:

Date:

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