

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, September 21, 2010, at 1 PM in the Weymouth Town Hall, Chambers, 75 Middle Street

Attendance: Chairman Franklin Fryer; Jeffrey Richards, Director of Municipal Licenses & Inspections; Fire Chief Robert Leary; Police Chief Richard Grimes; Daniel McCormack, Director of Health; Town Solicitor George E. Lane, Jr.; Licensing Officer Brian King and Firefighter Justin Myers.

Chairman Fryer called the meeting to order at 1 PM.

## **APPROVALS**

- Minutes: June 29, 2010

Mr. Richards made a MOTION to approve the June 29, 2010 meeting minutes as submitted. Mr. McCormack seconded. UNANIMOUSLY VOTED

- One-Day Food Vendor License: Friends of Foster Care – Touch a Truck Event

Mr. Richards made a MOTION to approve a One-Day Food Vendor License for the Friends of Foster Care for a “Touch a Truck Event” to be held at Chapman Middle School, 1051 Commercial Street, on September 23, 2010 from 12 PM – 3 PM. Mr. McCormack seconded. UNANIMOUSLY VOTED

- One-Day Wine & Malt Permit: St. Jerome Parish, 632 Bridge St.

Mr. Richards made a MOTION to approve a One-Day Wine & Malt Permit for St. Jerome Parish for a parish event to be held on October 16, 2010 from 6 PM – 12 AM. Mr. McCormack seconded. UNANIMOUSLY VOTED

Mrs. Lee Hultin, Assistant to the Mayor, was present for the approval, stating the Great Pumpkin Give-a-Wey event would be held on Saturday, October 2, 2010 at the Weymouth Town Hall/Libby Field from 12 PM – 4 PM. There will be activities such as tables from local civic groups and nonprofit organizations, food concession, music, pumpkin patch, field games, hay rides, pumpkin carving contest, Farmers’ Market and inflatable rides.

- One-Day Food Vendor Permits: Great Pumpkin Give-a-Wey

Mr. Richards made a MOTION for the approval of One-Day Food Vendor Permits for October 2, 2010: Weymouth Band Parents; Troop 92; Weymouth High School Culinary Arts; Olympic Pizza; and Bob’s Muffin Shop. Mr. McCormack seconded. UNANIMOUSLY VOTED

Chief Leary arrived to the meeting at 2:05 PM.

- One-Day Entertainment Permit: Great Pumpkin Give-a-Wey

Mr. Richards made a MOTION of approval for the One-Day Entertainment Permit for October 2, 2010. Mr. McCormack seconded. UNANIMOUSLY VOTED

- Carnival Permit: Great Pumpkin Give-a-Wey

Mr. Richards made a MOTION to approve the carnival permit of Its 2 Cool, Inc. for the Town of Weymouth's Great Pumpkin Give-a-Wey event to be held on October 2, 2010 from 12 PM – 4 PM. Mr. McCormack seconded. UNANIMOUSLY VOTED

## CORRESPONDENCE

- ABCC RE: new law – 10 AM Service of Alcohol on Sundays

Mayor Susan Kay was present supporting the new law, stating it would be a boost to the businesses during a tough economic time. She encouraged the adoption of the law by the Licensing Board, asking that the approval be on a case by case basis, requiring a full breakfast menu during alcohol service.

Solicitor Lane stated he spoke with the Alcoholic Beverages Control Commission's counsel William Kelly regarding the new law. The hours would be subject to the Licensing Board's approval, with the recommendation that food be served during such hours. This is subject to section 12 license holders, including: restaurants and clubs.

Mr. Richards questioned whether the approval required a public hearing.

Solicitor Lane replied that it required an approval, but is not subject to a public hearing. He suggested that correspondence is mailed to all Section 12 license holders, informing them of the regulation, asking them to apply by written letter, and the matter will be subject to the Licensing Board's approval on a case by case basis.

Mr. Richards made a MOTION to approve the additional hours of Section 12 licensees from 12 PM to 10 AM on Sundays, after a review of a request by the licensee; approval is subject to having breakfast service. Mr. McCormack seconded the motion. UNANIMOUSLY VOTED

- ABCC RE: M.G.L. Chapter 138, Section 12 – Amendment requiring liquor licensees and applicants to have a minimum amount of liquor liability insurance coverage

Mr. Richards made a MOTION to notify all Section 12 license holders of amendment of law which is in effect for transfer of licenses as well as renewals. Mr. McCormack seconded the motion. UNANIMOUSLY VOTED

APPLICATION OF MARY ELLEN WHITLEY D/B/A ABIGAIL ADAMS ANTIQUES FOR AN ANTIQUE DEALER LICENSE, 177 BRIDGE ST.

Ms. Whitley stated she had been in the business since 2003, since retiring from State Street Bank.

She started in New Hampshire and also had a tax business. She found the location in Weymouth on Bridge Street and decided it was a great location for an antique dealer. She has a month to month lease.

Officer King said he had no issues.

Chairman Fryer announced the public hearing; no comments.

Mr. Richards made a MOTION to approve the Antique Dealer License for Antique Adams Antiques at 177 Bridge Street. Chief Leary seconded the motion. UNANIMOUSLY VOTED

APPLICATION OF **LONDON GOLD RESERVE, INC.** FOR A PRECIOUS METALS LICENSE AT 198 BRIDGE ST.

Mr. Richards made a MOTION to table the matter. Chief Leary seconded. UNANIMOUSLY VOTED

PARKING PLAN AMENDMENT ON THE CLASS II AUTO DEALER LICENSE OF **K&S DREIK, INC. D/B/A SAM'S AUTO**, 115 WASHINGTON ST.

Mr. Richards stated the modification of license came through the Zoning Board of Appeals. Everyone has a copy of the plan dated May 24, 2010. Previous plan was submitted when the Licensing Board approved the license. After a review of the plan, no spaces will be lost.

Mr. Richards made a MOTION to approve the changes and modifications to the building per submitted plans and allow Sam's Auto to maintain their Class II Auto Dealer license as issued. Mr. McCormack seconded. UNANIMOUSLY VOTED

ESTABLISHMENT HAS CLOSED WITHOUT DUE NOTICE TO THE LICENSING BOARD—DELIBERATION TO CONSIDER THE SUSPENSION, REVOCATION OR CANCELLATION OF THE CLASS II AUTO DEALER LICENSE OF **BROAD STREET AUTO**, 565 BROAD ST.

Mr. Richards stated Mr. Awada delivered his return dealer plate receipt today.

Mr. Richards made a MOTION to accept the surrender of the Class II Auto Dealer license of Broad Street Auto, 565 Broad Street. Chief Leary seconded. UNANIMOUSLY VOTED

APPLICATION OF **CHRICHI, INC. D/B/A HOLLYWOOD PIZZA** FOR A COMMON VICTUALLER LICENSE, 1600 MAIN ST., UNIT 4

Mr. Anthony Ziotis, owner/manager, and Mr. Ioannis Pavioli, owner, were present.

Mr. Richards said a thirty seat restaurant is permitted in the B-1 Zone in which it is located. The site provides adequate parking for the proposed capacity. As the proposal conforms to all applicable requirements of the Town Zoning Ordinances, the license may be granted. He continued

to read the departmental referrals into the record. Ms. Paula MacLeod, Municipal Finance, reported all taxes as current. Firefighter Justin Myers reported fire and life safety inspection conducted on August 17, 2010, showed Ansul system and fire extinguishers will need to be maintained prior to occupancy. Officer King reported no public safety objection.

Mr. Richards stated the hours of operation shall be Monday through Saturday: 10 AM – 11 PM; the location was formerly a pizza restaurant under the name of Papa Giorgio's.

Mr. Ziotis and Mr. Pavioli introduced themselves as the owners. Mr. Ziotis currently operates a similar business in Weymouth known as Express Pizza on North Street.

Mr. McCormack stated they will be required to follow health regulations and need to meet with the Health Department and file appropriate paperwork.

Mr. Richards stated an occupancy permit and sign permit would be required from the Building Department.

Chairman Fryer announced the public hearing for comment; none.

Mr. Richards made a MOTION of approval of the issuance of the Common Victualler license. Mr. McCormack seconded. UNANIMOUSLY VOTED

APPLICATION OF **SIAM FIRST, INC. D/B/A SIAM FIRST THAI CUISINE** FOR A TRANSFER OF THE ALL ALCOHOLIC RESTAURANT LICENSE, 1616 MAIN ST.

APPLICATION OF **SIAM FIRST INC. D/B/A SIAM FIRST THAI CUISINE** FOR A COMMON VICTUALLER LICENSE, 1616 MAIN ST.

Attorney Peter Lim and Mr. Praderm Paenmuan, President of Siam First Inc., were present.

Mr. Richards stated the use of the premises as a restaurant is permitted in the B-1 Zone in which it is located. The application proposes 69 seats, which was allowed under a former restaurant as no change in capacity or in the number of required parking spaces will occur. Accordingly, the requested license conforms to all applicable zoning and building regulations, and therefore, may be granted. Mr. McCormack reported the existing restaurant is in good standing with the Health Department. If the license is approved, the new owner must contact Mary Williamson and submit all required documentation. Officer King reported no public safety objection.

Attorney Lim stated the only changes to the business shall be the name, ownership and sign. The former business operated as Sweet Lemons II. The proposed owner has 15 years of experience.

Mr. Richards made a MOTION of approval for the transfer of the All Alcoholic Restaurant License of A&P Lemons, Inc. to Siam First, Inc. d/b/a Siam First Thai Cuisine. Chief Leary seconded. UNANIMOUSLY VOTED

Mr. Richards made a MOTION for the approval of the Common Victualler license. Chief Leary seconded. UNANIMOUSLY VOTED

APPLICATION OF **UPNEET, INC. D/B/A INDIAN DELIGHT** FOR AN ANNUAL ENTERTAINMENT LICENSE, 428 WASHINGTON ST.

Mr. Gurcharan Singh, manager, was present.

Mr. Richards read the departmental referrals into the record. The Municipal Finance Department reported no delinquencies. The Health Department reported no objection. Officer King reported no public safety objection.

Mr. Singh stated he would like to be able to offer a live band (4-5 pieces) for entertainment.

Mr. Richards stated the entertainment would be required to be offered in the restaurant portion of the site.

Mr. Singh stated that is what they planned, and will be taking out some of the tables to make room for it.

Mr. Richards read a letter received from Councilor Patrick O'Connor, who fully supported the application and recommended favorable action.

Mr. Richards made a MOTION to approve the Annual Entertainment license. Chief Grimes seconded. UNANIMOUSLY VOTED

APPLICATION OF **SAR, INC. D/B/A PACINI'S ITALIAN** EATERY FOR A WINE & MALT RESTAURANT LICENSE TRANSFER, 836 WASHINGTON ST.

APPLICATION OF **SAR, INC. D/B/A PACINI'S ITALIAN EATERY** FOR A COMMON VICTUALLER LICENSE, 836 WASHINGTON ST.

Mr. Ramin Doorandish, President of SAR, Inc., was present.

Mr. Richards stated the use of the premises as a restaurant is permitted in the HT zoned portion of the lot only by special permit from the Planning Board. However, the Planning Board Case #91-2-5/23 granted a Special Permit to the entire plaza for the uses of subsection 120-23. A through G (which includes restaurant uses) by their approval under 120-25.B. The parking is adequate for the proposed 48 seat restaurant. Accordingly, the proposal conforms to all applicable requirements of the Town's Zoning and Building Regulations and the requested license may be granted. He continued to read the departmental referrals into the record. Mrs. Williamson, Health Department, reported the applicant must meet with prospective owner regarding licensing requirements. Officer King reported no public safety objection to the license transfer.

Officer King asked Mr. Doorandish if he was TIPS certified. He reminded Mr. Doorandish that the Town of Weymouth holds their annual Alcohol Awareness Training which is mandatory for all license holders.

Mr. Doorandish replied he was.

Chairman Fryer announced the public hearing for comment; none.

Mr. Richards made a MOTION to approve the transfer of the Wine & Malt Restaurant license from Pacini's Italian Eatery Inc. to SAR, Inc. Chief Grimes seconded. UNANIMOUSLY VOTED

Mr. Richards made a subsequent MOTION to approve a Common Victualler license for SAR, Inc. d/b/a Pacini's Italian Eatery. Mr. McCormack seconded. UNANIMOUSLY VOTED

APPLICATION OF **LONDON GOLD RESERVE, INC.** FOR A PRECIOUS METALS LICENSE AT 198 BRIDGE ST.

Mr. Richards brought back on the table the application of London Gold Reserve, Inc. for a Precious Metals License. No one was present.

Mr. Richards made a MOTION to cancel the application and notify the applicant to reapply if interested. Mr. McCormack seconded. UNANIMOUSLY VOTED

### **CHAIRMAN'S REPORT**

- Meeting Schedule

Mr. Richards made a MOTION to schedule the October meeting date for October 19, 2010 at 1 PM to be held in the Council Chambers. Chief Leary seconded. UNANIMOUSLY VOTED

### **ADJOURNMENT**

Mr. Richards made a MOTION to adjourn at 1:45 PM. Chief Leary seconded. UNANIMOUSLY VOTED

Respectfully submitted,

Lisa VanWinkle,  
Recording Secretary

Approved:

Date:

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