

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, October 19, 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 (absent); Daniel McCormack, Director of Health; Town Solicitor George E. Lane, Jr.; and Licensing Officer Brian King.

Chairman Fryer called the meeting to order at 1 PM.

APPROVALS

- Minutes: September 21, 2010

Solicitor Lane asked that the word “requirement” on Page 2, 4th paragraph, 3rd line be changed to “recommendation”.

Mr. Richards made a MOTION to approve the September 21, 2010 meeting minutes as amended. Chief Leary seconded. UNANIMOUSLY VOTED

- 10 AM Sunday Alcohol Service Requests:

1. Venetian, 909 Broad St.

Mr. Richards made a MOTION to approve the change of Sunday hours for alcohol service to commence at 10 AM. Chief Leary seconded. UNANIMOUSLY VOTED

2. Jackson Square Tavern Restaurant, 1530 Commercial St.

Mr. Richards made a MOTION to approve the change of Sunday hours for alcohol service to commence at 10 AM. Chief Leary seconded. UNANIMOUSLY VOTED

APPLICATION OF **RICKY SMITH PONTIAC, INC. D/B/A WEYMOUTH AUTO MALL** FOR A CLASS II AUTO DEALER LICENSE, 25 MAIN ST.

Attorney John Walker and Mr. Richard Smith, President, were present for the approval.

Mr. Richards stated the Class I Auto Dealer license will be surrendered after the approval. The lot is suitable for 230 vehicles based on a review of the site plan. They may also stock cars if they submit a specific plan for approval. He read the departmental referrals into the record. Officer King reported no public safety objection. The Municipal Finance Department reported taxes current except for the property located at 0 Main Street, assessed to Rose Smith & Rebecca Baker. Mr. McCormack, Director of Health, reported the facility is in good standing with their department; no objections.

Attorney Walker stated the application was submitted for a Class II Auto Dealer license, set of plans, \$25,000 bond and legal notice receipts. The cause for the change is due to General Motors

closing some franchises, including theirs.

Chief Leary stated he is glad they are not leaving; they are a good neighbor to the town.

Mr. Smith stated they received a notice from General Motors stating they would be cancelling the franchise.

Chairman Fryer announced the public hearing for comment; none.

Mr. Richards made a MOTION to approve the Class II Auto Dealer license for 230 vehicles to Ricky Smith Pontiac, Inc. d/b/a Weymouth Auto Mall, 25 Main St. Chief Leary seconded.
UNANIMOUSLY VOTED

APPLICATION OF **VB DINING GROUP, INC. D/B/A PEPPERCORNZ** FOR A CHANGE OF HOURS ON THEIR ALL ALCOHOLIC RESTAURANT & COMMON VICTUALLER LICENSES, 1037 MAIN ST.

Ms. Linda Varasso, President/Manager, was present.

Mr. Richards read the departmental report from Officer King into the record, stating the Police Department does not have a public safety objection to the requested change of hours, but questioned if they satisfy the public convenience aspect of the All Alcoholic Restaurant license.

Mr. Richards stated Peppercornz is applying for the hours of Tuesday, Wednesday, Thursday: 4 PM – 9 PM; Friday and Saturday: 4 PM – 10 PM; closed the week of July 4th.

Ms. Varasso stated they have decided it is not profitable to stay open all hours.

Mr. Richards made a MOTION to approve the change of operational hours on the licenses for VB Dining Group, Inc. d/b/a Peppercornz, 1037 Main St. Mr. McCormack seconded.
UNANIMOUSLY VOTED

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

Ms. Lynn Burbine was present for the quarterly discussion.

Mr. Richards stated Municipal Finance Department submitted an updated balance. He suggested that the agreement is amended with the Town. The payments schedule should be in accordance with what can be made on a monthly basis. As a Board they do not want to put you out of business, but as a Town it doesn't work. He is nervous as a Board to have the amount of taxes outstanding.

Solicitor Lane informed Ms. Burbine that she is to understand that they are approaching a tax title process. This is getting into a high priority item. The Town is getting into an economy where it needs to collect every tax dollar that they can.

Mr. Richards directed Ms. Burbine to see the Tax Office and discuss and arrange a new agreement. She should request an amount that she is able to payment ever single month.

Mr. Richards made a MOTION to table the discussion until the next meeting for Ms. Burbine to present the amended agreement. Mr. McCormack seconded. UNANIMOUSLY VOTED

APPLICATION OF **RIVERWAY RESTAURANT GROUP, INC. D/B/A TIO JUAN'S MARGARITAS MEXICAN RESTAURANT** FOR A CHANGE OF MANAGER ON THEIR ALL ALCOHOLIC RESTAURANT, COMMON VICTUALLER, JUKE BOX LICENSES, 765 BRIDGE ST.

Mr. Del Alan Marshall, proposed Manager, was present before the Board.

Officer King noted that Mr. Marshall has a perfectly clean record; no public safety objection.

Mr. Richards made a MOTION to approve the change of manager on the All Alcoholic Restaurant license of Riverway Restaurant Group, Inc. d/b/a Tio Juan's Margaritas Mexican Restaurant. Chief Leary seconded. UNANIMOUSLY VOTED

CHAIRMAN'S REPORT

- Meeting Schedule

Mr. Richards made a MOTION to schedule the next meeting for Tuesday, November 16, 2010 at 1 PM to be held in the Council Chambers. Chief Leary seconded. UNANIMOUSLY VOTED

Mr. Richards made a MOTION to schedule the December meeting date for Tuesday, December 21, 2010 at 1 PM. Mr. McCormack seconded. UNANIMOUSLY VOTED

CORRESPONDENCE

- Correspondence RE: All Alcoholic Restaurant License of: Vinnie's Euro, Inc. d/b/a Cannolis, 920 Washington St.

Mr. Richards read the correspondence from Mr. Axios, stating he would be reopening the restaurant in a few weeks.

Mr. Richards stated a new Certificate of Occupancy would be required.

Mr. McCormack asked that the Health Department be contacted to re-inspect.

- Mass State Lottery Commission: KENO to Go – Pleasant Market, 1305 Pleasant St.

Mr. Richards made a MOTION to accept the application. Chief Leary seconded. UNANIMOUSLY VOTED

NEW/OLD BUSINESS

- REMINDER: License Renewals will be distributed November 1st and are due November 30th
- Next Page Café, 550 Broad St.

Officer King requested that Next Page Café be called in at the next meeting to discuss noise complaints in relation to their Annual Entertainment License.

Mr. Richards asked that Officer King provide a list of past incidents for the meeting.

Mr. Richards made a MOTION to send a notice to Next Page Café to request their presence for the November 16th meeting for discussion purposes. Chief Leary seconded. UNANIMOUSLY VOTED

ADJOURNMENT

Mr. Richards made a MOTION to adjourn at 1:25 PM. Chief Leary seconded. UNANIMOUSLY VOTED

Respectfully submitted,

Lisa VanWinkle,
Recording Secretary

Approved:

Date:

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