

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, February 13, 2007, at the Weymouth Town Hall, Chambers, 75 Middle Street

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

Chairman Fryer called the meeting to order at 2 PM.

APPLICATION OF WOK-N-GRILL, INC. FOR A CHANGE OF D/B/A ON THEIR ALL ALCOHOLIC RESTAURANT/COMMON VICTUALLER LICENSE AT THE LOCATION OF 35 PLEASANT ST. TO PANDA PALACE

Mrs. Sara Lin, owner/manager, was present.

Mr. Richards stated Mrs. Lin was recently before the Board for the approval of the change of location/transfer of her restaurant.

Mrs. Lin stated she decided after receiving numerous comments about the name change that she would keep the name of the restaurant as "Panda Palace".

Chairman Fryer opened the public hearing for comments; none.

Mr. Richards made a MOTION for the approval of the d/b/a name change to Panda Palace. Mr. Marino seconded. UNANIMOUSLY VOTED

APPLICATION OF NBG, INC. D/B/A TaBasCo. BAR & GRILL RE: PAST INCIDENTS OF PUBLIC SAFETY CONCERN

Mr. Domenic Silvestro, owner/manager, was present.

Mr. Richards read correspondence received from Officer King. It stated the Police Department has received numerous complaints from the establishment of which is a public safety concern. In the past month there have been seven drug arrests and one criminal complaint sought for drugs. Additionally, in the past two months complaints have been received about parking, noise and trash as well as for having drinking games on the premises.

Mr. Silvestro stated the lights and broken fence have been fixed; he has hired police details. He noted that all of the incidents happened outside of the establishment in the parking lot. His employees police the parking lot hourly. All of his staff is server trained. He stated he doesn't want to have a bad reputation. He would be happy to hire additional police details. His establishment is busier than the previous restaurant and unfortunately that has brought more incidents of concern. He also polices the parking lot for liter and offered a bag of liter as evidence.

Chief Thomas stated the trash complaint is in regards to empty beer bottles and cans. They have also received complaints about the noise of patrons loitering in the parking lot.

Mr. Silvestro presented letters from the surrounding businesses supporting his establishment.

Chief Thomas stated the Police have spent an inordinate amount of time at the establishment. He also stated Mr. Silvestro needs to pay a little more attention to detail. He cited the list of calls received by the Police Department.

Mr. Silvestro replied he encourages his employees to call the police if there is an incident. He is active in the community and wants to be a good neighbor.

Chief Thomas stated Mr. Silvestro needs to do a better job policing the area and parking lot.

Chairman Fryer noted that when Mr. Silvestro came before the Board for approval, he marketed the restaurant as a "family-style restaurant".

Mr. Silvestro replied the restaurant has attracted a younger crowd. The establishment is hip. He offers great entertainment and different types of alcoholic beverages.

Mr. Richards stated the exterior of the location needs to be lit up more.

Chief Thomas agreed that if the parking area was lit it would make it a safer area; although, the neighbors may not like the light shinning into their homes.

Officer King stated the back of the lot definitely needs to be lit near the church. This could be done without intruding into the neighbor's property. He cited an example of when he was doing a detail there and had to break up a fight. It was difficult to see in the rear parking lot.

Mr. Silvestro stated there is a light within the parking lot; it is costly to keep lit. He would like to have pertinent regulations to make sure additional lighting wouldn't be too bright. He doesn't want to upset his neighbors.

Mr. Richards replied he could address such with him.

Officer King also cited the issue of drinking games and unattended pitchers of beer; Mr. Silvestro needs to reassess what is going on inside as well. He understands Mr. Silvestro is newly in business. Police details are a good idea, but there is always the issue as to whether they may be filled.

Chief Thomas told Mr. Silvestro he needs to pay more attention to details.

Chairman Fryer asked if anyone wished to speak in regards to the discussion.

Mr. & Mrs. Kevin January, 95 Mutton Lane, stated they spoke with Mr. Silvestro regarding trash issues and deliveries being made, blocking their driveway. They are happy to see a thriving business in the neighborhood and would appreciate his cooperation. They had a good relationship with the past owner, Mr. Mannion, and look forward to the same with Mr. Silvestro.

Mr. Robert DelGallo, Factory Collision, cited the issue of his fence being backed into. He stated Mr. Silvestro stated he would take care of it. There is more traffic now and it is good to see someone functioning there as it has been a ghost town.

Mr. Marino suggested installing video surveillance to deter illegal activities.

Mr. Silvestro replied that it would be cost prohibitive.

Officer King stated he felt lighting the lot would be more effective.

The Board dismissed Mr. Silvestro and noted the matter would be placed on file.

APPLICATION OF DANIEL'S TOWNLINE II, INC. D/B/A TOWNLINE II RESTAURANT & SPORTS BAR FOR THE TRANSFER OF THE ALL ALCOHOLIC RESTAURANT/COMMON VICTUALLER LICENSE OF CFL CORPORATION D/B/A BILLY BUDD'S AT THE LOCATION OF 117 BRIDGE ST.

Mr. Daniel Hoyng, owner/manager, was present.

Mr. Richards read the departmental referrals into the record. The Health Department stated they needed plans and certifications. Officer King reported a public safety objection to the proposed manager on the application. He stated he was unsuitable at the present time.

Mr. Hoyng stated he plans on doing interior upgrades to the restaurant. The bar will be reduced in size; he wants the focus to be the food. He believes in surveillance, which he has at his other location in South Weymouth. This way he is able to also monitor his employees. Safety is a big concern of his. There will be a separate non-alcoholic area for the consumption of food. He will be doing various renovations to the property and making the restaurant ADA compliant.

Mr. Hoyng also stated his business partner, John Caliri, would like to become the manager in the future. He stated he will be the manager in the time being for forty hours per week.

Chairman Fryer opened the public hearing for comment.

Mr. Brian White, 26 Vanness Road, stated ever since the smoking ban, patrons loiter in the parking lot.

Mr. Hoyng replied he plans to improve the restaurant, having an exterior area for smokers. He also plans to purchase the building next door for storage and his office.

Mr. Richards made a MOTION for the approval of the All Alcoholic Restaurant license transfer. Mr. Marino seconded.

Mr. Marino stated Mr. Hoyng would like to operate without alcohol until receiving the final approval of the ABCC.

Chief Leary suggested for Mr. Hoyng to give out the address of his current location so that the neighbors could check it out as it would be a similar operation.

Mr. Hoyng stated he operates a pizza parlor, Townline Pizza at 1690 Main Street, South Weymouth.

Chief Thomas questioned Mr. Hoyng if the gentleman who originally applied as manager was in his employ.

Mr. Hoyng replied yes, he oversees the kitchen and the food service side of the business.

Chairman Fryer stated there is a motion before the body; all in favor. SO VOTED (4-1 Chief Thomas opposed)

APPLICATION OF DANIEL'S TOWNLINE II, INC. D/B/A TOWNLINE II RESTAURANT & SPORTS BAR FOR A COMMON VICTUALER LICENSE, 117 BRIDGE ST.

Mr. Richards made a MOTION of approval. Mr. Marino seconded. UNANIMOUSLY VOTED

APPLICATION OF DANIEL'S TOWNLINE II, INC. D/B/A TOWNLINE II RESTAURANT & SPORTS BAR FOR A JUKE BOX LICENSE, 117 BRIDGE ST.

Mr. Richards made a MOTION of approval. Mr. Marino seconded. UNANIMOUSLY VOTED

APPLICATION OF DANIEL'S TOWNLINE II, INC. D/B/A TOWNLINE II RESTAURANT & SPORTS BAR FOR A VIDEO GAME LICENSE, 117 BRIDGE ST.

Chief Thomas asked what company Mr. Hoyng was leasing the equipment from.

Mr. Hoyng replied Mello-Tone Vending. He will have a Golden Tee machine and a bar top machine with various games, non-card.

Mr. Richards made a MOTION of approval. Mr. Marino seconded. UNANIMOUSLY VOTED

APPLICATION OF DANIEL'S TOWNLINE II, INC. D/B/A TOWNLINE II RESTAURANT & SPORTS BAR FOR A SUNDAY ENTERTAINMENT LICENSE, 117 BRIDGE ST.

Mr. Richards made a MOTION of approval. Mr. Marino seconded. UNANIMOUSLY VOTED

Mr. Hoyng noted the Sunday Entertainment license was needed to be able to operate the juke box

on Sundays.

APPROVALS

- Minutes: January 23, 2007

Solicitor Lane noted changes on Page 2, wording should be occupation instead of “capacity” and Page 3, “....license will be suspended for two days.”

Mr. Richards made a MOTION of approval for the amended minutes. Chief Leary seconded.

UNANIMOUSLY VOTED

- Fundraiser Permit: Wessagussett V.F.W. Post #1399 – Annual Poppy Drive

Mr. Richards stated the Annual Poppy Drive will be held at Stop & Shop and Walmart on May 11-13, and 18-20, 2007. He made a MOTION of approval. Chief Thomas seconded.

UNANIMOUSLY VOTED

CHAIRMAN’S REPORT

- Next Meeting: March 13, 2007

ADJOURNMENT

Mr. Richards made a MOTION to adjourn the meeting at 3 PM. Chief Thomas seconded.

UNANIMOUSLY VOTED

Respectfully submitted by Lisa VanWinkle, Recording Secretary