

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, September 30, 2008, at the Weymouth Town Hall, Chambers, 75 Middle Street

Attendance: Chairman Franklin Fryer; Jeffrey Richards, Director of Municipal Licenses & Inspections; Fire Chief Robert Leary; Acting Police Chief Brian Callahan; Richard Marino, Health Director; Town Solicitor George E. Lane, Jr., Licensing Officer Brian King; Lt. Charles White, Fire Prevention Officer and Lisa VanWinkle, Secretary

Chairman Fryer called the meeting to order at 2 PM.

APPLICATION OF KWOK-SU, INC. D/B/A PEKING KITCHEN FOR A COMMON VICTUALLER LICENSE, 35 WASHINGTON ST.

Attorney Margaret Soo Hoo and applicant Su Wei Tan were present.

Mr. Richards stated the B-2 Zone allows a restaurant in the location and the parking is adequate for the 14 seats requested. Therefore, the license may be granted. He continued to read the departmental referrals into the record. Mr. David Kaplan, Health Inspector, reported new owner needs to submit application and fee to their department. Lt. Charles White, Fire Prevention Coordinator, reported at fire and life safety inspection conducted on 9/15/08 he noted newly renovated, fire alarm okay; Ansul system and fire extinguishers are up to date; abandoned fuel oil storage tank and associated piping must be removed by owner. Attempt was made a contact owner; message was left with no response. Owner must contact Fire Prevention for permit and approvals. Officer King reported no public safety objection to the change of ownership.

Chairman Fryer announced the public hearing for comment; none.

Attorney Soo Hoo stated Ms. Tan has been employed by the current owner and is taking over the business.

Mr. Richards made a MOTION to approve the Common Victualler license for Kwok-Su, Inc. d/b/a Peking Kitchen. Chief Leary seconded. UNANIMOUSLY VOTED

APPLICATION OF RIGHT DEAL MOTORS, INC. FOR A CLASS II AUTO DEALER LICENSE, 1076 MAIN ST.

Mrs. VanWinkle informed the Board that the applicant contacted the office to request that the application be withdrawn. Mr. Charlie El-Helou, applicant, had stated he would reapply in the future.

Mr. Richards made a MOTION to withdraw the application without prejudice. Chief Leary seconded. UNANIMOUSLY VOTED

COLONIAL BOWL, 1055 MAIN ST. – RE: OUTSTANDING REAL ESTATE TAXES – CONTINUED DISCUSSION (4 MONTH REVIEW)

Mr. Richards stated Ms. Burbine requested to continue the matter until the next meeting.

Solicitor Lane stated he has been informed there are discrepancies within the Tax Office with the Deputy Collector as to what is actually owed. The Board will need an accurate balance to clarify and get the full picture for the next meeting.

Mr. Richards made a MOTION to continue the discussion to the next meeting. Chief Leary seconded. UNANIMOUSLY VOTED

APPLICATION OF SUN BUSINESS, INC. FOR A CHANGE OF D/B/A NAME TO GABRIELLA'S AT 1690 MAIN ST.

Mr. Charlie Sigbhini, representative of Sun Business, Inc. was 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 allocated parking of 7.5 cars is adequate for a seating capacity of 12 persons. Accordingly, provided the seating capacity is limited to 12 persons, the application conforms to all applicable Town Zoning and Building Regulations and may be granted. He continued to read the departmental referrals into the record. Officer King reported no public safety objection. Lt. White reported a fire and life safety inspection was conducted on September 25, 2008. All fire extinguishers must be mounted and accessible. Ansul system and fire extinguishers need current inspection certification.

Mr. Marino asked if there would be any change of ownership.

Mr. Sigbhini replied no, just a change of d/b/a and the look/concept of the establishment.

Mr. Richards made a MOTION to change the d/b/a name to Gabriella's, contingent upon the issuance of the Certificate of Occupancy. Captain Callahan seconded. UNANIMOUSLY VOTED

APPLICATION OF BRIDGE STREET PIZZERIA, INC. D/B/A BRIDGE STREET PIZZERIA & SPORTS BAR FOR A CHANGE OF OPERATIONAL HOURS ON THEIR ALL ALCOHOLIC RESTAURANT/COMMON VICTUALLER LICENSES, 117 BRIDGE ST.

Mr. Charlie Sigbhini, representative of Sun Business, Inc. was present.

Mr. Richards stated the use of the premises as a restaurant is permitted in the B-2 Zone in which it is located. The proposed sixty-six seat capacity is the same as the former occupant and therefore, the existing parking is adequate per Subsection 120-69 of the Town's Zoning Ordinance. Accordingly, the license request conforms to all applicable requirements of the Town's Zoning and Building regulations and may be granted. He continued to read the departmental referrals into the record. Officer King reported the Police Department has a public safety concern regarding the early opening where the business is abutted by private residences both to the rear and the side. There is a possible noise issue from vehicles entering and exiting the property. Lt. White reported

fire and life safety inspection was conducted on September 25, 2008. Exit and emergency lighting was okay. Ansul system was okay; however, they need a K-Class fire extinguisher mounted in the kitchen area. Mr. David Kaplan, Health Inspector, reported no objections.

Mr. Sigbhini stated they would like to increase their operational hours to open for breakfast at 5 AM. They are trying to increase their revenue as the market has been tough.

Mr. Richards asked Officer King to speak regarding his public safety concerns.

Officer King stated at 5 AM there is a lot of traffic on Bridge Street (Route 3A). He suggested if the approval was granted that it is issued with a 90 day trial period to monitor noise concerns.

Chairman Fryer announced the public hearing; no comments.

Mr. Richards made a MOTION to approve the 5 AM opening for a 90 day trial period. Captain Callahan seconded. UNANIMOUSLY VOTED

APPROVALS

- Minutes: August 5, 2008

Mr. Richards made a MOTION of approval. Chief Leary seconded. UNANIMOUSLY VOTED

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

Mr. Richards stated St. Jerome's is requesting a One-Day Wine & Malt Permit for an Italian Dinner Dance to be held on October 18, 2008 from 6 PM – 12 AM.

Mr. Richards made a MOTION of approval. Chief Leary seconded. UNANIMOUSLY VOTED

- One-Day Wine & Malt License: Sacred Heart Parish

Mr. Richards stated Sacred Heart Parish is requesting a One-Day Wine & Malt Permit for a "Vendor Night" fundraiser for the school to be held on Thursday, November 6, 2008 from 6 PM – 9 PM.

Mr. Richards made a MOTION of approval. Chief Leary seconded. UNANIMOUSLY VOTED

- One-Day Liquor Permit: Immaculate Conception Parish

Mr. Richards stated Immaculate Conception Parish is requesting a One-Day Liquor Permit for a Parish Appreciation Dinner to be held on October 17, 2008 from 5:30 PM – 11:30 PM.

Mr. Richards made a MOTION of approval. Chief Leary seconded. UNANIMOUSLY VOTED

- One-Day Liquor Permit: St. Albert's Parish

Mr. Richards stated St. Albert's Parish is requesting a One-Day Liquor Permit for a Musical Production to be held on November 1, 2008 from 7-11 PM.

Mr. Richards made a MOTION of approval. Chief Leary seconded. UNANIMOUSLY VOTED

CHAIRMAN'S REPORT

- Meeting Schedule

Mr. Richards MOTIONED to set the next meeting for Tuesday, October 28, 2008 to be held at 2 PM in the Chambers. Chief Leary seconded. UNANIMOUSLY VOTED

CORRESPONDENCE

- Surrender of Licenses: Peppercornz, 35 Columbian St.

Mr. Richards made a MOTION to accept the surrender of the Wine & Malt Restaurant and Common Victualler licenses of VB Dining Group, Inc. d/b/a Peppercornz from the location of 435 Columbian Street. Chief Leary seconded. UNANIMOUSLY VOTED

NEW/OLD BUSINESS

- Alcoholic Beverages Control Commission Seminar – October 27, 2008, 2-4 PM, Massasoit Conference Center in Brockton

Mr. Richards announced the ABCC seminar is to be held regarding recent developments and changes to Massachusetts liquor laws.

- CORI Certification Training

Mr. Richards stated the tentative date for the CORI training will be Tuesday, November 18th from 10 AM – 12 PM--RSVP with Mrs. VanWinkle.

- Municipal Licensing Corporation

Mr. Richards announced the meeting of the Municipal Licensing Corporation which will be held on October 15, 2008 at Brandeis University.

ADJOURNMENT

Mr. Richards made a MOTION to adjourn at 2:30 PM. Chief Leary seconded. UNANIMOUSLY VOTED

BOARD OF LICENSE COMMISSIONERS

Tuesday, September 30, 2008

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Respectfully submitted,

Lisa VanWinkle,
Recording Secretary