

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, November 14, 2006, 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; Lt. Charles White, Fire Protection Officer and Lisa VanWinkle, Secretary

Chairman Fryer called the meeting to order at 2 PM.

APPLICATION OF DANIEL'S TOWN LINE PIZZA & SUBS, INC. D/B/A TOWN LINE PIZZA & SUBS FOR A CHANGE OF OWNER OF THEIR COMMON VICTUALLER LICENSE AT THE LOCATION OF 1690 MAIN ST.

Mr. Daniel Hoyng, Owner, was present.

Solicitor Lane noted the application was for a new Common Victualler license as such licenses are non-transferable. The proposed ownership is under the name of Daniel's Town Line Pizza & Subs, Inc.

Mr. Richards read the departmental referrals in to the record. Municipal Finance reported taxes as up to date. The Health Department reported the owner needs to fill out application; pay fees and furnish copies of all food handlers' Food Safety Certifications. Officer King reported no public safety objections. Lt. White reported the fire suppression system and extinguishers were inspected on November 3rd and deemed out of compliance. As of November 13th no communications had been made from owner of correction. Mr. Richards reported 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, the application conforms to all applicable Town Zoning and Building Regulations and may be granted.

Lt. White stated the deficiencies of the fire suppression system and extinguishers have been corrected.

Mr. Marino stated the Health permit fee would be doubled as they were found to be operating without a permit. He stated they must have a person who is food safety certified working on every shift.

Chairman Fryer questioned them operating without a permit.

Mr. Marino replied it was discovered when the paperwork was filed.

Mr. Hoyne clarified he submitted the paperwork on October 31st. The owner has been on the premises. He would be happy to pay the fine.

Mr. Marino stated they will be assessing a fee and the application will be required to renew all food safety certifications. They will also go through the regular renewal process.

Chairman Fryer opened the public hearing for comments; no one spoke.

Mr. Richards made a MOTION to approve the Common Victualler License with contingency of meeting fire and health regulations. Mr. Marino seconded. UNANIMOUSLY VOTED

APPLICATION OF EAST COAST AUTO SALES, INC, FOR A CLASS I AUTO DEALER'S LICENSE, 185 LIBERTY ST.

Mr. Don Cugini, Owner, and Mr. Daryl Cugini were present.

Mr. Richards read the departmental referrals in to the record. The Health Department reported no objection. Lt. White reported no fire protection deficiencies. Flammable storage is to be permitted in accordance with 527 CMR 14.00. Officer King reported no public safety objection. Municipal Finance reported taxes as up to date. Mr. Richards reported auto sales is allowed in the I-1 Zone in connection with the existing automotive use. A Certificate of Occupancy is required if the license is granted.

Mr. Cugini stated they plan on having a small used car business in addition to repair business.

Mr. Richards noted they are applying for a six vehicle license.

Chief Leary asked if they are limiting the sales to a particular type of vehicle.

Mr. Cugini replied only automotive.

Mr. Richards made a MOTION to approve a Class II Auto Dealer license for six vehicles. Mr. Marino seconded.

Chief Leary stated he is familiar with the business. It is a reputable business; they have done work for the Fire Department in the past.

Chairman Fryer stated there is a motion before the body. The MOTION was UNANIMOUSLY VOTED.

**CHURRASCARIA BRAZILIAN PLAZA, INC., AT THE LOCATION OF 532 POND ST.--
FAILURE TO ADVISE TOWN OF CLOSING AND FAILURE TO SURRENDER
COMMON VICTUALLER LICENSE**

Mr. Richards reported a notice of hearing dated November 3rd was mailed by Certified Mail. There was no response.

Mr. Richards made a MOTION to revoke the Common Victualler License. Chief Leary seconded. UNANIMOUSLY VOTED

APPROVALS

- One-Day Wine & Malt Permit: Immaculate Conception Parish – event to be held on December 16, 2006

Mr. Richards made a MOTION to approve a One-Day Wine & Malt Permit for Immaculate Conception Parish, 1199 Washington Street, for an event to be held on December 16, 2006. Chief Leary seconded. UNANIMOUSLY VOTED

- Minutes: October 24, 2006

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

CHAIRMAN'S REPORT

- Meeting Schedule for December

After a brief discussion, Mr. Richards set the next meeting for December 19, 2006 at 2 PM. The license renewals will be approved during this meeting.

CORRESPONDENCE

- NBG, Inc. d/b/a Tabasco Bar & Grille, 1166 Washington Street RE:
 - Delayed opening on November 24, 2006 and December 25, 2006
 - Extension of operational hours on January 1, 2007

Mr. Richards stated such a request has been approved in the past.

Chief Thomas noted that only non-alcoholic beverages could be served during the extension.

Mr. Richards made a MOTION to approve the request for a delayed opening on November 24 and December 25 to 4 PM and an extension of the closing hour to 2 AM on January 1, 2007. Chief Thomas seconded. UNANIMOUSLY VOTED

- ABCC Request for Seasonal Estimate for Package Stores

Mr. Richards stated the correspondence would be on file.

NEW/OLD BUSINESS

- Discussion re: failure of license holders to submit renewal paperwork by deadline – Licensing Officer Brian King

Officer King stated every year several businesses fail to renew on time. He suggested a process be implemented to create possible fines to alleviate such.

Solicitor Lane noted that without an ordinance such a system would not be in order. He suggested

sending a letter in bold print with the renewals noting the due date.

Mr. Marino questioned what the process would be to enable late fees.

Solicitor Lane stated an ordinance would have to be created through the Town Council.

Chief Thomas stated a delay would create a delay in the approval of such license. Therefore, they would be operating without a license and would be shut down. The burden is on the license holder. He suggested including the holiday schedule with the new licenses when they are mailed out.

- Introduction of Marcia Connley

Solicitor Lane introduced Ms. Connley, stating she was hired as a Paralegal and will be working directly with him.

ADJOURNMENT

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

Respectfully submitted by Lisa VanWinkle, Recording Secretary