

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, November 18, 2008, at the Weymouth Town Hall, Chambers, 75 Middle Street

Attendance: Acting Chairman 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 and Lisa VanWinkle, Secretary

Chairman Richards called the meeting to order at 2 PM. He announced that Mr. Fryer was out due to illness. On behalf of the Board, he wished Mr. Fryer for a speedy recovery.

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

Ms. Lynne Burbine informed the Board that business was slow over the summer, but it has picked up. She has been making payments weekly as business has increased.

Solicitor Lane stated the license holder should be brought in periodically as her license is in jeopardy per the town ordinances. The Board has the obligation to make sure taxes are paid.

Mr. Richards entertained a MOTION to review the matter on a quarterly basis for an update. Acting Chief Callahan moved the MOTION. Chief Leary seconded. UNANIMOUSLY VOTED

APPLICATION OF SANJIB RAYAMAJHI D/B/A 7-ELEVEN 32487C FOR A FOOD VENDOR LICENSE, 1453 COMMERCIAL ST.

Mr. Richards read correspondence into the record from 7-Eleven, Inc, asking for a continuation of the hearing to the December meeting. Mr. Marino made a MOTION continue the hearing until their December meeting. Chief Leary seconded. UNANIMOUSLY VOTED

APPLICATION OF LIME LEAF, INC. D/B/A LIME LEAF FOR A WINE & MALT RESTAURANT LICENSE, 435 COLUMBIAN ST.

APPLICATION OF LIME LEAF, INC. D/B/A LIME LEAF FOR A COMMON VICTUALLER LICENSE, 435 COLUMBIAN ST.

APPLICATION OF LIME LEAF, INC. D/B/A LIME LEAF FOR AN ANNUAL ENTERTAINMENT LICENSE, 435 COLUMBIAN ST.

Attorney Jon Aieta, Ms. Nusra Vivatyukvan and Ms. Wanida Limpanatharn were present.

Mr. Richards read the departmental referrals into the record. The Health Department reported applications, certifications & fees were due. Officer King reported no public safety objection.

Mr. Richards also read the abutter's concern from Ms. Carolyn Loughlin, 425 Columbian Street, Weymouth, MA. She had called the office to voice her opposition. She stated when the plaza was originally approved (years ago) it was approved with a moratorium of restaurants with liquor. She

also stated the proposed location is within a residential area and will be a detriment to the neighborhood due to noise and traffic issues.

Attorney Aieta informed the Board that Ms. Limpanatharn has 20 years of experience operating a Thai restaurant. Her daughter will be running the business as well, who has about 15 years of experience. They are buying the assets of Peppercornz. The restaurant is a 26 seat establishment. Take out will be available as well. They will be food safety and T.I.P.s. certified.

Attorney Aieta stated the annual entertainment would be for piped in (recorded) music; Thai.

Mr. Richards entertained a MOTION to approve the Wine & Malt Restaurant license. Chief Leary moved the MOTION. Acting Chief Callahan seconded. UNANIMOUSLY VOTED

Chief Leary made a second MOTION to approve the Common Victualler license for a 26 seat restaurant. Mr. Marino seconded. UNANIMOUSLY VOTED

Mr. Richards entertained a MOTION to approve an Annual Entertainment license. Chief Leary moved the MOTION. Mr. Marino seconded. UNANIMOUSLY VOTED

APPROVALS

- Minutes: September 30, 2008

Mr. Marino made a MOTION of approval. Acting Chief Callahan seconded. UNANIMOUSLY VOTED

CHAIRMAN'S REPORT

- Meeting Schedule

Mr. Marino MOTIONED to schedule future meetings for Tuesday, December 23, 2008 and Tuesday, January 27, 2009 to be held at 2 PM in the Chambers. Chief Leary seconded. UNANIMOUSLY VOTED

CORRESPONDENCE

- Officer King RE: Alleged Liquor Violations – Basta Bar, 1166 Washington St.

Officer King stated he submitted reports for the following incidents: October 4, 2008—alleged service of alcohol to a minor; October 27, 2008—alleged service to an intoxicated person & health code violation—bartender without shirt on; November 7, 2008—health code violation--goat in establishment.

Mr. Richards entertained a MOTION to notify the license holder of a hearing to be held on January 27, 2009 at 2 PM regarding the October 4, 2008 and October 27, 2008 incidents. Acting Chief

Callahan moved the MOTION. Chief Leary seconded. UNANIMOUSLY VOTED

- Officer King RE: Restaurant Closure – River Café, 24 Commercial St.

Chief Leary made a MOTION to send a letter to the owner of River Café asking for the status of the business. Mr. Marino seconded. UNANIMOUSLY VOTED

NEW/OLD BUSINESS

- Recap of Alcoholic Beverages Control Commission Seminar

Mr. Richards stated the seminar was attended by Mr. Marino, Mrs. VanWinkle and Officer King.

Officer King stated the seminar provided by the ABCC was a recap regarding license renewals and compliance operations. They also spoke about new laws that have been enacted regarding service of alcohol on golf courses.

- Annual Entertainment License Regulations

Mr. Marino stated he would like to see that the Board mimics the policy of the City of Boston in regards to live entertainment. When responding to a noise complaint, if police can hear the entertainment from the neighboring building, they have grounds to shut down the entertainment.

Solicitor Lane commented that a policy may be developed consistent with state statute to regulate noise levels of entertainment. The policy should be specific.

Mr. Marino asked that the Board amend their policies to be in the best favor of the residents.

Solicitor Lane and Mr. Marino agreed to review regulations and draft a written policy for the Board's adoption.

- Calendar Year License Renewal Applications—due by November 30th

Mr. Richards reminded all that the license renewals are due back by November 30th.

- CORI Certification Training

Solicitor Lane stated all attend the CORI training that was held this morning. It was very informative. He stated the Town should have a town-wide CORI Policy. He asked that Mrs. VanWinkle coordinate such with Human Resources and the School Department.

ADJOURNMENT

Chief Leary made a MOTION to adjourn at 2:35 PM. Acting Chief Callahan seconded. UNANIMOUSLY VOTED

BOARD OF LICENSING COMMISSIONERS

Tuesday, November 18, 2008

Page 4 of 4

Respectfully submitted,

Lisa VanWinkle,
Recording Secretary