

Saugus Board of Selectmen
August 16, 2017

*****MEETING MINUTES*****

AGENDA

Saugus Board of Selectmen
August 16, 2017 at 7:30 PM
Town Hall Auditorium, 298 Central Street, Saugus, MA

Call to order.

Correspondence:

- 1.) Royal Taste Catering, Inc. re: change of d/b/a FROM: Boston Bean TO: Papa Juniors.
- 2.) Blessed Sacrament Parish re: request for banner announcing "Fun Festival" on 5/20/18.
- 3.) Jimmy's Steer House re: request to submit applications to the ABCC for reconsideration.
- 4.) Mr. Ring re: request for Block Party Permit on Warren Rd.

Citizen's Comments

Continued Hearings:

- 1.) Round 1 Bowling for S-2 for place of amusement
- 2.) Round 1 Bowling for transfer of Beer & Wine Common Victualer's License to 1325 Broadway; & for Entertainment License & License for coin operated devices.
- 3.) Black Label Barbershop for S-2 for barbershop

Public Hearings:

7:45 PM Sopath Phing for Special Permit (S-2) to allow tattooing, at 314 Central Street, Assessor's Plan 1007, Lot 18.57.

7:55 PM Endi and Andi, LLC d/b/a Hometown Pizza, 23 Essex Street, for transfer of Common Victualer's License, from Hado Restaurant Group d/b/a Home Town Pizza, 23 Essex St

8:00 PM National Grid to construct underground electrical conduit, including necessary fixtures under and across the following public way: Walnut Street 2-4" PVC conduit across sidewalk from pole # 163 as shown in plan #23890736 dated 6/27/17.

8:05 PM AvalonBay Communities, Inc., for Special Permit (S-2) to allow a drive through window for proposed coffee shop, to be located at, 855 Broadway, Assessor's Plan 1036, Lot 56.

Manager's Report:

-Appointments to: Conservation Commission; Board of Assessors;
& Board of Health
-Review of the Priorities, Objectives, Accomplishments,
and Successes of Saugus For the Past Five+ Years.

Approval of minutes:

June 21, 2017; July 12, 2017 & August 2, 2017

Appointments:

Traffic Hearings Officer; & Poll Workers
resignation from the Cemetery Commission.

Member's Comments:

1. World Series Park hosts Veterans / Military Appreciation Day Saturday, 9/16/17, 10:00 am to 5:00 pm
2. Round Hill ceremony on September 16th and September 19th
3. Farmer's Market: Tuesdays 9am to 1pm at Anna Parker
4. Founder's Day – September 9th

Citizen's Comments

Executive Session: for purpose of contract negotiations with non union employee – Town Manager.

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The Saugus Board of Selectmen met on August 16, 2017 at 7:30 PM in the Town Hall Auditorium, 298 Central Street. Present: Selectmen Scott Brazis, Jeffrey Cicolini, Jennifer D'Eon, Mark Mitchell and the Chairman Debra Panetta. Selectman Cicolini left the meeting at 8:36 PM. The Town Manager Scott Crabtree was also present.

Correspondence:

1.) Royal Taste Catering, Inc. re: change of d/b/a FROM: Boston Bean TO: Papa Juniors.

The Chair read request for change of business name.

Selectman D'Eon moved to approve the request of name change from Boston Bean to Papa Junior's. Chair seconds 5-0.

2.) Blessed Sacrament Parish re: request for banner announcing "Fun Festival" on 5/20/18.

Peter Culhane, 14 Summer Street was present and requested banner announcing the "Fun Festival" and it's open to the whole Town.

Selectman D'Eon moved to approve the request of Blessed Sacrament Parish for banner announcing "Fun Festival" from 4/19/18 to 5/18/18 and to waive the fee for bond. Chair seconds 5-0.

3.) Jimmy's Steer House re: request to submit applications to the ABCC for reconsideration.

The Chair explained the Board approved the requests, but the ABCC has required it be submitted as two applications and nothing has changed from what was previously approved.

Selectman Cicolini moved the Board vote to submit applications to the ABCC for reconsideration. Chair seconds 5-0.

4.) Mr. Ring re: request for Block Party Permit on Warren Rd.

Darrah Churches, 5 Warren Road was present and explained block party request for end of summer party. Selectman D'Eon said there are standard conditions on block parties and asked if she was aware. Ms. Churches said some. Selectman Cicolini said for safety reasons, the whole street should be blocked instead of half. The Chair noted Police, Fire and DPW had no objections.

Selectman D'Eon moved to approve the request for Block Party Permit on Warren Rd. with the following standard conditions:

1. The street is to be accessible to Fire and Ambulance response at all times. All furniture and other materials are to be movable at all times;

2. Use a movable sawhorse or plastic tape only to prevent vehicle traffic and signage advising the public;

3. The street corners are to have no parking at all times;

4. The Fire Dept. is to be notified on the day of the party – call (781) 233-1515 and Police notified prior to the start and conclusion of the event;

5. The noise level should not rise to a volume that would result in citizen complaints, or breach of the peace;

6. No fireworks are to be possessed, sold or detonated at any time (MGLc.148 s.39)

It should be understood that any complaints of fireworks will result in closure;

7. Town of Saugus By-Laws (Article 9 Section 26) forbids the consumption of alcoholic beverages in public areas;

8. The applicant is responsible for the clean-up; and

9. There is to be no fire pit, chiminea or open flames.

10. Applicant must give notification to all neighbors.

On September 2 with rain date of September 3, 2017 from 12pm to 9pm and must have access to emergency vehicles. Chair seconds 5-0.

Citizen's Comments None.

Continued Hearings:

1.) Round 1 Bowling for S-2 for place of amusement.

Round One Entertainment, Inc. d/b/a Round 1 Bowling & Amusements for Special Permit (S-2) to allow place of amusement be located at 1325 Broadway, second floor, Assessor's Plan 1025, Lot 176.1

Sintaro Kaji, Round One Bowling, 3040 Saturn St. Brea CA; Matthew McDonnell, Seritage Properties; Shawn Butler, 489 5th Ave, NY NY were present. Mr. McDonnell explained they have entered into lease agreement and explained reconfiguration of Sears. Mr. Butler explained evolved design of typical bowling allies to entertainment amusement centers. Mr. Kaji gave the background of the company

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starting in the 1980's in Japan and explained overseas to L.A. Mr. McDonnell showed layout and new lobby on 1st floor. Mr. Butler described each area. The Chair asked which side the entrance will be on. Mr. Butler said the left side. The Chair asked about noise from bowling downstairs. Mr. Butler said there is standard insulation used. Selectman Cicolini asked protocol for mall entrance after hours. Mr. Butler described security doors in place that would be closed. Mr. McDonnell said there are quite a few emergency exits. Selectman Cicolini said they discussed having their own security at last meeting and said there are concerns with safety and additional drain on public safety resources and said he did review their policies on line. Mr. Kaji said security is a concern of theirs as well and said every location has a contracted professional security firm during certain hours 2 people if open until 2am and 3 people on weekends and they also monitor parking lot. Selectman Cicolini asked based on the concept what is the average volume on a busy weekday and weekend. Mr. Kaji at their 3 busiest stores the weekend max is 300-350 patrons. Selectman Mitchell asked if 2 security people cover 300 patrons. Mr. Kaji said they have trained managers 5-6 a shift and said it's a team effort to ensure no issues. Selectman Brazis asked if they every use police details. Mr. Kaji said yes. Selectman Cicolini asked hours of the mall. Their clerk said they close at 10pm and have extended holiday hours. The Chair noted on line its listed they close at 9pm. Selectman D'Eon asked what it is they offer that makes them successful. Mr. Kaji said it's a social fun place. Selectman Brazis said they have another location in Taunton and asked the Manager if our police have reached out to their police to see if there are any issues. The Manager said they have had a couple of meetings with departments and is not sure if they were contacted. Mr. McDonnell said he has reached out to the Police Chief to meet. Selectman Brazis asked if he understands the concerns. Mr. McDonnell said yes. The Chair asked number of employees. Mr. Kaji said 15. Selectman Cicolini asked if there would be a conflict if alcohol was restricted to the bar area and asked if it is allowed in other areas. Mr. Kaji said some locations don't allow in other areas. Selectman Cicolini commented it is a large area to monitor. The Chair said the Board did receive request to continue the hearing on transfer of Beer & Wine License to late September and asked in their business model, if the alcohol is denied and asked if the Board wanted a site visit and allow the public a tour as well. Mr. McDonnell said yes. Selectman Cicolini asked if work being conducted now is by the current tenant. Mr. McDonnell said yes. Any in favor or opposed?

Tony Sorrentino, 56 Harrison Ave, was present and passed out report compiled of one year data of police calls and said with limited police resources any increase would be a problem and percentage of calls to the mall is alarming and would support in another location. Selectman Cicolini asked how he would feel if they had no alcohol. Mr. Sorrentino said "home run".

Rosalie Milano, 233 Lynn Fells Parkway agreed anyplace else would be fine but not at the mall.

The Chair suggested scheduling a site visit and take up both hearing on 9/27. Selectman Cicolini said he doesn't understand the need for site visit and based on the questions and answers. Selectman Brazis agreed there's no need for site visit and everything he's heard seems the mall is not the perfect place for this. Selectman Cicolini said they may want to withdraw. Mr. McDonnell asked to discuss with applicants.

Selectman Cicolini moved for recess. Chair seconds 5-0.

Meeting recessed at 8:20PM.

The Chair called the meeting back to order at 8:36 PM.

Mr. Butler requested to withdraw the application.

Selectman Cicolini moved to grant the petitioner leave to withdraw without prejudice. Chair seconds 4-1 with Selectman Brazis voting in opposition.

Continued Hearings:

2.) Round 1 Bowling for transfer of Beer & Wine Common Victualer's License to 1325 Broadway; & for Entertainment License & License for coin operated devices.

Round One Entertainment, Inc. d/b/a Round 1 Bowling & Amusements, for transfer of Beer & Wine Common Victualer's License FROM: Mallqui Food Services, Inc. d/b/a Avatar, 184 Broadway; TO NEW

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location 1325 Broadway, second floor; and for change of manager TO: Shintaro Kajil. Application is also made for Entertainment License; and License for coin operated devices.

Mr. Butler requested to withdraw the application.

Selectman Cicolini moved to grant the petitioner leave to withdraw without prejudice. Chair seconds 4-1 with Selectman Brazis voting in opposition.

Continued Hearings:

3.) Black Label Barbershop for S-2 for barbershop

Platinum Plus Realty Development, LLC d/b/a Black Label Barber Shop for Special Permit (S-2) to allow barbershop to be located at 1288 Broadway, Assessor's Plan 2027, Lot 238

Scott Jones, property owner was present and apologized for being unavailable last meeting. The Chair said there were a couple of issues and asked if resolved. Mr. Jones said yes including the gate. The Chair asked about the issues with parking and speeding. Mr. Jones said he told the church not to park there and have plenty of parking on site. The Chair said the Board received updates from DPW, Fire Dept, Police Dept and Building Inspector this evening read. Selectman Brazis asked if he has collected rent from the barbershop. Mr. Jones said 1st and last month. Selectman Brazis said the shop was open from June 1st to last meeting. Long Lam said yes.

Any to speak in favor or opposed?

Erin McCabe, 14 Pleasant Ave was present and said a lot has been done and thanked them and said her only concern is double parking at the end of the street, but it looks better now. Selectman Cicolini asked if the landlord would be willing to add in writing to the church that police will enforce parking on Pleasant Ave. Selectman Mitchell suggested "No Parking" be looked at. Ms. McCabe asked how she may get info about the vacant lot. Selectman Cicolini referred her to the Manager.

Selectman Cicolini moved to close the hearing. Chair seconds 5-0.

Selectman Cicolini moved to grant the request of Platinum Plus Realty Development, LLC d/b/a Black Label Barber Shop for Special Permit (S-2) to allow barbershop to be located at 1288 Broadway, Assessor's Plan 2027, Lot 238 with hours 10am to 7pm 7 days a week; limit of six chairs; and total of 6 employees; must comply with all requirements of the MA Division of Professional Licensure Board of Cosmetology and Barbering; contingent upon fire department inspection; and required to maintain monitored fire alarm system. Chair seconds

Roll call vote: Selectman Brazis, yes; Selectman Cicolini, yes; Selectman D'Eon, yes; Selectman Mitchell, yes; Selectman Panetta, yes.

Public Hearings:

7:45 PM Sopath Phing for Special Permit (S-2) to allow tattooing, at 314 Central Street, Assessor's Plan 1007, Lot 18.57.

Attorney Scott Holmes, 50 Main St, Charlestown was present with applicant Sopath Phing, 84 Grove St, Lynn and explained Mr. Phing's background as a tattoo artist and his desire to find a location closer to his family and said he knows the history of the location and will address that and explained once Mr. Phing realized he needed a Special Permit (S-2), he did apply and went out and talked with the neighbors and several signed letters in support and he submitted copies of them along with pictures of what the place will look like and said regarding the issues in 2011, he understands it's an historic area but there is nothing about opening a tattoo place that will offend or shock the senses and clientele are not "bikers or drunken sailors" and if granted he will be committed to the community and feels it's no different than a nail salon or hair salon and is not a business that will offend the town. Mr. Phing said he has been in the profession for 10 years with 4 in apprenticeship and the reason he chose Saugus was to be closer to his family and closer to his child's school and thinks this is a perfect location. The Chair asked percentage of business that will be tattoo. Mr. Phing said they offer only tattoo. The Chair asked number of employees. Mr. Phing said 5 including himself. Selectman Cicolini said this was a very thorough presentation and said it may be a sensitive subject for some but he does support business and do support this noting he received 1 letter in opposition and calls in favor and letters in favor and said in 2011 things

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were different and based on this presentation he earned his support. Selectman Mitchell agreed and said his experience and the presentation shows he is a hard worker and will bring customers to the center and will support this.

Any to address the Board?

Jonathan Reynoso, 27 Elsie Rd, Lynn, retired military said he does amazing work.

Chuck McKenna, 38 Pearson St said it should not be allowed and doesn't fit in with the "hometown" nature of Saugus Center with children walking by and said tattoo is an invasive procedure and serious business and doesn't feel this is the direction we want to go and a precedence was set a couple of years ago when a tattoo parlor tried to open and the neighbors convinced the Selectmen not to allow it and feels it should be on Rte 1 not the center and said last time he was notified but didn't get notification this time and just found out about it and asked the Board postpone so the neighbors could come together on it. Selectman Cicolini said there are pages of those notified within 300'.

Jason Raimondi, 93 Miller Ave, Lynn, environmental engineer and project manager said he is a professional and has tattoos and said he would rather walk by a tattoo store over a liquor store or e-cigarette store and said this will benefit the community.

Helaine Hazlett, 12 Clifton Ave, Marblehead read letter as property owner of 311 Central St this is not the image we want or need and asked they deny the request.

Jim Chang, 12 Curry Lane, Malden said his family owns Sake at 670 Broadway and said they met through business and believes he deserves a chance.

Greg Mazzone, 121 Winter Street, said back in the day rock & roll was music of the devil and said we have come a long way.

Isabel McCarrier, 35 Prospect Street said she has a tattoo and the stigma should be long gone and she lives near Saugus Center and is all for it and wished him luck.

Roy Lima, 5 Eastside Ave, said he is a local artist and it is a limited business and its important for artists to create art in different ways.

Selectman Cicolini said some may have a confused impression of what tattoo parlors are and described private rooms not in a window and have health standards and said 2011 were different times. Selectman Mitchell said he has a bigger concern with children walking by "Sin City Cycle" and said we want business to prosper in town. The Chair said she listened to the presentation and doesn't feel comfortable with a tattoo parlor in Saugus Center and said if it were on Rte. 1 she would have a different opinion but cannot support in the center of town. Selectman Brazis said it is wrong location and also will not support in Saugus Center. Selectman Cicolini pointed out 51 residents signed in support and doesn't understand because it is art.

Selectman Cicolini moved to close the hearing. Chair seconds 5-0.

Selectman Cicolini moved to grant the request of Sopath Phing for Special Permit (S-2) to allow tattooing, at 314 Central Street, Assessor's Plan 1007, Lot 18.57. Chair seconds

Roll call vote: Selectman Brazis, no; Selectman Cicolini, yes; Selectman D'Eon, no; Selectman Mitchell, yes; Selectman Panetta, no.

Selectman Cicolini moved for recess. Chair seconds 5-0.

Meeting recessed at 9:30PM.

The Chair called the meeting back to order at 9:35 PM.

Selectman Cicolini left the meeting at 9:35 PM.

7:55 PM Endi and Andi, LLC d/b/a Hometown Pizza, 23 Essex Street, for transfer of Common Victualer's License, from Hado Restaurant Group d/b/a Home Town Pizza, 23 Essex St

Endi Leka, 10 Vine St was present and explained everything will be the same. Selectman Brazis asked if same hours. Mr. Leka said yes. The Chair asked if he is the owner. Mr. Leka said his mother is and she is sitting.

Any to speak in favor or opposed? None.

Selectman Brazis moved to close the hearing. Chair seconds 4-0.

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Selectman Brazis moved to approve request of Endi and Andi, LLC d/b/a Hometown Pizza, 23 Essex Street, for transfer of Common Victualer's License, from Hado Restaurant Group d/b/a Home Town Pizza, 23 Essex St with same hours of operation 11 am to 10pm 7 days a week and same menu and fire department recommendation: fire department inspection required, knox box to be installed, and must have monitored fire alarm system. Chair seconds 4-0.

8:00 PM National Grid to construct underground electrical conduit, including necessary fixtures under and across the following public way: Walnut Street 2-4" PVC conduit across sidewalk from pole # 163 as shown in plan #23890736 dated 6/27/17.

Mike Cordima, National Grid, 170 Medford St, Malden was present and explained conduit is to bring new service to a customer. The Chair asked how long it will take. Mr. Cordima said it depends on the customer's contractor. The Chair said there is details owed.

Any to speak in favor or opposed? None.

Selectman Brazis moved to close the hearing. Chair seconds 4-0.

Selectman Brazis moved to allow National Grid to construct underground electrical conduit, including necessary fixtures under and across the following public way: Walnut Street 2-4" PVC conduit across sidewalk from pole # 163 as shown in plan #23890736 dated 6/27/17 with condition past due detail money to be paid. Chair seconds 4-0.

8:05 PM AvalonBay Communities, Inc., for Special Permit (S-2) to allow a drive through window for proposed coffee shop, to be located at, 855 Broadway, Assessor's Plan 1036, Lot 56.

Attorney Richard Magnan, 194 Central Street was present with Steve Martorano, Bohler Engineering and Mike Roberts, 600 Atlantic Ave, Boston. Mr. Roberts said the redevelopment plans were approved by the Town. Mr. Martorano explained proposed coffee shop with drive through window. The Chair asked access points for property. Mr. Martorano showed on map. Atty. Magnan said due to confidentiality agreement he cannot disclose potential tenant right now but they will come before the Board at a later time for Licenses. Selectman Mitchell asked where the exit to drive through comes out. Mr. Martorano explained flow. Atty. Magnan noted comments received from departments with no objections and has inquired about money owed and will clear it up. The Manager said they have been meeting through the process.

Any to speak in favor or opposed? None.

Selectman Brazis moved to close the hearing. Chair seconds 4-0.

Selectman Brazis moved to allow AvalonBay Communities, Inc., for Special Permit (S-2) to allow a drive through window for proposed coffee shop, to be located at, 855 Broadway, Assessor's Plan 1036, Lot 56 with condition money owed to be paid. Chair seconds

Roll call vote: Selectman Brazis, yes; Selectman D'Eon, yes; Selectman Mitchell, yes; Selectman Panetta, yes.

Manager's Report:

- Appointments to: Conservation Commission; Board of Assessors; & Board of Health
- Review of the Priorities, Objectives, Accomplishments, and Successes of Saugus For the Past Five+ Years.

The Manager recommended the appointment of Daniel Kelly to the Board of Assessors to expire 12/31/18.

Selectman D'Eon moved to approve and confirm the appointment of Daniel Kelly to the Board of Assessors to expire 12/31/18. Chair seconds

Roll call vote: Selectman Brazis, yes; Selectman D'Eon, yes; Selectman Mitchell, yes; Selectman Panetta, yes.

The Manager recommended the appointment of Maria Tamagna to the Board of Health to expire 12/31/20.

Selectman D'Eon moved to approve and confirm the appointment of Maria Tamagna to the Board of Health to expire 12/31/20.

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Roll call vote: Selectman Brazis, yes; Selectman D'Eon, yes; Selectman Mitchell, yes; Selectman Panetta, yes.

The Manager recommended the appointment of Shawn Ayube to the Board of Health to expire 12/31/18.

Selectman Brazis moved to approve and confirm the appointment of Shawn Ayube to the Board of Health to expire 12/31/18.

Roll call vote: Selectman Brazis, yes; Selectman D'Eon, yes; Selectman Mitchell, yes; Selectman Panetta, yes.

The Manager recommended the reappointment of Frank McKinnon to expire 6/30/19; reappointment of Joan Fowler to expire 6/30/20; and the reappointment of Eric Devlin to expire 6/30/20.

Selectman Brazis moved to approve and confirm the reappointment of Frank McKinnon to expire 6/30/19; reappointment of Joan Fowler to expire 6/30/20; and the reappointment of Eric Devlin to expire 6/30/20.

Roll call vote: Selectman Brazis, yes; Selectman D'Eon, yes; Selectman Mitchell, yes; Selectman Panetta, yes.

The Manager presented slide show presentation on "Creating Success for Saugus"

Selectmen Brazis, D'Eon and Panetta excused themselves from the table.

The Manager outlined priorities, objectives, accomplishments and successes of Saugus for the past five+ years. The Manager said all could not be done without the help and support of employees and elected officials working together, speaking in one voice by identifying goals and together figuring out how to get there and there's a lot more going to happen and thanked the Selectmen for their leadership.

Board Members returned to the table.

The Chair thanked him.

Approval of minutes: June 21, 2017; July 12, 2017 & August 2, 2017

Selectman Brazis moved to approve June 21, 2017 minutes. Chair seconds vote 4-0.

Selectman Brazis moved to approve July 12, 2017 minutes. Chair offered a correction. Chair seconds 4-0.

Selectman Brazis moved to approve August 2, 2017 minutes. Chair seconds 4-0.

Appointments: Traffic Hearings Officer; & Poll Workers
resignation from the Cemetery Commission.

Selectman D'Eon moved to reappoint Stephen Sweezey as Traffic Hearings Officer to expire 8/31/18. Chair seconds 4-0.

Selectman D'Eon moved to appoint Poll Workers as submitted by the Town Clerk in memo dated 7/31/17. Chair seconds 4-0.

The Chair read letter of resignation of William Howell from the Cemetery Commission.

Member's Comments:

1. World Series Park hosts Veterans / Military Appreciation Day Saturday, 9/16/17, 10:00 am to 5:00 pm
2. Round Hill ceremony on September 16th and September 19th
3. Farmer's Market: Tuesdays 9am to 1pm at Anna Parker
4. Founder's Day – September 9th

Selectman D'Eon announced on September 16th at 9am will be the burying of the time capsule at Round Hill and then at World Series Park, military appreciation day. On September 19th Round Hill dedication. The Chair said she and Selectman D'Eon attended meetings.

Selectman Brazis commented on the Manager's report and said he was happy to be part of it.

Selectman Mitchell agreed it was a great presentation.

Selectman Mitchell said this was the most disappointing meeting by denying a business for reasons he doesn't understand and feels the Board set a bad precedence tonight.

The Chair announced Veterans' Appreciation Day; Farmer's Market; Founder's Day; and extended best wishes to George's Barbershop.

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Citizen's Comments

Police Officer William Cash was present and reminded the Selectmen and the public it is 13 months without a contract and said he came when he heard there may be an executive session to discuss the Town Manager's contract and said a good leader should put employees first.

Executive Session: for purpose of contract negotiations with non union employee – Town Manager.

Selectman Brazis moved the Board vote to go into executive session for the purpose of contract negotiations with non-union personnel, Town Manager; and those to be present: Selectmen Mitchell, Selectman D'Eon, Selectman Brazis, Selectman Panetta and Town Manager Scott Crabtree; and to return to open session. Chair seconds.

Roll call vote: Selectman Brazis, yes; Selectman D'Eon, yes; Selectman Mitchell, yes; Selectman Panetta, yes.

The Board entered into executive session at 11:05PM.

The Board returned to open session at 11:44PM.

Selectman Brazis moved to adjourn. Chair seconds 4-0.

Meeting adjourned at 11:44PM.

Respectfully submitted,
Wendy Reed, Clerk