

Saugus Board of Selectmen
August 15, 2018

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

AGENDA

Saugus Board of Selectmen
August 15, 2018 at 7:30 PM
Town Hall Auditorium, 298 Central Street, Saugus, MA

Call to order.

Invited Guests: Lt. William Cross, Firefighter Anthony Arone & Firefighter Michael Leary

Correspondence:

- 1.) Church St Creole Café d/b/a Border Café, 356 Broadway re: change in beneficial interest.
- 2.) Fox Hill Yacht Club, 114 Ballard St re: change in manager.
- 3.) Mr. Ring re: request for Block Party Permit on Warren Road.

Citizen's Comments

Continued Hearings:

- 1.) A public hearing to amend the Town's Traffic Rules & Regulations ARTICLE IX, Section 8: "Obedience to Isolated Stop Signs" by posting a "Stop" sign on Whitney Street at the intersection of Eustis Street; on Whitney Street at the intersection of Mount Vernon Street; and on Warden Street at the intersection of Eustis Street.
- 2.) 110 Grill HT Saugus LLC d/b/a 110 Grill, 855 Broadway, building A, for transfer of All Alcohol Common Victualer's License FROM: 855 Broadway, LLC, 855 Broadway; and for change of manager TO: Doug McLean; and change in description of Licensed premises; and application for pledge of License; and Application is also being made for Entertainment License.

Public Hearings:

7:45 PM Starbucks Corporation d/b/a Starbucks Coffee, 855 Broadway Building - C, for Common Victualer's License; and for Permit to extend hours of operation in accordance with Section 810.00 of the Town of Saugus By-Laws by allowing business to be open for operation at 4:30 AM.

And for exception to Section 601.02 of the Town of Saugus By-Laws by allowing deliveries between 10:00 PM & 7:00 AM.

7:50 PM Healing Foot Spa, Inc. d/b/a Energy Massage, for modification of Special Permit (S-2) voted 02/13/2001 to allow massage therapy BY increasing the number of massage rooms and modification of hours of operation at 200 Walnut Street, Unit #3, Assessor's Plan 1043, Lots 245-246.

8:00 PM RARE Hospitality International, Inc. d/b/a LongHorn Steakhouse #5595, for transfer of All Alcohol Common Victualer's License FROM: New Ki-Ku-Ya Inc. d/b/a Sake Japanese Restaurant; TO NEW location 1325 Broadway, Unit 1 and for change of manager TO: Colleen Hunter; and Application is also made for Entertainment License.

Old Business: Saugus Cable Studio relocation update.

New Business: signing of State Primary Election Warrant

Manager's Report:

Approval of minutes: July 11, 2018

Appointments:

- 1.) Mr. Ianuzzi re: request for reappointment as constable.
- 2.) Reappointment of Traffic Hearings Officer.
- 3.) Dem. Town Committee re: request to fill vacancy on Board of Registrars.
- 4.) Appointment of Poll Workers

Member's Comments:

Founder's Day

Citizen's Comments

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The Saugus Board of Selectmen met on August 15, 2018 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. The Town Manager Scott Crabtree was also present.
Invited Guests: Lt. William Cross, Firefighter Anthony Arone & Firefighter Michael Leary

The Chair recognized Lt. William Cross, Firefighter Anthony Arone & Firefighter Michael Leary and described their heroic deeds in saving lives. Board Members thanked them for their service and all they do. Fire Chief Michael Newbury was present and commended his men and said it is a team effort and training and noted the meeting's attendance to support and recognize and is proud every day. The Manager swore-in Lt. William Cross as a permanent Lieutenant. The Board congratulated each one.

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

Meeting recessed at 8:01 PM.

The Chair called the meeting to order at 8:09 PM.

Correspondence:

1.) Church St Creole Café d/b/a Border Café, 356 Broadway re: change in beneficial interest.

No one was present. Selectman Cicolini said it is a straight forward request.

Selectman Cicolini moved to grant the request of Church St Creole Café d/b/a Border Café, 356 Broadway for change in beneficial interest. Chair seconds 5-0.

2.) Fox Hill Yacht Club, 114 Ballard St re: change in manager.

No one was present.

Selectman D'Eon moved to grant the request of Fox Hill Yacht Club, 114 Ballard St. for change in manager. Chair seconds 5-0.

3.) Mr. Ring re: request for Block Party Permit on Warren Road.

The Chair said Mr. Ring notified the Board he was unable to attend and read request noting no issues last year and the only change from last year is hours.

Selectman Cicolini moved to grant the request of Mr. Ring for Block Party Permit on Warren Road on September first with rain date September 2, 2018 from 10am to 10pm and standard conditions and read. Chair seconds 5-0.

Citizen's Comments

Bill Brown, TMMP6, 90 School St. was present and expressed concern with traffic and accidents and suggested a committee be formed. The Chair said the topic was discussed at last meeting and the Board is working with the Manager and Police Dept. and is hoping they have on next month's agenda.

Everett Millea, 142 Main St was present and asked what is going to happen when school opens and described traffic issues on Main St. The Chair said she will reach out to the Superintendent and let him know. The Manager said Pierce Memorial Drive is closed but will re-open when school starts and will have the same traffic flow. The Chair confirmed with Mr. Millea he heard the answer. Selectman Mitchell said he understands his concerns and lives off Main St so is very aware and said the Board is working on it. Mr. Millea asked to be notified when this comes up.

Continued Hearings:

1.) A public hearing to amend the Town's Traffic Rules & Regulations ARTICLE IX, Section 8: "Obedience to Isolated Stop Signs" by posting a "Stop" sign on Whitney Street at the intersection of Eustis Street; on Whitney Street at the intersection of Mount Vernon Street; and on Warden Street at the intersection of Eustis Street.

Sgt. Paul VanSteensburg was present and said the police recommendation does stand and is not opposed to the stop sign being attached to existing pole.

Any to speak in favor or opposed? Robert Camuso, 27 Eustis St asked about the no parking. The Chair said it was voted last meeting.

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

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Selectman Cicolini moved based on police recommendation to post "Stop" sign on Whitney Street at Eustis Street; and on Whitney Street at Mount Vernon Street; and on Warden Street at Eustis Street. Chair seconds 5-0.

Continued Hearings:

2.) 110 Grill HT Saugus LLC d/b/a 110 Grill, 855 Broadway, building A, for transfer of All Alcohol Common Victualer's License FROM: 855 Broadway, LLC, 855 Broadway; and for change of manager TO: Doug McLean; and change in description of Licensed premises; and application for pledge of License; and Application is also being made for Entertainment License.

Attorney Kevin Eriksen was present and said they submitted new pledge documents and said he did receive concerns regarding the patio area and met with the Building Inspector and the issues have been resolved. The Chair said there was concern with the set-back and if in compliance with the By-Laws, she doesn't see an issue and confirmed seating: 138 inside and 62 outside and asked about service area. Atty. Eriksen said they are working with the Building Inspector on what will be allowed in that area. Selectman Cicolini said if they are in compliance with the By-Law he doesn't see an issue. Selectman Brazis asked about fire pit. Atty. Eriksen described gas fed fireplace. The Chair asked number of televisions. Atty. Eriksen said they usually have 4 and are also requesting solo instrument and singer with 1 instrument.

Any in favor or opposed? None.

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

Selectman Cicolini moved to grant the request of 110 Grill HT Saugus LLC d/b/a 110 Grill, 855 Broadway, building A, for transfer of All Alcohol Common Victualer's License FROM: 855 Broadway, LLC, 855 Broadway; and for change of manager TO: Doug McLean; and change in description of Licensed premises; approve application for pledge of License with the following conditions: total of 200 seats which include 138 inside and 62 outside; 5,300 s.f. interior with 6 rooms and 1,260s.f. patio area with 62 seats; hours of operation Sunday 10am to 12:30 am and Monday through Saturday 11am to 12:30 pm with last call at 12 midnight; must comply with grease trap regulations and requirements of the Board of Health: to submit floor plan and menu; and must have fire inspection. Chair seconds 5-0.

Selectman Cicolini moved to approve the Entertainment License with hours of operation Sunday 10am to 12:00 midnight and Monday through Saturday 11am to 12:00 midnight; not to exceed 5 televisions inside and 0 televisions outside; entertainment restricted to solo instrument; and a singer with 1 instrument. Chair seconds 5-0.

Public Hearings:

7:45 PM Starbucks Corporation d/b/a Starbucks Coffee, 855 Broadway Building - C, for Common Victualer's License; and for Permit to extend hours of operation in accordance with Section 810.00 of the Town of Saugus By-Laws by allowing business to be open for operation at 4:30 AM and for exception to Section 601.02 of the Town of Saugus By-Laws by allowing deliveries between 10:00 PM & 7:00 AM.

Daniel Brennan 50 Holt Road, Andover was present and said Starbucks would like to withdraw request for early delivery hours but still would like a 4:30am opening time and described new location with 38 seats inside and 12 patio seats. The Chair said she spoke with the Building Inspector and he suggested bollards be installed to protect outside seating. Mr. Brennan agreed. The Chair said police are recommending a 5:30 am opening. Sgt. VanSteensburg was present and said the police are recommending what they currently have a 5:30am opening. Mr. Brennan said more people are going to work early trying to beat traffic and isn't sure if the issue is noise, but the drive through is facing away from residential. The Chair asked their clerk if police indicated concern with noise. Their clerk said there wasn't as much concern with noise from opening early, but were more concerned with early deliveries and dumpster pick-up. Mr. Brennan said deliveries are between 6pm and 10pm.

Any to speak in favor or opposed? None.

Selectman D'Eon moved to close the hearing. Chair seconds 5-0.

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Selectman D'Eon moved to approve the request of Starbucks Corporation d/b/a Starbucks Coffee, 855 Broadway Building - C, for Common Victualer's License; and for Permit to extend hours of operation in accordance with Section 810.00 of the Town of Saugus By-Laws by allowing business to be open for operation at 5:00 AM; application for early deliveries was withdrawn; hours of operation 5am to 10pm, no trash collection between 10pm and 7 am; and 38 seats inside and 12 patio seats and protective bollards to be installed around patio area. Chair seconds 5-0.

7:50 PM Healing Foot Spa, Inc. d/b/a Energy Massage, for modification of Special Permit (S-2) voted 02/13/2001 to allow massage therapy BY increasing the number of massage rooms and modification of hours of operation at 200 Walnut Street, Unit #3, Assessor's Plan 1043, Lots 245-246.

Michael Leung, 730 Hancock St, Quincy was present with applicant Quincy Zhen Liu, 10 Ripley St Malden and explained the location was previously a chiropractor and did have S-2 for 1 massage therapy and they propose to increase to 6 and said Ms. Liu has a business in Boston and looking to expand and will have 4 staff members and be open 10am to 9pm. The Chair asked if they would be open 7 days a week. Mr. Leung said yes. The Chair said some outstanding fees need to be paid. Selectman Cicolini confirmed they are requesting change in hours of operation. The Chair confirmed the location is vacant. Selectman Cicolini asked if they have the same hours at the Boston location. Mr. Leung said yes. Any to speak in favor or opposed? None.

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

Selectman Cicolini moved to grant the request of Healing Foot Spa, Inc. d/b/a Energy Massage, for modification of Special Permit (S-2) voted 02/13/2001 to allow massage therapy BY increasing the number of massage rooms and modification of hours of operation at 200 Walnut Street, Unit #3, Assessor's Plan 1043, Lots 245-246 with the following conditions: no more than 6 rooms with 3 for massage and 3 for foot reflexology; hours of operation 7 days a week 10am to 9pm; outstanding fees owed to be paid; and must comply with fire department recommendations. Chair seconds. Roll call vote: Selectman Brazis, yes; Selectman Cicolini, yes; Selectman D'Eon, yes; Selectman Mitchell, yes; Selectman Panetta, yes.

8:00 PM RARE Hospitality International, Inc. d/b/a LongHorn Steakhouse #5595, for transfer of All Alcohol Common Victualer's License FROM: New Ki-Ku-Ya Inc. d/b/a Sake Japanese Restaurant; TO NEW location 1325 Broadway, Unit 1 and for change of manager TO: Colleen Hunter; and Application is also made for Entertainment License.

Attorney Joseph Devlin, 1 Harris St Newburyport & 50 Congress St Boston was present and summarized application and noted they are requesting 2 televisions. The Chair said it is a well known franchise and asked if it is premature to transfer before it's built. The Manager said he thinks it is and said normally they would have submitted plans. Selectman Brazis confirmed the location as Sears Auto Center and asked if the building is being taken down. Atty. Devlin said part of the building will be rebuilt and explained timeline in accordance with MGL and said all is conditioned on having a signed lease to show they are committed and said they need to secure the license before they can start the building process. The Manager said the application is based on property owner's build out and if willing to hold off, they are close to submittal for review of the Building Inspector and Planning Board. Atty. Devlin said he respects where he's coming from but Dardin won't have a deal without and he cannot ask to continue. The Chair asked if the other spaces in the building will be retail. Selectman Brazis said the location was automotive and asked what if it's contaminated. Atty. Devlin said it would be a clean site and said plan was submitted with application. The Chair said outstanding taxes have to be paid. Atty. Devlin said he relayed it to the seller today. The Chair asked if he would be opposed to continuing to next meeting. Atty. Devlin said he understands. Selectman Cicolini said he would like the seller representative and leaser rep present. The Manager said he thinks they will have more information as it goes through the process. Any to speak in favor or opposed? None.

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Selectman Cicolini moved to continue the hearing to next scheduled meeting, September 12th and to ask the Attorney to have the representative of the seller as well as the landlord representative to work with the Building Inspector. Chair seconds 5-0.

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

Meeting recessed at 9:54 PM.

The Chair called the meeting back to order at 10:00 PM.

Old Business: Saugus Cable Studio relocation update.

Al DiNardo, 199 Essex Street and Laura Eisener from the Historical Society were present. Mr. DiNardo said SCTV wanted to update the Board about proposed relocation of studio to the Historical Society Building, 30 Main Street and will need updated infrastructure and are in discussions about dividing the space. The Chair asked about utilities. Mr. DiNardo said SCTV will pay utilities but they are still in talks. The Chair asked about parking. Mr. DiNardo said there are 6 or 7 in back and 3-4 in front. Selectman Cicolini thanked them for all their work and said it seems to be a win-win and could support it if everything is worked out. The Chair confirmed they are talking about no rent, just utilities. Selectman Cicolini asked if lease perpetual. Ms. Eisener said 9 year with option. The Chair said she appreciates the update. Mr. DiNardo said when they have final draft of the lease he will give copy to the Board.

New Business: signing of State Primary Election Warrant
Selectman D'Eon moved to sign the warrant. Chair seconds 5-0.

Manager's Report:

The Manager reported DPW is getting things ready for schools to open and at the HS, the contractors are doing as much work on Pierce Memorial Drive as they can in advance while school is closed; and Water Street Bridge repairs are near completion; and fuel dispenser replacement is near complete. The Chair said surrounding communities were terribly impacted with flooding from the last storm and asked the implications on Saugus. The Manager said some flooding was reported in Walnut St area. The Manager said they are looking into traffic issues. Selectman Cicolini said to reduce speed on at least the 4 main roads would not hurt.

Approval of minutes: July 11, 2018
Selectman Brazis moved to approve the minutes. Chair seconds 5-0.

Appointments:

1.) Mr. Ianuzzi re: request for reappointment as constable.

Mark Ianuzzi, 29 Granite St, Peabody was present. The Chair asked how long he has been a constable in Saugus. Mr. Ianuzzi said 3 years. The Chair asked if he does a lot of work in Saugus. Mr. Ianuzzi said yes, quite a bit.

Selectman D'Eon moved to reappoint Mark Ianuzzi as constable in the Town of Saugus to expire 8/31/21. Chair seconds 5-0.

2.) Reappointment of Traffic Hearings Officer.

Selectman D'Eon moved to reappoint Stephen Sweezey as Traffic Hearings Officer to expire 8/31/19. Chair seconds 5-0.

3.) Dem. Town Committee re: request to fill vacancy on Board of Registrars.

Selectman Cicolini moved to appoint John Andreucci to fill the vacancy on the Board of Registrars to expire 3/31/19. Chair seconds 5-0.

4.) Appointment of Poll Workers

Selectman Cicolini moved to appoint poll workers for one year as submitted in memo dated 8/6/18 from Saugus Town Clerk. Chair seconds 5-0.

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Member's Comments: Founder's Day

Selectman Mitchell had nothing this evening.

Selectman Cicolini said it was great to recognize public safety this evening; and said he looks forward to Founder's Day; and welcomed back to school (soon).

Selectman Brazis gave a shout-out to Phyllis Melchionno for her 40 years working at Walgreens and wished her all the best; and a get well soon to Aden McLaughlin.

Selectman D'Eon said school is starting in 2 weeks; and agreed this was an amazing meeting recognizing public safety.

The Chair announced Founder's Day on 9/8/18; ice cream social at Knights of Columbus 9/9/18.

Citizen's Comments None.

Selectman Brazis moved to adjourn. Chair seconds 5-0.

Meeting adjourned at 10:46 PM.

Respectfully submitted,
Wendy Reed, Clerk