

12/18/06

(15)

TOWN OF ACTON

Building Department

INTERDEPARTMENTAL COMMUNICATION

To: Don P. Johnson, Town Manager **Date:** December 15, 2006
From: Garry A. Rhodes, Building Commissioner *GAR*
Subject: 2007 License Renewal

I would like to update my December 8th IDC reporting on 2007 License renewals. O'Natural's has completed their inspections of both Fire and Building.

12/11
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TOWN OF ACTON
Building Department

INTERDEPARTMENTAL COMMUNICATION

To: Don P. Johnson, Town Manager **Date:** December 8, 2006
From: Garry A. Rhodes, Building Commissioner
Subject: 2007 License Renewals

I have reviewed the license renewals and have the following comments. I would recommend before the Board of Selectmen approve these renewals all issues are resolved.

The following business has not responded to our request for inspections;

- 1) Concord Acton Squash 29 Knox Trail

The following business has completed the Fire Department inspection but not the Building Department;

- 1) O'Natural's 149 Great Road ✓ Done

During the past year the following businesses that have a common Victualler's license were ticketed for illegal signs but have not paid the tickets;

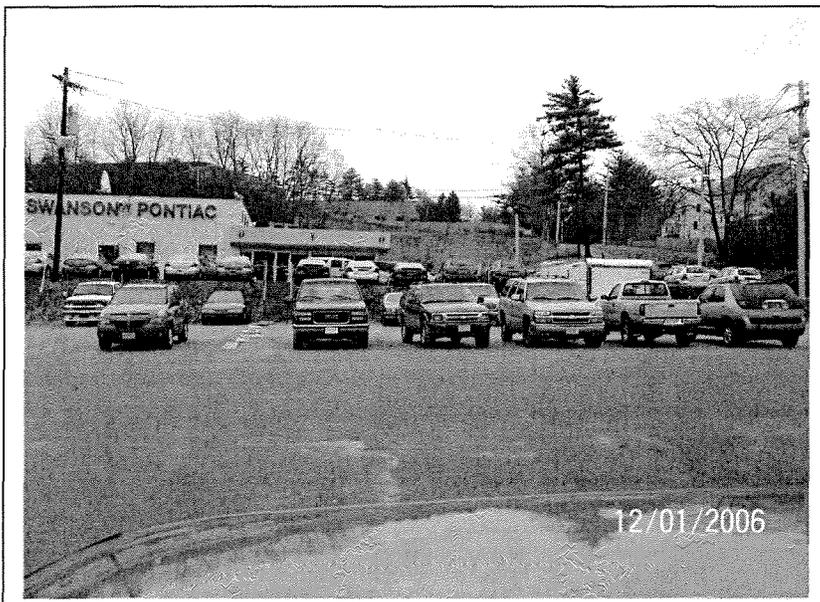
- 1) Acton House of Pizza, 494 Main Street, two tickets total fines \$50.
- 2) Continental Café 5 Spruce Street, two tickets total fines \$75.
- 3) Acton Seafood Sales 77 Great Road, one ticket total fine \$25. — paid

The Building Department has issues with several Class I licenses holders. The Board issued a Class I license to Acton Suzuki, located at 60 Powdermill Road, prior to the property being completed. On October 19, 2006, I issued an enforcement order to vacate the property until the

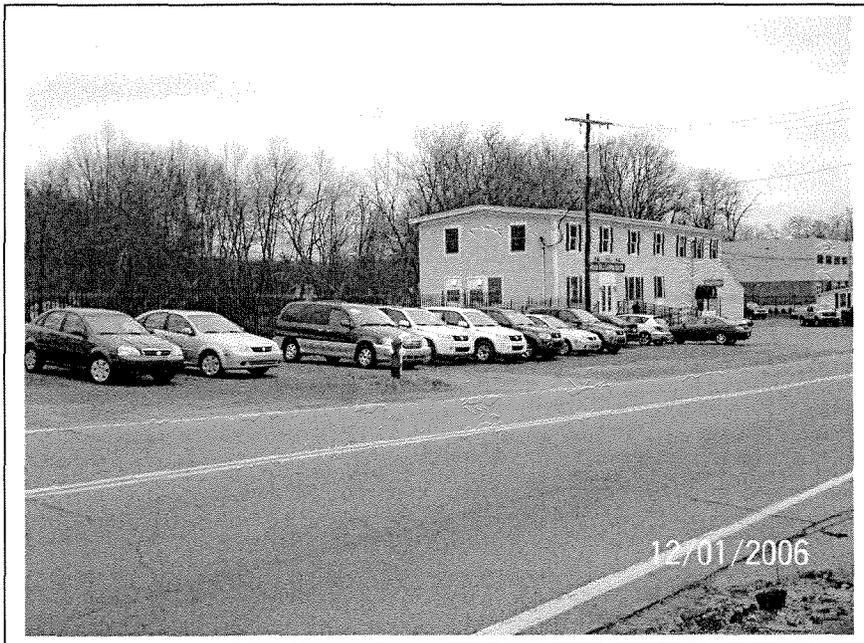
three exterior lights had to be removed and the Non-Disturbance and Attornment Agreement (Agreement) from Marlborough Savings Bank & Mortgage had been provided. The exterior lights have since been removed and the Agreement has been delivered. I will provide a copy of the Agreement for Board signature at the next meeting. The Occupancy Permit has been issued. They are however, using the customer parking spaces for new vehicle display. I counted in excess of thirty vehicles unregistered vehicles on site where only 19 are allowed. I have attached a picture of the new vehicles parked in the restricted customer parking. The parking in the customer parking spaces creates a zoning violation because they no longer have adequate parking to comply with § 6 of the Bylaw.



It appears that Swanson Pontiac has expanded their employee parking to an adjoining site along Powdermill Road without Board of Selectmen approval. I would recommend Swanson Pontiac relocate their operation back to their location on Sudbury Road until they obtain this approval. I have attached a picture.



Acton Ford Rent A Car, Inc located at 56 Powdermill Road has expanded onto 50 Powdermill Road without Board Approval. I have attached a copy of a picture showing some of the vehicles.



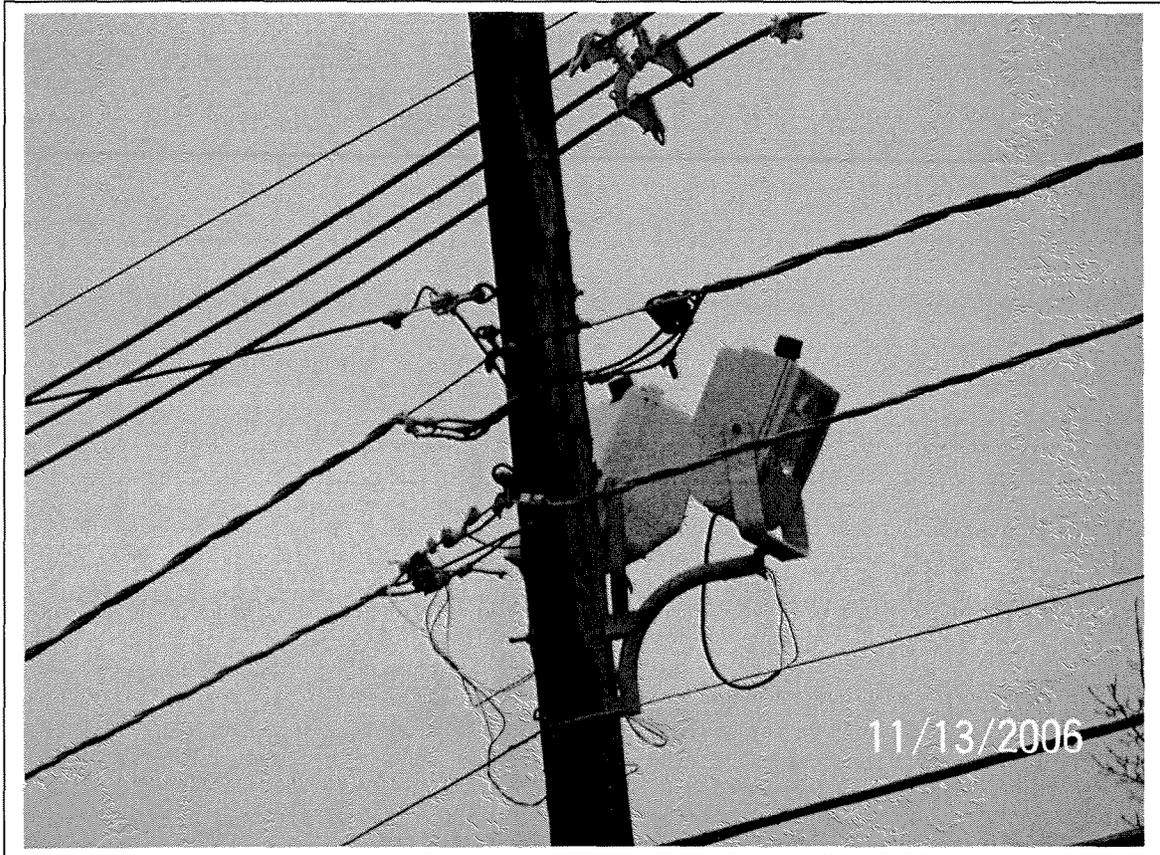
In the past the Board has been concerned about new vehicle parking on landscaped areas. I have observed this problem at one of the dealerships. Village Saab 30 Main Street routinely parks on landscape areas. I have attached a picture of the dealership.



The only Class II license holder I noted operating in violation of their license was Way Auto Sales located at 790 Main Street. Their license is limited to 6 vehicles. I routinely notice eight vehicles on site. Only 6 have sale signs on them but the two remaining are unregistered.

I have observed for some time that exterior lights similar to those installed at 60 Powdermill Road are used throughout Acton. They have been installed by NStar without our knowledge or approval. You will notice them mostly at car dealerships but they do appear at other

establishments. The exterior lights are in violation of both the current bylaw and the previous bylaw. The Board may want to consider using this license renewal process to have businesses remove them. I have attached a picture of the lights in question.



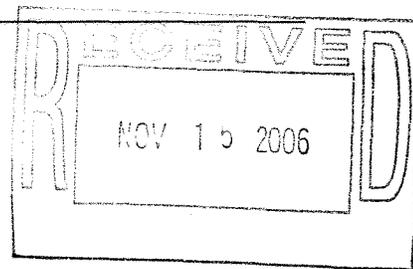
Christine Joyce

From: Robert Craig
Sent: Friday, December 08, 2006 12:26 PM
To: Christine Joyce
Subject: Update on Chapter 304 Liquor License Inspections
Importance: High

Christine: Please be advised that this department has completed all of the required Chapter 304 Liquor License inspections.

Christine Joyce

From: Frank Widmayer
Sent: Monday, November 13, 2006 3:22 PM
To: Christine Joyce
Subject: RE: Change of date for submitting comments for 2007 License renewal



Christine,

I have reviewed the packet and I do not have any objections to the license renewals.

Regards,

Frank J. Widmayer III
Chief of Police
(978) 263-2911

From: Christine Joyce
Sent: Monday, November 13, 2006 2:54 PM
To: Garry Rhodes; Doug Halley; Frank Widmayer; Robert Craig; Kevin Lyons; Sharon Faldasz
Subject: Change of date for submitting comments for 2007 License renewal
Importance: High

Guys,

I need your comments for the packet that will be prepared on Wednesday of next week as it is Thanksgiving on Thursday and Friday. Please do your best to help me reach my deadline for the 2007 Licenses.

Thanks

Christine Joyce

From: Doug Halley
Sent: Tuesday, November 21, 2006 10:41 AM
To: Christine Joyce
Subject: RE: Change of date for submitting comments for 2007 License renewal

We are unaware of any outstanding issues pertaining to 2007 license renewals.

-----Original Message-----

From: Christine Joyce
Sent: Monday, November 13, 2006 2:54 PM
To: Garry Rhodes; Doug Halley; Frank Widmayer; Robert Craig; Kevin Lyons; Sharon Faldas
Subject: Change of date for submitting comments for 2007 License renewal
Importance: High

Guys,

I need your comments for the packet that will be prepared on Wednesday of next week as it is Thanksgiving on Thursday and Friday. Please do your best to help me reach my deadline for the 2007 Licenses.

Thanks

Christine Joyce

From: Sharon Faldasz
Sent: Tuesday, December 12, 2006 12:48 PM
To: Christine Joyce
Subject: RE: license renewals

Here you go:

These are balances as of today.

~~Quail Ridge Country Club - Real Estate tax \$32,614.68; per diem \$12.28~~ *paid*
 Acton Auto Brokers, STA Automotive - Pers Prop. \$5,666.46; per diem \$1.80, Excise \$1,352.67. Total \$7,019.13
 DiCapri Pizzeria Restaurant (Alexander's) - Pers. Prop. \$65.12; per diem \$.02
 Junior's Pizza - Pers. Prop. \$113.81; per diem \$.04
 McDonald's Corp. - Excise (2002) \$490.36
~~Costa Donuts Two, Inc. - Pers. Prop. \$926.09; per diem \$.32~~ *paid*
 Acton House of Pizza** - Pers. Prop. \$114.64; per diem \$.04

** Brian says that we can't use the real estate, since the business owner's name is not on the paperwork of the partnership who owns the property.

Sharon

From: Christine Joyce
Sent: Tuesday, December 12, 2006 11:43 AM
To: Sharon Faldasz
Subject: RE: license renewals

I need the amounts next to the Name Please, also what have you discovered from Brian About Acton House of Pizza? Thanks

-----Original Message-----

From: Sharon Faldasz
Sent: Tuesday, December 12, 2006 11:36 AM
To: Christine Joyce
Subject: license renewals

Hi Christine,

These are still delinquent:

Quail Ridge Country Club ✓
 Acton Auto Brokers, STA Automotive
 DiCapri Pizzeria Restaurant (Alexander's)
 Junior's Pizza
 McDonald's Corp.

Costa Donuts Two, Inc
Acton House of Pizza

Sharon