



Town of Reading
16 Lowell Street
Reading, MA 01867

James E. Bonazoli, Chairman
John Arena, Vice Chairman
Ben Tafoya, Secretary
Daniel Ensminger
Marsie West

BOARD OF SELECTMEN
(781) 942-9043
FAX: (781) 942-9071

Website: www.ci.reading.ma.us

RECEIVED
TOWN CLERK
READING, MASS.
2013 JUL 24 P 1:03

NOTICE OF MEETING – BOARD OF SELECTMEN

DATE: July 30, 2013

CALL TO ORDER: 7:00 p.m.

PLACE: Selectmen's Meeting Room
16 Lowell Street, Reading, Massachusetts

- 1) **Reports and Comments**
 - a. Selectmen's Liaison Reports and Comments
 - b. Public Comment
 - c. Town Manager's/Assistant Town Manager's Report
- 2) **Open Session for topics not reasonably anticipated 48 hours in advance of the meeting**
- 3) **Proclamations/Certificates of Appreciation**
- 4) **Personnel & Appointments**
- 5) **Discussion/Action Items**
 - a. Discuss "Peer Communities" 7:30
 - b. Memorial Park 7:45
 - c. Hearing – Bertucci's Restaurant – Issuance of Stock, New Officer/Director, New Stockholder and Transfer of Stock 8:00
 - d. Overview of 128 Marketplace (Danis) Building Project 8:15
 - e. Request for ad hoc Zoning Advisory Committee 8:30
 - f. Develop Policy on Affordable Housing; Regional Housing Services Coordinator 8:45
 - g. Follow up on Affordable Housing Trust Fund 9:15
 - h. Review Constable Situation 9:30
 - i. Preview Special Town Meeting 9:45
 - j. Approval of MWRA Water Bonds
- 6) **Approval of Minutes**
 - a. June 18, 2013
 - b. June 19, 2013
 - c. July 9, 2013
- 7) **Licenses, Permits and Approvals**
- 8) **Executive Session**

- 9) **Correspondence**
- copy a. Correspondence from Mary Frere of Verizon re: Prices for New Subscribers to Premium FiOS Channels
 - copy b. Correspondence from Susan McFarland re: “off leash” dog walking in the Town Forest
 - copy c. Email from Richard Salz re: Dogs and the Town Forest
 - copy d. Email from Lisa Treacy re: Town Forest Vote
 - copy e. Email from Chris Ritondo re: Reading Town Forest
 - copy f. Email from Tony and Roberta Guarciariello re: Town Forest Rules
 - copy g. Email from Town Counsel Gary Brackett re: Demolition Delay Bylaw Question
 - copy h. Correspondence from Robert Ahern praising Conservation Administrator Chuck Tirone
 - copy i. Correspondence from Wareham Board of Selectmen asking the Town to support House Bill 1115 re: the definition of low and moderate income housing
 - copy j. Correspondence from Lori Renn Parker praising the Engineering Division regarding paving of Winthrop Avenue and adjoining neighborhood near the high school
 - copy k. Email from Kathleen Kenney re: Ash Street Carpenter Ants Issue
 - copy l. Email from Gina and Carl DiRocco re: Reading’s water costs

Note: This Agenda has been prepared in advance and does not necessarily include all matters which may be taken up at this meeting.

DRAFT - BOARD OF SELECTMEN AGENDAS			
2013			2013
		Staff Responsibility	Estimated Start time
7/24/2013			
	July 30, 2013		
	Discuss 'peer communities'	Roberts	7:30
	Memorial Park	Feudo	7:45
HEARING	Bertucci's Restaurant - Issuance of stock, new officer/director, new stockholder and transfer of stock	LeLacheur	8:00
	Overview of 128 Marketplace (Danis) building project	Delios	8:15
	Request for ad hoc Zoning Advisory Committee	Delios	8:30
	Develop policy on affordable housing; Regional Housing Services Coordinator	Delios	8:45
	Follow up on funding the Affordable Housing Trust Fund	LeLacheur	9:15
	Review Constables situation	LeLacheur	9:30
	Preview Special Town Meeting	LeLacheur	9:45
	August 20, 2013		
Office Hour	Ben Tafoya		6:30
HEARING	Review & adopt - Traffic Rules and Regulations	Martel	7:30
HEARING	Close Special Town Meeting Warrant	LeLacheur	8:00
	Set Liquor License Fees for CY14	LeLacheur	8:15
HEARING	Paint & Sip beer & wine license	LeLacheur	8:30
	Review final drainage studies	Zambouras	9:00
	DPW & Cemetery garage sites	Zager	9:30
	August 21, 2013 (Weds.) - Financial Forum (Woburn Street School operating)	Pleasant St. Ctr	7:30
	August 26, 2013		
	Joint meeting with School Committee	@RMHS	7:00
	September 4 & 5 Rosh Hashanah	no meetings	
WORKSHOP	September 10, 2013		
Office Hour	John Arena		6:30
	Town Accountant Report	Angstrom	7:30

	CAB (RMLD) member Report		7:45
	RCTV members report		8:00
	Preview Subsequent Town Meeting	LeLacheur	8:15
	Business Workshop	LeLacheur	8:30
	EDC mission joint meeting		
	September 11, 2013 (Weds.) - Financial Forum (Woburn Street School)	Pleasant St. Ctr	7:30
	September 16, 2013 - Special Town Meeting (Mon)	no meetings	7:30
	September 19, 2013 - Special Town Meeting (Thurs)	no meetings	7:30
	September 24, 2013		
	Reading/Wakefield Assessing update	LeLacheur	7:30
HEARING	Close Subsequent TM Warrant	LeLacheur	8:00
	Review BOS/TM Goals	LeLacheur	
	October 8, 2013		
Office Hour	James Bonazoli		6:30
	Tax Classification preview		
	October 9, 2013 (Weds.) - Financial Forum (FY15 Budget)	Pleasant St. Ctr	7:30
	October 22, 2013		
	MAPC member Report		
HEARING	Tax Classification	Bd of Assessors	8:00
	October 29, 2013 (Tues.) - Special Election (Woburn Street School)	no meetings	
	November 5, 2013		
Office Hour	Marsie West		6:30
	November 12, 2013 - Subsequent Town Meeting (Tues)	no meetings	7:30
	November 14, 2013 - Subsequent Town Meeting (Thurs)	no meetings	7:30

	November 18, 2013 - Subsequent Town Meeting (Mon)	no meetings	7:30
	November 26, 2013		
	Tax Classification hearing		
	Approve Liquor Licenses		
	December 10, 2013		
Office Hour	Marsie West		6:30
	Approve licenses		
	Approve early openings/24 hour openings		
	December 17, 2013		
	Town Manager Performance Evaluation		
future agendas	Discuss driveway width issues	Zambouras	
	Second Water Meter	Zager	
	Dog Park opportunity	Feudo	
	Strout Avenue Master Plan - after Town Forest planning work is done	Feudo	
	Grove Street parking issues	LeLacheur	
	Policy on Trust Fund Commissioners	Heffernan	
	Review license and permit fees	Delios	
	Consideration of Class 2 MV license - Global gas station.		
recurring items	Town Accountant Report	Jan-Apr-Jul-Oct	Qtrly
	Review BOS/TM Goals	Jan-May-Sept	Tri-ann
	Review Customer Service survey results	Jan & July	Semi-ann
	RCTV members Report	Feb & Aug	Semi-ann
	CAB (RMLD) member Report	Mar & Sept	Semi-ann
	MAPC member Report	April & Oct	Semi-ann
	Reading Housing Authority Report		Annual
	Reading Ice Arena Report		Annual
	Approve licenses	December	Annual
	Appointments of BCCs	June	Annual
	Tax Classification Hearing	Oct/Nov	Annual

THE TOWN OF READING



FINAL REPORT

COMPENSATION AND CLASSIFICATION STUDY NON-UNION POSITIONS

RACHEL BROWN, C.C.P.
Consultant



STONE
CONSULTING, INC.

5 West Mill Street, Suite 5
Medfield, MA 02052

T (508) 359-9600
F (508) 359-0190
rbrown@stoneconsult.com

December, 2008

Sal



Market Survey

The following communities were included in the compensation survey. Winchester and Wakefield were invited to participate but did not complete the survey.

Andover	Danvers	Milton	Stoneham	Wilmington
Bedford	Dedham	Natick	Tewksbury	
Belmont	Lynnfield	North Andover	Walpole	
Burlington	Mansfield	North Reading	Westborough	
Canton	Marshfield	Shrewsbury	Westford	

The following shows how these twenty-two communities compare on various statistics (gathered from the Department of Revenue site).

Town	2006 Estimated US Census	1999 Income per Capita	2006 EQV/ 2006 US Census	FY07 Operating Budget
Andover	33,475	\$ 41,133	\$ 219,674	\$ 128,185,806
Bedford	12,884	\$ 39,212	\$ 228,730	\$ 66,891,045
Belmont	23,308	\$ 42,485	\$ 237,626	\$ 93,646,969
Burlington	24,895	\$ 30,732	\$ 183,310	\$ 91,015,104
Canton	21,772	\$ 33,510	\$ 201,375	\$ 73,031,652
Danvers	25,833	\$ 26,852	\$ 175,737	\$ 80,916,151
Dedham	23,615	\$ 28,199	\$ 180,509	\$ 81,389,289
Lynnfield	11,443	\$ 39,560	\$ 221,975	\$ 36,862,442
Mansfield	23,096	\$ 27,441	\$ 152,888	\$ 75,980,346
Marshfield	24,836	\$ 28,768	\$ 192,745	\$ 82,224,334
Milton	25,902	\$ 37,138	\$ 189,903	\$ 80,251,632
Natick	31,866	\$ 36,358	\$ 204,555	\$ 111,634,235
North Reading	13,950	\$ 30,902	\$ 192,633	\$ 51,262,020
North Andover	27,196	\$ 34,335	\$ 170,943	\$ 81,968,147
Shrewsbury	33,262	\$ 31,570	\$ 151,584	\$ 89,449,668
Stoneham	21,471	\$ 27,599	\$ 155,855	\$ 61,168,681
Tewksbury	29,418	\$ 27,031	\$ 148,385	\$ 83,935,864
Walpole	23,165	\$ 32,117	\$ 175,837	\$ 71,349,114
Westborough	18,634	\$ 35,063	\$ 200,723	\$ 78,370,207
Westford	21,507	\$ 37,979	\$ 182,453	\$ 84,756,538
Wilmington	21,525	\$ 25,835	\$ 173,469	\$ -68,764,351

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*Town of Reading
Classification and Compensation Study
Final Report*

Town	2006 Estimated US Census	1999 Income per Capita	2006 EQV/ 2006 US Census	FY07 Operating Budget
Averages:	23,372	\$ 33,200	\$187,733	\$ 79,481,949
25th Percentile	21,498	\$ 28,049	\$ 171,143	\$ 70,702,923
50th Percentile	27,587	\$ 39,422	\$ 221,091	\$ 81,152,720
75th Percentile	25,850	\$ 37,348	\$ 202,170	\$ 85,929,821
Reading	23,086	\$ 32,888	\$ 171,209	\$ 81,947,780

These were the same communities that participated in the Reading School Department survey. The Town of Reading compares favorably to the average of the demographics, with the exception that Reading's Equalized Property Valuation divided by census best reflects the 25th percentile of those communities surveyed.

Memo

To: Bob LeLacheur, Town Manager
From: John Feudo, Recreation Administrator
Date: 7/24/2013
Re: Memorial Park Lights

The Friends of Reading Recreation would like to take on restoring the Memorial Park Lights as their next project. The original project that was funded privately had a shortfall when the park was completed back in 2010. However, returning the lights to Memorial Park has always been in the master plan and is supported by the Recreation Committee as well as promised to the donor. As you already know the Friends of Reading Recreation utilize the park for several events throughout the year, so the fit for them to fundraise is a natural connection. The package you are reviewing has some basic specifications for proposed lighting at Memorial Park and includes a letter that was passed around the neighborhood.

With approval to move forward, the Friends of Reading Recreation would like to begin a fundraising campaign to return lights to this facility perhaps as soon as November of 2013.

I appreciate the opportunity to discuss further with the Board of Selectmen.

To: Reading Residents

From: Friends of Reading Recreation

Pete Coumounduros petegc@cargo-transport.com

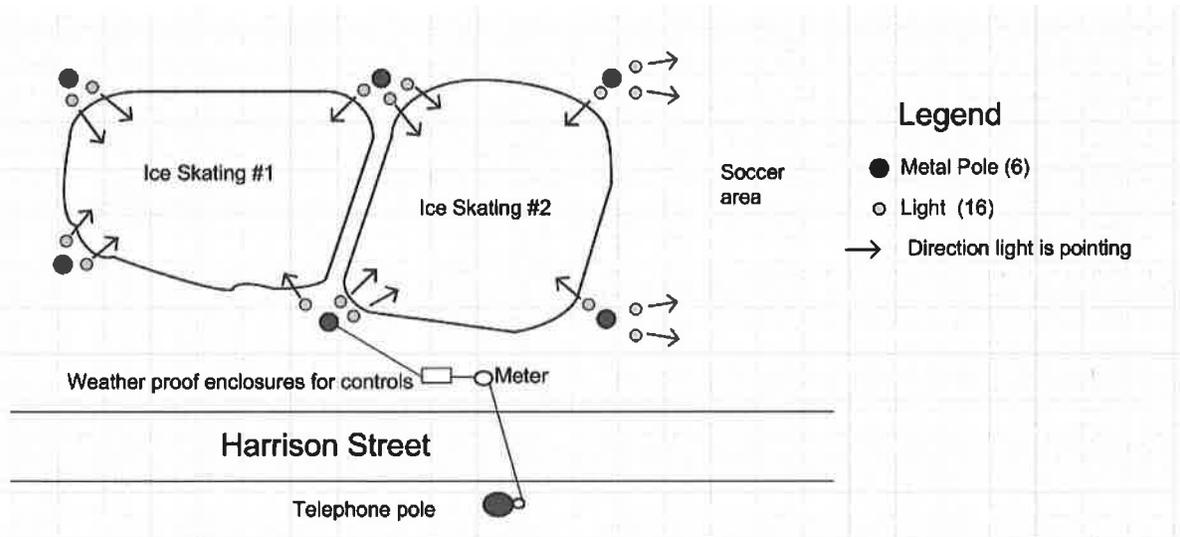
Kathy Kinney kathmkinney@aol.com

David Chase david.y.chase@jci.com

Subject: Memorial Park Ice Skating Lights

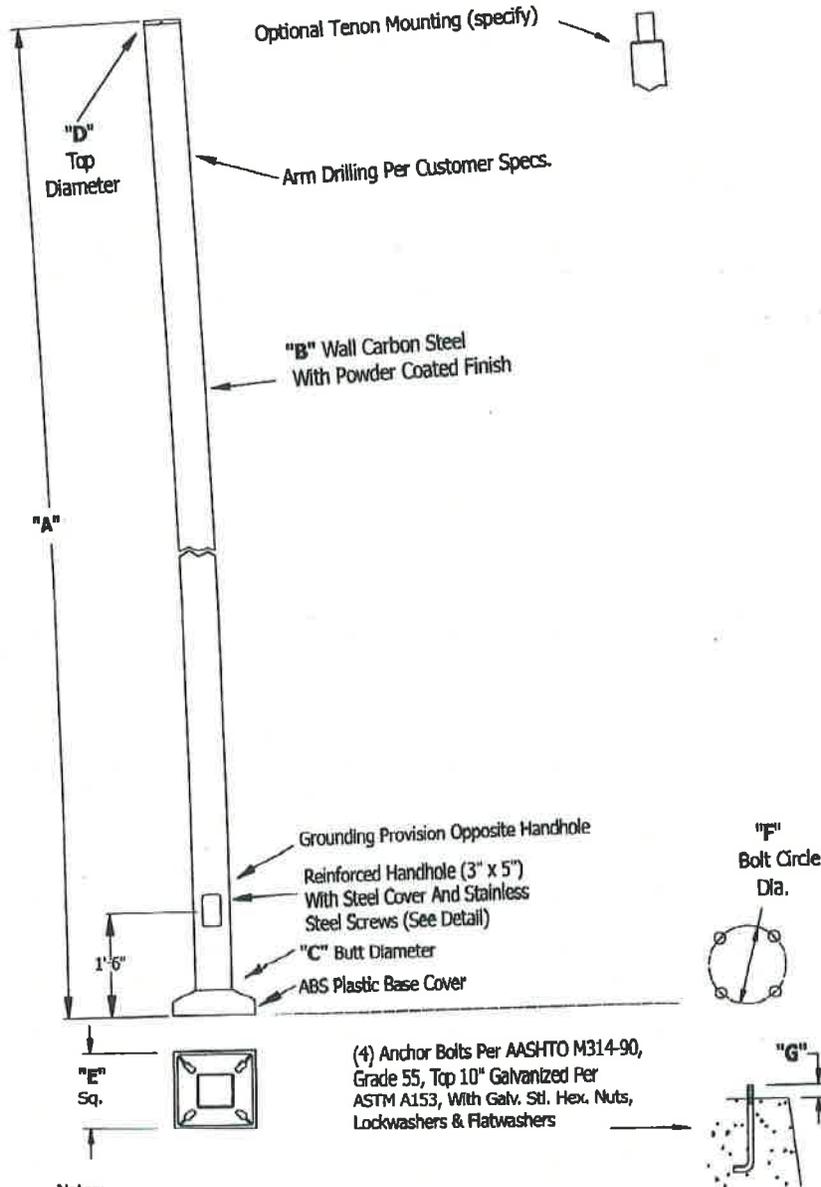
Date: 6/14/2013

When the Memorial Park was renovated in 2010 the drainage, parking, basketball courts, tennis courts and skating areas were improved. Unfortunately the town was not able to re-do the lights for the ice skating area. Most people are just now realizing the light are not there anymore. Friends of Reading Recreation and The Recreation Department would like to get the lights back so that we can skate and play pick-up hockey again this coming winter season. We plan to have metal poles and the electrical wiring underground. The next steps are to complete the design, get estimates, confirm neighborhood support, present to selectman, and determine construction, maintenance and electrical cost. The design is in the concept phase. 6 poles, 16 lights, Lights similar to Tufts 2 and men's lighted softball field at Birch Meadow, See sketch:



We are looking for people to help with the design, materials, labor and fundraising. If you want to help or donate let us know by email via the 3 addresses above.

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WARNING: Do not install light pole without luminaire.

Notes:

- 1) All Material Shall Be Weldable-Grade, Hot-Rolled, Commercial Quality Carbon Steel Tubing. Base Plate and Handhole Material Shall Conform to ASTM A36. All Welds Shall Conform To AWS D1.1 Using E70xx Electrodes.
- 2) EPA Calculations Based Upon AASHTO Standard Specifications for Structural Supports for Highway Signs, Luminares and Traffic Signals, 1994 Edition, Using An EPA Weight of 25 lbs Per Sq Ft of EPA. Height Coefficients Based On Formula, $(H/30)^{(1/7)}$. EPA's Are Calculated At Top Of Shaft. All Welds Shall Conform To AWS D1.1 Using E70xx Electrodes.

Mounting Height:	25 ft
Gauge:	7
Butt Diameter:	5 in
Top Diameter:	5 in
Base Diameter:	11 in
Bolt Circle:	10-12 in
Bolt Projection:	3.375 in
Bolt Size:	1 x 36 x 4
Net Weight:	319
Luminary Weight:	150
Arm Length:	
Quantity:	

Maximum EPA	
70:	24.1
80:	17.6
90:	12.9
100:	9.3
110:	6.7

Your Name:
Representative Name:
Architect Name:
Project Name:
Customer P.O. #:

Finish: -
Date: 05/15/2013

Accessories

Notes:

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COOPER LIGHTING - LUMARK®

DESCRIPTION

The "state-of-the-art" Sports Floodlight features industry leading computer designed horizontal optics with optional internal glare/spill light control, and is the perfect choice for both amateur field lighting and professional sports stadiums and arenas. UL Listed for wet location. CSA certified. Rated for 55° C indoor ambient temperature environments. Parks and recreation field lighting, high school and college sports facilities, and professional sports stadiums and arenas including color TV broadcasting.

Catalog #		Type	
Project		Date	
Comments			
Prepared by			

SPECIFICATION FEATURES

Construction

VERTICAL FIXED AIMING: Stainless steel mounting arms feature separate vertical aiming pivot bolts and rear re-lamping hinge bolts prevent mis-aiming and provide permanent fixed aiming. Aiming degree markers on both sides of the optical allow for easy pre-aiming on the ground or after installation. **LENS/DOOR FRAME:** 1/8" tempered, heat and shock-resistant glass lens is sealed with high temperature silicone gasket to protect optics from dirt and contaminant's and is mounted in hinged stainless steel door frame with stainless steel latches

Electrical

BALLAST HOUSING: Rugged die-cast aluminum ballast housing

finished in corrosion resistant white polyester powder coat. Transverse mounting with cast-in horizontal aiming protractor and single bolt mounting. **BALLAST COMPARTMENT:** Isolated components for coolest component operation and extended component life. Ballast is rated to start and operate lamp in ambient temperatures down to -20° C. **SOCKET CASTING:** Die-cast aluminum socket castings are sealed with a high temperature silicone gasket to keep out contaminant's.

Optical

REFLECTOR AND INTERNAL GLARE/SPILL LIGHT CONTROL: Computer designed spun aluminum reflectors feature

optional internal glare/spill light control louvers for maximum lighting control without unwanted glare and light trespass. Horizontal optics feature standard BT56 mogul base lamps for safe, reliable operation.

Mounting

Transverse mounting with cast-in horizontal aiming protractor and single bolt mounting.

Finish

Finished in corrosion resistant white polyester powder coat.



**AS
ALLSTAR**

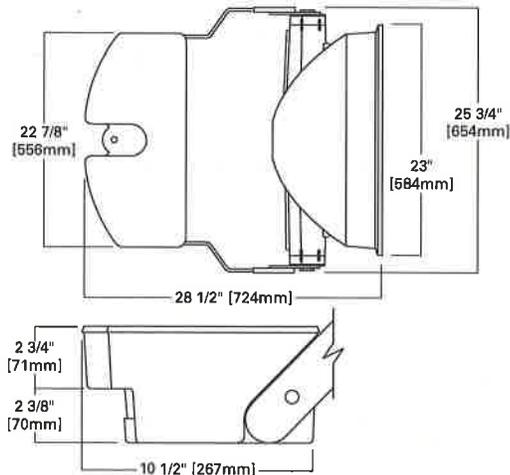
1000 - 1650W

**Pulse Start Metal Halide
Metal Halide**

SPORTS FLOODLIGHTING

ALLSTAR™
Sports Floodlight

DIMENSIONS



TECHNICAL DATA

U.L. Wet Location Listed
CSA Certified

ENERGY DATA

CWA Ballast Input Watts
1000W MP HPF (1070 Watts)
1000W MH HPF (1080 Watts)
1500W MH HPF (1625 Watts)

EPA

Effective Projected Area aimed at 45° from vertical:
2.98 Square Feet

SHIPPING DATA

Approximate Net Wt:
73 lbs. (33 kgs.)



COOPER Lighting
www.cooperlighting.com

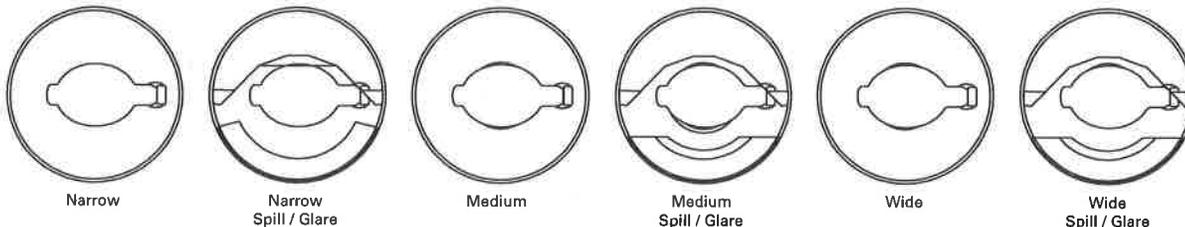
564

ADH082298
2011-10-25 09:18:25

PHOTOMETRICS (Complete IES files available at www.cooperlighting.com)

Distribution	Lamp Type	Beam Spread H x V
Narrow	1000-1650W Metal Halide	40° x 15°
Medium	1000-1650W Metal Halide	56° x 45°
Wide	1000-1650W Metal Halide	72° x 75°

DISTRIBUTIONS



ORDERING INFORMATION

Sample Number: MHAS-MS-1500-490V-U3



Lamp Type
MP=Pulse Start Metal Halide
MH=Metal Halide

Distribution
N=Narrow
M=Medium
W=Wide

Internal Louvers
 _=None
S=Spill Light Control Louvers

Lamp Wattage ¹
1000=1000W
1500=1500W
1650=1650W

Voltage ²
120V
208V
240V
277V
347V
480V
MT ³
TT ⁴
220/50HZ

Options
C3=3' Cord with no plug (Specify Voltage)
C6=6' Cord, Prewired (Specify Voltage)
U3=3' USL Water Tight Cord & Plug for USL System (Specify Voltage)
F1=Single Fuse (120, 277 or 347V only)
F2=Double Fuse (208, 240 or 480V only)
HD=Heavy-Duty Shroud
RQ=Remote Quartz⁵
RT=Remote Quartz Cold Start Time Delay⁵
TV=Top Visor (Black Polyester Powder Coated)

Series
AS=ALLSTAR Sports Floodlight

- Notes: ¹ All lamps are mogul-base. Lamp not included. Pulse Start Metal Halide (MP) available in 1000 Watts only.
² Products also available in non-US voltages and 50HZ for international markets.
³ Multi-Tap ballast 120/208/240/277V wired 277V.
⁴ Triple-Tap ballast 120/277/347V wired 347V.
⁵ Wiring pulled for remote 1000W mex. Quartz Flood.

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LEGAL NOTICE



TOWN OF READING

**To the Inhabitants of the
Town of Reading:**

**Please take notice that the
Board of Selectmen of the
Town of Reading will hold a
public hearing on July 30,
2013 at 8:00 p.m. in the
Selectmen's Meeting Room,
16 Lowell Street, Reading,
Massachusetts on: Issuance
of Stock, New
Officer/Director, New
Stockholder and Transfer of
Stock for Bertucci's
Restaurant Corp. at 45
Walkers Brook Drive.**

**A copy of the proposed
document regarding this
topic is available in the Town
Manager's office, 16 Lowell
Street, Reading, MA, M-W-
Thurs from 7:30 a.m. - 5:30
p.m., Tues from 7:30 a.m. -
7:00 p.m. and is attached to
the hearing notice on the
website at
www.readingma.gov**

**All interested parties are
invited to attend the hearing,
or may submit their com-
ments in writing or by email
prior to 6:00 p.m. on July 30,
2013 to
[townmanager@cl.reading.ma.
us](mailto:townmanager@cl.reading.ma.us)**

**By order of
Robert W. LeLacheur
Town Manager**

DEMAKIS LAW OFFICES, P. C.

GREGORY C. DEMAKIS
THOMAS C. DEMAKIS

SANDOR RABKIN
JOSEPH H. DEVLIN*
*Also Admitted in N.H.

56 CENTRAL AVENUE
LYNN, MASSACHUSETTS 01901

TEL. (781) 595-3311
FAX (781) 592-4990
www.demakislaw.com

June 27, 2013

2013 JUL -2 AM 9:17

Mr. Peter Hechenbleikner
Town Manager
Reading Town Hall
16 Lowell Street
Reading, MA 01867

Re: Application of Bertucci's Restaurant Corp. – change of officer and director, stock transfer and stock issuance with regard to 41 Massachusetts locations with alcoholic beverages licenses

Dear Mr. Hechenbleikner:

Per the letter you have received from the Massachusetts Alcoholic Beverages Commission (the "ABCC"), a copy of which is also enclosed, Bertucci's Restaurant Corp. (the "Licensee") has applied for a change of officer and director, and stock transfer and issuance, relative to their Massachusetts locations, as a result of a change in ownership in upper-tier entities. The transaction involves both of the parent company's restaurant concepts ("Bertucci's" and "Zovens"), and includes over 90 restaurants in ten states. The transaction will not result in any change to the manager, operation or physical structure of the individual restaurant in your municipality, other than in the normal course of business, and the company has endeavored to make sure all manager changes were heard prior to this application.

With regard to the liquor licenses in Massachusetts, the Licensee submitted the applications to the ABCC through the "Inverted Approval Process", and the ABCC has reviewed and investigated the applications and found that the transactions requested are in compliance with M.G.L. Chapter 138. Per the letter sent by the ABCC, you will not be required to send back any other forms, documents or information in connection with the application other than the Form 43 and advertisement from your community. PLEASE NOTE: public notice via a newspaper advertisement is required, and the ABCC will need to receive a copy of the advertisement and the approved Form 43 from your community.

Enclosed please find the following documents relative to the transaction for your records:

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1. Letter from Ralph Sacramone, Executive Director of the Alcohol Beverage Control Commission (the "ABCC").
2. Monetary Transmittal Form and copy of filing fee.
3. Form 43 (for reference or use).
4. Petition for Transfer of Ownership.
4. Retail alcoholic beverages application.
5. Personal Information Forms of officers and directors (and copies of any manager changes which may have been recently submitted to you) .
6. Exhibit Package.

We would appreciate you putting this on your next available meeting schedule. We will be calling shortly hereafter to follow-up and see if you need us to attend the meeting, though we are anticipating from past experience that many communities will not.

We look forward to speaking and working with you again. If you should have any questions with regard to this application, please feel free to call Mariel Cabot or Doreen Marquis at extensions 100 and 111, respectively.

Thank you very much for your time and cooperation.

Very truly yours,



Joseph H. Devlin

JHD/mc
Enclosures



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Steven Grossman
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

June 24, 2011

LOCAL BOARDS

Amherst, Andover, Beverly, Boston, Braintree, Brockton, Cambridge, Canton, Chelmsford, Framingham, Hingham, Holliston, Lexington, Longmeadow, Mansfield, Marlboro, Medford, Needham, Newton, North Andover, North Attleboro, Norwood, Peabody, Plymouth, Randolph, Reading, Shrewsbury, Swampscott, Taunton, Waltham, Watland, Wellesley, Westboro, West Springfield, and Woburn

The Commission has received a request from Bertucci's Restaurant Corp. for a New Officer / Director and Transfer of Stock as will a New Stockholder with Issuance of Stock in the above-noted cities and towns.

Due to the magnitude of these transactions, the Commission has received the information and documents provided by the licensee. The review was to determine whether the contemplated transaction is consistent with the provisions of M.G.L. c. 138. Based upon our review, we are satisfied that the transaction is consistent with the purposes of the law and would not result in the individual corporate licenses being deemed to be out of compliance with the applicable statute. Accordingly, this letter sets forth our recommended procedure for the processing of these applications.

Arrangements have been made for the Corporation to pay all of the \$200 application fees directly to the Commission. Therefore, no fee needs to be collected.

The Commission has reviewed and accepted copies of the following documents and instruments:

1. Petition for Transfer of Ownership
2. Personal Information From
3. Application
4. Vote of the Board of Directors
5. Documents outlying the finances of the transaction

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Where there will be no change of existing managers, the Commission will not require that a Manager Form be completed, nor will the Commission require background information on the managers as such information should already be on file.

The applicant will contact you directly for processing the application. Please forward to the Commission the Form 43. The Commission will require no other forms, documents or information in connection with these applications. Should you or your town/city solicitor have any questions or require information or assistance, please contact Investigator Jack Carey at (617) 727-3040, extension 736.

Sincerely,



Ralph Sacramone
Executive Director

Cc: Ted Mahony, Chief Investigator
Pat Krueger, Licensing Coordinator
Gregory C. Demakis, Esq.
Joseph H. Devlin, Esq.

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The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

Print Form

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA: \$200.00

(CHECK MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL)

CHECK NUMBER

IF USED EPAY, CONFIRMATION NUMBER

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

LICENSEE NAME

ADDRESS

CITY/TOWN STATE ZIP CODE

TRANSACTION TYPE (Please check all relevant transactions):

- Alteration of Licensed Premises
- Change Corporate Name
- Change of License Type
- Change of Location
- Change of Manager
- Other
- Cordials/Liqueurs Permit
- Issuance of Stock
- Management/Operating Agreement
- More than (3) \$15
- New License
- New Officer/Director
- New Stockholder
- Pledge of Stock
- Pledge of License
- Seasonal to Annual
- Transfer of License
- Transfer of Stock
- Wine & Malt to All Alcohol
- 6-Day to 7-Day License

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

ALCOHOLIC BEVERAGES CONTROL COMMISSION
 P. O. BOX 3396
 BOSTON, MA 02241-3396

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The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

For Reconsideration

FORM 43
MUST BE SIGNED BY LOCAL LICENSING AUTHORITY

101600026	Reading	
ABCC License Number	City/Town	Local Approval Date

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> New License | <input checked="" type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License | <input type="checkbox"/> Change Corporate Name |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Seasonal to Annual |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input checked="" type="checkbox"/> Transfer of Stock | <input type="checkbox"/> Change of License Type |
| <input type="checkbox"/> Cordials/Liqueurs Permit | <input checked="" type="checkbox"/> Issuance of Stock | <input checked="" type="checkbox"/> New Stockholder | <input type="checkbox"/> Other <input style="width: 50px;" type="text"/> |
| <input type="checkbox"/> 6-Day to 7-Day License | <input type="checkbox"/> Management/Operating Agreement | <input type="checkbox"/> Wine & Malt to All Alcohol | |

Name of Licensee	Bertucci's Restaurant Corp.	EIN of Licensee			
D/B/A	Bertucci's Brick Oven Ristorante	Manager	Michael D. Bonnell		
ADDRESS:	45 Walkers Brook Drive	CITY/TOWN:	Reading	STATE	MA
				ZIP CODE	01867
Annual	All Alcohol	Restaurant			
Annual or Seasonal	Category: (All Alcohol- Wine & Malt Wine, Malt & Cordials)	Type: (Restaurant, Club, Package Store, General On Premises, Etc)			

Complete Description of Licensed Premises:

Approximately 6770 square feet Italian kitchen, one bar/lounge, two dining rooms, outside patio, one main entrance, one rear exit.

Application Filed:		Advertised:		Abutters Notified:	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Date & Time		Date & Attach Publication		

Contact Person for Transaction	Joseph H. Devlin, Esq./Demakis Law Offices	Phone:	781-595-3311 ext. 105		
ADDRESS:	56 Central Avenue	CITY/TOWN:	Lynn	STATE	MA
				ZIP CODE	01901

Remarks: EIN of Seller: n/a Pledge to:

The Local Licensing Authorities By: _____ _____ _____ _____	Alcoholic Beverages Control Commission Ralph Sacramone Executive Director _____ _____ _____
---	--

ABCC Remarks: _____ 507



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

PETITION FOR TRANSFER OF OWNERSHIP

002400063

Amherst

ABCC License Number

City/Town

The licensee Bertucci's Restaurant Corp. and the proposed transferee Bertucci's Restaurant Corp. respectfully petition the Licensing Authorities to approve the following transfer of ownership.

Is the PRESENT licensee a Corporation/LLC duly registered under the laws of the Commonwealth of Massachusetts?

Yes No If YES, please list the officers, directors and stockholders, their residences, and shares owned by each.

Name	Title	Address	Stock or % Owned
David G. Lloyd	CEO, President, Director	21 Garden Road, Wellesley, MA 02581	0%
Brian P. Connell	CFO, Treasurer, Secretary	3 Patriot Lane, Whitman, MA 02382	0%
Bryan K. Schwanke	Assistant Secretary	930 Union Street, Duxbury, MA 02332	0%
Bertucci's Inc.	Stockholder	155 Otis Street, Northborough, MA 01532	100%

Is the PROPOSED transferee a Corporation/LLC, duly registered under the laws of the Commonwealth of Massachusetts?

Yes No If YES, please list the officers, directors and stockholders, their residences, and shares owned by each.

TO: (Place an * before the name of each DIRECTOR/LLC Manager.)

Name	Title	Address	Stock or % Owned
William Thomas Freeman	CEO, President, Director	344 Long Cove Trail, Salem, SC 29676	0%
Brian P. Connell	CFO, Treasurer, Secretary	3 Patriot Lane, Whitman, MA 02382	0%
Bryan K. Schwanke	Assistant Secretary	930 Union Street, Duxbury, MA 02332	0%
Bertucci's Inc.	Stockholder	155 Otis Street, Northborough, MA 01532	100%
See Exhibit A for additional	structure.		

The above named proposed transferee hereby joins in this petition for transfer of said license.

SIGNATURE OF LAST-APPROVED LICENSEE:

(If a Corporation/LLC, by its authorized representative)

Date Signed

5/21/13

SIGNATURE OF PROPOSED TRANSFEREE:

508

APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE

City/Town

Reading

1. LICENSEE INFORMATION:

A. Legal Name/Entity of Applicant:(Corporation, LLC or Individual) Bertucci's Restaurant Corp.

B. Business Name (if different) : Bertucci's Brick Oven Ristorante

C. Manager of Record: Michael D. Bonnell

D. ABCC License Number (for existing licenses only) : 101600026

E. Address of Licensed Premises: 45 Walkers Brook Drive

City/Town: Reading

State: MA

Zip: 01867

F. Business Phone: 781-942-2001

G. Cell Phone:

H. Email: swoodin@bertuccis.com

I. Website: www.bertuccis.com

J. Mailing address (if different from E.): 155 Otis Street

City/Town: Northborough

State: MA

Zip: 01532

2. TRANSACTION:

- New License
- New Officer/Director
- Transfer of Stock
- Issuance of Stock
- Pledge of Stock
- Transfer of License
- New Stockholder
- Management/Operating Agreement
- Pledge of License

The following transactions must be processed as new licenses:

- Seasonal to Annual
- (6) Day to (7)-Day License
- Wine & Malt to All Alcohol

IMPORTANT ATTACHMENTS (1): The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.

3. TYPE OF LICENSE:

- \$12 Restaurant
- \$12 Hotel
- \$12 Club
- \$12 Veterans Club
- \$12 General On-Premises
- \$12 Tavern (No Sundays)
- \$15 Package Store

4. LICENSE CATEGORY:

- All Alcoholic Beverages
- Wine & Malt Beverages Only
- Wine or Malt Only
- Wine & Malt Beverages with Cordials/Liqueurs Permit

5. LICENSE CLASS:

- Annual
- Seasonal

6. CONTACT PERSON CONCERNING THIS APPLICATION (ATTORNEY IF APPLICABLE)

NAME:
ADDRESS:
CITY/TOWN: STATE: ZIP CODE:
CONTACT PHONE NUMBER: FAX NUMBER:
EMAIL:

7. DESCRIPTION OF PREMISES:

Please provide a complete description of the premises to be licensed. Please note that this must be identical to the description on the Form 43.

Total Square Footage: Number of Entrances: Number of Exits:
Occupancy Number: Seating Capacity:

IMPORTANT ATTACHMENTS (2): The applicant must attach a floor plan with dimensions and square footage for each floor & room.

8. OCCUPANCY OF PREMISES:

By what right does the applicant have possession and/or legal occupancy of the premises?

IMPORTANT ATTACHMENTS (3): The applicant must submit a copy of the final lease or documents evidencing a legal right to occupy the premises. Other:

Landlord is a(n): Other:

Name: Phone:

Address: City/Town: State: Zip:

Initial Lease Term: Beginning Date Ending Date

Renewal Term: Options/Extensions at: Years Each

Rent: Per Year Rent: Per Month

Do the terms of the lease or other arrangement require payments to the Landlord based on a percentage of the alcohol sales?
Yes No

IMPORTANT ATTACHMENTS (4):

- 1. If yes, the Landlord is deemed a person or entity with a financial or beneficial interest in this license. Each individual with an ownership interest with the Landlord must be disclosed in §10 and must submit a completed Personal Information Form attached to this application.
- 2. Entity formation documents for the Landlord entity must accompany the application to confirm the individuals disclosed.
- 3. If the principals of the applicant corporation or LLC have created a separate corporation or LLC to hold the real estate, the applicant must still provide a lease between the two entities.

5210

9. LICENSE STRUCTURE:

The Applicant is a(n):

Corporation

Other :

If the applicant is a Corporation or LLC, complete the following:

Date of Incorporation/Organization:

11/02/1984

State of Incorporation/Organization:

Massachusetts

Is the Corporation publicly traded? Yes No

10. INTERESTS IN THIS LICENSE:

List all individuals involved in the entity (e.g. corporate stockholders, directors, officers and LLC members and managers) and any person or entity with a direct or indirect, beneficial or financial interest in this license (e.g. landlord with a percentage rent based on alcohol sales).

IMPORTANT ATTACHMENTS (5):

A. All individuals or entities listed below are required to complete a Personal Information Form.

B. All shareholders, LLC members or other individuals with any ownership in this license must complete a CORI Release Form.

Name	All Titles and Positions	Specific # of Stock or % Owned	Other Beneficial Interest
William Thomas Freeman	CEO, President, Director	None	
Brian P. Connell	CFO, Treasurer, Secretary	None	
Bryan K. Schwanke	Assistant Secretary	None	
Bertucci's Inc.	Stockholder	100%	
See Exhibit A for additional structure.			

*If additional space is needed, please use last page.

11. EXISTING INTEREST IN OTHER LICENSES:

Does any individual listed in §10 have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes No If yes, list said interest below:

Name	License Type	Licensee Name & Address
Bryan K. Schwanke	§12 Restaurant	Schwanke Bros. Inc., 789 Quincy Shore Dr., Wollaston, MA 02170
See Exhibit B	Please Select	
	Please Select	

*If additional space is needed, please use last page.

5c11

12. PREVIOUSLY HELD INTERESTS IN OTHER LICENSES:

Has any individual listed in §10 who has a direct or indirect beneficial interest in this license ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes No If yes, list said interest below:

Name	Licensee Name & Address	Date	Reason Terminated
See Exhibit C			Please Select
			Please Select
			Please Select

13. DISCLOSURE OF LICENSE DISCIPLINARY ACTION:

Have any of the disclosed licenses to sell alcoholic beverages listed in §11 and/or §12 ever been suspended, revoked or cancelled? Yes No If yes, list said interest below:

Date	License	Reason of Suspension, Revocation or Cancellation
See Exhibit C		

14. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR A (§15) PACKAGE STORE LICENSE ONLY :

A.) For Individual(s):

1. Are you a U.S. Citizen? Yes No
2. Are you a Massachusetts Residents? Yes No

B.) For Corporation(s) and LLC(s) :

1. Are all Directors/LLC Managers U.S. Citizens? Yes No
2. Are a majority of Directors/LLC Managers Massachusetts Residents? Yes No
3. Is the License Manager or Principal Representative a U.S. Citizen?

C.) Shareholder(s), Member(s), Director(s) and Officer(s):

- 1.. Are all Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes No

15. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR (§12) RESTAURANT, HOTEL, CLUB, GENERAL ON PREMISE, TAVERN, VETERANS CLUB LICENSE ONLY:

A.) For Individual(s):

1. Are you a U.S. Citizen? Yes No

B.) For Corporation(s) and LLC(s) :

1. Are a majority of Directors/LLC Managers **NOT** U.S. Citizen(s)? Yes No
2. Is the License Manager or Principal Representative a U.S. Citizen? Yes No

C.) Shareholder(s), Member(s), Director(s) and Officer(s):

- 1.. Are all Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes No

5212

16. COSTS ASSOCIATED WITH LICENSE TRANSACTION:

A. Purchase Price for Real Property:	\$0.00
B. Purchase Price for Business Assets:	\$0.00
C. Costs of Renovations/Construction:	\$0.00
D. Initial Start-Up Costs:	\$0.00
E. Purchase Price for Inventory:	\$0.00
F. Other: (Specify)	\$7,631,714.52
G: TOTAL COST	\$7,631,714.52
H. TOTAL CASH	\$7,631,714.52
I. TOTAL AMOUNT FINANCED	\$0.00

IMPORTANT ATTACHMENTS (6): Submit any and all records, documents and affidavits including loan agreements that explain the source(s) of money for this transaction. Sources of cash must include a minimum of three (3) months of bank statements.

The amounts listed in subsections (H) and (I) must total the amount reflected in (G).

17. PROVIDE A DETAILED EXPLANATION OF THE FORM(S) AND SOURCE(S) OF FUNDING FOR THE COSTS IDENTIFIED IN §17 (INCLUDE LOANS, MORTGAGES, LINES OF CREDIT, NOTES, PERSONAL FUNDS, GIFTS):

The buyer is assuming all the existing debt and loan obligations of the company, totaling \$7,631,713.52, which is the actual purchase price for the transaction. However, to make the stock purchase transaction binding, the consideration for all the stock was set at \$1.00. See the debt assignment and assumption agreements included in the application package.

*If additional space is needed, please use last page.

18. LIST EACH LENDER AND LOAN AMOUNT(S) FROM WHICH "TOTAL AMOUNT FINANCED" NOTED IN SUB-SECTIONS 17(I) WILL DERIVE:

Name	Dollar Amount	Type of Financing

*If additional space is needed, please use last page.

B. Does any individual or entity listed in §19 as a source of financing have a direct or indirect, beneficial or financial interest in this license or any other license(s) granted under Chapter 138? Yes No

If yes, please describe:

5C13

19. PLEDGE: (i.e. COLLATERAL FOR A LOAN)

A.) Is the applicant seeking approval to pledge the license? Yes No

1. If yes, to whom:

2. Amount of Loan:

3. Interest Rate:

4. Length of Note:

5. Terms of Loan :

B.) If a corporation, is the applicant seeking approval to pledge any of the corporate stock? Yes No

1. If yes, to whom:

2. Number of Shares:

C.) Is the applicant pledging the inventory? Yes No

If yes, to whom:

IMPORTANT ATTACHMENTS (7): If you are applying for a pledge, submit the pledge agreement, the promissory note and a vote of the Corporation/LLC approving the pledge.

20. CONSTRUCTION OF PREMISES:

Are the premises being remodeled, redecorated or constructed in any way? If YES, please provide a description of the work being performed on the premises: Yes No

21. ANTICIPATED OPENING DATE:

IF ALL OF THE INFORMATION AND
ATTACHMENTS ARE NOT COMPLETE
THE APPLICATION WILL BE
RETURNED

5014

APPLICANT'S STATEMENT

I, Brian P. Connell the sole proprietor; partner; corporate principal; LLC/LLP member
of Bertucci's Restaurant Corp., hereby submit this application for stock transfer (hereinafter the
"Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and
together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the
Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief.
I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the
Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying
documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the
ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the
information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in
disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the
Application Information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing
Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including,
but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or
consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the
Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and
representations made in the Application may result in sanctions, including the revocation of any license for which the
Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or
sanctions including revocation of any license for which this Application is submitted.

Signature: [Handwritten Signature]

Date: 5/21/13

Title: CFO

5015



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee	Bertucci's Restaurant Corp.	B. Business Name (dba)	Bertucci's Brick Oven Ristorante		
C. Address	51 East Pleasant Street		D. ABCC License Number (If existing licensee)	002400063	
E. City/Town	Amherst	State	MA	Zip Code	01002
F. Phone Number of Premise	(413) 549-1900		G. EIN of License		

2. PERSONAL INFORMATION:

A. Individual Name	Brian Thomas Stewart	B. Home Phone Number	
C. Address	2011 Idaho Avenue		
D. City/Town	Santa Monica	State	CA
		Zip Code	90403
E. Social Security Number		F. Date of Birth	
G. Place of Employment	Bertucci's Holdings, LLC.		

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

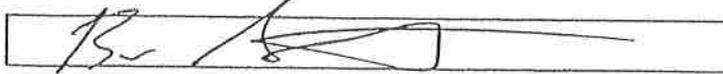
4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

I am an officer/manager of upper-tier ownership entities.

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.
 *If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature  Date

Title (If Corporation/LLC Representative)

5C16



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee B. Business Name (dba)

C. Address D. ABCC License Number (If existing licensee)

E. City/Town State Zip Code

F. Phone Number of Premise G. EIN of License

2. PERSONAL INFORMATION:

A. Individual Name B. Home Phone Number

C. Address

D. City/Town State Zip Code

E. Social Security Number

F. Date of Birth

G. Place of Employment

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.
 *If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature Date

Title (If Corporation/LLC Representative)

5017



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee B. Business Name (dba)

C. Address D. ABCC License Number (If existing licensee)

E. City/Town State Zip Code

F. Phone Number of Premise G. EIN of License

2. PERSONAL INFORMATION:

A. Individual Name B. Home Phone Number

C. Address

D. City/Town State Zip Code

E. Social Security Number

F. Date of Birth

G. Place of Employment

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.
 *If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature Date

Title (If Corporation/LLC Representative)

5018



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
 www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee	Bertucci's Restaurant Corp.	B. Business Name (dba)	Bertucci's Brick Oven Ristorante	
C. Address	51 East Pleasant Street	D. ABCC License Number (If existing licensee)	002400063	
E. City/Town	Amherst	State	MA	Zip Code 01002
F. Phone Number of Premise	(413) 549-1900	G. EIN of License		

2. PERSONAL INFORMATION:

A. Individual Name	Brian P. Connell	B. Home Phone Num		
C. Address	3 Patriot Lane			
D. City/Town	Whitman	State	MA	Zip Code 02382
E. Social Security Numbe		F. Date of Birth		
G. Place of Employment	Bertucci's Restaurant Corp.			

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

None. I am the Chief Financial Officer, Treasurer, and Secretary of the applicant corporation.

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.
 *If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature		Date	5/21/13
Title	CFO, Treasurer, Secretary	(If Corporation/LLC Representative)	

5019



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee B. Business Name (dba)

C. Address D. ABCC License Number (If existing licensee)

E. City/Town State Zip Code

F. Phone Number of Premise G. EIN of License

2. PERSONAL INFORMATION:

A. Individual Name B. Home Phone Number

C. Address

D. City/Town State Zip Code

E. Social Security Number

F. Date of Birth

G. Place of Employment

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.
 *If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature Date

Title (If Corporation/LLC Representative)

5020



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee	Bertucci's Restaurant Corp.	B. Business Name (dba)	Bertucci's Brick Oven Ristorante
C. Address	51 East Pleasant Street	D. ABCC License Number (If existing licensee)	002400063
E. City/Town	Amherst	State	MA
		Zip Code	01002
F. Phone Number of Premise	(413) 549-1900	G. EIN of License	

2. PERSONAL INFORMATION:

A. Individual Name	Christopher Paul Elliott	B. Home Phone Number	
C. Address	1906 Floresta View Drive		
D. City/Town	Tampa	State	FL
		Zip Code	33618
E. Social Security Number		F. Date of Birth	
G. Place of Employment	Bertucci's Holdings, LLC.		

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

I am a director and manager of upper-tier ownership entities.

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.
 *If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate.

Signature: Christopher P. Elliott Date: May 31st 2013

Title: Manager/Director (If Corporation/LLC Representative)

5021



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee B. Business Name (dba)

C. Address D. ABCC License Number (If existing licensee)

E. City/Town State Zip Code

F. Phone Number of Premise G. EIN of License

2. PERSONAL INFORMATION:

A. Individual Name B. Home Phone Number

C. Address

D. City/Town State Zip Code

E. Social Security Number

F. Date of Birth

G. Place of Employment

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes No

If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.
 *If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature Date

Title (If Corporation/LLC Representative)

5022



Town of Reading
16 Lowell Street
Reading, MA 01867-2685

FAX: (781) 942-9071
Email: townmanager@ci.reading.ma.us
Website: www.readingma.gov

TOWN MANAGER
(781) 942-9043

MEMORANDUM

To: Board of Selectmen

From: Bob LeLacheur *BL*

Re: Danis Properties

Tonight at your July 30th Selectman's meeting the Board will see a brief presentation from, George Danis, owner of 128 Marketplace on 1 General Way, off of Walker's Brook Drive. Enclosed in your packet following this memo is the following material:

- Site map of proposed changes
- Minor Site Plan Review (4 pages)
- BOS minutes 9/1/09 (4 pages)
- BOS minutes 4/13/10 (4 pages)
- Letter from Peter Donovan

Mr. Danis has developed plans to demolish a portion of the mill building area and create an employee parking area in the rear and construct an addition on the front of the building (next to K&G). He has completed the Minor Site Plan Review process with CPDC and is currently working with staff to meet all of the requirements. His goal is to complete construction before the end of 2013.

The redevelopment plans represent a major investment in the property and have been designed to enhance the operation and retail use of 1 General Way. Mr. Danis has a liquor store on the property, currently owned by Mr. Donovan. That liquor license was granted by the BOS with several restrictions that were offered by Mr. Donovan because he represented his business as largely internet-based sales (see both BOS sets of minutes). As you can see from the letter, Mr. Donovan must sell his liquor store business, and the restrictions are an impediment to any sale.

I have had several discussions and one meeting with a proposed buyer who I believe would put the store in strong and experienced hands if the Board is willing to re-open a discussion on those conditions. At your meeting on August 20th you already have a couple of liquor-related items, so I would propose if the Board is willing to reconsider those conditions that we hold further discussions that night.

501



Town of Reading
16 Lowell Street
Reading, MA 01867-268

Community Development
Phone: (781)942-9010
Fax: (781)942-9070
Website: www.ci.reading.ma.us

July 8, 2013

Minor Site Plan Review CPDC Decision

RECEIVED
TOWN CLERK
READING, MASS.
2013 JUL 10 A 1:58

Project: 1 General Way, Danis Property

To the Town Clerk:

This is to certify that, at a meeting of the Community Planning and Development Commission meeting dated July 8, 2013 by a motion duly made and seconded, it was voted:

“We, the Reading Community Planning and Development Commission, upon request from Alan Roscoe, P.E of Hancock Associates, for property located at 1 General Way, for Minor Site Plan Review for interior and exterior renovations to the existing building on site, as shown on the site plan prepared by Hancock Associates, dated June 19, 2013 and lastly revised on July 1, 2013; do hereby vote 5-0-0, to approve the proposed improvements under Minor Site Plan Review in accordance with Section 4.3.3.11 of the Reading Zoning By-Laws with conditions.”

Materials Submitted:

The following materials were prepared and submitted as part of the application for Minor Site Plan Review.

- | | |
|--------------|---|
| July 1, 2013 | Cover letter from Alan Roscoe, P.E. Hancock Associates, dated July 1, 2013 requesting approval under Minor Site Plan Review. |
| July 1, 2013 | Civil Drawings prepared by Hancock Associates, including Sheets 1 through 7, dated June 19, 2013 and lastly revised July 1, 2013. |
| July 1, 2013 | Area Use Schematic, prepared by Egnatz Associates, Inc. dated June 18, 2013 and lastly revised June 19, 2013. |
| July 1, 2013 | Development Review Team (DRT) Notes dated July 1, 2013. |
| July 1, 2013 | Color Renderings, prepared by Egnatz Associates Inc., submitted as part of DRT process. |
| July 3, 2013 | Memorandum to CPDC from Town Planner re: Minor Site Plan Review dated July 3, 2013. |
| July 3, 2013 | Memorandum to Town Planner from Town Engineer re: Minor Site Plan Review dated July 3, 2013. |

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Findings:

- 1) The project involves two areas of demolition to the existing building; 1) Approximately 3,183 square feet of the new portion of the building and 2) Approximately 9,696 square feet of the old "mill" portion of the building. This is to re-design the parking area for new retail opportunities.
- 2) The interior of the building will be re-configured to accommodate 4-5 additional retail spaces. The total retail space on-site will consist of 187,862, total health club space on-site consists of 17, 211 and total warehouse space will consist of 40,592. All uses are within the parameters of the original site plan decision.
- 3) The Applicant is proposing to increase the number of parking spaces for a total of 867 parking spaces. The total number of parking spaces required under zoning is 764.
- 4) The original Site Plan Review Decision required a 6-month and one-year post development traffic study. This traffic study was to verify the assumptions made during the original site plan review process to evaluate vehicle movements and assess traffic signal timing at the Walkers Brook Drive entrance. Based on the results of this study, the Site Plan Review Decision also required the Applicant to contribute (if necessary) a financial sum for the improvements of the Bolton/Ash/Main Street intersection. Neither traffic study was performed.
- 5) Existing lighting will be relocated to accommodate the newly configured parking areas. Wall pack lighting is proposed on the old "mill" portion of the building where the proposed parking is to be located.
- 6) The Applicant anticipates filing a Request for Determination of Applicability (RDA) with the Reading Conservation Commission.
- 7) As a result of re-configuring the site layout, the Applicant proposes minor drainage and grading improvements.
- 8) The Applicant does not propose any other site improvements.
- 9) The project falls under Minor Site Plan Review in accordance with Section 4.3.3.11 of the Reading Zoning Bylaws.

Conditions:

- 1) The Applicant shall seek final approval for the proposed dumpsters (location and enclosure).
- 2) The previously conditioned traffic study shall be performed by the Applicant three months after the occupation of 200,000 square feet of non-warehouse space. Prior to issuance of occupancy permits of each individual tenant, the Applicant shall provide an affidavit statement identifying the current occupied space of the site to both the Building Inspector and Town Planner.
- 3) Condition 33 of the original Site Plan Review Decision remains in full effect and will be determined upon the Town review of the post development traffic study.
- 4) No signage is approved with this decision. All proposed on-site directional/informational signage shall be reviewed and approved by the Town Planner to ensure compliance with the Town of Reading Zoning Bylaws.
- 5) Per Zoning By-Laws Section 4.3.3.6.j, construction shall be limited to the hours stated in Section 5.5.8 "Construction Hours and Noise Limits" of the Reading General By-Laws and said hours shall be posted in a conspicuous place at the entrance prior to any work on the site.
- 6) Existing and future window signs must conform to the window sign regulations outlined in Section 6.2.6.2.c.
- 7) The new building façade for the new storefronts shall be substantially similar to the previously approved design. The building façade of the rear "mill" portion shall be as substantially as depicted on the color rendering prepared by Egnatz Associates Inc.

SDY

- 8) Raised curbs are provided at the proposed storefronts. Where a 6-inch reveal is not available, concrete wheel stops shall be provided. Should bollards be necessary, the Applicant shall submit to the Town Planner for review and approval, a plan depicting the design and location of proposed bollards.

Prior to the Issuance of Building Permits and Prior to the Start of Construction:

- 9) Full construction documents must be submitted to the Fire Department for review and approval prior to the issuance of a building permit.
- 10) The Applicant is responsible for seeking approval from the Board of Health.
- 11) The Applicant shall provide a detailed landscape plan depicting the proposed landscape for the newly created traffic islands. This shall be reviewed and approved by the Town Planner and Town Engineer.
- 12) The Engineering Division shall be notified 72 hours in advance of any excavation to mark out Town-owned utilities.
- 13) All utility work shall be inspected prior to backfilling by the Engineering Division. The Division shall be notified 36 hours in advance of any required inspections.
- 14) All sewer, water, curb cut, street openings for all utility site work shall be certified by a Registered Professional Engineer or Surveyor. The plan shall be in accordance with Town standards and shall depict all final improvements, utilities and shall be submitted in paper and ACAD electronic format.
- 15) Pre-construction Meeting: The Owner/Applicant and contractors shall coordinate with the Town Planner a pre-construction meeting with Town staff prior to applying for building permits to review these conditions and any and all final construction sequencing, details and plans for this project.
- 16) Prior to the start of construction, the Applicant and/or contractor shall contact the Conservation Administrator 48 hours in advance for a site walk to ensure erosion control measures are properly installed.

Prior to the Issuance of Occupancy Permit:

- 17) The Applicant shall submit final as-built plans in ACAD format or furnish a bond in the amount of \$2,000 prior to the issuance of the first occupancy.

Modifications/Revisions - Plan Changes after Approval by the Approving Authority:

Contemplated future changes to the plan approved hereby shall be presented to the Community Planning & Development Commission, the Zoning Enforcement Officer/Building Inspector, or other relevant Town Boards or staff prior to implementing proposed changes.

1. Minor Modification: Changes that do not substantially alter the concept of the approved Plan in terms of the qualities of the specific location, the proposed land use, the design of building form and approved building details and materials, site grading or egress points. Including but not limited to small changes in site layout, topography, architectural plans, landscaping plan, traffic circulation, parking, lighting plan, signage, open space or other criteria set forth in Section 4.3.3.6. Requests for minor modification approval for future changes shall be reviewed by the Town Planner who by administrative approval may grant approval for the Minor Modification. At the determination of the Town Planner, the applicant may be required to present the proposed project at a public meeting of the CPDC.

2. Major Modification: Substantial additions, deletions or deviations from the approved plan. Include by not limited to large changes in site layout, topography, architectural plans, landscaping

5d5

plans traffic circulation, parking, lighting plan, signage, open space or other criteria set forth in Section 4.3.3.6. (Note: Approval of the major modification shall be grounds for reconsideration of the Site Plan application. Denial of proposed major modifications shall not invalidate the Site Plan in conformance with the previously approved Plan).

Signed as to the accuracy of the vote as reflected in the minutes:

Jean Delios, Community Services Director/Town Planner



7/9/13

Date

Cc: Applicant, Town Clerk, Building Inspector, Conservation Administrator, Health Director, planning file

5d6

Peter J. Donovan
35 Longmeadow Road
Arlington, MA 02474
Cell: 781-572-6153

July 11, 2013

Robert LeLacheur, Jr.
Town Manager
Town Hall
16 Lowell Street
Reading, MA 01867

RE: Wine Bunker (CW I, LTD)
One General Way

Dear Sir:

Congrats on your new position. I am part owner of the Wine Bunker and it is for sale due to financial hardship. The license has certain conditions on it and most buyers would like them removed. I truly understand the town's position on when this license was first issued that conditions were warranted, but we have been a good business to Reading and removing these conditions will help with sale. In addition, a new full liquor license was awarded recently without conditions. So it is only fair that these conditions be removed.

We have two potential buyers both having deep pockets that will make this business a long term success. Both plan on investing a lot of money into new store and both have indicated that they will continue to run charity wine tasting events for the town of Reading.

Thank you for your time and please call if you have any questions. Also could you share this letter with the town's selectman.

Sincerely,



Peter J. Donovan

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She stated that the sick time doesn't accrue fast enough for employees to join the Sick Bank right away, and this is an important safety measure for employees.

Selectman Camille Anthony noted that she didn't realize the reduction on sick leave was a problem, and she didn't understand why the language is being added in Article 2. She requests that Labor Counsel come in to explain Article 2.

Selectman Stephen Goldy asked why the sick time is being reduced, and the Assistant Town Manager noted that this was discussed with the employees as part of the Pay and Class Study last year. The unions are also reducing sick time.

Chairman Ben Tafoya indicated that he would like Labor Counsel to come in for a brief discussion regarding Article 2.

A motion by Goldy seconded by Schubert to continue the hearing on the Personnel Policies to October 6, 2009 at 8:00 p.m. was approved by a vote of 5-0-0.

Hearing – Package Store License for Wine Nation – Chairman Ben Tafoya noted that the Town made an error in scheduling. Town Counsel advises that the applications should be heard as the date and time received. Reading Discount Liquors was received July 29, 2009 at 4:12 p.m. and the application for Wine Nation was received August 17, 2009 at 8:50 a.m. so the hearing for Reading Discount Liquors will take place first. Mark Dickinson, owner of the property at 40 Walkers Brook Drive, indicated that the Town should do what is legal.

Vice Chairman James Bonazoli read the hearing notice for Wine Nation.

A motion by Goldy seconded by Bonazoli to change the time of this hearing for Wine Nation to 9:30 p.m. was approved by a vote of 5-0-0.

Town Counsel Ellen Doucette noted that the Board must open the hearing for both applications. She recommends holding the first hearing, continue that hearing to 10:00 p.m., then hear the second application, and then close and make a decision.

The Board reopened the hearing for Wine Nation at 9:30 p.m.

Attorney Chris Latham and Wine Nation Manager Taylor Trone were present. Attorney Latham stated that he visited the store in North Virginia that is owned by the Trone Family. He noted that it has an extensive selection, and they want to open a store in Reading because of the location on Walkers Brook Drive. This is a family business that will provide savings and will provide items that are not available in Reading currently. He also noted that they have highly trained and knowledgeable full-time staff, and there will be no sale of tobacco or the lottery.

Attorney Latham stated that they have a full set of policies, and they pay an incentive for identifying underage patrons. They will create 40–60 jobs with benefits. There is sufficient parking and the traffic is consistent with the former Linens 'N Things. Mr. Trone will be the Manager to get the store up and running, and then will turn it over to another Manager. He noted

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that the petition that the Board received in opposition references citizens in Braintree, and asked the Board to consider the source of the petition. He also noted that this is not your typical package store. They specialize in wine from all over the world, and this location will also have a regional draw.

Selectman Richard Schubert asked about the size of the establishment. Mr. Trone indicated that it is 20,000 square feet, and 2100 will be retail consisting of gourmet food, wine baskets, etc.

Mary Ellen O'Neill of 125 Summer Avenue had concerns about the way that we view our Town. She noted that there is a substance abuse problem in Reading, and this is a highly visible area with quick access to the highway. She indicated that this proposal does not fit our Town, and also noted that we just redid our Downtown.

Resident Allan Shiller reviewed the history of the John Street area. He noted that Mark Dickinson stepped up to the plate and made the gateway to Reading. All of the other improvements across the street were made after, and he supports the application for Wine Nation.

Marcia Lavita of 9 Riverside Drive noted that she likes the idea of having a store with fine wines and is in favor of the Wine Nation.

Brian Van Magness of 10 Grove Street noted that he is in favor of Wine Nation, and feels that it could be a destination point.

Garr Morse, minor partner with Mark Dickinson, indicated that Wine Nation has 7000–8000 wine labels, and he would very much like for them to go into that location.

Mark Dickinson noted that Wine Nation is a premier store, and he hopes that the Board approves their license. He also noted that Dan Busa of Busa's Liquors on 345 Main Street owns multiple stores, and he joined the lobbying against Wine Nation in Braintree.

Dan Busa noted that he owns three package stores, and he did speak with Mr. Dickinson and Mr. Danis about their properties but he couldn't afford either. He is aware of the Trone operations, and he asked if Reading really needs or wants that.

John Halsey of 75 Beaver Road indicated that he is a 20 year resident, and he selected Reading as a destination place to live because of the schools, youth programs, low crimes, etc. He noted that it was a pleasure to watch the dump go away, and to have good commerce brought in. He also noted that Reading is famous for our schools, sports and more Eagle Scouts than any other community, and it would be disappointing to make fine wine a destination point in Reading. He feels that the space will fill itself eventually.

Dave Talbot of 75 Linden Street is opposed to a mega store in Reading. He finds that it is disturbing as a parent, and he would rather have a Trader Joe's store.

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Vinna Patel, owner of The Wine Shop, questioned whether we need five package stores in Reading. Attorney Chris Latham noted that the Town previously had five package stores and there is a need.

Vice Chairman James Bonazoli thanked both applicants. He noted that the Town wants Reading's destination spot to be the new Downtown area. He feels that the Board shouldn't be eager to issue a license just because there are applicants. He also noted that the value of this license could make Downtown the destination point.

Selectman Richard Schubert noted that the total square footage of the existing four licenses is less than both of these locations. He feels that the size is bigger than what the Town needs, and is a conflict to the Reading Coalition Against Substance Abuse. He also feels that these proposals are large and outweigh the needs of the community.

Chairman Ben Tafoya indicated that he doesn't feel there is a need for another license in the community right now so he will vote against the licenses.

Selectman Camille Anthony noted that neither proposals meet the needs, and she has concerns about the Downtown.

Selectman Stephen Goldy indicated that he doesn't see a need for a fifth package store at this time.

A motion by Bonazoli seconded by Goldy to close the hearing on the All Alcoholic Package Store License for Wine Nation was approved by a vote of 5-0-0.

A motion by Bonazoli seconded by Anthony to deny the All Alcoholic Package Store Liquor License for Wine Nation MA, Inc. d/b/a Wine Nation at 40 Walkers Brook Drive, Reading, Massachusetts for reasons due to excessive size, location and perceived lack of public need was approved by a vote of 5-0-0.

Hearing – Package Store License for Reading Discount Liquors – Vice Chairman James Bonazoli read the hearing notice for Reading Discount Liquors. Attorney Paul Crochiere was present representing Reading Discount Liquors.

Attorney Crochiere noted that George Danis owns and developed the site. Mr. Danis owns the Ship Restaurant and the Mediterranean. The location has access to Route 128 and Route 28. There are 800 parking spaces available, and they expect walk in customers from Stop & Shop and Market Basket, and he does not expect a significant increase in traffic. He also noted that the liquor store would be located between Market Basket and Children's Play Things. The size is just under 6000 square feet, there will be no appreciable noise issue, and the hours will be similar to the grocery stores.

Selectman Richard Schubert asked if Mr. Danis will be the Manager, and also asked about the size of the store. It was noted that Mr. Danis will be the Manager at first, and then will come back with a new Manager. It was also noted that the size is 5860 square feet.

5210

Selectman Camille Anthony asked about TIPS training, and Attorney Crochiere noted that Mr. Danis has never had a problem with TIPS training at other businesses.

Vice Chairman James Bonazoli noted that the plan shows three cashier lines, and the Town expects everyone to be trained in TIPS. Attorney Crochiere indicated that they will all be trained.

Selectman Richard Schubert asked if they had a policy regarding identification, and it was noted that they do not.

Brian Van Magness of 110 Grove Street noted that coming out of that property is very difficult, and he asked if there are any plans to rectify the issue that a left hand turn cannot be taken onto Walkers Brook Drive. Attorney Crochiere noted that he is not aware of any plans right now.

Mary Ellen O'Neill of 125 Summer Avenue had concerns about the way we view our Town. She noted that there is a substance abuse problem in Reading, and this is a highly visible area with quick access to the highway. She indicated that this proposal does not fit our Town, and also noted that we just redid our Downtown. She is also shocked that they would put a liquor store next to a children's store.

A motion by Bonazoli seconded by Anthony to continue the hearing on the Package Store Liquor License for Reading Discount Liquors, Inc. d/b/a Reading Discount Liquors until 10:00 p.m. was approved by a vote of 5-0-0.

A motion by Bonazoli seconded by Goldy to close the hearing on the All Alcoholic Package Store Liquor License for Reading Discount Liquors, Inc. d/b/a Reading Discount Liquors was approved by a vote of 5-0-0.

A motion by Bonazoli seconded by Anthony to deny the All Alcoholic Package Store Liquor License for Reading Discount Liquors, Inc. d/b/a Reading Discount Liquors at One General Way, Reading, Massachusetts for reasons due to excessive size, location and lack of perceived public need, was approved by a vote of 5-0-0.

Hearing – Parking Regulations on Ash Street between Main and Washington Streets – Vice Chairman James Bonazoli read the hearing notice.

Police Chief Jim Cormier reviewed the amendments to the Traffic Rules and Regulations on Ash Street.

Wayne Dwyer of 61 Ash Street asked if there will be a stop sign at Gould Street, and also noted that speed limits should be set. Chief Cormier noted that the speed limit is 30 mph and we are not proposing a stop sign on Ash Street at this time.

Catherine Shale-Dwyer of 61 Ash Street noted that she had concerns regarding school children on the street every day and it is a narrow street. Chief Cormier noted that there are sidewalks on the westerly side of the street, and Engineering is satisfied with the width of the road.

5d11

The Assistant Town Manager noted that the budgets that went out use no reserves. He also noted that the Finance Committee wants reserves for water and sewer at \$500,000 each and at \$100,000 for storm water, and that the need for storm water work will be high in the future. He noted that there is water conservation throughout the State and when we use less water, we pay more for debt service.

Selectman Richard Schubert asked if there are any capital expenses that would require us to keep more than \$500,000 in reserves. He also asked if we should use water reserves for the redundancy for water.

Selectman Camille Anthony asked what levels are best for the consumer, and the Town Manager indicated the five year option.

Selectman Stephen Goldy noted that he received an email from a resident in Precinct 2 who is annoyed with the water restrictions, and asked if they will be enforced. The Town Manager noted that the restrictions have to be enforced because it was part of our approval when we got into the MWRA.

The consensus of the Selectmen was that the whole picture including capital items needs to be looked at before making a decision so this will be rescheduled for April 27, 2010.

Hearing – Package Store License – The Wine Bunker – The Secretary read the hearing notice. Town Counsel Ellen Doucette and the applicant Peter Donovan were present.

The Town Manager noted that there was a Fax from Peter Donovan and three emails in the packet from residents who are opposed to granting this license. Vice Chairman James Bonazoli noted that one email refers to the wrong site – Linens 'N Things.

Mr. Donovan gave a presentation to the Board. He noted that he has shipped over 100,000 cases per year in Massachusetts through the internet. He sells 99.9% wine and owns CW II Ltd, a wine wholesaler in Woburn. He also noted that the customer can order online and have the wine delivered to the store.

Mr. Donovan noted that the floor area is 7,000 square feet – 9,000 square feet with the mezzanine. He will not sell wine coolers, nips, tobacco, lottery or beer. There will be no more than two stand alone coolers for champagne/wine only. There will be no walk in coolers. The hours are Monday–Saturday from 10:00 a.m. to 8:00 p.m. and they will be closed on Sunday. They will charge more than other wine stores for a single bottle of wine – but their case price is much less expensive. He noted that this is not a chain store and not a large discount store. This is different than what was offered before. He reviewed the results of a survey he did on the need for selling wine by the case.

Selectman Camille Anthony asked how his business functions. Mr. Donovan noted that he will have two to three registers, and deliveries are on Tuesday and Thursday. His business is 95% internet based and 100% retail. Selectman Anthony also asked if there will be inventory on site,

5d12

and Mr. Donovan indicated that there will be and if they don't have what the customer wants, they can order it.

Selectman Richard Schubert asked how many other stores Mr. Donovan had and their size. Mr. Donovan indicated that he has one other store and it is 2,500 square feet. He noted that 10% of his business is walk in business. There will be no flashing signs out front.

Selectman Stephen Goldy asked Mr. Donovan about his thoughts on grocery store customers looking for beer. Mr. Donovan indicated that his focus is on wine. He won't have walk in coolers, and he feels that beer is a waste of money from a retail viewpoint.

Vice Chairman James Bonazoli asked how many employees he will have, and Mr. Donovan noted probably six but no more than 10 with maximum of four on a shift. He will not need more than 20 parking spaces at one time.

Vice Chairman James Bonazoli noted that the survey was done in Reading but some of the people who answered did not live in Reading. Mr. Donovan indicated that is because he sent the surveys to businesses. Vice Chairman Bonazoli asked if he will be selling food, and Mr. Donovan indicated that he will not. He also indicated that at his other store, he does carry some small bottles of liquor for people at the hotels. Vice Chairman Bonazoli commented that the customer does dictate what he sells.

Bill Childress of 105 Main Street inquired about the number of licenses that Mr. Donovan had, and also noted that there were a number of complaints by customers regarding his Woburn location. Mr. Donovan noted that in 2008–2009, he was shipping a lot and there were many delays because the wine cannot be shipped if the temperature is over 70 degrees or under 30 degrees. Mr. Childress indicated that he is not in favor of the Selectmen approving this license.

Mary Ellen O'Neill noted that this application is different from the others regarding the hours and what is being offered. She asked if there was any way to put a condition on the license prohibiting beer, and Town Counsel indicated that it is an All Alcohol license. Ms. O'Neill noted that the survey was not well done or scientific, and she feels that there is no need for this store.

George Danis, Manager of 128 Market Place, and his co-worker thanked the Board of Selectmen for considering this application.

Town Counsel asked to see the lease, and Mr. Donovan gave her a copy of the lease outline. There is no lease at this point

Chairman Ben Tafoya asked about the mezzanine area, and Mr. Donovan indicated that it is 1200 square feet above the 7700 square foot first floor area.

Selectman Richard Schubert noted that this business requires a customer base much bigger than Reading – it is more regional. He feels that it doesn't satisfy the public need in Reading.

Selectman Camille Anthony asked if the public need has to be just in Reading, and Town Counsel noted that it does, but if there is nothing similar to it in this area such as internet sales, then it may meet the public need.

Town Counsel noted that the memo from Community Services Director/Town Planner Jean Delios indicates that the property owner is supposed to submit an inventory of parking spaces and building area in use by type of use. It is to be submitted the Town every year but the owner has not done that. She also noted that the trucking access from Route 128 conditions on the site plan should be on the license.

The Town Manager noted that there is a limit on retail space at that site because of limited parking.

Vice Chairman James Bonazoli noted that if the non-Reading residents were removed from the survey, there would be no need.

Selectman Camille Anthony told Mr. Donovan that she doesn't appreciate his comments in the letter to the Board that he will take the Town to court and it will cost thousands of dollars.

Selectman Richard Schubert noted that the Selectmen have a sense of need and nobody says we need another wine store. He also noted that the Selectmen support the Reading Coalition Against Substance Abuse and it is the Board's job to understand the community. Reading was a dry town until about 30 years ago. Nobody is banging on the door asking for more liquor stores, and buying by the case doesn't make it any different.

Chairman Ben Tafoya noted that Reading has four existing licenses all of who are happy to sell by the case if preferred. He hasn't heard of any great need for another package store.

Selectman Camille Anthony noted that this is not a gigantic store like Wine Nation, and she is inclined to support the application.

Vice Chairman James Bonazoli noted that this hearing was publicized in the paper, and the room is not filled with people against the license.

Mr. Donovan offered to lower the square footage, and indicated that he was willing to do another survey if need be.

A motion by Schubert seconded by Bonazoli to close the hearing for a Package Store Liquor License applied for by Peter J. Donovan d/b/a the Wine Bunker at 128 Marketplace Shopping Center, One General Way, was approved by a vote of 5-0-0.

With the Board finding that the applicant's proposal was not a traditional package store, and the basis for the Board's finding of public need was the unique business concept proposed by the applicant with respect to focusing on sales of cases or half cases of wine, the sale of wine comprising more than 99% of its business with little or no emphasis on the sale of beer or spirits the following motion was made.

5d14

A motion by Anthony seconded by Bonazoli to approve the application for a Package Store Liquor License applied for by Peter J. Donovan d/b/a The Wine Bunker at 128 Marketplace Shopping Center, One General Way, for a term expiring December 31, 2010 subject to the following conditions:

- **All Bylaws, Rules and Regulations of the Town of Reading and of the Commonwealth of Massachusetts shall be followed, and subject to a satisfactory inspection of the establishment by the Town Manager;**
- **Retail space be limited to a total of 5,000 square feet;**
- **No wine coolers, nips, ½ pints, tobacco or lottery;**
- **No walk in cooler;**
- **A maximum of 10 linear feet for wine refrigerator units;**
- **Windows need to be installed in front to give full visibility of the retail area;**
- **Deliveries from Route 128 will be to Walkers Brook Drive to General Way, and deliveries from Route 28 will be to Goodall Sanford Road.**

The motion was approved by a vote of 3-2-0, with Tafoya and Schubert opposed.

Hearing – Outdoor Dining Policy – This hearing was rescheduled for May 11, 2010 at 8:30 p.m.

Change of Officer – Longhorn Steak House – **A motion by Bonazoli seconded by Anthony to approve the Change of Officer for RARE Hospitality International, Inc. d/b/a Longhorn Steak House located at 39 Walkers Brook Drive was approved by a vote of 5-0-0.**

Review Annual Town Meeting Warrant – **A motion by Bonazoli seconded by Goldy to support the subject matter of Article 11 of the Annual Town Meeting Warrant failed by a vote of 1-4-0, with Tafoya, Anthony, Schubert and Goldy voting in the negative.**

A motion by Goldy seconded by Anthony to support the subject matter of Article 13 of the Annual Town Meeting Warrant was approved by a vote of 3-2-0, with Goldy and Bonazoli voting in the negative.

Progress Report on Goals – This item was rescheduled for May 11, 2010.

Review Customer Service Survey Results – This item was rescheduled for April 27, 2010.

Approval of Minutes

A motion by Anthony seconded by Bonazoli to approve the Minutes of March 16, 2010 was approved by a vote of 5-0-0.

A motion by Anthony seconded by Goldy to approve the Minutes of March 30, 2010 was approved by a vote of 5-0-0.

A motion by Anthony seconded by Bonazoli to approve the Executive Session Minutes of March 16, 2010, as written, was approved on a roll call vote with all five members voting in the affirmative.

5d15

Policy establishing an ad hoc Zoning Bylaw Advisory Committee

There is hereby established an ad hoc Committee to review the Reading Zoning Bylaw ("Zoning Advisory Committee) to prepare a comprehensive update with the help of a consultant. The Committee will present the zoning update to the Board of Selectmen by July 15, 2014 prior to an article that will be presented at the Fall 2014 Subsequent Town Meeting.

The current zoning bylaw is outdated, confusing for the public to use, and difficult to administer. The comprehensive update will be a full scale review of the zoning bylaw which will result in a new zoning bylaw.

The Zoning Advisory Committee (ZAC) shall be comprised of seven (7) members and will be a multiple member body as defined by the Town of Reading Home Rule Charter. In selecting the ZAC the Board of Selectmen shall attempt to fill the positions as follows:

- One member from the Board of Selectmen, appointed by the Board of Selectmen;
- One member appointed by the Community Development and Planning Commission;
- One member appointed by the Zoning Board of Appeals;
- One member appointed by the Economic Development Committee;
- Three other members, and the Board of Selectmen will consider the following qualifications:
 - One member from the Bylaw Committee;
 - One member from another Board/Committee/Commission;
 - One resident for the community who does not fall into any of the above categories, and who preferably would have experience firsthand with zoning or implications of zoning (e.g., owns or operates a business in Reading).

The mission of the ZAC is to clarify and simplify the Reading Zoning Bylaw. A consultant will be hired to provide technical assistance and expertise in zoning. The recommendations will be developed in concert with an extensive public process.

In conducting its work, the ZAC will be bound by all of the rules and regulations of the Town of Reading and the Commonwealth of Massachusetts, including but not limited to the Open Public Meetings law. Staff will be assigned by the Town Manager to work with the ZAC. The ZAC will be considered to be part of the Department of Community Services for administrative purposes.