

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, August 22, 2023, at the Weymouth Town Hall, Chambers located at 75 Middle Street, Weymouth, MA

Attendance: Voting Members (present): Chairperson Kathleen Deree, Town Clerk; Daniel McCormack, Director of Public Health; Jeffrey E. Richards, Director of Municipal Licenses & Inspections, Clerk; Police Chief Richard Fuller; Fire Chief Keith Stark (KS arrived at 2:02 PM)

Non-voting: Officer Edward Chase; Fire Deputy Chief Thomas Still; Town Solicitor Richard McLeod and Marsha Geronaitis, Paralegal

Chairperson Deree called the meeting to order at 2 PM.

APPROVALS

- Minutes: July 25, 2023

Mr. Richards made a MOTION to approve the minutes of July 25, 2023. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Wine & Malt Permit: St. Francis Xavier Hall (10/14/23)

Mr. Richards made a MOTION to approve a One-Day Wine & Malt Permit for St. Francis Xavier for October 14, 2023 from 5 PM – 9 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED (4-0).

- Vendor Permits: Weymouth's Annual Pumpkin Give-a-Way at Farmer's Market (10/1/23)
- Carnival Permit: It's 2 Cool (inflatables)
- One-Day Sunday Entertainment License: Town of Weymouth

Ms. Kerry Knapp, Mayor's Assistant, presented the applications for the Annual Pumpkin Give-A-Way at Farmer's Market to be held on Sunday, October 1st from 10 AM - 2 PM to be held at the Weymouth High School campus. She stated the application included the list of events, vendors and their certificates of insurance.

Mr. McCormack stated he has no issues with the vendors. This is a fun event.

Mr. Richards made a MOTION to approve the Vendor Permits for the October 1st event. Mr. McCormack seconded and the motion was UNANIMOUSLY VOTED (4-0).

Mr. Richards made a MOTION to approve the Carnival Permit. Mr. McCormack seconded and the motion was UNANIMOUSLY VOTED (4-0).

Mr. Richards made a MOTION to approve the One-Day Sunday Entertainment License for the Town of Weymouth on October 1, 2023 from 10 AM – 2 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED (4-0).

Chief Stark arrived to the meeting at 2:02 PM.

- Cancellation of the All Alcoholic Restaurant/Common Victualler Licenses of LZQ Incorporated d/b/a Golden Dragon, 35 Pleasant St.

Mr. Richards stated a written notice, dated June 15, 2023, was given to the license holder as LZQ Incorporated and they did not respond.

Mr. Richards made a MOTION to cancel the All Alcoholic Restaurant License of LZQ Incorporated d/b/a Golden Dragon, 35 Pleasant Street. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF TAVERN IN THE SQUARE WEYMOUTH, LLC D/B/A TAVERN IN THE SQUARE FOR A NEW ALL ALCOHOLIC RESTAURANT LICENSE AT 35 PLEASANT ST. UNIT 150

Attorney Steffani Boudreau and Mr. Stephen Desousa, Manager of Tavern in the Square Weymouth, LLC, presented the application.

Attorney Boudreau reviewed the All Alcoholic Restaurant License application, stating they are proposing a full-service American fare restaurant at 35 Pleasant Street. The parent of the operation is Broadway Hospitality Group LLC, who currently has 16 taverns within the Commonwealth and Rhode Island. The lease agreement has been made with Eden's National Retail Development. The application includes a floor plan with 7,500 sf for the restaurant and two outdoor seating areas of 930 sf and 580 sf (281 seats, plus 36 within the patio area). Hours will be: Monday through Friday: 11 AM – 1 AM and Saturday-Sunday: 10 AM – 1 AM.

Mr. Richards asked about TIP's training and liquor compliance, referring to the Boston operator's history between 2010 -2022.

Mr. Desousa replied that the location referenced is in Allston Brighton, next to Boston College. The application details of past incidents that happened at the location, which is primarily a night club (different type of operation).

Mrs. Deree asked if there would be something in place to prevent a similar occurrence of sales to minors?

Mr. Desousa reassured that the employees are/would be TIP's trained, and aware of procedures.

Mr. Richards stated the application and floor plans have been reviewed. Building Permit is in place for the project.

Mr. Richards announced the public hearing for comment. No one from the audience spoke.

Mr. McCormack said the Health Department has not received a food permit application. He

requested that they see their office and submit application as well as a menu and kitchen plan.

Mr. Desousa said the floor/kitchen plan may have slight modifications. Those plans would be provided. 2024 is the targeted opening date.

Attorney Steffani said they will request plans from Eden's.

Mr. Richards stated the project will be under a Control Construction Process through the Building Permit and the have rolling plans.

Mr. Richards made a MOTION to approve the Tavern in the Square Weymouth LLC d/b/a Tavern in the Square for 35 Pleasant Street, Unit 150. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF TAVERN IN THE SQUARE WEYMOUTH, LLC D/B/A TAVERN IN THE SQUARE FOR A COMMON VICTUALLER LICENSE AT 35 PLEASANT ST. UNIT 150

Mr. Richards made a MOTION to approve a Common Victualler License to Tavern in the Square Weymouth, LLC at 35 Pleasant Street, Unit 150. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF JACKSON SQUARE TAVERN, LLC D/B/A JACKSON SQUARE TAVERN FOR THE TRANSFER OF THE ALL ALCOHOLIC RESTAURANT LICENSE OF WALQUIRA MARCAL AT 1530 COMMERCIAL ST.

Attorney Louis Cassis and Mr. Anthony Pizziferri, Manager of Jackson Square Tavern LLC presented the applications.

Attorney Cassis presented the application for an All Alcoholic Restaurant License transfer from the current licensee: Walquiria Marcal. Mr. Pizziferri is looking to keep the same outfit (food and décor and employees) as it has been operated in within the last ten years. No changes are proposed to the premises. Hours of operation: Monday – Saturday: 11 AM – 1 AM and Sundays: 12 PM - 1 AM.

Mr. Richards announced the public hearing and said they have the proper advertising and application. No one spoke from the audience.

Mr. Richards said a Certificate of Inspection and Certificate of Occupancy would be required if granted.

Mr. McCormack said, similar to the last applicant, the Health Department has not yet received a Health Permit application. He asked that they also apply with them and submit a kitchen plan, in a timely manner. They are required to submit Serve Safe Certifications. He asked the applicant when they would be looking to operate.

Attorney Cassis replied that it would take place as soon as the ABCC approves the application.

Deputy Chief Still noted that the fire Ansel system would be inspected during the Certificate of Occupancy process by the Fire Department.

Mr. Richards made a MOTION to approve the All Alcoholic Restaurant License transfer from Walquira Marcal to Jackson Square Tavern, LLC d/b/a Jackson Square Tavern at 1530 Commercial Street. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF JACKSON SQUARE TAVERN, LLC D/B/A JACKSON SQUARE TAVERN FOR COMMON VICTUALLER LICENSE AT 1530 COMMERCIAL ST.

Mr. Richards made a MOTION to approve the Common Victualler License to Jackson Square Tavern, LLC d/b/a Jackson Square Tavern for 70 seats. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF JACKSON SQUARE TAVERN, LLC D/B/A JACKSON SQUARE TAVERN FOR AN ANNUAL ENTERTAINMENT LICENSE AT 1530 COMMERCIAL ST.

Mr. Richards made a MOTION to approve the Annual Entertainment License to Jackson Square Tavern, LLC d/b/a Jackson Square Tavern without changes to the existing. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF JACKSON SQUARE TAVERN, LLC D/B/A JACKSON SQUARE TAVERN FOR A SUNDAY ENTERTAINMENT LICENSE AT 1530 COMMERCIAL ST.

Mr. Richards made a MOTION to approve the Sunday Entertainment License to Jackson Square Tavern, LLC d/b/a Jackson Square Tavern. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF JACKSON SQUARE TAVERN, LLC D/B/A JACKSON SQUARE TAVERN FOR A JUKE BOX LICENSE AT 1530 COMMERCIAL ST.

Mr. Richards made a MOTION to approve the Juke Box License to Jackson Square Tavern, LLC d/b/a Jackson Square Tavern. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

CHAIRMAN'S REPORT

- Next Meeting:

Mr. Richards made a MOTION to schedule the next meeting for September 19th at 2 PM. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

CORRESPONDENCE

- Discussion on Open Meeting Law Complaint received on July 24, 2023, concerning Town Clerk/Board of Licensing Commissioners

There was a brief review by Solicitor McLeod, noting that they received an Open Meeting Law complaint was from Attorney Mackin, who represents 40 Moore Road, concerning the liquor license of Vitamin Sea Brewing at 30 Moore Road. This is procedurally on the agenda to give him the authorization to respond to the State in regard to this allegation. Normally, they would be required to respond within 14 days. He sent a request to the State for an extension of time to September 6th as it was too late of time to put the item on the agenda.

Mr. Richards made a MOTION to authorize Solicitor McLeod to respond to the OML complaint and allegations received by the Town Clerk and the Licensing Board. Chief Stark seconded and it was UNANIMOUSLY VOTED.

Mr. McCormack stated that there were two complaints filed by Attorney Mackin; one to the State and one to the ABCC. He asked for a summary of the complaint.

Solicitor McLeod replied the complaint addressed to the ABCC is not under his authority to investigate. The allegation was that this Board discussed the matter without having a public hearing.

NEW/OLD BUSINESS

None.

ADJOURNMENT

Mr. Richards made a MOTION to adjourn at 2:20 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

Respectfully submitted,

Lisa VanWinkle
Recording Secretary

Approved:

Date:

Jeffrey E. Richards, CBO, Clerk