

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, April 24, 2012, at the Weymouth Town Hall, Chambers, 75 Middle Street

Attendance (present) Chairperson Kathleen A. Deree; Jeffrey E. Richards, Director of Municipal Licenses & Inspections; Daniel McCormack, Director of Health; Acting Fire Chief Joseph Davis; Police Chief Richard Grimes; Officer Brian King; George E. Lane, Jr., Town Solicitor, and Lisa VanWinkle, Recording Secretary (absent): Justin Myers, Fire Prevention Officer

Chairperson Deree called the meeting to order at 1 PM.

**APPLICATION OF MOMMALICIOUS CAKES & TREATS, LLC D/B/A MOMMALICIOUS CAKES & TREATS FOR A COMMON VICTUALLER LICENSE, 777 BROAD ST.**

Mr. Richards read the departmental referrals in to the record. Mrs. Paula MacLeod, Municipal Finance reported the property at 771-779 Broad Street is current for Real Estate/Utilities are current. Sandra Lee Carroll has outstanding motor vehicle excise tax. Mr. Daniel McCormack, Health Director, reported if the license is issued, a permit to operate must also be obtained at the Health Department. You must submit the following: a copy of the floor plan, a completed food application, Worker's Compensation Affidavit, Food Manager Certification, Allergen Certifications and applicable fee. The establishment must be inspected prior to opening. Please contact Mary Williamson to schedule. Licensing Officer Brian King reported no public safety objection.

Mr. McCormack stated a Health Permit to operate as well as Allergen Certifications are required.

Mr. Richards stated the application and plans have been submitted.

Ms. Sandy Carroll introduced herself, stating she will be selling/delivering cake, baked goods and treats locally, keeping the business small and intimate. There will be two tables with four seats. The operational hours will be Monday through Sunday 7 AM – 7 PM.

Mr. Richards asked what restrictions will be made to the business per the landlord.

Ms. Carroll replied the pizza place next door had requested for stipulations. No sandwiches will be offered. A low-grade oven will be used, not requiring a hood.

Mr. McCormack stated a residential oven does not meet Health requirements. Hand washing sinks and three-bay sinks are required as well.

Acting Chief Davis stated a Fire Department inspection will be required after everything is in place. Fire extinguishers will be required. He asked that Ms. Carroll call Fire Headquarters for specific requirements.

Chairperson Deree announced the public hearing for comment; none.

Mr. Richards made a MOTION to approve a Common Victualler license for a bakery; sandwiches and sub shop items are not included. Acting Chief Davis seconded the motion and it was

UNANIMOUSLY VOTED.

APPLICATION OF **J & EDY INC. D/B/A BUDDY'S PIZZA & ROAST BEEF** FOR A COMMON VICTUALLER LICENSE, 655 BRIDGE ST.

Mr. Richards read the departmental referrals in to the record, stating the location is currently Rose & Vicki's. Ms. Mary Williamson, Health Inspector, stated new owner must submit food manager certifications, application, fees and inspection must be conducted before change of ownership. Officer King reported no public safety objection.

Mr. Jag Mohan, President/Manager, introduced himself. The operation will be similar to existing, serving roast beef sandwiches, salads and pastas. Changes of operational hours to: 10 AM – 10 PM Sunday – Thursday and 10 AM – 11 PM Friday and Saturday.

Mr. Richards stated there is required to be volume control of the speakers of the drive-thru. Fence behind the restaurant is to be properly maintained. They are required to police fugitive trash daily.

Mr. McCormack asked if they are hiring new people.

Mr. Mohan replied they are welcome to stay if they want to.

Mr. McCormack informed Mr. Mohan that they are required to have an Allergen trained/Food Safety Certified employee on each shift.

Acting Chief Davis stated systems are required to be up to date and inspected.

Mr. Richards made a MOTION to approve the Common Victualler license. Acting Chief Davis seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF **WEYMOUTH SALVAGE COMPANY** FOR A CLASS III AUTO DEALER LICENSE, 307 MIDDLE ST.

Mr. Richards read the departmental referrals in to the record. Officer King reported no objection. Mr. Matthew Brennan, Health Inspector, reported the Health and Fire Departments conducted an inspection on April 10, 2012. Since October 25, 2011, there were general improvements; however, there were concerns regarding the storage of hazardous materials outdoors and the general work practices at the site. Recommendations were made to be corrected within a certain timeframe. They are in cooperation.

Mr. George Eacobacci, Jr., owner, was present and stated the change has been made for accounting purposes.

Chairperson Deree announced the public hearing for comment.

Mr. George Drummond, 32 Holmberg Road, stated in the past there has been a strong odor of

gasoline when the cars are being crushed. He wanted to be reassured that the gasoline is being properly disposed of.

Mr. McCormack replied the matter is enforceable by the Health and Fire Departments. Report to these offices when experiencing the odors.

Ms. Amy Stanton, 26 Holmberg Road, stated the fence is completely fallen down onto their property. She requested that it be repaired for the safety of their children. She submitted pictures for the record.

Mr. Eacobacci stated 30 sections of fence have been ordered; will be completed within a month or so.

Mr. Tom Ritchie, Fieldstone Lane, requested that the entire area be fenced in and questioned what the requirements were for fencing of an auto dealer lot.

Mr. Richards stated the fence is along Holmberg Road—the car storage area was delineated within the lot.

Mrs. Michelle O'Leary, 17 Fieldstone Lane, stated cars from the salvage are getting closer to the lot line every year.

Mr. Richards stated the restrictions are through the Health and Conservation Departments. The delineated area should never change from original permit requirement.

Mrs. O'Leary questioned the hours of operation.

Mr. Eacobacci replied Monday through Friday: 7 AM – 5 PM and Saturday: 8 AM – 12 PM.

Mr. Richards stated the operational hours will be listed on the license.

Mr. Joe McDonald, 20 Holmberg Road, mentioned a concern of mosquitoes with the storage of tires on the property.

Mr. McCormack stated he will point the matter to the Health Inspector.

Officer King stated there are no problems with police; they have been cooperating.

Mr. Richards made a MOTION of approval for the issuance of the Class III Auto Dealer license with the requirement that the fence is repaired on Holmberg Road; hours of operation are listed on the license as: Monday through Friday 7 AM – 5 PM and Saturday: 8 AM – 12 PM and a survey to be completed by the Board of Health. Acting Chief Davis seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF WEYMOUTH SALVAGE COMPANY FOR A JUNK DEALER LICENSE,  
307 MIDDLE ST.

Mr. Richards made a MOTION of approval for the issuance of the Junk Dealer license with the same technical restrictions of the Class III Auto Dealer license. Acting Chief Davis seconded the motion and it was UNANIMOUSLY VOTED.

**APPROVALS**

- Minutes: January 24, 2012 and March 27, 2012

Mr. Richards made a MOTION to approve the minutes of January 24, 2012 meeting. Mr. McCormack seconded and the motion was UNANIMOUSLY VOTED.

Mr. Richards made a MOTION to approve the minutes of March 27, 2012 meeting. Mr. McCormack seconded and the motion was UNANIMOUSLY VOTED

- One-Day Food Vendor Permit: Whitman's Pond Association

Mr. Richards made a MOTION of approval for the One-day Food Vendor Permit to Whitman's Pond Association for the annual fishing festival to be held May 20, 2012 from 10 AM to 2 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

- One-Day Wine & Malt Permit: St. Jerome Parish

Mr. Richards made a MOTION to approve a One-Day Wine & Malt Permit for St. Jerome Parish to be held on April 28, 2012 from 7 PM – 11 PM for the \$10K Fundraiser. The motion was seconded by Mr. McCormack and was UNANIMOUSLY VOTED.

- One-Day Wine & Malt Permit: Tio Juan's Margaritas Mexican Family Restaurant, 765 Bridge Street

Ms. Caitlin Bourbeau, Manager, stated they will have two doormen and the area will be roped off. She met with Officer King to discuss. They requested a police detail for the event.

Mr. McCormack asked where it is an all day event if food would be made available throughout.

Ms. Bourbeau replied yes.

Mr. Richards made a MOTION to approve a One-Day Wine & Malt Permit for Tio Juan's Margaritas Mexican Family Restaurant for wine and malt service on the outdoor patio for Cinco De Mayo on May 5, 2012 from 11:30 AM – 1 AM. Chief Grimes seconded and the motion was UNANIMOUSLY VOTED.

## CHAIRMAN'S REPORT

- Meeting Schedule

Mr. Richards made a MOTION to schedule the next meeting for Tuesday, May 22, 2012 at 1 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

## NEW BUSINESS

- Church Event on May 12, 2012 – United Methodist Church, 747 Broad St.

Mr. Richards said the church will be having entertainment and a barbeque open to the public.

Mr. Richards made a MOTION to approve a One-Day Event Permit for the United Methodist Church, 747 Broad Street, for a church event to be held on May 22<sup>nd</sup> from 12 PM – 6 PM in the church parking lot. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

Mr. McCormack stated the applicant will be required to obtain permits from the Health Department as they are proposing to have potentially hazardous foods; food safety is required.

Acting Chief Davis stated the barbeque propane tanks will require an inspection of the Fire Department.

## ADJOURNMENT

Mr. Richards made a MOTION to adjourn at 1:30 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

Respectfully submitted,

Lisa VanWinkle,  
Recording Secretary

Approved: 

Date: 5.22.12

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Jeffrey E. Richards, C.B.O., Clerk, Director of Municipal Licenses & Inspections