

Minutes of the Board of Licensing Commissioners for their meeting held on Tuesday, March 24, 2015, at the Weymouth Town Hall, Chambers, 75 Middle Street

Attendance (present): Chairperson Kathleen A. Deree; Jeffrey E. Richards, Director of Municipal Licenses & Inspections; Police Chief Richard Grimes; Fire Chief Keith Stark; Daniel McCormack, Director of Public Health; George E. Lane, Jr., Town Solicitor; Fire Prevention Officer Justin Myers and Licensing Officer Edward Chase

Chairperson Deree called the meeting to order at 1:30 PM.

APPROVALS

1. Carnival Permit: Dean & Flynn d/b/a Fiesta Shows (Weymouth Carnival 4/22-26)
2. Sunday Entertainment Permit: Dean & Flynn d/b/a Fiesta Shows

Mrs. Casey Maloney, Assistant to the Mayor, presented the application, stating it is for the approval of Dean & Flynn d/b/a Fiesta Shows to conduct annual "Weymouth Carnival" at the Weymouth High School, 1 Wildcat Way, Weymouth, MA from April 22nd through April 26, 2015. Set up would take place on April 20th. The hours would be: Wednesday and Thursday: 2 PM – 10:30 PM; Friday: 2 PM – 11 PM; Saturday: 1 PM – 11 PM and Sunday: 1 PM – 8 PM. Carnival will include games, rides and food.

Mr. Richards made a MOTION of approval. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

3. Annual Poppy Drive – George R. Bean #79 American Legion Ladies' Auxiliary

Mr. Richards stated the application was received for the Annual Poppy Drive of George R. Bean Post Ladies' Auxiliary for the dates of May 21 through May 24, 2015.

Mr. Richards made a MOTION of approval. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

4. Annual Poppy Drive – Wessagusset V.F.W. Post #1399

Mr. Richards stated the application was received for the Annual Poppy Drive of Wessagusset V.F.W. Post #1399 for the dates of May 1-3 and May 8-10, 2015.

Mr. Richards made a MOTION of approval. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

5. Minutes: February 24, 2015

Mr. Richards made a MOTION to approve the meeting minutes of February 24, 2015 as submitted. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

APPLICATION OF **WESSAGUSSET V.F.W. POST #1399** FOR A CHANGE OF MANAGER ON THEIR ALCOHOLIC CLUB/COMMON VICTUALLER LICENSES AT 601 BROAD ST.

Mr. William McGrail, Quartermaster, and Mr. Delray Dorsey, proposed manager, were present.

Mr. Richards read departmental referrals into the record. There were no objections from Health and Police Departments.

Mr. Delray introduced himself stating he is a Veteran of Desert Storm, an EMT with the State of Massachusetts for the last 23 years. He was a past commander and has various experience dealing with different types of individuals. He works three days on for EMT and will be with the V.F.W. for the remainder of the week.

Mr. Richards made a MOTION to approve the change of manager on the All Alcoholic Club license to Mr. Delray Dorsey. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

APPLICATION OF **AJIT ENTERPRISES, INC. D/B/A TAJ MODERN INDIAN CUISINE** FOR A COMMON VICTUALLER LICENSE AT 312 BRIDGE ST.

Mr. Tarlochan Gidda, proprietor, and Attorney Mark Zuroff, were present.

Mr. Richards read the departmental referrals into the record. Mr. McCormack reported if the license is issued, a permit to operate a food establishment must also be obtained at the Health Department and requires inspection prior to opening. Officer Chase reported no public safety objection by the Police Department.

Mr. Richards stated the application submitted includes 16 seats with the hours of operation as 10 Am – 10 PM seven days a week. They are awaiting an executed lease agreement.

Solicitor Lane stated the previous license holder at the location has submitted a request to surrender their Common Victualler license. The Board should vote to accept the surrender of license.

Mr. Richards made a MOTION to accept the surrender of the Common Victualler license of G&G Deli from George Elder at the location of 312 Bridge Street, Weymouth, MA. Chief Stark seconded and the MOTION was UNANIMOUSLY VOTED.

Attorney Mark Zuroff stated his client is proposing to open an Indian style restaurant with no change other than cosmetic. They plan on working hard to make the business successful.

Firefighter Myers questioned if they planned to install a tandoor? If such, plans and permits are required through Building and Fire Departments.

Mr. Gidda replied they do, a gas style tandoor and they will submit a plan.

Chairperson Deree announced the public hearing for comment.

Mr. Bob Thomas arose and wished them good luck.

Mr. Richards made a MOTION to approve the Common Victualler license application of AJIT Enterprises, Inc. d/b/a TAJ Modern Indian Cuisine at 312 Bridge Street, Weymouth, MA. Chief Stark seconded the motion and it was UNANIMOUSLY VOTED.

CHAIRMAN'S REPORT

- Meeting Schedule

Mr. Richards made a MOTION to schedule the next meeting as Tuesday, April 21, 2015 at 1:30 PM. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

CORRESPONDENCE

- G&G Deli, 312 Bridge St. – Common Victualler License Surrender

The Licensing Board had voted to accept the surrender previously in the meeting.

- ABCC Advisory RE: Prohibited Sales of Powdered Alcohol per MGL Chapter 138

Mr. Richards stated the advisory had been received and copied to license holders. Such information would be incorporated into the annual alcohol awareness training.

- Mass State Lottery Commission RE: Keno monitor installations at:
 - Boston Convenience, 1235 Washington St.
 - Weymouth Food Mart, 1690 Main St.

Mr. Richards stated correspondence was received from the Mass State Lottery Commission from the above noted locations which currently offer KENO to install monitors.

Mr. Richards made a MOTION of non-objection to the request. Chief Stark seconded and the motion was UNANIMOUSLY VOTED.

NEW/OLD BUSINESS

- Delivery Complaint occurring on February 26, 2015 at Papa John's, 856 Washington St.

Mr. Richards stated a delivery complaint was dispatched to the Weymouth Police on February 26, 2015 at 11:29 PM by Mr. Thomas, 848 Washington Street, Weymouth, MA.

Officer Chase stated the complaint arose as it was not a typical delivery time. When speaking with the driver of the delivery truck he was told this was due to the amount of snow accumulation, causing delivery difficulty during regular time.

Mr. Thomas spoke stating it upsets him to be coming back with this incident after another incident had happened just two weeks ago. He said the 40 ton rig delivery truck used the adjacent driveway to turn around during the previous incident at 8:45 PM. There should be restrictions required with the new franchisee. The issues are arising with the commissary trucks. He questioned if someone has been in contact with them.

Officer Chase replied that Papa John's has been in contact with them.

Mr. Thomas stated they deliver every three days; he will park in the driveway across the street and monitor them to make sure they respect the neighborhood.

Chairperson Deree stated they don't want to relive last year and want to give the new franchisee a chance.

Solicitor Lane stated there is an alleged issue with the commissary, which should be addressed to the licensee to handle, and if not handled, such would be brought to the Licensing Board for review. The Board has jurisdiction on whether or not it is a nuisance. He felt that a letter would be in order to be sent to the licensee or Officer Chase stop by for another visit.

Mr. Thomas sales if the Board doesn't take action, he will take his own action, legally.

Mr. Richards stated the matter would be taken under advisement.

ADJOURNMENT

Mr. Richards made a MOTION to adjourn the meeting at 2:24 PM. Mr. McCormack seconded the motion and it was UNANIMOUSLY VOTED.

Respectfully submitted,

Lisa VanWinkle
Recording Secretary

Approved:

Date:

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