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GARY M. BARRETT, CHAIRMAN
GARY F. SANTO, JR.
DEBORAH A. GREEL

SGT. MIKE BALL, SPEC. INV.

MELISSA MOJICA,
CLERK OF THE BOARD

MEETING MINUTES - DRAFT

A meeting of the Licensing Board was held on December 13, 2023 at 6:00 p.m. In attendance were Chairman Gary Barrett and Gary Santo, Clerk of the Board, Melissa Mojica and Special Investigator to the Board, Sgt. Mike Ball. Absent was: Member Deborah Greel.

1. Application for a One Day Liquor License on January 20, 2024 from 4:30-10:00pm for 100 people for the Burns Night Dinner at 9 Chestnut St. Applicant: Hamilton Hall.

Drew Nelson presented the application. She said this is an Annual event and the night ends about 9:30. Ms. Mojica said she needs the Certificate of Insurance. Mr. Barrett asked about their non profit status and if they had a detail. Ms. Nelson said they will send the COI over and they have scheduled Nancy O'Donnell to work the detail. Sergeant Ball said the issue with that is that she is not a police officer. Mr. Barrett suggested that Ms. Nelson reach out to Sgt. Ball directly. Mr. Santo motioned to approve. Mr. Barrett seconded. Roll call vote: 2-0.
2. Application for a One Day Liquor License on December 30, 2023 from 7-9:00pm for 25 people for a Winter Solstice Sabbat at 186 Essex St. Applicant: Omen.

Meg Lecreau presented the application. She said she is TIPS certified and will get the COI to Melissa. Mr. Santo motioned to approve. Mr. Barrett seconded. Roll call vote: 2-0.
3. Application for a sub licensee fortune telling license at Stardust, 29 Congress St. Applicant: Emma Bernhardt.

Ms. Bernhardt presented the application and said she has been doing reading for a long time but this would be her first time in a shop. Mr. Barrett asked if she had an interest in the Store. Ms. Bernhardt said she is just an employee there. Mr. Santo motioned to approve. Mr. Barrett seconded. Roll call vote: 2-0.
4. Application for three (3) sub licensee fortune telling licenses at Pentagram, 282 Derby St, Rear. Applicants: Jacqueline Civitarese, Matthew Skurat and Christine O'Donnell. All applicants presented their applications. Jackie said she has read at Pentagram for a year and a half and is renewing her license. Christine said she's read for a number of years and would like to be a permanent reader at Pentagram. Mathew said he did readings in October at the fair and wants to also be a permanent reader there. Ms. Mojica said all approvals are pending CORI results. Mr. Santo motioned to approve. Mr. Barrett seconded. Roll call vote: 2-0.
5. Application for a Class II Auto Dealers License at 207 Highland Ave. Applicant: Rogus Motor Group LLC.

Attorney Bill Quinn presented the application. He said this location was previously a dealership and the applicant has grown up in a team of people that have opened dealerships. He said this application went through Zoning over the summer. He said the space is shared with Davita Dialysis. He said most of the building is used for the dealership. He said this is his first time working on an Auto Dealers application, but he believes all is in order. Mr. Barrett asked what kind of cars they would be selling. Atty. Quinn said used vehicles. Sgt. Ball asked what the hours of operation would be and what were the Zoning conditions, if any, regarding loading and unloading of cars. Atty. Quinn said that the operating hours will be 8am-5pm and they must pull into the lot on Highland Ave. to load and unload and there's to be none of that done on First Street. Sgt. Ball asked if they would be operating 7 days a week. Atty. Quinn said Monday through Saturday. Ms. Mojica asked for the final number of cars allowed. Atty. Quinn said the plan approved by

zoning was for 70 outside spaces which include 14 employee spaces and 28 repair spaces and five inside in showroom. Mr. Santo asked how many spaces the clinic had. Atty. Quinn said they have 43 spaces. Mr. Santo motioned to approve 8am-5pm Monday through Saturday and no on/off loading on First St. Mr. Barrett seconded. Roll call vote: 2-0.

6. Application for a Common Victuallers License and Entertainment License at 14 New Derby St. Applicant: Keenois LLC d/b/a Garcon Super Slice.

Amy Peterson presented the application and said she is the Chef and the Manager. Mr. Barrett asked if this is where the Flip the Bord was. Ms. Peterson said it was. She said they were lucky that the space was already pretty much se up and that it is a beautiful space. Mr. Barrett asked how many seats. Ms. Peterson said 50. Ms. Mojica said that the Building Department must determine that final number. Mr. Barrett asked for input regarding Entertainment application. Ms. Peterson said it was for Television & radio. Mr. Santo confirmed the hours being applied for 11am-10 pm. Mr./ Santo motioned to approve. Mr. Barrett seconded. Roll call vote: 2-0.

7. Application for a Common Victuallers License and Entertainment License at 7 Paradise Road. Applicant: Haryana Corp. d/b/a Rizzo's Roast Beef & Pizza.

Sahil the new owner presented the application. He said they have another location in Lowell as well. Mr. Barrett asked how long they have been operating. Sahil said about four months. Mr. Barrett asked why it has taken them so long to finally get before the Board. Sahil said they initially applied for extended hours and then thought it was all set. He said Lowell does it differently and he was confused. Mr. Barrett said it was clear that he was on the Agenda for approval and did not show up and after the second time Ms. Mojica called you and got you new paperwork. He said some neighbors have issues with this application. Sahil said he knows I the pat there have been some bad experiences. He said he is not going seeking extended hours now and will just operate from 10am-10pm. He said he is just trying to be a good neighbor. Mr. Barrett said there are issues with delivery times and use of the back door and trash and noise outback. He said he is working on all of the issues and only having deliveries 2 days a week between 9am-2pm although sometimes he can't control it if a holiday falls on a certain day. He said he can move the dumpster in the corner. He said the whole plaza is being renovated so there are a lot of dumpsters there now. Mr. Barrett said it sounds like you have already had some discussions around these issues. Shail cars will not be in the back of the building and no staff will be on their phones out back and no customer deliveries will leave from the back door. Mr. Barrett asked how many dumpsters are in the back. Sahil said they only have one which is the Republican dumpster. Mr. Santo said it sounds like the last couple of months have been stressful. Sahil said he is just trying to take over and run this business and is trying to address concerns and be a good neighbor to the people that live there. Mr. Barrett said he thinks it would be useful to sit with the Ward Counselor, Andy Varela and maybe some of the neighbors to put together an agreement. He said he thinks that will work for both sides. He said we should hold off until the January 22nd meeting to see if this can happen. Mr. Barrett asked Ms. Mojica if there was anyone in the public who wanted to speak. Ms. Mojica said there were.

Ken Maas from 14 Tedesco Pond Place said he lives right over the fence and shares an alley with this property. He asked what a C/V license is, Ms. Mojica explained that is a restaurant with no alcohol but inside seating. Mr. Maas said the alley is always full of trash, deliveries always going out the back door and the staff always hanging around outside the back door. He said it's not a great situation. He said he knows the trash is probably not just Rizzo's. He said maybe the property owner doesn't do enough to clean up back there.

Arthur Sergeant spoke and said that first off there were two abutters who were not notified of the meeting. Secondly, he said that the seven conditions set for the old owners should have no relaxing. He said there should be no deliveries on a Saturday as the neighbors need some relief. He said if on occasion there are then they need to be in the front of the business. He said that Rizzo's does have two dumpsters placed in the middle of the road, a red one and a blue one. He said the grease in the street is bad to have so close to houses. He said that Dunkins has conditions that keep the dumpsters 200 feet from the house at 11 Paradise Ave. He said their cars should not be parked back there and the employees should not be on calls back there as they are less than 100 feet from houses and neighbors can hear some nasty conversations. He said one of his resident sis elderly and has to listen to all of this all night long. He said he has concerns the Board can continue this but he doesn't want new owners to deflect problems on someone else. He said he would only be ok with them having television and radio for entertainment and nothing else. He asked that the conditions put on Dunks are the same for Rizzo's.

Counselor Varela spoke and said that he thinks this should be continued until the next meeting on January 22 to give everyone a chance to speak. He asked that the owners please reach out to him. He said the conditions should be utilized and should be set before the next meeting.

Mike from 5 Tedesco Pon Place said that he called and spoke to Ms. Mojica about the entertainment and was told it was for 3 TV's and piped in music. He requested no live music be allowed. Ms. Mojica told him that live music was not being applied for.

Ken spoke again and said the idling of truck while delivering and the deliveries from the back door has been happening for years. He said for 13 years the rules over there have never been followed.

Counselor Varlea said he just wanted to reiterate that if someone is at the meeting regarding these issues with this application to please reach out to him. Mr. Barrett asked Mr. Sahil if he would be willing to meet. Mr. Sahil said of course he would be and just wants to make things right. Mr. Barrett asked for the next meeting date. Ms. Mojica said the next scheduled meeting is January 22, 2024. Mr. Santo said he would agree to some conditions until they come back in January. He said he doesn't want this to go on for months and that the new owners should work to follow any conditions.

Mr. Sergeant said that he think the Board is putting the cart before the horse. He said there are things that are still happening that shouldn't be, like the dumpsters and the driveway blocked by deliveries. He said at the least the seven conditions need to imposed and adhered to. Mr. Santo said the Board can review the conditions.

Mr. Sergeant asked that some of the conditions from Dunks be added to their conditions, mainly #4 and #6, which are the dumpsters to be 200 feet away from 11 Paradise and no deliveries out of the back door and that door is only to be used for emergencies and trash to be taken out.

Sahil asked if he could say again that they only have one dumpster and he doesn't know who the other one belongs to. He said he will be in touch with Andy and that they will follow every other condition so there are no problems.

Mr. Sergeant said no employee breaks out backs means no owners out back there either. He said no one from the business should be congregating back there.

Mr. Barrett said that despite the absences at the last two meetings it appears that Mr. Sahil is taking all of these issues very seriously.

Ms. Mojica asked for temporary approval of the license with the seven conditions that were previously applied to the old owners and numbers 4 & 6 from the Dunkin Donuts conditions until the January 22nd meeting.

Mr. Santo motioned to temporarily approve with conditions until January 22, 2024. Mr. Barrett seconded. Roll call vote: 2-0.

8. Public hearing on proposed regulation to prohibit the sale, for consumption off premise, of alcohol in containers smaller than 100 ml. CONTINUED TO JAN. 22, 2024
9. Adjournment: 7:39 pm. Mr. Santo motioned to adjourn. Mr. Barrett seconded. Roll call vote: 2-0.