



Licensing Board
TOWN OF WATERTOWN
ADMINISTRATION BUILDING
149 Main Street
Watertown, Massachusetts 02472

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BOARD MEMBERS
DONNA B. DOUCETTE
GEORGE B. NEWMAN
ROBERT J. WHITNEY

ALTERNATE MEMBER
SANDRA KASABIAN HOFFMAN

Minutes October 16, 2014

1. ACCEPTANCE OF MINUTES: September 18, 2014 Approved 3-0

2. Launch Watertown, Inc. d/b/a Launch Trampoline Park
20 Seyon Street, Off Pleasant Street
 - a. New Common Victualler License Approved 3-0
 - b. Automatic Amusement Device License Continued to November 20, 2014

3. Halfway Café, Inc. d/b/a Halfway Café
394-396 Main Street
Change of Manager Continued to November 20, 2014

4. UC Watertown, LLC d/b/a The Upper Crust
92-98 Main Street
Change of Manager Approved 3-0

5. MJLK, Inc. d/b/a 21 Nickels
21 Nichols Ave.
 - a. Status Hearing Continued to November 20, 2014
 - b. Change of Manager Approved 3-0

6. Best Burger Watertown, LLC d/b/a Wild Willy's Burgers
46 Arsenal Street
 - a. Change of Manager Approved 3-0
 - b. Alteration of Premise Approved 3-0

7. Alexander Geraldo de Souza d/b/a Alex's Kitchen
107 Nichols Ave.
New Common Victualler Approved 3-0

8. Guckenheimer Services, LLC
(Athena Health's Nourish Café)
311 Arsenal Street
New Common Victualler Approved 3-0

9. Comments by Board Clerk and Police Department

Present: Donna B. Doucette, Robert J. Whitney, George B. Newman, Sandra Kasabian Hoffman

1. Minutes from the September 18, 2014 hearing were approved 3-0 by the Licensing Board.

2a. Launch Watertown, Inc.
d/b/a Launch Trampoline Park
780 Marshall Street
Holliston, MA 01746

The Watertown Licensing Board met to consider the application of Launch Watertown, Inc. d/b/a Launch Trampoline Park for a common victualler license to be exercised at 20 Seyon Street.

Virginia Murphy appeared in support of the application. Ms. Murphy stated that the applicant will be operating a family entertainment venue, with trampolines and arcade games. Food to be served will be offered under a child-friendly menu, to include pizza, hot dogs, chicken fingers, ice cream and drinks. The food area will be a cafeteria style setting; patrons will order then seat themselves at the tables. It will be separated from the other portions of the facility, and there will also be separate rooms for events such as birthday parties.

The Health Department reported that the applicant has contacted the department and is engaged in the food establishment plan review application process to obtain a food establishment permit.

Sergeant Grady stated that the Police Department had no objection to the granting of the requested license, provided that the conditions stated below were imposed.

The Licensing Board voted unanimously to grant the requested license, subject to the following conditions:

1. The hours of operation shall be 3:00 p.m. to 9:00 p.m. Monday through Thursday; 10:00 a.m. to 10:00 p.m. Friday and Saturday; and 10:00 a.m. to 8:00 p.m. on Sunday.
2. The facility in which the license will be exercised will consist of an interior space of 37,000 square feet, with 20 tables and seating for 148 persons, as shown on the sketch plan submitted and received in the office of the Town Clerk on September 4, 2014.
3. There shall be no alcoholic beverages on the premises.

2b. Launch Watertown, Inc.
d/b/a Launch Trampoline Park
780 Marshall Street
Holliston, MA 01746

Ms. Virginia Murphy described the request for installation of various arcade games in the area between the food court and the trampoline devices. The exact locations and the games selected would be determined by the vendor offering the arcade games once the build-out of the facility is completed. In response to questions from the Board, Ms. Murphy described the types of games in general but said she did not have final information on exactly which ones would be selected, the exact location of each, or the revenue anticipated from each game.

Board members noted that in the past the licenses granted for automatic amusement devices specified precise locations and the names of the games to be installed.

The Watertown Licensing Board has continued its hearing on the application of Launch Watertown, Inc. d/b/a Launch Trampoline Park for an automatic amusement device license to be exercised at 20 Seyon Street. The continued hearing on this application will be held on November 20, 2014 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

3. Halfway Café, Inc.
d/b/a Halfway Cafe
394-396 Main Street
Watertown, MA 02472

The applicant failed to appear. The Watertown Licensing Board voted to continue the application of Halfway Café, Inc. d/b/a Halfway Cafe for approval of a change of manger of its premises at 394-396 Main Street licensed for all alcohol common victualler service. The continued hearing on this application will be held on November 20, 2014 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

4. UC Watertown, LLC
d/b/a The Upper Crust
92-98 Main Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of UC Watertown, LLC d/b/a The Upper Crust for approval of a change of manager of its premises at 92-98 Main Street licensed for wine and malt beverage service.

Nicholas Colcernian appeared on behalf of the licensee. Mr. Colcernian stated he has prior food service industry experience and managerial experience with a McDonald's franchise. This will be his first alcohol service position, but he has already received his TIPS certification.

The Health Department reported that the licensee must contact the department to update its application information to reflect the change of manager.

Sergeant Grady stated that the Police Department had no objection to the proposed change of manger, provided that the conditions stated below were imposed.

The Licensing Board voted unanimously to approve Mr. Colcernian as manager, subject to the following conditions:

1. The new manager, Nicholas Colcernian, shall ensure that all bartenders and servers of alcohol attend and successfully complete an alcohol awareness training program (e.g., TIPS) within 90 days of hire or expiration of certification. Copies of all certifications shall be forwarded to the Town Clerk's office.
2. All other conditions of the license shall remain in place.

5a. MJLK, Inc.
d/b/a 21 Nickels
c/o Michael J. Moran
67 Burton Street
Brighton, MA 02135

The Watertown Licensing Board held a continued session of a show cause hearing on the matter of the closure of your premises at 21 Nichols Avenue licensed for all alcohol common victualler service and your failure to comply with the conditions of the Board's approval of that closure. The matter had been continued from June 20, July 18, August 15, September 19, October 17, November 21, December 19, 2013, and January 16, February 20, March 20, April 17, May 15, June 19, July 17, and September 18, 2014, and the proceedings from the sessions held on those dates are described in the Board's Notices of Action and Continuance dated July 10, August 7, August 23, October 4, November 1, December 2, 2013, January 7, January 31, March 10, April 9, May 7, May 27, July 2, August 5, and October 6, 2014.

Attorney Paul Rufo appeared on behalf of the licensee, together with Michael Moran, and presented a letter to the Board dated October 16, 2014, which was read into the record. The letter reported that inspections of the premises are to be scheduled with the Health, Building, Police and Fire Departments, and that as he was unable to retain a new manager for the business Michael Moran is proposed to serve as manager and an application to that effect was filed with the Board. Attorney Rufo stated that the second week of November is targeted for the re-opening of the restaurant.

Following a September court hearing, a settlement agreement in principle has been reached with Sandra Fisher Gavin in connection with the Suffolk Superior Court litigation described at the Board meeting of June 19. A further status conference before the court has been scheduled for the end of October.

Mr. Moran will serve as manager because he was not able to reach an agreement on terms with Kathleen Malloy, who appeared at the September 18 Board meeting. Mr. Moran stated that he did not have the time to implement the vision for the restaurant that Ms. Malloy had presented, although he may try to pursue it in the future. Attorney Rufo acknowledged his understanding that the restaurant will need to be open for business in order for renewal of the alcohol license for 2015 to be considered. Board chairman Doucette stated that that the licensee could take as a given the Board's previous admonitions regarding re-opening.

Mr. Moran stated that the initial plan for operation is to offer dinner Wednesday through Saturday. He expects to be on site approximately 5 hours a day.

The Licensing Board voted to continue the matter to November 20, 2014. The continued hearing will be held at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

5b. MJLK, Inc.
d/b/a 21 Nickels
c/o Michael J. Moran
67 Burton Street
Brighton, MA 02135

The Watertown Licensing Board met to consider the application of MJLK, Inc. d/b/a 21 Nickels for approval of a change of manager of its premises at 21 Nichols Avenue licensed for all alcohol common victualler service.

Attorney Paul Rufo appeared on behalf of the licensee, together with Michael Moran. Mr. Moran stated that he had served as manager of the premises during its first five years of operation. He will serve as manager because he was not able to reach an agreement on terms with Kathleen Malloy, who appeared at the September 18 Board meeting on the matter of the continued closure of the licensed premises and the licensee's efforts to re-open the restaurant. Mr. Moran stated that the initial plan for operation is to offer dinner Wednesday through Saturday. He expects to be on site approximately 5 hours a day.

The Health Department reported that the licensee has contacted the department and is engaged in the food establishment plan review application process to obtain a food establishment permit.

Sergeant Grady stated that the Police Department had no objection to the proposed change of manger, provided that the conditions stated below were imposed.

The Licensing Board voted unanimously to approve Michael Moran as manager, subject to the following conditions:

1. The new manager, Michael Moran, shall ensure that all bartenders and servers of alcohol attend and successfully complete an alcohol awareness training program (e.g., TIPS) within 90 days of hire or expiration of certification. Copies of all certifications shall be forwarded to the Town Clerk's office.
 2. All other conditions of the license shall remain in place.
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6. Best Burger Watertown, LLC
d/b/a Wild Willy'
46 Arsenal Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Best Burger Watertown, LLC d/b/a Wild Willy's for approval of a change of manager of its premises at 46 Arsenal Street licensed for wine and malt beverage service, and for approval of alteration of those premises.

Peter Stahl, manager of the LLC, and Jonathan Beatrice, the proposed manager, appeared on behalf of the licensee. Mr. Stahl explained that he is not present at the restaurant as often as was previously the case and it therefore makes sense for someone else to serve as manager. Mr. Beatrice stated that has extensive food service experience with the Marriott corporation, including executive chef at its Cambridge, MA location and chef in charge of four restaurants at the Copley Square, Boston location.

Mr. Stahl reported that the proposed alteration is to increase the interior seating from 96 to 109 seats. The 'chuck wagon' replica that was located at the restaurant has been sold and the space it occupied will be used to provide additional seating. In addition, a display case will be added at the counter corner adjacent to the entrance. Mr. Stahl stated that the work in the dining room area can be accomplished without closing the restaurant, but that the associated kitchen area work may require a closure.

The Health Department reported that the licensee must comply with department requirements for plan review application for change of premises.

Sergeant Grady stated that the Police Department had no objection to the proposed change of manager, nor the proposed alteration of premises, provided that the respective conditions stated below were imposed.

The Licensing Board voted unanimously to approve Mr. Beatrice as manager, subject to the following conditions:

1. The new manager, Jonathan Beatrice, shall ensure that all bartenders and servers of alcohol attend and successfully complete an alcohol awareness training program (e.g., TIPS) within 90 days of hire or expiration of certification. Copies of all certifications shall be forwarded to the Town Clerk's office.
2. All other conditions of the license shall remain in place.

The Licensing Board also voted unanimously to approve alteration of the licensed premises, subject to the following conditions:

1. The interior seating will now consist of 109 seats, an increase of 13 seats, as shown on the plan submitted (floor plan received in the office of the Town Clerk on September 5, 2014). Seating for 16 persons, in the outdoor area designated for seasonal seating, will remain the same.
 2. All other conditions of the license shall remain in place.
7. Alexander Geraldo de Souza
d/b/a Alex's Kitchen
7 Nichols Avenue #3
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Alexander Geraldo de Souza d/b/a Alex's Kitchen for a common victualler license to be exercised at 7 Nichols Avenue.

Mr. de Souza, appeared in support of the application, together with Marjory Nobre. Ms. Nobre explained that she and Mr. de Souza are Brazilian and both have food service industry experience. They worked previously at Café Brazil in Allston. The proposed restaurant will offer delivery and take-out service, and eat-in cook-to-order service, with a focus on rice and bean dishes.

The Health Department reported that the applicant has contacted the department and is engaged in the food establishment plan review application process to obtain a food establishment permit.

The Building Department noted there are to be no interior changes at the premises and no added seating.

Sergeant Grady stated that the Police Department had no objection to the granting of the requested license, provided that the conditions stated below were imposed.

The Licensing Board voted unanimously to grant the requested license, subject to the following conditions:

1. The hours of operation shall be 10:00 a.m. to 10:00 p.m. Monday through Thursday; 10:00 a.m. to 11:00 p.m. Friday and Saturday; and 10:00 a.m. to 5:00 p.m. on Sunday.
 2. The total seating capacity shall not exceed 8 seats, as shown on the annotated sketch plan submitted (“Site Plan Qwic Pic Deli 107 Nichols Avenue Watertown, MA.02472,” received in the office of the Town Clerk on September 9, 2014).
 3. There shall be no alcoholic beverages on the premises.
8. Guckenheimer Enterprises, Inc.
(Athena Health – *Nourish Café*)
3 Lagoon Drive, Suite 325
Redwood Shores, CA 94065

The Watertown Licensing Board met to consider the application of Guckenheimer Enterprises, Inc. for a common victualler license to be exercised at 311 Arsenal Street, under the name Nourish Café at the offices of Athena Health.

Michael Thibeault, general manager, appeared in support of the application. Mr. Thibeault stated that he has been the food manager for the Nourish Café, which has been located at the Athena Health facilities at 400 North Beacon Street, for three years. Athena Health is moving its offices to new space. There will be two building tenants at 311 Arsenal Street not employing Athena Health personnel. Athena Health plans to make the café available to those non-Athena workers, but without the price subsidy offered to Athena employees. The café will not be open to the general public.

The Health Department reported that the applicant has a current food establishment permit, but must modify the permit with the department to include the applicable seating.

Sergeant Grady stated that the Police Department had no objection to the granting of the requested license, provided that the conditions stated below were imposed.

The Licensing Board voted unanimously to grant the requested license, subject to the following conditions:

1. The hours of operation shall be 7:00 a.m. to 4:30 p.m. Monday through Friday.
2. The café area, on the first floor of the building, will consist of 3,207 square feet, with a seating capacity limited to 92 seats, as shown on the plan submitted and received in the office of the Town Clerk on September 11, 2014.
3. There shall be no alcoholic beverages on the premises.

9. Watertown Taxi, Inc., Request for Taxi Medallions

The Licensing Board took up the matter of whether it wished to consider an application for an above limit medallion for a handicapped accessible vehicle, as requested by Watertown Taxi, under Section VIII.C.3.b(3). Upon consideration of the present circumstances in Watertown, the Licensing Board elected not to exercise its reserved rights to consider such an application.