



*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 March 19, 2015**

1. ACCEPTANCE OF MINUTES: January 15, 2015 (No February Meeting)
2. MJLK, Inc. d/b/a 21 Nickels  
21 Nichols Ave.
  - a. Status Hearing Approved Completed 3-0
3. Aleksandr Yeghiyan d/b/a Elite Transportation  
67 Spring Street, #2  
Livery/Limousine License Continued to April 16, 2015
4. HI Auto Repair, Inc.  
144 Arlington Street  
New Auto Repair License Continued to April 16, 2015
5. Nicholas Darviris d/b/a  
Alpha Omega of Watertown  
106R Pleasant Street  
Auto Repair License w/Auto Body Approved 3-0  
Class II Auto Dealer License Approved 3-0
6. Ricci's Package Store, Inc.  
331 Main Street  
Transfer of Stock Approved 3-0  
New Stockholder Approved 3-0
7. Madison Limousine Services, LLC  
433 Main Street  
Livery/Limousine License Approved 3-0
8. Talk of the Town Diner I, Inc. d/b/a The Talk  
116 Main Street  
Show Cause 1 Day Suspension
9. Revise Regulation & Fees for Special One Day Liquor Licenses  
& One Day Permits issued by the Licensing Board Continued to April 16, 2015

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Donna B. Doucette, Chairman

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

1. Minutes from the January 15, 2015 (no February Hearing) hearing were approved by the Licensing Board.
2. 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, September 18, October 16, November 20, and December 18, 2014, and January 15, 2015, 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, October 6, November 4, and December 4, 2014 and January 5, and February 10, 2015.

Michael Moran, president and manager, appeared on behalf of the licensee. He reported that the restaurant is open and operating, now in its fourth week of operation since re-opening. The hours of operation are 4:00 p.m. to close, Wednesday through Saturday. Mr. Moran noted that additional work at the premises had been required, including replacement of two furnaces in February.

Board chairman Doucette stated that the Licensing Board should be given prior notice if the licensee intends to expand its current hours of operation. She further stated that the show cause hearing proceedings could now be completed, and the other Board members concurred.

3. Aleksandr Yeghiyan d/b/a Elite Transportation  
67 Spring Street #2  
Watertown, MA 02472

The Watertown Licensing Board has continued its hearing on the application of Aleksandr Yeghiyan d/b/a Elite Transportation for a livery/limousine license to be exercised from 67 Spring Street, #2. The application was originally scheduled for hearing on December 18, 2014, and was continued at the request of the applicant. A continued hearing was scheduled for March 19, 2015, but no one appeared on behalf of the applicant on that date. The further continued hearing on this application will be held on April 16, 2015 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA. If no one appears at the hearing the board will dismiss the application.

4. HI Auto Repair, Inc.  
88 School Street, Apt. 1  
Watertown, MA 02472

The Watertown Licensing Board has continued its hearing on the application of HI Auto Repair, Inc. for a motor vehicle repair license to be exercised at 144 Arlington Street. The application was originally scheduled for hearing on March 19, 2015. At that time, Sgt. Grady reported that the Police Department was requesting a continuance because the principal of the applicant was out of the country, and that he had spoken with counsel for the applicant, who indicated no objection to the continuance. The continued hearing on this application will be held on April 16, 2015 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

5. Nicholas Darviris  
d/b/a Alpha Omega of Watertown  
31 Holt Street  
Belmont, MA 02478

The Watertown Licensing Board met to consider the application of Nicholas Darviris d/b/a Alpha Omega of Watertown for a motor vehicle repair license, including auto body work, and a Class II Used Car Dealer License to be exercised at 106R Pleasant Street.

Nicholas Darviris appeared in support of the application, together with his son Peter Darviris. Peter Darviris explained that the site at 106 Pleasant Street is currently leased to another entity, which will continue to operate the Pleasant Street Car Care business there. Nicholas Darviris has 50 years of experience in the motor vehicle repair business, and is experienced in auto body repair. Peter stated that he has sold cars previously, but has not held a license for such sale. It is anticipated that sales will be in the range of one to two vehicles per month. Vehicles will be acquired from auctions or by re-sale from a vehicle repair customer. Sales activity will be internet-based. Nicholas Darviris has not previously sold used vehicles, but Peter explained that he will advise his father regarding used car sale requirements.

Residents of Pleasant Street addressed the Board and expressed concerns about noise from the proposed business, noting that the Pleasant Street Car Care operations generate substantial noise, and vehicles blocking driveway access to 106R Pleasant Street.

Sergeant Grady reported that there had been a vehicle repair business at 106R Pleasant Street for approximately 20 years, but that it had closed a few months ago. He also stated that the Police Department had no objection to the granting of the requested licenses, provided that the conditions stated below were imposed.

The Fire and Health Departments had no comment.

The Building Department reported its approval and the Zoning Enforcement Officer reported that no change in hours or increase in parking usage from that of the prior business at the site could be made without prior zoning approval.

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

1. The hours of operation shall be 7:30 a.m. to 5:30 p.m. Monday through Friday, and 8:00 a.m. to 2:00 p.m. on Saturday.
2. The total number of vehicles on the property shall not exceed 10, five inside the building and five outside, as shown on the plan submitted (sketch plan entitled "Alpha Omega Auto Body 106R Pleasant St Watertown, MA 02472," dated January 16, 2015, and filed in the office of the Town Clerk on January 26, 2015).

3. All exterior parking spaces shall be lined for easy identification.
4. All deliveries shall be made on the premises of 106R Pleasant Street, and not on the public way.
5. No alcoholic beverages shall be allowed on the premises.

The Licensing Board also voted unanimously to grant the requested Class II Used Car Dealer License, subject to the following conditions:

1. The hours of operation shall be 7:30 a.m. to 5:30 p.m. Monday through Friday, and 8:00 a.m. to 2:00 p.m. on Saturday.
  2. The total number of vehicles on the property shall not exceed 10, five inside the building and five outside, as shown on the plan submitted (sketch plan entitled "Alpha Omega Auto Body 106R Pleasant St Watertown, MA 02472," dated January 16, 2015, and filed in the office of the Town Clerk on January 26, 2015). The total number of used motor vehicles shall not exceed five.
  3. All exterior parking spaces shall be lined for easy identification.
  4. A log book shall be maintained to document the purchase and sale of used vehicles in a manner consistent with MGL chapter 140, section 62.
  5. All deliveries shall be made on the premises of 106R Pleasant Street, and not on the public way.
  6. No alcoholic beverages shall be allowed on the premises.
6. Ricci's Package Store, Inc.  
331 Main Street  
Watertown, MA 02172

The Watertown Licensing Board met to consider the application of Ricci's Package Store, Inc. for approval of a transfer of stock and new stockholder in Ricci's Package Store, Inc. as holder of a license for sale of alcoholic beverages not to be consumed on the premises at 331 Main Street.

Stephen Ricci, president, and his father Eugene Ricci, appeared in support of the application. Stephen Ricci stated that his father began the business in 1954. His brother, Kenneth, operates a second package goods store in Malden, Ricci's Liquor Mart. The stock transfer is intended to divide ownership of the business equally between the brothers. There will be no consideration for the transfer of stock.

Sergeant Grady stated that the Police Department had no objection to the proposed transfer and change of officers.

The Licensing Board voted unanimously to approve a transfer of stock from Eugene Ricci, 100% owner, to result in a 50% interest held by Stephen Ricci and a 50% interest held by Kenneth Ricci, brother of Stephen, and to approve a change in officers as follows: from Eugene Ricci as president, treasurer and secretary to Stephen Ricci as president and treasurer and Kenneth Ricci as secretary.

7. Madison Limousine Services, LLC  
433 Main Street  
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Madison Limousine Services, LLC for a livery/limousine license to be exercised from 433 Main Street.

Darren Cummings, manager, appeared in support of the application. Mr. Cummings stated that he proposed to operate the administrative portion of his livery business from the 433 Main Street address. The business will utilize three vehicles; two will be parked in Waltham and a third will be parked in Newton, at the driver's residence.

Sgt. 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 Health Department, Building Department, and Fire Department had no comment.

The Zoning Enforcement Officer reported that there is to be no on-site storage of livery vehicles; the property in Watertown is to be for office use only.

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

1. The license shall be limited to pre-arranged transportation of persons rather than on-the-street pick up of persons.
  2. The licensee shall maintain a current motor vehicle driving record of all employees hired as a driver of any motor vehicle to be used in connection with the license.
  3. If any driver for the licensee is cited for more than three moving violations or is involved in more than one surchargeable accident in a 12-month period, he/she shall be required, within 90 days of exceeding those limits, to attend a defensive driving training course.
  4. The licensee shall keep all records on file and they shall be made available for review by any agent of the Licensing Board.
  5. The license is for three vehicles, two to be parked at 37 Whitcomb Street, Waltham, under contract with the owner of that property, and one to be parked at the driver's home in Newton.
8. Talk of the Town Diner I, Inc. d/b/a The Talk  
116 Main Street  
Watertown, MA 02472

On March 19, 2015, the Watertown Licensing Board held a show cause hearing on a complaint of the Watertown Police Department alleging a violation of G.L. c.138 (the Liquor Control Act) on November 28, 2014 at your premises located at 116 Main Street licensed for all alcohol common victualler service, to wit: sale/delivery of an alcoholic beverage to an intoxicated person in violation of G.L. c.138, §69, and improper management of the licensed premises in violation of G.L. c.138, §23.

Attorney Kenneth Leitner and Kazar M. Keuchkarian, president, appeared on behalf of the licensee. At the start of the hearing, Board chairman Doucette read into the record the March 18 2015 letter of Attorney Leitner to Sergeant Grady, which stated that the licensee did not dispute the investigation of the events in question, as contained in the reports of the Police Department. Sergeant Grady then presented a Watertown Police incident report of events occurring on November 28, 2014. Officers were called to The Talk restaurant by a 911 call for a patron in distress at approximately 10:45 p.m. The patron had passed out on the sidewalk outside the premises. He admitted to the responding officers that he had consumed alcohol at the restaurant, stating "I drank way too much." A portable breath test sample registered a blood alcohol content of .104.

The patron had been at a private function at The Talk, a high school reunion, and had not eaten during the day prior to arriving at the restaurant. According to Mr. Keuchkarian, the attendance for the reunion was about 50 people, fewer than had been expected.

Attorney Leitner submitted copies of restaurant plans for the event, noting that it had been booked a year in advance. The expected attendance was 80 people and the licensee had planned a service staff of two bartenders and three servers; 1,000 pieces of food, excluding cheese and crackers, were prepared. Given the smaller crowd on the day of the event, the staffing was one bartender and two servers. Attorney Leitner stated that the licensee did its own investigation, speaking to the class president and the disc jockey for the evening, neither of whom had observed any unusual activity. The patron in question made one purchase of two beers, one of which he gave to another person. However, other persons present were apparently passing beers to the patron, who stated that number as five to six.

Attorney Leitner explained that as a result of the incident, the licensee has decided it will no longer hold reunions at the premises; it will install a video monitoring system; and bartenders will inquire about the intended recipient when a patron buys a drink for another person. Mr. Keuchkarian stated it was his son who had made the 911 call. He added that functions at the restaurant are usually booked for Saturday and Sunday afternoons, for events such as showers and christenings. On the night in question, he had been at the restaurant, watching from the bar for about 45 minutes and seeing nothing remarkable; he prepared the dessert service and then went home.

Board member Newman stated that the licensee needed to find a way to address this type of issue. Board chairman Doucette noted that the food plans for the event indicated 1,050 pieces of food, excluding cheese and dessert, and including meatballs, scallops, toasted ravioli and shrimp. This indicated ample supply of food available to the patrons, an indication that management was well prepared. She added that the licensee was very lucky that a more serious incident did not occur.

Sergeant Grady stated that the Police Department recommended a one day suspension for the violation found.

The Licensing Board unanimously found that the violation of sale/delivery to an intoxicated person, as alleged, had occurred. The Licensing Board also unanimously found that the violation of improper management had not occurred. The Board unanimously voted to impose a one-day license suspension for the violation found.

The Licensing Board offered the licensee the opportunity to choose the date the suspension would be served if the licensee chose to waive its right of appeal. Attorney Leitner stated that the licensee would waive its right of appeal and proposed the date of July 3, 2015 as the day the suspension would be served. The Board approved that date. The license shall be deposited with the Police Department on the morning of July 3, or the preceding evening.

9. Revise Regulation & Fees for Special One Day Liquor Licenses  
& One Day Permits issued by the Licensing Board Continued to April 16, 2015

Board Chairman Doucette will send draft of a proposal by email prior to the April 16, 2015 hearing for the board to review. A formal proposal will be sent to Town Departments. The hearing on this will be continued to the May 21, 2015.