



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 21, 2013

1. ACCEPTANCE OF MINUTES: February, 2013 Approved 3-0
2. UC Watertown, LLC d/b/a
The Upper Crust Pizzeria
92-98 Main Street
Transfer Wine & Malt Common Victualler License Approved 3-0
3. Raider Tavern, Inc.
208-210 Waverley Ave.
Transfer of All Alcohol Common Victualler Approved 3-0
4. New Rotary Grill, Inc. d/b/a
Verona Restaurant
18 Mt. Auburn Street
Status Hearing Status Hearing June 20, 2013
5. Escort Limousine Corp. d/b/a
Escort Limousine & Atlantic Coach
95 Arsenal Street
Show Cause Continued to April 18, 2013
6. City Wide Livery, LLC
21 Ralph Street
Show Cause Dismissed

Donna B. Doucette, Chairman

7:20 to 8:40

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

1. UC Watertown, LLC
d/b/a The Upper Crust Pizzeria
160 Federal Street
Boston, MA 02110

The Watertown Licensing Board met to consider the application of UC Watertown, LLC for a common victualler license and for a transfer to it of the wine and malt common victualler license previously exercised by The Upper Crust, LLC at 92-98 Main Street.

Attorney Kenneth Leitner appeared on behalf of the applicant in support of the application. Attorney Leitner summarized the history of the subject license, and submitted a letter dated March 21, 2013 that he had provided to Sgt. Grady. He noted that the previous license holder, The Upper Crust, LLC, had filed for bankruptcy in 2012 and that the Chapter 11 bankruptcy trustee, Mark DeGiacomo, had sold the assets of The Upper Crust, LLC to UC Acquisition Co., Inc. pursuant to the bankruptcy proceedings. Those assets included four Upper Crust restaurant locations, of which the Watertown location was one. UC Acquisition Co., LLC is the member of UC Watertown, LLC. John Snow and Steven Leese are the managers of both entities. As noted in the March 21 letter, Ditmars Limited funded the payment made by UC Acquisition. Ditmars is a private investment firm.

The former on-premises manager, Ronald Schronce, has been rehired and the business is currently offering take-out and delivery service in accordance with a temporary approval issued by the Board of Health. Mr. Schronce is ServSafe and TIPS certified. The applicant proposes to utilize the same restaurant set-up as was previously in place. There is a certificate of occupancy for 26 seats, but the applicant requests approval for 51 seats, subject to approval of the Building Inspector. Mr. Schronce stated that not all of the tables at the site were currently in place, and that he could do a set-up for Police Department review.

1. The Health Department reported that the applicant had completed the food establishment plan review application and received a temporary permit to operate a food service establishment.
2. The Fire Department and Zoning Officer had no comment.
3. Sergeant Grady stated that the Police Department had no objection to the proposed transfer, provided that the conditions stated above below imposed.

The Licensing Board voted unanimously to grant a common victualler license, and to approve the transfer of the wine and malt common victualler license, subject to the following conditions:

1. The hours of operation shall be 11:00 a.m. to 11:30 p.m. Monday through Sunday. No alcoholic beverages are to be sold on Sundays, and all alcohol shall be secured during Sunday hours of operation
2. No alcoholic beverages shall be served without a food order.

3. The observed seating capacity is 37 persons, and this shall be the initial seating capacity. The maximum seating capacity, not to exceed 51 persons, shall be determined in accordance with a conference between Police Sgt. Grady and the Building Department, at which time a revised license may be issued
 4. The manager, Ronald Schronce, and all servers shall attend and successfully complete an alcohol awareness training program (e.g., TIPS) within 90 days of hire or expiration of certification.
 5. Copies of all alcohol awareness certificates shall be forwarded to the Town Clerk's office.
2. Raider Tavern, Inc.
208 Waverley Avenue
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Raider Tavern, Inc. for a common victualler license and for a transfer to it of the all alcohol common victualler license held by John and Kimberley Stathakis d/b/a Orchard Park Grill for exercise at 208 Waverley Avenue.

Attorney Sean Corcoran appeared in support of the application, together with Peter Flori, president of the applicant. Attorney Corcoran stated that the applicant is proposing an entirely new business. The building will be rehabilitated and new signage will be installed. There will be a new kitchen, and the restaurant will place more emphasis on food. Renovations will include installation of large windows at the front of the premises, for more of a restaurant look.

Mr. Flori is a Watertown native and resident. He has negotiated a lease for the subject property, and purchase of the existing business will be a cash-based transaction. The Raider name is intended to connect with the Watertown High School athletic team name, Red Raiders. Mr. Flori will be hiring a full-time manager, and a lunch manager, for the restaurant operation. In response to a question from the Board, he stated he intended to be on-site approximately 30 hours per week during initial operations.

A resident of the neighborhood requested that the Board address the matter of noise and rambunctious behavior at the rear of the building when employees opened the back door, which he experienced during prior operations at the site. Mr. Flori stated that he would not be using the back door of the building except for emergency purposes.

The Building Department reported that the renovations to the premises will require building permits.

The Fire Department and Zoning Officer had no comment.

The Health Department reported that the applicant must contact the department and comply with Health Department provisions, including but not limited to food establishment plan review application and permit requirements.

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

The Licensing Board voted unanimously to grant a common victualler license, and to approve the transfer of the all alcohol common victualler license, subject to the following conditions:

1. The hours of operation shall be 8:00 a.m. to 1:00 a.m. Monday through Saturday.
 2. The maximum seating capacity shall be 55 persons, as shown on the floor plan submitted (sketch plan received in the office of the Town Clerk on January 31, 2013).
 3. The manager and all servers shall attend and successfully complete an alcohol awareness training program (e.g., TIPS) within 90 days of hire or expiration of certification.
 4. Copies of all alcohol awareness certificates shall be forwarded to the Town Clerk's office.
3. New Rotary Grille, Inc.
d/b/a Verona Restaurant
c/o Agostino Farese
20 Fayette Street
Watertown, MA 02472

The Licensing Board held a status hearing on the all alcohol common victualler license issued for exercise at 18 Mount Auburn Street. The hearing was held in response to the licensee's letter to the Board that the restaurant had been closed for business as of December 23, 2012 and the request for approval to keep the licensed premises closed while offers for a sale of the business are pursued.

Agostino Farese appeared on behalf of the licensee. Mr. Farese reported that what appeared in January to be an agreement for sale of the business had since dissolved. He noted that there have been inquiries regarding a purchase of the license only, but that other family members with an ownership interest wanted to see a continuing restaurant operation. Mr. Farese stated that he had retained a broker to help arrange a transfer, Roy Papilia, Jr. of Belmont.

After consideration of the information presented, the Licensing Board agreed that the closure of the restaurant may continue while a license transfer is pursued.

A further status hearing on the license and the plans for this business will take place at the Licensing Board meeting of June 20, 2013. The hearing will take place at 7:15 p.m. in the Philip Pane Hearing Room, Watertown Administration Building, 149 Main Street.

At the Status Hearing, the Board will inquire further as to the status of plans for a transfer of the license and operation of a business at the premises, and determine whether a Show Cause Hearing should be scheduled to consider any further action with respect to the license.

4. Escort Limousine Corp.
d/b/a Escort Limousine & Atlantic Coach
95 Arsenal Street
Watertown, MA 02472
Attention: Peter Cruza

On March 21, 2013, the Watertown Licensing Board held a Show Cause Hearing, with respect to a February 7, 2013 letter to licensee, regarding failure to pay local taxes, fees, assessments and municipal charges relating to the operation of the livery license for Escort Limousine Corp. and the shuttle/jitney license for Atlantic Coach at 95 Arsenal Street. Peter Cruz appeared at the hearing and presented a letter offering an explanation for the payment delinquency, including decreased ridership on account of winter weather events. Mr. Cruza informed the Board that he had spoken to the Town's Treasurer/Collector earlier in the day and that he expected to have the matter resolved by the end of April. Mr. Cruza noted that there had been a payment arrangement with the Treasurer/Collector under which payments of \$2,000 per month were being made, but that no payment had been made since December of 2012.

The Licensing Board unanimously voted to continue the matter to its meeting of April 18, 2013, and to direct the license holder to submit to the Board, prior to that meeting, a letter from the Treasurer/Collector confirming payment of the unpaid balances owed to the Town and for which the Show Cause Hearing notice was issued.

The continued hearing on this matter will be held on April 18, 2013 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

5. City Wide Livery, LLC
21 Ralph Street
Watertown, MA

On March 21, 2013, a show cause hearing was scheduled by the Watertown Licensing Board to consider revocation, suspension or non-renewal of the livery license for City Wide Livery, LLC for failure to pay local taxes or fees, the Licensing Board acknowledged receipt of a memorandum from the Town's Treasurer/Collector stating that all outstanding taxes, charges and fees over one-year old had been paid. Accordingly, the matter was dismissed.