



*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 FOR AUGUST 18, 2011**

ACCEPTED MINUTES FOR HEARING ON July 21, 2011

1. Iqbal Shahzad d/b/a Sunny Transportation Service  
31 Waverley Avenue  
Livery/Limousine License Approved 3-0
2. Victor Teixeira d/b/a Boston by Air  
12 Irma Ave.  
Livery/Limousine License Approved 3-0
3. Gold Buyers at the Mall, LLC d/b/a  
Gold Buyers at the Mall  
485 Arsenal Street (P7)  
Second Hand Dealer License Denied 3-0
4. Chipotle Mexican Grill of Colorado, LLC d/b/a  
Chipotle Mexican Grill #1666  
485 Arsenal Street #B27B  
New Common Victualler Approved 3-0
5. Zeller Restaurant Group LLC d/b/a Maximo's  
584 Mt. Auburn Street  
New Common Victualler Approved 3-0
6. The W Pizza, LLC d/b/a The W  
48-50 Mt. Auburn Street  
New Common Victualler Approved 3-0
7. Archon, Inc. d/b/a Conley's Pub & Grille  
164-168 Belmont Street  
Alteration of Premise Approved 3-0
8. SE Asian Bistro of Watertown, Inc.  
485 Arsenal Street  
New Common Victualler  
Tranfer of All Alcohol License Continued to September 15, 2011

7:32 PM to 9:15 PM

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Donna B. Doucette, Chairman

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

1. Iqbal Shahzad  
d/b/a Sunny Transportation Service  
31 Waverley Avenue  
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Iqbal Shahzad d/b/a Sunny Transportation Service for a livery/limousine license to be exercised from 31 Waverley Avenue.

Mr. Shahzad appeared in support of the application. Mr. Shahzad stated that he previously had a livery license but had not timely obtained a livery plate. He now has a livery license plate. He added that he has experience as a driver and has potential clients among senior citizens in the community. He will utilize a Subaru Forester vehicle for the license.

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 Board acknowledged receipt of a memorandum from the Zoning Officer stating that the property is located in the "T" two-family residential zoning district according to the zoning ordinance. Property in this district may be used as a "home office." The livery use may not include a delivery service (i.e., package delivery and pick up). The applicant must use only the parking space designated to him in connection with his residential use at the subject property.

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 one vehicle, to be garaged at 31 Waverley Avenue.

2. Victor Teixeira  
d/b/a Boston by Air  
12 Irma Avenue  
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Victor Teixeira d/b/a Boston by Air for a livery/limousine license to be exercised from 12 Irma Avenue.

Mr. Teixeira appeared in support of the application. Mr. Teixeira stated that he owns a van vehicle and has a number of regular customers for whom he can provide service. He noted that he had a livery license in the 2004-2005 period when he also had a part-time job. Mr. Teixeira will be the driver of the vehicle and the names of any other drivers proposed will be submitted to the Police Department in accordance with the Board's regulations.

In response to a question from the Board, Mr. Teixeira stated that any other drivers of the vehicle would park at an off-street location and exchange their vehicles for the livery vehicle.

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 Board acknowledged receipt of a memorandum from the Zoning Officer stating that the property is located in the "T" two-family residential zoning district according to the zoning ordinance. Property in this district may be used as a "home office." The livery use may not include a delivery service (i.e., package delivery and pick up). The applicant must use only the parking space designated to him in connection with his residential use at the subject property.

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 one vehicle, to be garaged at 7-9 Irma Avenue.

3. Gold Buyers at the Mall, LLC  
d/b/a Gold Buyers at the Mall  
One International Boulevard  
Suite 200  
Mahwah, NJ 07495

The Watertown Licensing Board met to consider the application of Gold Buyers at the Mall, LLC d/b/a Gold Buyers at the Mall for a secondhand dealer's license to be exercised at 485 Arsenal Street in the Arsenal Mall.

Robert Knapp, the New England district manager for the applicant, appeared in support of the application. Mr. Knapp stated that Gold Buyers has approximately 200 stores in 28 states, and is the first business of its kind to operate exclusively in malls. Its home office is in Mahwah, NJ and it has a processing center in New York City. He noted that Gold Buyers has eight stores in Massachusetts. It buys items only; it does not resell. Mr. Knapp explained that all items in jewelry taken are held for a period of 30 days, primarily at the New York City facility. Data regarding items received is exchanged regularly with the local police department, in the form requested by the department. He noted that there are existing information protocols for Gold Buyers operations in Burlington, Worcester, Dartmouth and Danvers.

In response to questions from the Board, Mr. Knapp stated that interaction with a customer includes a question and answer exercise regarding the buying/selling process and the performance of certain tests on the items, including a magnet test, a carat test, and an acid test. For items valued at \$99 and under, the owner is paid in cash. For items greater than \$99, the owner is given a pre-loaded Visa card.

Mr. Knapp presented a sample inventory form that is used by the business when taking items from customers. He stated that the only items purchased are precious metal objects, which are typically stored in the safe located in the store's mall kiosk and shipped to New York City the following day.

In response to further questions, Mr. Knapp stated that the company has been in business for 3 years and that the stores are company owned, not franchises. All employees are paid hourly. Managers, and so-called team members, get a commission by pennyweight/hour and managers are also eligible for a bonus system. It is anticipated that there would be three employees at the location for most of the year, with perhaps an additional employee during holiday periods. Mr. Knapp stated that the company focuses on customer service and employees are not required to have particular knowledge regarding jewelry at the start of their employment. He stated that managers are trained to identify suspicious items and there is a company policy of not buying any item greater than 20 pennyweight. Monthly printouts of items received are prepared and records are reviewed daily.

When an item is purchased, the seller's identification is photographed together with the item. The photo will be shown to the police if a request is made. Mr. Knapp stated that the company could make arrangements to hold items at the mall kiosk longer than one day if requested by the Board. Normally, Gold Buyers does not purchase diamonds because it does not have the experience in gemstones, but it can send an item to its processing facility for examination.

Sergeant Grady stated that the Police Department recommended denial of the application for the following reasons:

- (1) The Department does not believe that the purchase and resale of jewelry is in the best interests of the Town.
- (2) This type of business would attract a certain clientele with criminal tendencies to the Town of Watertown.
- (3) The purchase and resale of jewelry items is a prime avenue for disposal of stolen property.

Sergeant Grady added that in his experience 30 days was not a sufficiently long period to identify and locate stolen items, and that he has seen a number of family heirlooms lost to theft in this way during the last six months.

Board Member Newman moved to deny the application, based on the Police Department recommendation. Chairman Doucette added her concern regarding payment of a commission based on pennyweight per hour, which she found to be an incentive for carelessness.

The Licensing Board voted unanimously to deny the application.

4. Chipotle Mexican Grill of Colorado, LLC  
d/b/a Chipotle Mexican Grill #1666  
1401 Wynkoop Street, #500  
Denver, CO 80202

The Watertown Licensing Board met to consider the application of Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill #1666 for a common victualler license to be exercised at 485 Arsenal Street in the Arsenal Mall, unit B27B.

Brad Toothman, the applicant's real estate manager, appeared in support of the application. Mr. Toothman explained that Chipotle Mexican Grill has been in business since 1993. It operates over 1,100 restaurants in the United States, all of which are company owned. It uses natural, hormone free products, utilizing approximately 4% of the avocados produced in the United States. The food is made fresh daily in the morning and the stores do not utilize freezers, only refrigerators.

The manager of the premises will be Andrew Tribiani, who is currently undergoing training in Chicopee, MA. The organization operates on a site based management premise, giving managers hiring responsibility. In addition, area managers visit each restaurant frequently. Mr. Toothman noted that the company's standard national hours are 11:00 a.m. to 10:00 p.m. 7 days a week.

Sergeant Grady stated that the Police Department had no objection to the granting of the requested license, provided that the conditions stated in items 1 – 3 below were imposed.

The Health Department reported that the applicant has contacted the department and is engaged in the plan review process.

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

1. The hours of operation shall not exceed 11:00 a.m. to 11:00 p.m. Monday through Sunday.

2. The total seating capacity indoors shall not exceed 56 persons indoors and 14 persons outdoors, as described in the license previously issued for the subject premises (Unit No. B27B). See Sheet A130, fixtures, furniture, equipment of plan entitled "Chipotle Mexican Grille Store #1666 the Arsenal, 485 Arsenal street, #B27B, Watertown, MA 02472" revised through 4/8/2011 by BKA Architects, Inc.).
  3. There shall be no alcoholic beverages on the premises.
  4. The applicant shall comply with Health Department requirements, including, but not limited to, food establishment plan review application and permit requirements.
5. Zeller Restaurant Group, LLC  
d/b/a Maximo's  
153 Boylston Street, #1  
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Zeller Restaurant Group, LLC d/b/a Maximo's for a common victualler license to be exercised at 584 Mount Auburn Street.

Phillip Zeller, proprietor, appeared in support of the application. Mr. Zeller stated that he proposes to operate a small take-out and delivery business. He has worked in the restaurant industry for 19 years, including service at the House of Blues in New Orleans, the Hard Rock Café in Boston and Legal Sea Foods and Not Your Average Joe's restaurants. He proposes to be on site during the hours of operation and anticipates four, and possibly up to six employees.

Sergeant Grady stated that the Police Department had no objection to the granting of the requested license, provided that the conditions stated in items 1 – 3 below were imposed.

The Health Department reported that the applicant has contacted the department and is engaged in the plan review process.

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

1. The hours of operation shall be 11:00 a.m. to 9:00 p.m. Sunday through Saturday.
2. The seating capacity shall be limited to 10 persons as shown on the plan submitted (floor plan and equipment schedule received in the office of the Town Clerk on July 5, 2011).
3. There shall be no alcoholic beverages allowed on the premises.
4. The applicant shall comply with Health Department requirements, including, but not limited to, food establishment plan review application and permit requirements.

6. The W Pizza, LLC  
d/b/a The W  
4 Buick Street  
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of The W Pizza, LLC d/b/a The W for a common victualler license to be exercised at 48-50 Mount Auburn Street.

Attorney Shannon Kathrein appeared in support of the application. Attorney Kathrein stated that the principal of the applicant, Efthimios “Mike” Athanasopoulos, has been a resident of Watertown for nearly 20 years. He is currently the IT Director at Vertex Pharmaceuticals. He had previous restaurant experience during his college days and now desires to operate his own business.

In response to a question from the Board, Attorney Kathrein stated that Mr. Athanasopoulos will continue to work at Vertex for the time being. There are no plans no change to the existing restaurant operation at the subject property.

James Fahey of the Fraternal Order of Eagles, Pequotsette Aerie #1928, which owns the building in question (through the Pequotsette Aerie Home Trust), stated the Order’s support for the application. He noted that the lease for the premises includes three 5-year terms.

Sergeant Grady stated that the Police Department had no objection to the granting of the requested license, provided that the conditions stated in items 1 – 3 below were imposed.

The Health Department reported that the applicant has contacted the department and is engaged in the plan review process.

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

1. The maximum seating capacity shall be 34 persons.
2. The hours of operation shall not exceed 11:00 a.m. to 11:00 p.m. Sunday through Thursday and 11:00 a.m. to 12:00 midnight Friday and Saturday.
3. There shall be no alcoholic beverages allowed on the premises.
4. The applicant shall comply with Health Department requirements, including, but not limited to, food establishment plan review application and permit requirements.

7. Archon, Inc.  
d/b/a Conley's Pub & Grille  
164-168 Belmont Street  
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Archon, Inc. d/b/a Conley's Pub & Grille for alteration of its premises at 164-168 Belmont Street licensed for all alcohol common victualler service.

Stephen Conley appeared in support of the application. Mr. Conley stated that the alterations are proposed in order to make use of additional space in the building that the landlord is willing to provide. It will allow for expansion of the kitchen. He noted that the restaurant may need to be closed for one or two days when the portion of the work involving breaking through the existing interior wall takes place. It is anticipated that the total work period will be approximately one month.

Sgt. Grady stated that the Police Department had no objection to the proposed alterations, provided all conditions of the license remain in place.

The Health Department reported that the applicant has contacted the department and is engaged in the plan review process.

The Licensing Board voted unanimously to approve the following alterations:

Addition of a 12' x 52' kitchen space to the existing building, for the purpose of relocating the washing station, adding food preparation space, providing additional refrigeration and adding a 5-foot hood to the existing kitchen space as shown on the sketch plan entitled "Conley's 164 Belmont St. Watertown existing floor plan scale 1/4" = 1' " received in the office of the Town Clerk on July 6, 2011, subject to the following condition:

The licensee shall comply with Health Department requirements, including, but not limited to, food establishment plan review application and permit requirements.

The Licensing Board also voted unanimously to authorize the closure of the premises for more than 48 hours, on notice to the Board, if necessary for completion of the alterations.

8. SE Asian Bistro of Watertown, Inc.  
738 Bark Street  
Swansea, MA 02777

The Watertown Licensing Board, on the request of the applicant, has continued its hearing on the application of SE Asian Bistro of Watertown, Inc. for a transfer to it of the all alcohol common victualler license currently held by Lazziz Restaurant, Inc. for exercise at 61 Main Street, for exercise at different premises located at 485 Arsenal Street in the Arsenal Mall, tenant space E06A. The continued hearing on this application will be held on September 15, 2011 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.