



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 JUNE 16, 2011

ACCEPTANCE OF REVISED MINUTES of the hearing May 19, 2011

1. Dino Spahillari d/b/a Dino's Transportation
62 Carey Ave. #7
Livery/Limousine License Approved 3-0

2. Iqbal Shahzad d/b/a Sunny Transportation
31 Wavererly Ave.
Livery/Limousine License Continued to July 21, 2011

3. Suphi Fur
694 Mt. Auburn Street
Change of Location Second-Hand Dealer License Approved 3-0

4. Watertown Donuts Inc. d/b/a
Dunkin Donuts
49 Mt. Auburn Street
Alteration of Premise Approved 3-0

5. Miller's Ale House, Inc. d/b/a
Miller's Ale House
617 Arsenal Street
Transfer All Alcohol Common Victualler Continued to July 21, 2011

6. Not Your Average Joe's Watertown, LLC
d/b/a Not Your Average Joe's
55 Main Street
Show Cause Warning 3-0

7. MJLK, Inc. d/b/a 21 Nickels
21 Nichols Ave.
Show Cause 3-Day Suspension

8. Zarkadas/Fitzgerald, Inc. d/b/a Fit-Z's
451-453 Main Street
Show Cause 1-Day Suspension

9. John and Kimberley Stathakis
d/b/a Orchard Park Grill
208-210 Waverley Avenue
1st Show Cause
2nd Show Cause

Continued to July 16, 2011
Revoke Sunday Service of Alcohol 3-0

10. Tantawan Thai Cuisine, Inc.
d/b/a Tantawan Thai Cuisine
356 Arsenal Street
1st Show Cause
2nd Show Cause

Continued to July 16, 2011
Continued to July 16, 2011

11. Comments by Board Clerk and Police Department

7:35 PM to 10:15 PM

Donna B. Doucette, Chairman

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

1. Dino Spahillari
d/b/a Dino's Transportation
62 Carey Avenue, No. 7
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Dino Spahillari d/b/a Dino's Transportation for a livery/limousine license to be exercised from 62 Carey Avenue, No. 7.

Mr. Spahillari appeared in support of the application. Mr. Spahillari stated that he has been driving a cab for Watertown Taxi since 2006, and has hotel and restaurant supervisory experience from his years living in Greece. He has been a Watertown resident for 9 years.

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 applicant shall complete the Watertown Police Department application process for a livery driver's license.
 2. Any vehicle owned and/or operated for use in connection with the license shall be properly registered as such and must pass inspection by the Watertown Police Department Licensing Division.
 3. The license is limited to one vehicle, to be located at 62 Carey Avenue.
2. Iqbal Shahzad
d/b/a Sunny Transportation
31 Waverley Avenue
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Iqbal Shahzad d/b/a Sunny Transportation for a livery/limousine license to be exercised from 31 Waverley Avenue, Watertown, MA. The applicant failed to provide sufficient evidence that all the abutters have been properly notified, therefore the Board voted unanimously to continue the hearing on this application to July 21, 2011 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

3. Suphi Calisir
d/b/a Suphi Fur
805 Mt. Auburn Street
Apartment G#8
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Suphi Calisir d/b/a Suphi Fur for approval of relocation of the place of exercise of its secondhand dealer's license from 2 Belmont Street to 694 Mt. Auburn Street.

Suphi Calisir appeared in support of the application. Mr. Calisir explained that the business does cleaning, storage, and repair of furs as well as retail sales. It takes items in trade, but does not advertise this aspect of its business.

Angeline Kounelis, District A Councilor, stated her support for the application, noting that the applicant's family has purchased the building at 694 Mt. Auburn Street and has become invested in the community.

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

The Licensing Board voted unanimously to approve the change in location to 694 Mt. Auburn Street, subject to the following conditions:

1. Sellers of goods must be at least 18 years of age.
2. Sellers must show two forms of identification, one of which must be a Massachusetts Registry of Motor Vehicles identification or a photo license identification from another state. All identifications used shall be photocopied and maintained in a log book.
3. A record, or log book, approved by the Police Department, shall be maintained documenting all purchases made by the licensee. The record shall contain the following information: the time and date of purchase, the seller's name, address, date of birth, and a license or identification number, and a complete description of the furs (items) purchased. The book must be available for inspection by any member of the Watertown Police Department or agent of the Watertown Licensing Board.
4. The record or log book shall be legible and written in English, and no record shall be erased, changed, obliterated or defaced.
5. A copy of the record or log book shall be forwarded to the Police Department Licensing Division every two weeks, and all furs (items) purchased shall be kept for a minimum of 21 days.
6. The licensee must immediately surrender to the Watertown Police Department any property identified as having been stolen. If property is released to any other police agency, the licensee must notify the Watertown Police Department in writing and accompany that notification with a copy of its entry into the log or record book.

7. All furs must be examined for missing or damaged serial numbers, initials or names, etc. or other standard manufacturer's identification marks. The licensee shall not purchase such items and shall immediately notify the Watertown Police Department of any such attempted sale.
 8. The hours of operation shall be 9:00 a.m. to 7:00 p.m. Monday through Saturday.
4. Watertown Donuts, Inc.
d/b/a Dunkin' Donuts
49 Mt. Auburn Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Watertown Donuts, Inc. d/b/a Dunkin' Donuts for approval of alteration of its premises at 49 Mt. Auburn Street licensed for common victualer service to include an outdoor seating area.

Attorney William York and David Carvalho, the franchisee, appeared in support of the application. Attorney York explained that the Carvalho family has operated the Dunkin' Donuts business at the property for nearly 25 years. The outdoor seating is proposed in order to offer a pedestrian friendly look. It will consist of 4 tables with 12 seats total, and will be maintained on a seasonal basis, off the sidewalk. The licensee will provide regular trash cleanup for the outdoor seating area.

In response to questions from the Board, Attorney York explained that the applicant had discussed the proposal with the Police Department, and the Town Planner, who agreed that the seating arrangement would be more inviting with no barrier placed between the seating area and the sidewalk. The chairs will be chained to tables at the end of the hours of operation for outdoor seating, and the umbrellas will be removed on a nightly basis.

Angeline Kounelis, District A Councilor, inquired whether the location of the chairs would be monitored during the day and Attorney York stated that this would be an acceptable condition. Mr. Carvalho stated that chair location would be included on the store's walkthrough checklist, reflecting a walkthrough that is done every 15-30 minutes.

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

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

1. The hours of operation shall be 5:00 a.m. to 1:00 a.m.
2. Hours for the outdoor seating shall be limited to 6:30 a.m. to 10:00 p.m.
3. The outdoor seating capacity shall not exceed twelve seats as shown on the plan submitted (plan entitled "Dunkin Donuts 49 Mt. Auburn St Watertown, MA, proposed floor plan, sheet A-1" dated 6/23/10, revised through 3/08/11 by M.J. Tavares Architects).
4. There shall be no alcoholic beverages on the licensed premises.
5. All other conditions of the license shall remain in effect.

5. Miller's Ale House, Inc.
d/b/a Miller's Ale House
c/o Anthony Rovet
28 Hanrahan Avenue
Farmingville, NY 11738

The Watertown Licensing Board met to consider the application of Miller's Ale House, Inc. d/b/a Miller's Ale House for a transfer to it of the all alcohol common victualer license previously exercised at 617 Arsenal Street by Bugaboo Creek Holdings, Inc. Attorney William F. York requested on behalf of the applicant that the hearing on this matter be continued to the July 21st hearing. The Licensing Board voted unanimously to continue the hearing on this application to July 21, 2011 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

6. Not Your Average Joe's Watertown LLC
d/b/a Not Your Average Joe's
55 Main Street
Watertown, MA 02472

The Watertown Licensing Board held a show cause hearing, on the application of the Watertown Police Department, concerning alleged violations of G.L. c.138 (the Liquor Control Act) at your restaurant premises at 55 Main Street, to wit: sale/delivery of an alcoholic beverage to a person under 21 years of age in violation of G.L. c.138, §34 and improper management, by allowing such sale and failing to obey all laws, rules and regulations of the Commonwealth, the Alcoholic Beverages Control Commission and the Watertown Licensing Board, in violation of G.L. c.138, §23.

Attorney William York appeared on behalf of the licensee, together with Steve Silverstein, founder of the restaurant chain, Joe Garner, vice president of operations, Erica Daniel, the general manager at the restaurant, and Sandy Kerrigan, the director of training for Not Your Average Joe's.

Sgt. Grady testified that on February 24, 2011, the Watertown Police Department conducted a compliance check of several alcohol service establishments in town. The compliance check involved two female volunteers, aged 19, entering licensed premises with instructions to order a beer. The volunteers were given copies of the Police Department's compliance check guidelines, which they stated they understood and signed. Each volunteer's dress and appearance were consistent with her age. Photographs of the volunteers were taken prior to the compliance check operation. Volunteers were asked to enter the licensed establishment, take a seat at a table or approach the bar and request one beer each. If they were served, they were to advise the participating officers immediately by cell phone and remain seated.

At approximately 8:15 p.m., the volunteers entered the Not Your Average Joe's restaurant. Within a few minutes of their entry, the police were contacted by the volunteers to indicate they had been served an alcoholic beverage. Upon entering the restaurant, Sgt. Grady observed the two volunteers sitting at a cocktail table in the front of the restaurant, with two open bottles of Bud Lite beer on the table in front of them. Sgt. Grady was informed that the male bartender had served the beers to the volunteers. He then identified himself to the bartender and advised him of the compliance check. The restaurant was very busy on the evening in question and initially the bartender did not recall serving the volunteers. When Sgt. Grady directed his attention to the volunteers, the bartender recognized them. Sgt. Grady also spoke to the manager for the evening, who was apologetic on account of the incident.

Mr. Silverstein stated that the restaurant began at the Main Street in location in 1998; it now serves 3,000-4,000 people per week. He stated that the server in question was suspended and then terminated, even though management knew that he was their most popular bartender and that some patrons would be displeased. In addition, the manager that evening is no longer with the company, although not directly as a result of the service of underage persons.

Mr. Garner stated that the server had been a 6-year employee and was TIPS certified and properly trained. He explained that Not Your Average Joe's is vigilant in following best practices for service of alcohol and ensures that all servers are properly trained. He submitted excerpts from the company handbook regarding service and noted that it is company policy to check identification if a patron appears to be under 30 years of age. In addition, the company conducts internal compliance checks, using anonymous customers through a third-party vendor. Following the incident in question, the restaurant conducted a recertification/TIPS training, conducted by an outside trainer, and all staff passed.

Mr. Garner noted that the restaurant closes earlier than its license allows, 10:00 p.m. on weekdays and 11:00 p.m. on weekends. Mr. Silverstein added that the operation is not a barroom, noting that the percentage of sales from alcohol is approximately 19%.

Ms. Kerrigan explained that several Not Your Average Joe's managers are now certified to do alcohol service training, including one at the Watertown site, so it is easier to conduct training sessions for new employees. Training is in the ServSafe alcohol program and consists of a 3 to 3 ½ hour class and test, for a total of 4 hours.

Ms. Daniel stated that the server remarked to her that he "just screwed up" on the evening in question. The restaurant now has two bartenders on duty on nights anticipated to be busy. The restaurant conducts daily shift meetings and alcohol service is reviewed daily; the meetings include role-playing with intoxicated patrons.

Attorney York stated that when there is training such as that offered by Not Your Average Joe's and a server makes a mistake, it does not constitute improper management.

Sgt. Grady stated that the Police Department recommended a 2-day suspension for the violation of sale to a minor.

Attorney York commented that there had been a 1-day suspension in the last five years, arising out of a self-reported incident relating to an unruly patron. At the time, servers were not certified within the time required by the license, but this has been corrected. He argued that a suspension was not in order on the facts shown.

The Licensing Board unanimously found that the violation of sale to a minor had occurred and unanimously found that improper management had not occurred. The Board unanimously voted to issue a letter of warning that the licensee must be vigilant in ensuring the service of alcohol complies with the law of the Commonwealth and the rules and regulations of the Licensing Board. The Board also warned management that any future violations will be treated with severity.

7. MJLK, Inc.
d/b/a 21 Nickels
21 Nichols Avenue
Watertown, MA 02472

The Watertown Licensing Board held a show cause hearing, on the application of the Watertown Police Department, concerning alleged violations of G.L. c.138 (the Liquor Control Act) at your restaurant premises at 21 Nichols Avenue, to wit: sale/delivery of an alcoholic beverage to a person under 21 years of age in violation of G.L. c.138, §34 and improper management, by allowing such sale and failing to obey all laws, rules and regulations of the Commonwealth, the Alcoholic Beverages Control Commission and the Watertown Licensing Board, in violation of G.L. c.138, §23.

Andrew Allegro, general manager, appeared on behalf of the licensee.

Sgt. Grady testified that on February 24, 2011, the Watertown Police Department conducted a compliance check of several alcohol service establishments in town. The compliance check involved two female volunteers, aged 19, entering licensed premises with instructions to order a beer. The volunteers were given copies of the Police Department's compliance check guidelines, which they stated they understood and signed. Each volunteer's dress and appearance were consistent with her age. Photographs of the volunteers were taken prior to the compliance check operation. Volunteers were asked to enter the licensed establishment, take a seat at a table or approach the bar and request one beer each. If they were served, they were to advise the participating officers immediately by cell phone and remain seated.

At approximately 7:00 p.m. on February 24, 2011, the volunteers entered the licensed premises. Shortly thereafter, the participating police officers were contacted by the volunteers, via cell phone, indicating they had been served. Sgt. Grady then entered the restaurant and observed the two volunteers sitting at the bar, with open bottles of beer directly in front of them. The server was a male behind the bar. Sgt. Grady then identified himself to the server and advised him of the compliance check. He asked the server if he had requested identification from the volunteers and the server stated he did not, and added that he was just trying to help out the bartender. Sgt. Grady then spoke with the manager for the evening, who stated that the server had only been recently employed by the restaurant and had worked only four shifts as a barback and had not yet received any TIPS or ServSafe training.

Mr. Allegro stated that he was not present at the restaurant at the time of the incident. The manager on duty that evening was a 10-year employee, and the restaurant was busy that night. Mr. Allegro noted that the server was not to be serving alcohol at that early point in his employment.

On the Sunday following the incident, the restaurant held a staff meeting and instituted more rigorous training for the server, who was shortly thereafter certified for alcohol service. At the time of the incident, he was the only non-certified employee. Mr. Allegro stated that the restaurant uses the Barcode training system, which covers the same topics as the TIPS program, but does not include any instruction on the mixing of drinks.

In response to a question from the Board about steps taken to ensure such failure would not recur, Mr. Allegro said the restaurant now employs a doorperson two nights a week, who can deny admittance to persons under 21 years of age or could admit them but let the wait staff know via eye contact or conversation that the patron was under age. Mr. Allegro also stated that he himself is aware of who was under age because he knew so many youth in town who might try to drink when under-aged.

In response to another question from the Board, Mr. Allegro that when hired, the server in question had no restaurant experience, and he noted that it is the restaurant policy that a server for a table is responsible for alcohol service compliance.

Sgt. Grady stated that the Police Department recommended a 3-day suspension for the violations, 2 days for a sale to a minor and 1 day for improper management.

Board Chairman Doucette stated her concern regarding insufficient policy and insufficient supervision of a new employee.

The Licensing Board unanimously found that the violations as alleged had occurred and unanimously voted to impose a 3-day suspension. The Board offered the licensee the opportunity to choose the date the suspension would be served if it chose to waive its right of appeal of a suspension. Mr. Allegro stated that the licensee would not waive the appeal right. The Licensing Board voted to establish the dates of suspension as July 26-28.

8. Zarkadas/Fitzgerald, Inc.
d/b/a Fit-Z's
451-453 Main Street
Watertown, MA 02472

The Watertown Licensing Board held a show cause hearing, on the application of the Watertown Police Department, concerning alleged violations of G.L. c.138 (the Liquor Control Act) at your restaurant premises at 451-453 Main Street, to wit: sale/delivery of an alcoholic beverage to a person under 21 years of age in violation of G.L. c.138, §34 and improper management, by allowing such sale and failing to obey all laws, rules and regulations of the Commonwealth, the Alcoholic Beverages Control Commission and the Watertown Licensing Board, in violation of G.L. c.138, §23.

Demetrios Zarkadas and Jim Fitzgerald appeared on behalf of the licensee.

Sgt. Grady testified that on February 24, 2011, the Watertown Police Department conducted a compliance check of several alcohol service establishments in town. The compliance check involved two female volunteers, aged 19, entering licensed premises with instructions to order a beer. The volunteers were given copies of the Police Department's compliance check guidelines, which they stated they understood and signed. Each volunteer's dress and appearance were consistent with her age. Photographs of the volunteers were taken prior to the compliance check operation. Volunteers were asked to enter the licensed establishment, take a seat at a table or approach the bar and request one beer each. If they were served, they were to advise the participating officer immediately by a cell phone and remain seated.

At approximately 8:30 p.m. on February 24, a compliance check was conducted at Fit-Z's Bar and Grill. Within a few minutes of the volunteers' entry into the restaurant, they contacted Sgt. Grady indicating that they had been served alcohol. Sgt. Grady entered the restaurant and the volunteers identified the bartender as the person who had served them. The server was Mr. Zarkadas, a part owner of the establishment. Sgt. Grady informed Mr. Zarkadas of the compliance check and the service to two underage persons. Mr. Zarkadas was immediately apologetic for the oversight, and explained that he had been recording the receipts of the day and his attention had been focused on the accounting.

Mr. Zarkadas stated that there had been no violations at the restaurant for the 4 years he and Mr. Fitzgerald had been in business there. He noted that their efforts had helped clean up a site that previously had been a significant trouble spot for the Police Dept. He added that it was his first violation in 30 years of bartending. He also indicated that he believed his TIPS certification had expired. On the evening in question, he had been going through the receipts for the day and then served and opened the bottles for the women. He was then thinking about asking them for identification but was interrupted by a customer who asked to play a Keno card.

Mr. Zarkadas explained that he and Mr. Fitzgerald are present for 80% of the work shifts at the restaurant and that the operation is almost entirely run by family members of the two owners. He said that in addition to renewing server certification, the restaurant now required servers to request identification from everyone who does not look at least 30 years old, no exceptions at all.

Sgt. Grady stated that the Police Department recommended a 3-day suspension for the violations, 2 days for a sale to a minor and 1 day for improper management. Mr. Zarkadas requested a warning, stating that any suspension would hurt his business financially and noted that the current restaurant policy is to request identification of everyone. He added that the restaurant is in the process of retraining all servers and the policy on alcohol service is repeated at daily staff meetings.

The Licensing Board unanimously found that the violations as alleged had occurred and unanimously to impose a 1-day suspension. The Board offered the licensee the opportunity to choose the date the suspension would be served if it chose to waive its right of appeal of a suspension. Mr. Zarkadas stated that the licensee would waive its right of appeal and would notify Sgt. Grady of the date of service of the suspension. On June 17, Mr. Zarkadas reported to Sgt. Grady that the licensee would serve its suspension on July 21, 2011.

9 a. John and Kimberley Stathakis
d/b/a Orchard Park Grill
208-210 Waverley Avenue
Watertown, MA 02472

The Watertown Licensing Board held a show cause hearing concerning alleged violations of Section IV.C.1.b of the Rules and Regulations of the Watertown Licensing Board, which requires that a restaurant authorized to sell alcohol on Sundays submit an annual report, by May 1 of each year, confirming that the licensed establishment derives 60% or more of its gross revenues from the sale of food. The licensee failed to submit an annual report for 2010.

No one appeared on behalf of the licensee.

Licensing Board clerk Donna Gill testified that she first sent the licensee a letter requesting its annual report on March 18, 2011. No response was received. A second notice was sent on May 2, 2011, stating that the report was past due. She also placed two telephone calls to the licensee, which were answered by John Stathakis, on May 9 and May 17, 2011. Ms. Gill stated that on May 9 Mr. told her that he would prepare the report and that on May 17 he responded that the report would be submitted by the Friday of that week.

Notice of the show cause hearing to be held on June 16 was sent by certified mail. As of the hearing date, no report has been presented.

In response to questions from the Board, Ms. Gill stated that in her telephone calls to Mr. Stathakis she informed him that if the annual report were not filed the Licensing Board could hold a show cause hearing. She further testified that in the May 17 telephone conversation Mr. Stathakis stated that if he did not file the report and the Board imposed a license suspension he would take a long weekend on July 4.

The Licensing Board voted unanimously to revoke the authorization for Sunday service of alcohol at the licensed premises. Effective upon receipt of that notice, alcohol service may no longer be permitted at the establishment on Sundays.

9 b. John and Kimberley Stathakis
d/b/a Orchard Park Grill
208-210 Waverley Avenue
Watertown, MA 02472

The Watertown Licensing Board has continued the show cause hearing on the alleged violation of the Liquor Control Act at 208-210 Waverley Avenue licensed for all alcohol common victualer service.

The hearing was originally scheduled for June 16, 2011, but no one appeared on behalf of the licensee. A continued hearing will be held on July 21, 2011 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

The licensee will be advised by written notice that if no one appears on behalf of the licensee at the July 21, 2011 continued hearing, the Licensing Board may vote to cancel or revoke the license.

10. Tantawan Thai Cuisine
356 Arsenal Street
Watertown, MA 02472

The Watertown Licensing Board has continued its show cause hearing concerning alleged violation of Section IV.C.1.b of the Rules and Regulations of the Watertown Licensing Board, which requires that a restaurant authorized to sell alcohol on Sundays submit an annual report, by May 1 of each year, confirming that the licensed establishment derives 60% or more of its gross revenues from the sale of food. The licensee failed to submit an annual report for 2010 and failed to appear before the Board for this scheduled hearing.

Concerning the alleged violation of Section IV.C.4.a of the Licensing Board's Rules and Regulations, which provides that no holder of a license for sale of alcoholic beverages shall not close the licensed place of business for more than two consecutive days without first notifying the Licensing Board in writing of the reason for the closing and the length of the closing and that unexplained closings and closings for more than 30 days are subject to a Show Cause Hearing, the restaurant premise at 356 Arsenal Street has been closed since approximately the beginning of April, 2011 without notice or explanation to the Licensing Board.

The hearing was originally scheduled for June 16, 2011, but no one appeared on behalf of the licensee. The continued hearing will be held on July 21, 2011 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

The licensee will be advised that if no one appears on behalf of the licensee at the July 21, 2011, continued hearing, the Licensing Board may vote to cancel or revoke the license.

The Licensing Board recommended that the restaurant not be re-opened until after the Board's proceedings on July 21, 2011.

12. Maslow Restaurant Concepts, Inc.
d/b/a Strip T's Restaurant
93-95 School Street
Watertown, MA 02472

On May 19, 2011, the Watertown Licensing Board met to consider the application of Maslow Restaurant Concepts, Inc. d/b/a Strip T's Restaurant for approval of Sunday service of alcohol at its premises at 93-95 School Street licensed for wine and malt beverage common victualer service, and for an extension of its hours of operation. After hearing, the Licensing Board voted unanimously to approve Sunday service of alcohol, from 12:00 noon to 8:00 p.m., and to approve overall hours of operation of 7:00 a.m. to 10:00 p.m. Monday through Wednesday, 7:00 a.m. to 11:00 p.m. Thursday through Saturday, and 10:00 a.m. to 8:00 p.m. on Sunday, subject to certain conditions.

Following the issuance of the Licensing Board's written decision, in a letter dated June 10, 2011, the licensee called to the Board's attention the fact that the existing license actually had a previously authorized food service condition for hours of operation on Sunday from 6:00 a.m. to 10:00 p.m. However, at the hearing, it was represented that the licensee was not currently operating the restaurant on Sundays. As a result, the Board decision inadvertently specified a reduction in Sunday food service hours rather than an extension permitting Sunday hours as had been presumed.

The Licensing Board considered the licensee's letter at its meeting of June 16, 2011. Because the licensee's original application for the May hearing did not propose a reduction in Sunday food service hours, and because it was not the Licensing Board's intention to eliminate hours that were already authorized, the Board corrected its decision and confirmed the following overall hours of operation for the restaurant:

7:00 a.m. to 10:00 p.m. Monday through Wednesday;
7:00 a.m. to 11:00 p.m. Thursday through Saturday;
6:00 a.m. to 10:00 p.m. on Sunday.

All other conditions of the license remain in place.