



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

ALTERNATE MEMBER
SANDRA KASABIAN HOFFMAN

Minutes June 18, 2015

1. ACCEPTANCE OF MINUTES: May 21, 2015
2. La Casa de Pedro, Inc. d/b/a La Casa de Pedro
343 Arsenal Street
Modification of License Approved 2-0
3. UC Watertown, LLC d/b/a Upper Crust Pizzeria
92-98 Main Street
Change of Manager Approved 2-0
4. Kanchoro Kanatbek UULU d/b/a Kara Jorgo
114 Belmont Street
Livery/Limousine License Dismissed 2-0
5. Sam's Liv. Express, LLC
624 Main Street
Livery/Limousine License Approved 2-0
6. C & C Pizza, Inc. d/b/a Domino's Pizza
111 Arsenal Street
Change of Hours Approved 2-0
7. The Hibernian Club of Watertown, Inc.
151 Watertown Street
Change of Officers/Directors Approved 2-0
8. Shutt Detachment #139 Marine Corps League, Inc.
215 Mt. Auburn Street
Change of Officers/Directors Approved 2-0
9. Canadian American Club of Massachusetts, Inc.
202 Arlington Street
Show Cause Continued to July 16, 2015
10. Revise Regulation & Fees for Special One Day Liquor Licenses
& One Day Permits issued by the Licensing Board Continued to July 16, 2015

George B. Newman, Acting Chairman

7:22 PM to 8:40 PM

Present: George B. Newman, Sandra Kasabian Hoffman

1. Minutes from the May 21, 2015 hearing were approved 2-0 by the Licensing Board.
2. La Casa de Pedro, Inc. d/b/a La Casa de Pedro
343 Arsenal Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of La Casa de Pedro, Inc. d/b/a La Casa de Pedro for approval of a modification of its license for all alcohol common victualler service exercised at 343 Arsenal Street by the addition of a portable beer tap, or so-called “kegerator,” for use in the seasonal outdoor seating area.

Luis Maggioli, general manager, appeared in support of the application. Mr. Maggioli stated that the licensee proposes to use a kegerator device in the outdoor seating area to offer three specialty beers to patrons in that seating area. The device will be stored inside the building; in the morning it will be moved to the outdoor seating area, and in the evening it will be moved back inside. The device will be used to offer seasonal craft beers, which will be rotated on a monthly basis. Those beverages will only be available to patrons seated in the patio; they will not be listed on the menu for patrons seated inside the building. A bartender will be assigned specifically to the device while it is in use.

At present, the bar inside the building includes six on tap beers, which are not changed or rotated. Mr. Maggioli explained that the outdoor tap device is also intended to expedite service for customers in the outdoor seating area.

In response to a question from the Board, Mr. Maggioli stated that both a manager and a bartender would be on duty in the patio area during use of the tap device.

Board member Newman expressed concern that staff’s attention to the device could diminish during busy periods in the outdoor seating area.

The Building Department reported that all work associated with use of the tap device must be performed per correct permits.

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

The Licensing Board voted unanimously to approve the requested modification, subject to the following conditions:

1. The tap device for service/storage of malt beverages will be located in the outdoor seating area during hours of operation only and shall be secured at all times.
2. A manager and/or a designee of the manager shall remain in the outdoor seating area at all times during the hours of operation, for oversight of all patrons and for the service of alcoholic beverages. The manager or designee will have direct oversight and control of the tap device.
3. The tap device shall accurately display the brand of malt beverage available to patrons and shall be available for inspection by any member and/or agent of the Licensing Board at their request.

4. Upon the closing of the licensed premises for the evening, the tap device shall be secured inside the building of the licensed premises.

3. 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.

Robert Hennessee appeared on behalf of the licensee. Mr. Hennessee stated he had been the manager of Upper Crust's Brookline location since May of 2010. He has been overseeing operations in Watertown for the past four months. Mr. Hennessee noted there had been a Health Department inspection of the premises within the previous 30 days.

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 manager, provided that the conditions stated below were imposed.

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

1. The new manager, Robert Hennessee, 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.

4. Kanchoro Kanatbek Uulu d/b/a Kara Jorgo
114 Belmont Street
Watertown, MA 02472

On June 18, 2015, the Watertown Licensing Board met to consider the application of Kanchoro Kanatbek Uulu d/b/a Kara Jorgo for a livery/limousine license to be exercised from 114 Belmont Street. The application was originally scheduled for hearing on May 21, 2015, but no one appeared on behalf of the applicant on that date and the Board voted to continue the hearing on the application to June 18. On June 18, again, no one appeared in support of the application and the Board's clerk reported that no abutter notices had been sent in connection with the application. She also reported that the applicant had informed her that he would not be available to attend a hearing during the month of July.

The Licensing Board voted unanimously to dismiss the application for failure of the applicant to pursue it.

5. Sam's Liv. Express, LLC
624 Main Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Sam's Liv. Express, LLC for a livery/limousine license to be exercised from 624 Main Street.

Sahil Sherchan, manager, appeared in support of the application. Mr. Sherchan stated that he has been working for the Uber ride service, and founded his own business approximately two months ago. The license would be for his personal vehicle, a 2015 Lexus ES 350. He will be the only driver under the license, and he noted his landlord had granted permission for use of a parking space at the subject property for a livery car. The application included a statement of permission from Rita Dimare, as owner of the property, which was read into the record. Mr. Sherchan explained that there are four parking spaces in the driveway and two on the adjacent grass, and that he currently parks his car in the proposed livery space.

An abutter to the subject property stated that the dwellings at 620 and 624 Main Street have a common driveway, and that when there are four cars in the driveway maneuvering of vehicles is tight. Upon Mr. Sherchan's confirmation that he would not be adding any vehicles to those currently parked at the site, the abutter stated she did not object to the application.

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

The Zoning Officer reported that use of the subject property as a "home office," as described in the Zoning Ordinance, is permitted, with one commercial vehicle under $\frac{3}{4}$ ton towing capacity.

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 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 parked at 624 Main Street, as shown in the marked photographs submitted with the application and received in the office of the Town Clerk on May 4, 2015.

6. C&C Pizza, Inc. d/b/a Domino's Pizza
111 Arsenal Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of C&C Pizza, Inc. d/b/a Domino's Pizza for approval of a change of hours of operation of its common victualler license exercised at 23 Elm Street.

Rabih Saroufim, president, appeared in support of the application. Mr. Saroufim stated that he has been affiliated with Domino's for fifteen years, and has owned the Watertown operation for ten years. He is proposing to expand the hours of operation to meet business demand.

The Health Department reported that the licensee must contact the department to update its application on file in order to reflect the change in hours.

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

The Licensing Board voted unanimously to approve the change of hours, subject to the following conditions:

1. The hours of operation shall not exceed 10:00 a.m. to 1:00 a.m. Sunday to Thursday, but with midnight to 1:00 a.m. for delivery service only; and 10:00 a.m. to 2:00 a.m. Friday and Saturday, but with 1:00 a.m. to 2:00 a.m. for delivery service only.
2. All other conditions of the license shall remain in place.

7. The Hibernian Club of Watertown, Inc.
151 Watertown Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the notice and application of The Hibernian Club of Watertown, Inc. on the matter of a change in its officers and directors pursuant to Chapter 138, Section 1 of the General Laws, which requires a club licensee to file with the local licensing authorities and the Alcoholic Beverages Control Commission annually, within three months after January first, a list of the names and residences of its officers, together with the amount of salary or compensation received by each employee engaged in the handling or selling of alcoholic beverages.

Daniel McAdam, president, appeared in support of the application. He reported that new officers had been elected, as noted in the application, as follows: Mr. McAdam – president, Dennis R. Murphy – vice president, William T. Gildea – treasurer, and Richard J. Thompson – clerk. The same persons will also serve as directors.

The Licensing Board voted unanimously to approve the change of officers and directors.

8. Shutt Detachment #139 Marine Corps League, Inc.
215 Mt. Auburn Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the notice and application of Shutt Detachment #139 Marine Corps League, Inc. on the matter of a change in its officers and directors pursuant to Chapter 138, Section 1 of the General Laws, which requires a club licensee to file with the local licensing authorities and the Alcoholic Beverages Control Commission annually, within three months after January first, a list of the names and residences of its officers, together with the amount of salary or compensation received by each employee engaged in the handling or selling of alcoholic beverages.

Edward Aucoin, treasurer, appeared in support of the application. He reported that new officers had been elected, as noted in the application, as follows: Dominic Ricci – president, William E. Byrne, Jr. – vice president, Mr. Aucoin – treasurer, and David M. O’Connell – clerk. The same persons will also serve as directors, together with David F. Brooks.

The Licensing Board voted unanimously to approve the change of officers and directors, and to dismiss the pending show cause proceedings (begun on May 21, 2015) regarding the licensee’s compliance with Chapter 138, Section 1 of the General Laws.

9. Canadian American Club of Massachusetts, Inc.
202 Arlington Street
Watertown, MA 02472

The Watertown Licensing Board has continued its hearing on the matter of compliance with Chapter 138, Section 1 of the General Laws, which requires a club licensee to file with the local licensing authorities and the Alcoholic Beverages Control Commission annually, within three months after January first, a list of the names and residences of its officers, together with the amount of salary or compensation received by each employee engaged in the handling or selling of alcoholic beverages.

Following a show cause hearing on May 21, 2015, the Licensing Board unanimously found that a violation of the filing requirement had occurred and unanimously voted to issue a letter of warning. The Licensing Board further notified licensee by the letter of warning, dated June 5, 2015, that the Board would take further action regarding the license, which might include revocation, if the matter were not resolved by June 18, 2015, the date of the Board’s next meeting.

On June 18, Silvio DiRico, president and manager, appeared on behalf of the licensee. He reported that the licensee was awaiting issuance of a certificate of good standing by the Massachusetts Department of Revenue, which is necessary to submit an application for approval of a change in officers. Mr. DiRico stated he had been informed by the Department that the application for the certificate would be processed as soon as possible.

The Licensing Board’s clerk, Donna Gill, reported that she had spoken to the Department of Revenue regarding the matter and was informed that it was backlogged with applications. Mrs. Gill noted that the change in officer materials could not be submitted to the Alcoholic Beverages Control Commission without the certificate of good standing.

The Licensing Board voted to continue the matter to July 16, 2015. The continued hearing will be held at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA. If the required submissions to the Licensing Board and Alcoholic Beverages Control Commission have been made by that date, the licensee will not be required to appear for a continuance of the show cause hearing proceedings.

10. Revise Regulation & Fees for Special One Day Liquor Licenses Cont. to July 16, 2015 & One Day Permits issued by the Licensing Board.

Discussion will continue in July, with a possible final vote on adopting changes.