



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 August 20, 2015

1. ACCEPTANCE OF MINUTES: July 16, 2015
2. Jalapeño Enterprises, Inc. d/b/a
Ixtapa Mexican Grill & Cantina
18 Mt. Auburn Street
Status Hearing
Continued to September 17, 2015
If not opened
3. Arsenal Center for the Arts
321 Arsenal Street
Arts, Drafts and Entertainment
Approved 2-0
4. Vegan Boston, LLC d/b/a The Galley
71 Elm Street
New Common Victualler
Approved 2-0
5. Nexdine, LLC For Riverworks Café
480 Pleasant Street
New Common Victualler
Continued to September 17, 2015
6. Chen Cuisine Factory, Inc.
d/b/a Wonder Café
58 Mt. Auburn Street
New Common Victualler
Approved 2-0
7. XZH, Inc. d/b/a New Ginza Restaurant
63-65 Galen Street
New Common Victualler
Approved 2-0
Transfer All Alcohol Common Victualler
Approved 2-0
Pledge of License
Approved 2-0
8. Burnham-Manning Post #1105 VFW of US, Inc.
295 Arsenal Street
Show Cause
Continued to September 17, 2015
9. Comments by Board Clerk and Police Department

Present: Donna B. Doucette, George Newman

1. Minutes from the July 16, 2015 hearing were approved 2-0 by the Licensing Board.

2. Jalapeno Enterprises, Inc. d/b/a
Ixtapa Mexican Grill & Cantina
177 Massachusetts Avenue
Lexington, MA 02420
Attention: David E. Brambila

The Watertown Licensing Board continued its status hearing on the exercise of the common victualler license granted and the all alcohol common victualler license approved for transfer for the premises at 18 Mt. Auburn Street by vote of the Board on March 20, 2014.

On August 20, 2015, the Licensing Board convened a continuation of the status hearing begun on May 21, 2015. Attorney Nicholas Felici appeared on behalf of the licensee, together with Jose Brambila and Ramon Brambila. He reported that nearly all of the permits required for operation had now been obtained, including sign-offs by the plumbing, gas and electrical inspectors. A Fire Department inspection was scheduled for August 21. Attorney Felici noted that the Fire Chief was away in early August and that had an impact on the sprinkler system approval. The Building Department requires general clean-up of the premises, and it is anticipated that the Health Department can sign off on the premises on Monday, August 24, after clean-up of construction dust. The licensee expects to be open for business two weeks after all approvals are in place.

The Licensing Board voted to continue the status hearing to September 17, 2015, subject to the condition that if the premises are under operation prior to that date no one need appear on behalf of the licensee. The continued hearing, if held, will be held on September 17, 2015 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

3. Arsenal Center for the Arts
321 Arsenal Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Arsenal Center for the Arts for a Special One-Day Alcohol License to be exercised at 321 Arsenal Street on September 18, 2015. The hearing had been continued from July 17, 2015 for submission of additional information.

Rebecca Margolis, director of marketing for the Center, appeared in support of the application. On July 17, Ms. Margolis had explained that the proposed Arts and Drafts event would include up to five vendors of craft beer, art projects and live music. Admittance will be limited to persons 21 years of age and over. Food will be provided by the vendor known as “the Sausage Guy.” Parking will be in the adjacent garage. The expected number of guests is 250 – 300. Also on July 17, it was reported that a wedding was scheduled for September 18 at the nearby Commander’s Mansion property.

On August 20, Ms. Margolis reported she had met with Sgt. Grady regarding the security plan for the event, to be implemented by VSG of Chicago with a staff of eight persons and one supervisor. The designated area for the event has been reduced to the green area at the front of the Arsenal campus; and there will be only two beer vendors. Ms. Margolis stated that a sound test had been conducted and that anticipated music/noise from the event could not be heard beyond the Talcott Street intersection heading toward the Commander's Mansion.

Sgt. Grady reported that the security measures will include a police detail.

In response to a question from the Board and Sgt. Grady, Ms. Margolis stated that it would be acceptable for the security plan submitted to be used as a sample for other one-day license applicants.

The Licensing Board voted unanimously to grant the requested license.

4. Vegan Boston, LLC
d/b/a The Galley
71 Elm Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Vegan Boston, LLC d/b/a The Galley for a common victualler license to be exercised at 71 Elm Street. The matter had been continued from July 16, 2015.

Attorney Sylvia Glick appeared in support of the application, together with Pankaj Pradhan, manager. On July 16, Attorney Glick explained that Mr. Pradhan had been operating the Red Lentil restaurant at 600 Mount Auburn Street for six years. The Galley is a new venture, which is intended to operate as a breakfast and lunch business, with hours of 6:00 a.m. to 3:00 p.m. It will also offer cooking classes after 3:00 p.m. Mr. Pradhan stated that he would work at the Galley in the morning and at Red Lentil in the afternoon. He will be hiring a manager for The Galley.

At the July 16 hearing session, the Board acknowledged receipt of a letter from the manager of the Watertown Mall, expressing concern regarding limited parking on Elm Street. Attorney Glick noted that the premises in question have been used as a restaurant for the last nine years, by the Grappa restaurant. Mr. Pradhan stated he had secured three off-site parking spaces, and would be using a valet service for customers. Residents of the neighborhood commented on the parking issue, one noting that people park on both sides of the street and another stating that patrons of restaurants of the type proposed often walk or bike to the destination. Sgt. Grady reported that a Town parking order prohibits parking from Arsenal Street to Willard Court. Mr. Pradhan responded that he would use signage to inform customers that cars would be towed if parked illegally.

On August 20, Attorney Glick stated that the applicant had secured 11 parking spaces for use by the restaurant, and presented a copy of a parking space agreement for property at 71 Arlington Street for eight spaces. She noted that when the Grappa restaurant was licensed in 2006 parking had not been an issue. Mr. Pradhan stated that the spaces at the Arlington Street lot would be numbered, and Board chairman Doucette responded that the spaces should be marked with signage to indicate parking was for the restaurant only. Mr. Pradhan acknowledged that the agreement for the Arlington Street lot was for one year, which is the same period as the lease for the restaurant. Parking would be renewed when the lease is renewed.

Mr. Pradhan explained that the valet service would be provided from 6:00 a.m. to 3:00 p.m., and Attorney Glick stated the applicant could accept a condition that the premises be open to the public only during those hours. Sgt. Grady reported that much of the allowed parking in the nearby area is limited to one hour, and Attorney Glick stated that the type of business proposed – breakfast and lunch – is suitable for 1-hour parking.

Board chairman Doucette cautioned the applicant regarding impacts of the restaurant on the neighborhood, stating that there could be a show cause hearing if complaints are made.

The Health Department reported that the applicant must comply with department requirements for a food service operation permit, including completion of the food establishment plan review application and pre-operation inspection.

The Zoning Officer reported that there is to be no increase in seats from the previous restaurant use without Zoning Board of Appeals approval.

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

1. The hours of operation shall be 6:00 a.m. to 3:00 p.m. Sunday through Saturday; cooking classes may be conducted after those hours.
 2. The licensed premises shall be as shown on the sketch plan entitled “71 Elm St, Watertown MA – 02472” filed in the office of the Town Clerk on June 16, 2015. The plan shows interior seating at tables and at the bar counter, and outdoor/patio seating at 6 tables of 2 seats each. However, the interior seating capacity is limited to 45 persons.
 3. There shall be no alcoholic beverages on the licensed premises.
 4. A sign shall be posted on the premises stating there is no on-street parking in front of the restaurant and no use of the Watertown Mall for parking, and that valet parking is available.
 5. The license shall not issue until the Police Department has verified the parking arrangements for the applicant’s use of spaces at the lot located at 71 Arlington Street, including that the marking of the designated spaces is adequate.
 6. The applicant shall comply with the requirements of the Health Department regarding a food service operation permit.
5. Nexdine, LLC
for Riverworks Café
100 Pleasant Street
Dracut, MA 01826

The Watertown Licensing Board continued its hearing on the application of Nexdine, LLC for Riverworks Café for a common victualler license to be exercised at 480 Pleasant Street as a corporate cafeteria for Watertown Holdings, LLC. The matter was originally scheduled to be heard on August 20, 2015, but no one appeared on behalf of the applicant. The continued hearing on this application will be held on September 17, 2015 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

The board noted that if no one appears on behalf of the applicant at the September 17 continued hearing, the application will be denied.

6. Chen Cuisine Factory, Inc.
d/b/a/ Wonder Café
58 Mount Auburn Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Chen Cuisine Factory, Inc. d/b/a Wonder Café for a common victualler license to be exercised at 58 Mt. Auburn Street.

Xiao Chen, president, appeared in support of the application together with his sister as a translator. Mr. Chen stated that he has prior restaurant experience, at a location in Virginia, and will be taking over operation of the existing restaurant at the subject property. The menu will include noodles, dumplings, and Chinese burgers. Take-out and delivery service will also be offered.

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 must comply with Health Department provisions for issuance of a food service operation.

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

1. The licensed premises shall be as proposed: 1,100 square feet, consisting of a dining area, kitchen, and restroom, with a seating capacity limited to 16 persons, as shown on the sketch plan submitted ("Site Plan of Wonder Café 58 Mt. Auburn, Watertown," received in the office of the Town Clerk on June 29, 2015).
 2. The hours of operation shall be 11:30 a.m. through 12:00 midnight Sunday through Thursday, and 11:00 a.m. to 1:00 a.m. Friday and Saturday.
 3. There shall be no alcoholic beverages on the premises.
 4. The applicant shall comply with Health Department provisions for issuance of a food service operation permit, including completion of the food establishment plan review application and pre-operation inspection.
7. XZH, Inc.
d/b/a/ New Ginza Restaurant
1138 Worcester Road
Framingham, MA 01702

The Watertown Licensing Board met to consider the application of XZH, Inc. d/b/a New Ginza Restaurant for a common victualler license to be exercised at 63-65 Galen Street, for a transfer to it of the all alcohol common victualler license presently exercised at those premises by New Ginza Restaurant Corporation under the restaurant name New Ginza, and for approval of a pledge of the all alcohol common victualler license.

Attorney Peter Haranas appeared in support of the application. Attorney Haranas explained that the applicant is purchasing both the existing New Ginza restaurant business and the real estate on which the restaurant is located. The applicant will engage in the same restaurant operation and offer the same menu. For at least the time being, the applicant will retain the existing restaurant's employees. Attorney Haranas stated that funding for the transaction will be provided by Mutual One Bank.

Board chairman Doucette noted that, under the Licensing Board's rules and regulations, for a period of one year the applicant may serve alcohol on 6 days only, Monday through Saturday.

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

The Health Department reported that the applicant must comply with Health Department provisions for issuance of a food service operation permit, including completion of the food establishment plan review application and pre-operation inspection.

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

1. The licensed premises shall be as proposed: 2,792 square feet, consisting of a lounge, kitchen, dining room, and basement for storage.
2. The seating capacity shall be limited to 88 persons, as shown on the floor plan submitted ("Proposed Japanese Restaurant 63-65 Galen Street Watertown MA" dated March 2001, sheet A-1).
3. The hours of operation shall not exceed 11:00 a.m. to 1:00 a.m. Monday through Sunday.
4. No alcohol shall be served on Sunday.
5. The applicant shall comply with Health Department provisions for issuance of a food service operation permit, including completion of the food establishment plan review application and pre-operation inspection.

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

1. The licensed premises shall be as proposed: 2,792 square feet, consisting of a lounge, kitchen, dining room, and basement for storage.
2. The seating capacity shall be limited to 88 persons, as shown on the floor plan submitted ("Proposed Japanese Restaurant 63-65 Galen Street Watertown MA" dated March 2001, sheet A-1).
3. The hours of operation shall not exceed 11:00 a.m. to 1:00 a.m. Monday through Saturday.
4. No alcohol shall be served on Sunday.

5. The manager and all servers employed by the licensee shall attend and successfully complete an alcohol awareness training program (e.g., TIPS) within 90 days of hire or expiration of certification.
6. Copies of all alcohol awareness training certificates shall be forwarded to the Town Clerk's office.

The Licensing Board also approved a pledge of the all alcohol common victualler license to Mutual One Bank of Natick, Massachusetts.

8. Burnham-Manning Post #1105 VFW of U.S., Inc.
295 Arsenal Street
Watertown, MA 02472

The Watertown Licensing Board held a status hearing on the matter of your 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. The hearing was scheduled following a decision of the Licensing Board on May 21, 2015, following a show cause hearing that a violation of the filing requirement had occurred. In its Notice of Decision for that hearing the Licensing Board informed the licensee that if the matter were not resolved by August 20, 2015, the Licensing Board would take further action regarding the license, which may include revocation.

Derek Mayerhoffer, interim post commander, appeared on behalf of the licensee. He stated that William Dignan, the post commander who had attended the May 21, 2015 show cause hearing, had since left the post. Mr. Mayerhoffer explained that he had delivered documents to Attorney Ken Leitner, whom he had retained on August 17, for preparation of the paperwork required to comply with the reporting requirement, and that Attorney Leitner had informed him he could not be present for the status hearing.

The Licensing Board voted to take the following action:
If the required papers are not filed with the licensing board by September 17, the board will take further action under the show cause proceedings and consider suspension or revocation of the license.

Further, the Licensing Board voted to continue the matter to September 17, 2015. The continued hearing will take place on September 17, 2015 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.