



Licensing Board
TOWN OF WATERTOWN
ADMINISTRATION BUILDING
149 Main Street
Watertown, Massachusetts 02472
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BOARD MEMBERS

DONNA B. DOUCETTE
SANDRA KASABIAN HOFFMAN
JOHN LABADINI

ALTERNATE MEMBER

Minutes October 15, 2020

ACCEPTANCE OF MINUTES

1. ACCEPTANCE OF MINUTES: September 17, 2020 Approved 2-0
2. Pequosette Aerie #1928 of the Fraternal Order of Eagles Approved 2-0
44-46 Mt. Auburn Street Continued to November 19, 2020
New Officers, Directors
3. Condesa Watertown, LLC d/b/a Condesa Restaurant & Tequila Bar Approved 2-0
80 Arsenal Yards Boulevard Continued to March 18, 2021
Status Hearing
4. Alcohol License renewal issues for 2021 – applications and fees

Start: 7:20PM
End: 8:05PM

Donna B. Doucette, Chairman

Present: Donna B. Doucette, Sandra Kasabian Hoffman, John Labadini

Pequosette Aerie #1928
of the Fraternal Order of Eagles
44 – 46 Mt. Auburn Street
Watertown, MA 02472

The Watertown Licensing Board has continued its hearing on the application of Pequosette Aerie #1928 of the Fraternal Order of Eagles, holder of an All Alcohol Club Beverage License exercised at 44 – 46 Mt. Auburn Street, for an approval of a change of its officers and directors.

The application was originally scheduled for hearing on February 20, 2020 and was continued at the request of the licensee to March 19, 2020. On account of the novel coronavirus COVID-19, the Licensing Board did not meet again until May 21, 2020. At that time, the Board acknowledged a request from the applicant's attorney, by letter dated May 15, 2020, for a further continuance, to the Board's July meeting. At the July 16 meeting, the Board acknowledged a request from the applicant's attorney, by letter dated July 16, 2020, for a further continuance, to the Board's August meeting; and at the August 20 meeting, the Board acknowledged another request from the applicant's attorney, by letter dated August 19, 2020, for a continuance to the Board's September meeting. A further request for continuance was made by letter from the applicant's attorney dated September 17, 2020, and the matter was continued to October 15, 2020. On October 15, Attorney Ken Leitner appeared on behalf of the licensee and reported that the Eagles had held their annual meeting in September but that additional time was needed to get a complete filing package ready for submission to the ABCC and State Secretary. He requested a further continuance to the Board's November meeting.

The continued hearing on this application will be held on November 19, 2020. The meeting will be held remotely, via ZOOM.

Condesa Watertown, LLC
d/b/a Condesa Restaurant and Tequila Bar
35 Braintree Hill Office Park, Suite 401
Braintree, MA 02184

The Watertown Licensing Board has continued its hearing on the status of the All Alcohol Common Victualer License approved for exercise at 485 Arsenal Street.

The hearing was originally scheduled for February 20, 2020, after notice to the license holder of the Board's desire to confirm when operations under the license, which was approved on July 18, 2019, would begin. At that time, the Licensing Board continued the status hearing to

March 19, 2020, after acknowledging receipt of a letter dated February 19, 2020 from counsel for the applicant stating that no knowledgeable person was available to attend the hearing on behalf of the licensee. On account of the novel coronavirus COVID-19, the Licensing Board did not meet in March or April, and the matter was deferred until the meeting of May 21.

On May 21, Roberto Leon, manager of the LLC, and Ernesto Leon appeared on behalf of the licensee. Roberto Leon reported that he expected the building in which the restaurant is to be located, and which is under the landlord's construction control, to be finished in July. At that point, the licensee would start the premises fit-up work. Andrew Copoletti, representing the landlord, Arsenal Yards, LLC, stated that the project goal is to turn the building over in late July, but that construction has been severely impacted by COVID-19. He noted that the pre-pandemic count of workers at the site was 450, but is now at 150, and requested a continuance until the fall of 2020. The Board voted to continue the status hearing to Thursday, October 15, 2020.

On October 15, Roberto Leon appeared on behalf of the licensee and reported that a building permit application had been submitted earlier in the week, so that the required build-out will start when the permit is issued. He stated that the building space had been delivered to the licensee by the landlord in the last week of September. The target opening date is March 1, 2021. Tom Wilder appeared on behalf of Arsenal Yards, LLC and stated support for the licensee. He noted that the Leons had stuck with this project in a difficult time, and explained that delivery of the building space was delayed on account of the COVID-19 pandemic. In response to a question from the Board, Mr. Leon stated that construction itself would not change as a result of the pandemic. He added that operations would follow state guidelines for use and capacity, and that in the restaurants his business currently operates it is possible to achieve 6 feet of separation between tables and that plexiglass shields have been installed in some areas.

The Board voted to continue the status hearing to Thursday, March 18, 2021. At this time, it is anticipated that the continued hearing will be held remotely, via ZOOM.

Alcohol License renewal issues for 2021

Board clerk Julie Casello reported that she has had several calls and e-mails from license holders with requests to lower or waive the renewal fees. She noted that there is a grant program through the Town for certain small businesses, so it would not be applicable to chain-type restaurants. Ms. Casello stated that most of the requests have been from holders of licenses issued under Chapter 73 of the Acts of 2016, the special act allowing for additional licenses, above the Town's quota.

Board chairman Doucette stated her understanding that the fees for Chapter 73 licenses are set by the Town Council, as multiples of the fees for licenses not issued under Chapter 73, the licenses within the quota. Attorney David Doneski, of Town Attorney, KP Law, stated that was the case, and offered his view that the Licensing Board could likely not take an action which would bind the Town Council.

Tom Wilder, who was present on behalf of Arsenal Yards requested, based on the difficulties faced by restaurants and retailers over the last several months, some form of relief for fees for 2021.

Board chairman Doucette asked if there had been any requests for non-Chapter 73 licenses, and Ms. Casello said yes, and that she has referred them to the Town's grant program if they are small enough.

Board chairman Doucette raised the question of acting on a case-by-case basis or adopting a blanket rule, and noted the issue of coordination with other Town bodies. Attorney Doneski stated his recommendation that any action of the Licensing Board be applicable to all licensees so that there would be equally applicable rules.

Roberto Leon, of Condesa Restaurant and Tequila Bar, stated that any help would be greatly appreciated, and that he was aware of other towns that had taken action to lower fees.

Board chairman Doucette stated her recommendation that other Town departments be notified of an agenda item for the Board's November meeting – reduction or waiver of fees for licenses to be renewed in December, January or February. Board members Kasabian-Hoffman and Labadini concurred.