



**ADVISORY NEIGHBORHOOD COMMISSION 6B
ALCOHOL BEVERAGE CONTROL COMMITTEE MEETING**

**WebEx Meeting
March 9, 2023, 7:00 p.m.**

REPORT

I. Introduction of Commissioners and Resident Members

Attendees: Commissioners: Chander Jayaraman (ABC Chair & 6B06); Gerald Sroufe (6B02); Edward Ryder (6B08); Francis D'Andrea (6B04)
Resident Members: George Dee (6B02); Katherine Szafran (6B03); Ellen Opper-Weiner (6B05); Courtney Walter (6B06 Alt);

QUORUM PRESENT.

II. Old Business

1. **ABRA-122788:** Hamburger Train, LLC d/b/a Hill East Burger; Application for an Entertainment Endorsement to an existing Retailer's Class "C" Tavern License; Applicant: Benjamin Alt, hello@hilleastburger.com; Protest Deadline: 03/13/23 [6B09]

CHAIR NOTES: Commissioner LaFortune transmitted an email stating that due to a work trip on Thursday that he will likely be unable to attend this meeting. In that same correspondence he stated that he had "sent three emails to my contact list, posting on neighborhood listservs and on social media, and discussing this issue one-on-one with neighbors, [and] I have received verbal (or email) support for this project from four people and no opposition."

Chair introduced the case and reviewed the actions taken by the ANC since the previous meeting (Voted to send ABRA a letter to request an extension of Petition deadline; Granted 3/8/23) including providing the information in the Chair notes above. Applicant provided some brief remarks about their application and agreed to sign and send the ANC a signed Settlement Agreement (SA). The Chair had drafted and transmitted the SA to the Applicant in early February. On behalf of the SMD Commissioner, the Chair made the motion.

MOTION: RECOMMEND THAT THE ANC SUPPORT THE APPLICATION FOR AN ENTERTAINMENT ENDORSEMENT PENDING RECEIPT OF A SIGNED SA AND PLACE THE CASE ON THE CONSENT AGENDA;

JAYARAMAN; RYDER (2ND). THE MOTION PASSED 5-0-0

III. New Business

1. ABRA-118108: Harvest Tide Capitol Hill DC, LLC, d/b/a Harvest Tide Steak House; Discussion with Harvest Tide [invited] regarding the Notice to Cure (NtC).

CHAIR NOTES: Per the vote of ANC 6B at the February meeting, ANC 6B transmitted a formal Notice to Cure (cc to ABRA) to the owner and representative on March 5, 2023. The letter invited them to attend this meeting to speak to the allegations specified in the Notice to Cure.

Chair introduced the case and reviewed the actions taken by the ANC since the last meeting (Notice to Cure sent on 3/5/23) and introduced the owners of Harvest Tide. The owners of the Establishment

stated that they had received of the NtC and planned to provide the requested information within the 30-day timeframe. To Cmr. D’Andrea question about the major issues addressed in the NtC, the Chair shared that the major issues were indoor trash storage, cleaning up after trash pickup, and third-party vendors, in particular, the grease removal company parking vehicle on the property of adjacent neighbors.

RM Opper-Weiner asked whether the owner was aware of the conditions in the SA and the reason for not being in compliance. The owner again reiterated their previous statement that they would address the issues specified in the NtC. Cmr. Sroufe shared with the Committee that he had hoped to hear some additional details from the owner about the NtC.

The discussion then turned to their willingness and intent to attend the April ABC Committee meeting. The owner agreed to attend the April ABC Committee meeting to discuss their formal response to the NtC. The Chair noted that the owners of Harvest Tide would receive an invite closer to the date of the April ABC Committee meeting. It was determined later in the meeting that the ABC Committee in April is scheduled to be held on Monday, April 3 rather than April 6.

IV. Discussion by the Committee’s Working Group on protocols for ABRA cases (continued from Feb)

1. Discussion about an organized process for reviewing new or substantial change applications for an liquor license across ANC 6B:

The chair presented the committee members with a process chart of how ANC 6B handles ABRA cases, the decision options available to the Committee and the full ANC. Much of the conversation focused on effective and timely notification of residents near an establishment versus the required legal notification of the public (which ANC does already). Ideas for better public notification included identifying and utilizing one person on an potentially affected block as the conduit for notifying neighbors, better utilization of the ANC website and encouraging more people to sign up for alerts, or a more holistic communications strategy. Most of the committee agreed that it was one of the responsibilities of a Commissioner to notify residents in the immediate area surrounding that the ANC will need to take action on a particular case. At the same time, new applicants should do their part and to conduct direct outreach to neighbors.

It was agreed that renewals which occur every three years presents a unique challenge, and the Chair explained the various approaches the ANC has taken to ensure that residents have a voice but also being sensitive to the time constraints of operators, especially since most ANC meetings are during dinner hours. This will be fleshed out at future working group meetings.

The committee also discussed the need for educating residents about what actions they can take upon receiving a notice about an ABRA case (pre-approval) and after approval, what actions residents can take if an Establishment is having an adverse impact on the neighborhood (who to call; how to file a complaint; SMD Commissioner roles in such cases). Similarly, providing clear expectations to new applicants by publishing and disseminating a “what to know when you apply” type of document and SA templates would make it clear from the outset the requirements that ANC 6B regularly incorporates into a SA.

Finally, the committee discussed possible changes to the date of the ABC Committee meetings since, currently, there are only 2 business days between the ABC Committee meeting and the full ANC meeting. There is insufficient time for the Chair or the Applicant to draft, negotiate, and agree on the key conditions specified in the SA. Often the Applicant needs additional time to review the documents or the chair needs more time to draft the SA after the initial committee meeting. One proposal was for the ABC Committee to switch days with the Planning & Zoning Committee so that the ABC Committee would meet on the first Tuesday of the month and would give the committee one full week before the Commission meeting.

The Working Group will meet on Thursday, March 16 and Friday March 31 to continue the work.