

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
ROLL CALL HEARING

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IN THE MATTER OF: :
 :
Taphouse Management, :
LLC t/a Tap 99 :
1250 Half Street SE :
License #116883 :
Retailer CT - ANC 6D :
Case #22-PRO-00014 : Roll Call
 : Hearing

(Substantial Change :
[change of hours of :
operation, alcoholic :
beverage sales and :
service, and consumption :
inside the premises]) :
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Monday
March 14, 2022

The Alcoholic Beverage Control Board
met via WebEx videoconference, LaVerne Fletcher,
Board's Agent, presiding.

PRESENT:
LAVERNE FLETCHER, ABRA Board's Agent
ALSO PRESENT:
MARTIN BUNT, Protestant
JASON CHERRY, Applicant
RAYMOND ECHEVARRIA, Protestant
ZACH FUCHS, Protestant
JULIE GOWIN, Protestant
SEAN MORRIS, Applicant's Counsel
MEREDITH MULL, Protestant
FRANK REN, Protestant

1 P-R-O-C-E-E-D-I-N-G-S

2 10:32 a.m.

3 MS. FLETCHER: The next case on the
4 calendar is Tap 99. This is Case Number 22-PRO-
5 00014, Tap House Management, LLC, 1250 Half
6 Street, Southeast, License Number ABRA 116883.

7 This is a Retailer Class CT
8 substantial change for the changes of hours of
9 operation, alcoholic beverage sales and service,
10 and consumption inside the premises. The protest
11 issues are adverse impact on peace, order, and
12 quiet.

13 My name is LaVerne Fletcher,
14 conducting the roll call hearing as the Board's
15 agent. Is there anyone present on behalf of Tap
16 99?

17 MR. CHERRY: Yes, good morning.

18 MR. MORRIS: Good morning, Ms.
19 Fletcher. My name is Sean Morris. That's S-E-A-
20 N, first name. Last name Morris, M-O-R-R-I-S.

21 I am here as counsel for the Licensee.
22 And Jason Cherry is also on the meeting this
23 morning on behalf of the Licensee.

24 MS. FLETCHER: Thank you. Mr. Cherry,
25 would you spell your name for the record, please?

1 MR. CHERRY: Yes. Good morning, J-A-
2 S-O-N C-H-E-R-R-Y.

3 MS. FLETCHER: Thank you very much.
4 And we also have a group of individual
5 Protestants. Is Mr. Ren present?

6 MR. REN: Good morning. Yes, Frank
7 Ren on behalf of the Protestants. F-R-A-N-K R-
8 E-N as in Nancy.

9 MS. FLETCHER: And Mr. Ren, are there
10 any other members from your protesting group
11 present today?

12 MR. REN: Yes. I see five
13 individuals. So, I'll just go through them one
14 by one if you don't mind?

15 MS. FLETCHER: Yes.

16 MR. REN: Martin first. You're on
17 Martin.

18 MR. BUNT: Am I?

19 MS. FLETCHER: Um-hum. So, Martin, if
20 you would just state your name and spell it for
21 the record, please?

22 (No response)

23 MR. REN: Martin, you're talking, but
24 we're not hearing anything.

25 MR. BUNT: Oh, sorry.

1 MS. FLETCHER: There he is.

2 MR. BUNT: Yes, Martin Bunt. Yes, M-
3 A-R-T-I-N, last name B-U-N-T.

4 MS. FLETCHER: Thank you very much.

5 MR. REN: All right, next we have
6 Julie.

7 MS. GOWIN: Julie Gowin, J-U-L-I-E G-
8 O-W-I-N.

9 MS. FLETCHER: Thank you.

10 MR. REN: Next we have Meredith.

11 MS. FLETCHER: Is that Meredith Mull?

12 MR. REN: Yes.

13 MS. FLETCHER: Mr. Mull? You're
14 muted, Mr. Mull.

15 MS. MULL: Sorry. Double muted.
16 Meredith Mull.

17 MS. FLETCHER: Oh, I'm sorry, Ms.
18 Mull.

19 MS. MULL: M-U-L-L.

20 MS. FLETCHER: Uh-huh.

21 MS. MULL: First name, M-E-R-E-D-I-T-
22 H.

23 MS. FLETCHER: Thank you.

24 MR. REN: All right. Next we have
25 Raymond.

1 MS. FLETCHER: Raymond.

2 MR. ECHEVARRIA: Yeah, this is Raymond
3 Echevarria. First name, R-A-Y-M-O-N-D. Last
4 name, Echevarria, E-C-H-E-V-A-R-R-I-A.

5 MS. FLETCHER: Thank you.

6 MR. REN: And finally, we have Zach.

7 MS. FUCHS: Good morning, Ms.
8 Fletcher, Zachary Fuchs.

9 MS. FLETCHER: Good morning.

10 MR. FUCHS: Z-A-C-H-A-R-Y, last name
11 is Fuchs, F- as in Frank, U-C-H-S.

12 MS. FLETCHER: Thank you, Mr. Fuchs.
13 Okay, Mr. Ren that's everyone?

14 MR. REN: That's everyone for today,
15 yes.

16 MS. FLETCHER: Thank you. There are
17 six individuals present from your group today.
18 Which means that your group is granted full
19 standing as a Protestant.

20 And just for the record, Mr. Ren, the
21 -- I just want to make a note that the unit
22 owners' association doesn't have standing as a
23 protestant, because an assoc -- that type of an
24 association can't file a protest.

25 But, -- well, they don't have standing

1 as a Protestant. But, because you had a group of
2 29 individuals to sign the protest letter,
3 standing is being granted to a group of 29.

4 Any questions about that, Mr. Ren?

5 MR. REN: No.

6 MS. FLETCHER: We need to set a date
7 for mediation, a status hearing, and a protest
8 hearing. I'll give you the day for the status
9 and protest hearing first.

10 The status hearing is set for April
11 20. That's April 20, 2022 at 10:30, for the
12 status hearing.

13 And the protest hearing is set for May
14 18. That's May 18 at 1:30 p.m. I'll give you
15 the next available day for mediation.

16 The next available day is Monday, --
17 I'm sorry, no, not Monday, Tuesday. Tuesday,
18 March 29 is the next available day for mediation,
19 anytime between 9:00 and 12:00.

20 If that day works. That's Tuesday,
21 March 29.

22 MR. REN: Now just for me, and I can
23 consult, and Ted Ross from the group is also
24 available. But, we don't have to do that here.

25 That date does work for me.

1 MR. MORRIS: Good morning, Ms.
2 Fletcher. This is Sean Morris again on behalf of
3 the Applicant and Licensee. 10:00 a.m. that
4 morning would work for me.

5 And I'll ask Mr. Cherry if that would
6 also work for him?

7 MR. CHERRY: That does work.

8 MS. FLETCHER: Okay. Well then in
9 that case, mediation is set for March 29 at 10:00
10 a.m.

11 MR. MORRIS: And Ms. Fletcher?

12 MS. FLETCHER: Yes?

13 MR. MORRIS: If I could just interject
14 for a moment. I just wanted to -- and this is as
15 much for the record as it is for the benefit of
16 the Protestants.

17 The Applicant is in ongoing
18 discussions with the ANC on a cooperative
19 agreement regarding the issues in the -- in both
20 applications for a substantial change.

21 We'd be happy to involve the
22 protestant group in those discussions. And we
23 have a meeting before the ANC's ABC Board -- ABC
24 Committee this Thursday.

25 So, I would invite Mr. Ren, if he'd

1 like, to reach out to me so we can try to achieve
2 a global solution of all issues raised by the ANC
3 as well as by the protestant group.

4 MS. FLETCHER: And Mr. Morris, which
5 ANC is this?

6 MR. MORRIS: This is 6D.

7 MS. FLETCHER: 6D, okay. And you've
8 got a meeting with them when, Mr. Morris?

9 MR. MORRIS: This -- well, this
10 Thursday their ABC Committee is meeting. And Ms.
11 Fletcher, I'll -- this is a little bit of an
12 unusual situation.

13 There's -- there were two applications
14 for substantial change made. And they were made
15 separately and placarded separately.

16 The first was for the change of hours.
17 And then that -- and that is the one that we are
18 here in the roll call hearing for this morning,
19 and which the -- one of which that the protestant
20 group has protested.

21 There was a second one filed for
22 adding an entertainment endorsement. That
23 doesn't have its roll call hearing until April 4.
24 And today is actually the protest deadline.

25 The ANC did not protest the change in

1 hours. And as I'm aw -- as far as I'm aware, to
2 date they have not protested the adding of the
3 entertainment endorsement.

4 That may come today, just as a
5 procedural matter to preserve their rights. But,
6 well we do expect all issues that the ANC has
7 raised to be resolved.

8 And we're happy to work in cooperation
9 with the -- the NB Condominium residents to
10 resolve any concerns they may have as well.

11 MS. FLETCHER: Okay. Then let me say
12 this. In light of the fact that there is an
13 ongoing settlement process with ANC 6D, Mr.
14 Morris, if the ANC enters into a settlement
15 agreement with the establishment, our regulations
16 require that if that agreement is approved by the
17 ABC Board, our regulations require that any group
18 of individuals is dismissed.

19 MR. MORRIS: Yes, I'm aware of that.

20 MS. FLETCHER: That's just -- exactly.
21 I'm just letting Mr. Ren be aware of that. You
22 may know that already, Mr. Ren, that's our
23 regulation.

24 And so --

25 MR. MORRIS: Yes. And not -- and not

1 withstanding that fact, we do -- Mr. Cherry wants
2 to be a good neighbor. And he wants to take the
3 concerns of the condominium unit owners to heart.

4 And so that's why we're saying we
5 would, you know, be happy to share with them the
6 draft of the cooperative agreement. Invite their
7 input.

8 MS. FLETCHER: That is the ideal
9 situation so that the ANC has an opportunity to
10 address the concerns of the residents as well.

11 MR. MORRIS: Agreed. Thank you.

12 MS. FLETCHER: You're welcome. And so
13 Mr. Ren, you may attend that meeting with the
14 ANC, if you wish, based on what Mr. Morris has
15 just stated.

16 And you may also have an opportunity
17 to review the settlement agreement between Tap 99
18 and the ANC, to see if it addresses the concerns
19 of your group.

20 MR. REN: Thank you. As we mentioned
21 in our protest letter, we're looking forward to
22 working collaboratively with Tap 99 to get these
23 issues resolved.

24 I don't think we'll need a hearing or
25 any formal process here. So Sean, I'll be in

1 touch with you about that ANC hearing on
2 Thursday.

3 This Thursday, is it?

4 MR. MORRIS: Yes.

5 MR. REN: And we'll look forward to
6 getting this result. Thank you.

7 MR. MORRIS: Great. Thank you, Mr.
8 Ren.

9 MS. FLETCHER: And if the matter is
10 resolved prior to the mediation scheduled for
11 March 29, then the mediation will be cancelled.

12 And if the Board approves the
13 settlement agreement, then both the status
14 hearing and the protest hearing would be
15 cancelled.

16 Any questions at all?

17 (No response)

18 MS. FLETCHER: Well, thank you for
19 coming.

20 MR. REN: No, ma'am.

21 MS. FLETCHER: And just keep us
22 posted. Otherwise, I'll see you on the 29th at
23 10:00. Thank you.

24 MR. MORRIS: We will certainly do so,
25 thank you.

1 MS. FLETCHER: You're very welcome.

2 MR. REN: Thank you all for your time.

3 MS. FLETCHER: This hearing is
4 concluded -- you're very welcome.

5 (Whereupon, the above-entitled matter
6 went off the record at 10:44 a.m.)

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| <p style="text-align: center;">A</p> <p>A-R-T-I-N 4:3 a.m 2:2 7:3,10 12:6 ABC 7:23,23 8:10 9:17 above-entitled 12:5 ABRA 1:19 2:6 achieve 8:1 adding 8:22 9:2 address 10:10 addresses 10:18 adverse 2:11 agent 1:16,19 2:15 Agreed 10:11 agreement 7:19 9:15,16 10:6,17 11:13 alcoholic 1:2,10,15 2:9 ANC 1:8 7:18 8:2,5,25 9:6,13,14 10:9,14,18 11:1 ANC's 7:23 anytime 6:19 Applicant 1:21 7:3,17 Applicant's 1:23 applications 7:20 8:13 approved 9:16 approves 11:12 April 6:10,11 8:23 assoc 5:23 association 5:22,24 attend 10:13 available 6:15,16,18,24 aw 9:1 aware 9:1,19,21</p> | <p>Class 2:7 collaboratively 10:22 COLUMBIA 1:1 come 9:4 coming 11:19 Committee 7:24 8:10 concerns 9:10 10:3,10 10:18 concluded 12:4 condominium 9:9 10:3 conducting 2:14 consult 6:23 consumption 1:11 2:10 Control 1:2,15 cooperation 9:8 cooperative 7:18 10:6 counsel 1:23 2:21 CT 1:8 2:7</p> | <p>11:9,18,21 12:1,3 formal 10:25 forward 10:21 11:5 Frank 1:24 3:6 5:11 Fuchs 1:22 5:7,8,10,11 5:12 full 5:18</p> | <p>License 1:7 2:6 Licensee 2:21,23 7:3 light 9:12 little 8:11 LLC 1:6 2:5 look 11:5 looking 10:21</p> |
| <p style="text-align: center;">B</p> <p>B-U-N-T 4:3 based 10:14 behalf 2:15,23 3:7 7:2 benefit 7:15 beverage 1:2,11,15 2:9 bit 8:11 Board 1:2,15 7:23 9:17 11:12 Board's 1:16,19 2:14 Bunt 1:21 3:18,25 4:2,2</p> | <p style="text-align: center;">D</p> <p>date 6:6,25 9:2 day 6:8,15,16,18,20 deadline 8:24 discussions 7:18,22 dismissed 9:18 DISTRICT 1:1 Double 4:15 draft 10:6</p> | <p style="text-align: center;">G</p> <p>G- 4:7 getting 11:6 give 6:8,14 global 8:2 Gowin 1:23 4:7,7 granted 5:18 6:3 group 3:4,10 5:17,18 6:1,3,23 7:22 8:3,20 9:17 10:19</p> | <p style="text-align: center;">M</p> <p>M- 4:2 M-E-R-E-D-I-T- 4:21 M-O-R-R-I-S 2:20 M-U-L-L 4:19 ma'am 11:20 Management 1:6 2:5 March 1:14 6:18,21 7:9 11:11 Martin 1:21 3:16,17,19 3:23 4:2 matter 1:5 9:5 11:9 12:5 means 5:18 mediation 6:7,15,18 7:9 11:10,11 meeting 2:22 7:23 8:8 8:10 10:13 members 3:10 mentioned 10:20 Meredith 1:24 4:10,11 4:16 met 1:16 mind 3:14 moment 7:14 Monday 1:13 6:16,17 morning 2:17,18,23 3:1 3:6 5:7,9 7:1,4 8:18 Morris 1:23 2:18,19,20 7:1,2,11,13 8:4,6,8,9 9:14,19,25 10:11,14 11:4,7,24 Mull 1:24 4:11,13,14,15 4:16,18,19,21 muted 4:14,15</p> |
| <p style="text-align: center;">C</p> <p>C-H-E-R-R-Y 3:2 calendar 2:4 call 1:3,8 2:14 8:18,23 cancelled 11:11,15 case 1:8 2:3,4 7:9 certainly 11:24 change 1:9,10 2:8 7:20 8:14,16,25 changes 2:8 Cherry 1:21 2:17,22,24 3:1 7:5,7 10:1</p> | <p style="text-align: center;">E</p> <p>E-C-H-E-V-A-R-R-I-A 5:4 E-N 3:8 Echevarria 1:22 5:2,3,4 endorsement 8:22 9:3 enters 9:14 entertainment 8:22 9:3 establishment 9:15 exactly 9:20 expect 9:6</p> | <p style="text-align: center;">H</p> <p>H 4:22 Half 1:7 2:5 happy 7:21 9:8 10:5 hearing 1:3,9 2:14 3:24 6:7,8,9,10,12,13 8:18 8:23 10:24 11:1,14,14 12:3 heart 10:3 hours 1:10 2:8 8:16 9:1 House 2:5</p> | <p style="text-align: center;">N</p> <p>N 2:20 name 2:13,19,20,20,25 3:20 4:3,21 5:3,4,10 Nancy 3:8 NB 9:9 need 6:6 10:24 neighbor 10:2 note 5:21 Number 2:4,6</p> |
| | <p style="text-align: center;">F</p> <p>F- 5:11 F-R-A-N-K 3:7 fact 9:12 10:1 far 9:1 file 5:24 filed 8:21 finally 5:6 first 2:20 3:16 4:21 5:3 6:9 8:16 five 3:12 Fletcher 1:16,19 2:3,13 2:19,24 3:3,9,15,19 4:1,4,9,11,13,17,20 4:23 5:1,5,8,9,12,16 6:6 7:2,8,11,12 8:4,7 8:11 9:11,20 10:8,12</p> | <p style="text-align: center;">I</p> <p>ideal 10:8 impact 2:11 individual 3:4 individuals 3:13 5:17 6:2 9:18 input 10:7 inside 1:12 2:10 interject 7:13 invite 7:25 10:6 involve 7:21 issues 2:11 7:19 8:2 9:6 10:23</p> | <p style="text-align: center;">O</p> <p>O-W-I-N 4:8 ongoing 7:17 9:13 operation 1:10 2:9</p> |
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Tap 99

Before: DC ABRA

Date: 03-14-22

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.



Court Reporter

NEAL R. GROSS

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