DISTRICT OF COLUMBIA

+ + + + +

ALCOHOLIC BEVERAGE CONTROL BOARD

+ + + + + MEETING

IN THE MATTER OF: :

Aberash, LLC., t/a Signature Lounge :

1727 Connecticut Ave NW :

Retailer CT - ANC 2B : Protest Hearing

License #117485 : (Status)

Case #21-PRO-00017 :

(Application for a New License)

Wednesday May 12, 2021

The Alcoholic Beverage Control Board met via WebEx videoconference, Chairperson Donovan W. Anderson presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson BOBBY CATO, JR., Member RAFI ALIYA CROCKETT, Member EDWARD S. GRANDIS, Member JENI HANSEN, Member JAMES SHORT, JR., Member

ALSO PRESENT:

SIMONE ANDREWS, DC ABRA Staff RICHARD BIANCO, Applicant's Counsel GLENN ENGELMANN, Dupont Circle Citizens Association MEG ROGGENSACK, ANC 2B MIKE SILVERSTEIN, ANC 2B

1	P-R-O-C-E-E-D-I-N-G-S
2	10:49 a.m.
3	The next case on our calendar is
4	Case Number 21-PRO-0017, Signature Lounge,
5	License Number 117485.
6	Ms. Andrews, can you please elevate
7	the rights of the parties for this case, please.
8	I believe its Mr. Bianco, Commissioner Meg
9	Roggensack, Commissioner Mike Silverstein, and
10	Glenn Engelmann of the Dupont Circle Citizens
11	Association.
12	MS. ANDREWS: Sure, stand by. Mr.
13	Bianco's rights have been elevated. Mr.
14	Engelmann's rights have been elevated. Mr.
15	Silverstein's rights have been elevated. And Ms.
16	Roggensack, your rights have been elevated.
17	That's all, Mr. Chair.
18	CHAIRPERSON ANDERSON: Thank you, Ms.
19	Andrews.
20	Can I have everyone enable their
21	camera, please, so Mr. Bianco, Ms. Roggensack.
22	MS. ANDREWS: I'm sorry, Mr. Bianco
23	had logged in twice, and I elevated the wrong
24	one. Stand by.
25	CHAIRPERSON ANDERSON: Okay, thanks.

CHAIRPERSON ANDERSON: All right, good morning, everyone. I would like for everyone to please introduce themself for the record. I need you to spell and state your name. And let's start with the Licensee or the Licensee's representative.

MR. BIANCO: Good morning, Mr.

Anderson and members of the Board. My name is
Richard Bianco. I am here on behalf of the
Licensee. My name is Richard, and last name is
spelled B-I-A-N-C-O.

CHAIRPERSON ANDERSON: Good morning,
Mr. Bianco. Is the Licensee joining us this
morning, sir?

MR. BIANCO: I believe he is or he's watching. So if he hasn't been able to login, he's probably watching on the public feed.

CHAIRPERSON ANDERSON: Well, I was just trying to find out if we need to elevate his or her rights. That's why I'm asking. It's not mandatory that they're here. But if they're here, if we need to elevate their rights, please let us know, and we'll have their rights elevated.

MR. BIANCO: Thank you.

CHAIRPERSON ANDERSON: All right. 1 2 Let's start with the ANC. Let's go with the ANC. 3 MS. ROGGENSACK: Yes, my name is Meg Roggensack. I am the Commissioner representing 4 5 single member district 2B 01. My last name is spelled R-O-G-G-E-N-S-A-C-K. And my district is 6 7 the district where this application is located. 8 And I'm joined by my fellow 9 Commissioner, Mike Silverstein, who has extensive 10 experience in this, for which I'm grateful, and 11 Glenn Engelmann, who is a co-petitioner as the 12 past president of the Dupont Circle Citizens 13 Association. 14 CHAIRPERSON ANDERSON: All right. So Mr. Silverstein? 15 16 MR. SILVERSTEIN: Good morning, Mr. 17 Chairman. My name is Mike Silverstein, M-I-K-E 18 S-I-L-V-E-R-S-T-E-I-N. I represent ANC 2B-06. 19 CHAIRPERSON ANDERSON: All right, good 20 morning, Mr. Silverstein, and welcome, Mr. 21 Silverstein. And if saying more to Mr. 22 Silverstein, I served on this Board while Commissioner Silverstein was a member. 23 24 And it's the first time that he's 25 appearing before me as a former member of the

1	Board. So I just want the public to know that I
2	am aware. I've served with Mr. Silverstein. And
3	most members of this Board have served with Mr.
4	Silverstein while he was an ABC Board member.
5	So I must say, it's fun to see you in
6	this role, Mr. Silverstein, but it's good to see
7	you. So it's good to see you. All right, thank
8	you.
9	MR. SILVERSTEIN: Thank you, Mr.
10	Chairman.
11	CHAIRPERSON ANDERSON: Mr. Engelmann?
12	MR. ENGELMANN: Good morning,
13	Commissioners. My name is Glenn Engelmann. First
14	name is spelled G-L-E-N-N, last name is spelled
15	E-N-G-E-L-M-A-N-N. And I'm here representing the
16	Dupont Circle Citizens Association.
17	CHAIRPERSON ANDERSON: Good morning,
18	Mr. Engelmann.
19	Mr. Engelmann. Good morning. All right, good
19	Good morning. All right, good
19 20	Good morning. All right, good morning. Are there any preliminary matters in
19 20 21	Good morning. All right, good morning. Are there any preliminary matters in this case that need to be brought to the Board's

parties have really come a long way in settlement

discussions. I'm very encouraged. I think we're going to be able to get something done. We have only a few impediments remaining.

CHAIRPERSON ANDERSON: Thank you for that representation, Mr. Bianco.

On behalf of the ANC, any preliminary issues that need to be brought to the Board's attention?

MR. SILVERSTEIN: We have no
MS. ROGGENSACK: Mr. Chair, other than
to observe that we are grateful for the officers
of the ABRA in facilitating a mediation. A week
ago, our principal concerns centered around
public safety issues.

As Mr. Bianco has noted, I think we have arrived at a compromise on trash and noise issues. We are awaiting a revised draft from Mr. Bianco that incorporates the outcome of the last mediation and are looking forward to working with him in hopes we can reach an accommodation.

The position of our ANC at the moment is that we are following protesting the application pending resolution of those concerns in a satisfactory way in the settlement agreement.

CHAIRPERSON ANDERSON: Thank you for that representation. And on behalf of the Dupont Circle Citizens Association, any preliminary matters you want to bring to our attention?

MR. ENGELMANN: No preliminary matters, nothing to add to the comments of Commissioner Roggensack.

CHAIRPERSON ANDERSON: So just as an FYI, so if there is a settlement agreement, both this association and the ANC would be signing off on a joint settlement agreement? I'm just asking.

MR. ENGELMANN: Yes.

CHAIRPERSON ANDERSON: Okay. All right, thank you for that. Then if there are no other preliminary matters, then this matter is scheduled for a protest hearing on June 30th at 1:30 p.m.

All right, so now that we have scheduled this matter for a protest hearing, there are a few things I would like to instruct you about, because the Board's practices under the COVID-19 restrictions have changed.

As you know, the Board's hearings are conducted virtually. So it is more important

than ever that protest hearings are focused and address on those issues that are being protested.

Following this hearing, you will be receiving an email from April Randall that will include a copy of the protest information form, and a copy of the exhibit form, as well as specific instructions for the hearing.

You are required to complete and submit the PIF and exhibit forms at least seven days before the date of the hearing. If we do not receive a copy of your forms seven days before the hearing, your application or your protest may be subject to dismissal.

These documents need to be submitted to abra.legal@dc.gov and to the opposing parties. Please know that these documents greatly assist the Board in narrowing the protest issues, facilitating the process, and keeping the parties on point during the hearing.

Three, each side is limited to no more than five witnesses, and you will only have 60 minutes to present your case. This includes all direct and cross examination.

The Board does not intend to hear testimony on matters that are not relevant to any

issue that have been protested. Any questions by anyone based on what was just stated?

And as I said before, I'm hoping that this does not go to a protest hearing, but you're only limited to five witnesses in this matter.

And each side would only have 60 minutes if we were to go to a protest hearing. Is that clear?

MR. BIANCO: That's clear. Nothing further from the Licensee.

CHAIRPERSON ANDERSON: All right.

MR. ENGELMANN: It's clear.

CHAIRPERSON ANDERSON: Thank you very much, then.

All right, we thank you greatly for your cooperation. If you have any questions at any time leading up to the hearing, please do not hesitate to contact Assistant General Counsel April Randall at (202) 329-6354.

I want to thank the parties for the appearance today. I wish you good luck in your settlement discussions. The Board supports the parties' settlement matters, because if the parties settle the matter, at least we know that each side will be happy with the decisions that are made. But if the matter is unable to be

1	settled, we will have a hearing in June.
2	So if there are no other questions,
3	thank you very much for being here today, and
4	have a great day.
5	(Whereupon, the above-entitled matter
6	went off the record at 10:59 a.m.)
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

E-N-G-E-L-M-A-N-N important 7:25 C include 8:5 5:15 a.m 2:2 10:6 calendar 2:3 includes 8:22 **EDWARD** 1:18 **ABC** 5:4 camera 2:21 **elevate** 2:6 3:19,22 incorporates 6:18 case 1:8 2:3.4.7 5:21 Aberash 1:6 elevated 2:13,14,15,16 information 8:5 able 3:16 6:2 8:22 2:23 3:24 instruct 7:21 above-entitled 10:5 **CATO** 1:17 email 8:4 instructions 8:7 **ABRA** 1:22 6:12 centered 6:13 enable 2:20 intend 8:24 Chair 2:17 6:10 abra.legal@dc.gov encouraged 6:1 introduce 3:3 **Chairman** 4:17 5:10 8:15 **Engelmann** 1:23 2:10 **issue** 9:1 accommodation 6:20 Chairperson 1:14,17 4:11 5:11,12,13,18 issues 6:7,14,17 8:2,17 add 7:6 2:18,25 3:1,12,18 4:1 7:5,13 9:11 address 8:2 4:14,19 5:11,17 6:4 Engelmann's 2:14 ago 6:13 7:1,8,14 9:10,12 examination 8:23 **JAMES** 1:19 agreement 6:25 7:9,11 changed 7:23 **JENI** 1:19 exhibit 8:6,9 Alcoholic 1:2,13 Circle 1:23 2:10 4:12 experience 4:10 joined 4:8 **ALIYA** 1:18 5:16 7:3 extensive 4:9 joining 3:13 **ANC** 1:7,24,24 4:2,2,18 **Citizens** 1:23 2:10 4:12 joint 7:11 6:6,21 7:10 5:16 7:3 F **JR** 1:17,19 **Anderson** 1:14,17 2:18 clear 9:7,8,11 facilitating 6:12 8:18 **June** 7:17 10:1 2:25 3:1,8,12,18 4:1 co-petitioner 4:11 **feed** 3:17 4:14,19 5:11,17,23 COLUMBIA 1:1 Κ fellow 4:8 6:4 7:1,8,14 9:10,12 come 5:25 find 3:19 keeping 8:18 Andrews 1:22 2:6,12,19 comments 7:6 first 4:24 5:13 2:22 Commissioner 2:8,9 five 8:21 9:5 appearance 9:20 4:4,9,23 7:7 focused 8:1 leading 9:16 appearing 4:25 Commissioners 5:13 **following** 6:22 8:3 let's 3:4 4:2,2 Applicant's 1:22 complete 8:8 form 8:5.6 **License** 1:8,10 2:5 application 1:9 4:7 6:23 compromise 6:16 **former** 4:25 licensee 3:5,10,13 5:24 8:12 **concerns** 6:13,23 forms 8:9.11 9:9 **April** 8:4 9:18 conducted 7:25 forward 6:19 Licensee's 3:5 arrived 6:16 Connecticut 1:7 fun 5:5 limited 8:20 9:5 asking 3:20 7:12 contact 9:17 further 9:9 **LLC** 1:6 **assist** 8:16 **Control** 1:2,13 **FYI** 7:9 located 4:7 Assistant 9:17 cooperation 9:15 logged 2:23 copy 8:5,6,11 association 1:23 2:11 G login 3:16 Counsel 1:22 9:17 4:13 5:16 7:3,10 **G-L-E-N-N** 5:14 long 5:25 attention 5:22 6:8 7:4 **COVID-19** 7:23 General 9:17 looking 6:19 Ave 1:7 CROCKETT 1:18 Glenn 1:23 2:10 4:11 Lounge 1:6 2:4 awaiting 6:17 cross 8:23 5:13 luck 9:20 aware 5:2 **CT** 1:7 **GRANDIS** 1:18 М grateful 4:10 6:11 В D greatly 8:16 9:14 M-I-K-E 4:17 B-I-A-N-C-O 3:11 date 8:10 mandatory 3:21 based 9:2 **day** 10:4 matter 1:5 7:16,20 9:5 behalf 3:9 5:23 6:6 7:2 days 8:10,11 **HANSEN** 1:19 9:23,25 10:5 **believe** 2:8 3:15 **DC** 1:22 **happy** 9:24 matters 5:20 7:4,6,16 Beverage 1:2,13 decisions 9:24 hear 8:24 8:25 9:22 **Bianco** 1:22 2:8,21,22 direct 8:23 hearing 1:7 7:17,20 8:3 mediation 6:12,19 3:7,9,13,15,25 5:23 discussions 6:1 9:21 8:7,10,12,19 9:4,7,16 MEETING 1:3 6:5,15,18 9:8 dismissal 8:13 10:1 Meg 1:24 2:8 4:3 **Bianco's** 2:13 district 1:1 4:5.6.7 hearings 7:24 8:1 member 1:17,18,18,19 **Board** 1:2,13 3:8 4:22 **documents** 8:14,16 hesitate 9:17 1:19 4:5,23,25 5:4 5:1,3,4 8:17,24 9:21 **Donovan** 1:14,17 **hopes** 6:20 **members** 3:8 5:3 **Board's** 5:21 6:7 7:22 draft 6:17 hoping 9:3 met 1:14 **Dupont** 1:23 2:10 4:12 7:24 Mike 1:24 2:9 4:9.17 **BOBBY** 1:17 5:16 7:2 minutes 8:22 9:6 bring 7:4 impediments 6:3 moment 6:21 Ε brought 5:21 6:7

morning 3:2,7,12,14	receive 8:11	submit 8:9	202 9:18
4:16,20 5:12,17,19,20	receiving 8:4	submitted 8:14	2021 1:12
4.10,20 5.12,17,19,20			_
	record 3:3 10:6	supports 9:21	21-PRO-00017 1:8
N	relevant 8:25	<u>-</u>	21-PRO-0017 2:4
name 3:4,8,10,10 4:3,5	remaining 6:3	T	2B 1:7,24,24 4:5
4:17 5:13,14,14	represent 4:18	t/a 1:6	2B-06 4:18
narrowing 8:17	representation 6:5 7:2	testimony 8:25	
need 3:3,19,22 5:21 6:7	representative 3:6	thank 2:18 3:25 5:7,9	3
8:14	representing 4:4 5:15	6:4 7:1,15 9:12,14,19	30th 7:17
	required 8:8		
New 1:10		10:3	329-6354 9:18
noise 6:16	resolution 6:23	thanks 2:25	-
noted 6:15	restrictions 7:23	themself 3:3	4
Number 2:4,5	Retailer 1:7	things 7:21	
NW 1:7	revised 6:17	Three 8:20	5
	Richard 1:22 3:9,10	today 9:20 10:3	
0	rights 2:7,13,14,15,16	trash 6:16	6
observe 6:11	3:20,22,23	trying 3:19	60 8:21 9:6
officers 6:11	Roggensack 1:24 2:9	twice 2:23	00 8.21 9.0
		twice 2.23	
opposing 8:15	2:16,21 4:3,4 6:10 7:7	U U	
outcome 6:18	role 5:6	unable 9:25	
P	S		
P-R-O-C-E-E-D-I-N-G-S	S 1:18	v	
2:1	S-I-L-V-E-R-S-T-E-I-N	videoconference 1:14	
p.m 7:18	4:18	virtually 7:25	
parties 2:7 5:25 8:15,18	safety 6:14		
9:19,23	satisfactory 6:24	W	
parties' 9:22	saying 4:21	W 1:14,17	
pending 6:23	scheduled 7:17,20	watching 3:16,17	
PIF 8:9	served 4:22 5:2,3	way 5:25 6:24	
please 2:6,7,21 3:3,22	settle 9:23	WebEx 1:14	
8:16 9:16	settled 10:1	Wednesday 1:11	
point 8:19	settlement 5:25 6:24	week 6:12	
position 6:21	7:9,11 9:21,22	welcome 4:20	
practices 7:22	seven 8:9,11	went 10:6	
preliminary 5:20 6:6	SHORT 1:19	wish 9:20	
7:3,5,16	side 8:20 9:6,24	witnesses 8:21 9:5	
present 1:16,21 8:22	Signature 1:6 2:4	working 6:19	
president 4:12	signing 7:10	wrong 2:23	
president 4.12	Silverstein 1:24 2:9 4:9		
principal 6:13	4:15,16,17,20,21,22	X	
probably 3:17	4:23 5:2,4,6,9 6:9	Υ	
process 8:18	Silverstein's 2:15	T	
protest 1:7 7:17,20 8:1	SIMONE 1:22		
8:5,13,17 9:4,7	single 4:5	Z	
protested 8:2 9:1	sir 3:14		
protesting 6:22	sorry 2:22	0	
public 3:17 5:1 6:14	specific 8:7	01 4:5	
	spell 3:4		
Q	spelled 3:11 4:6 5:14	1	
questions 9:1,15 10:2	5:14	1:30 7:18	
4	Staff 1:22	10:49 2:2	
R	stand 2:12,24		
		10:59 10:6	
R-O-G-G-E-N-S-A-C-K	start 3:5 4:2	117485 1:8 2:5	
4:6	state 3:4	12 1:12	
RAFI 1:18	stated 9:2	1727 1:7	
Randall 8:4 9:18	Status 1:8		
reach 6:20	subject 8:13	2	

<u>C E R T I F I C A T E</u>

This is to certify that the foregoing transcript

In the matter of: Signature Lounge

Before: DCABRA

Date: 05-12-21

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

near Nous &