

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
+ + + + +
ROLL CALL HEARING

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IN THE MATTER OF: :
 :
Eat at Creme, :
t/a Creme :
1660 33rd Street NW : Roll Call
Retailer CT - ANC 2E : Hearing
License #ABRA-128670 :
Case #24-PRO-00078 :
 :
(New Application) :
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Monday
August 5, 2024

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

PRESENT:

LAVERNE FLETCHER, ABC Board's Agent

ALSO PRESENT:

- DAWN CRAFTON, Protestant
- KAREN CRUSE, Protestant
- SAM FREEMAN, Protestant
- JOHN HAMILTON, Protestant
- MICHELINE KLAGSBRUN, Protestant
- MARK MARTINKOV, Protestant
- TOPHER MATHEWS, ANC 2E

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

2 10:26 a.m.

3 MS. FLETCHER: The last case on the
4 calendar is Creme, Case Number 24-PRO-00078. Eat
5 at Creme, 1660 33rd Street, Northwest, License
6 Number ABRA-128670. This is Retailer Class CT-
7 Tavern. Excuse me one second, please.

8 This is a new application. The
9 protest issues are, adverse impact on peace,
10 order and quiet, real property values, and
11 parking.

12 My name is LaVerne Fletcher,
13 conducting the roll call hearing, as the Board's
14 Agent. Is anyone present on behalf of Creme?

15 (Pause.)

16 MS. FLETCHER: Is anyone present on
17 behalf of the Group of Five? Is there a Mr.
18 Hamilton, present?

19 MR. HAMILTON: Yes, I am present.
20 John Hamilton.

21 MS. FLETCHER: Thank you, Mr.
22 Hamilton. Would you spell your name for the
23 record, please?

24 MR. HAMILTON: That's J-O-H-N, H-A-M-
25 I-L-T-O-N.

1 MS. FLETCHER: Are any other members
2 from your group present today, Mr. Hamilton?

3 MR. HAMILTON: Not to my knowledge.

4 MS. FLETCHER: That's fine. The group
5 is granted a conditional standing today, which
6 means that at the upcoming status hearing, four
7 additional people will need to appear. At which
8 time, the Board would grant full standing to the
9 group, but conditional standing is granted today.
10 Just bring those additional four people to the
11 status hearing.

12 MR. HAMILTON: Okay. Thank you, for
13 telling me that.

14 MS. FLETCHER: And Mr. Hamilton,
15 you're going to receive the Webex invitation
16 because you're the designated representative.
17 But you may forward that to the other four people
18 that are going to attend.

19 MR. HAMILTON: Okay. I may not be
20 able to attend that, due to my travel. But I
21 will, somebody from my group will be able to be
22 on.

23 MS. FLETCHER: That's perfectly fine,
24 as long as there are four of them.

25 MR. HAMILTON: Four total?

1 MS. FLETCHER: Yes, well, you count as
2 one.

3 MR. HAMILTON: So, if I'm not on is
4 that a problem?

5 MS. FLETCHER: It's not a problem as
6 long as four other people show up.

7 MR. HAMILTON: Okay.

8 MS. FLETCHER: And let the Board know
9 that you were present today. It'll be in the
10 record, but they should let you know, though.

11 MR. HAMILTON: Okay. That's good. I
12 think I'll be -- I've got a lot of travel coming
13 up. I appreciate your giving me this information
14 and I will pass it on to the others.

15 (Simultaneous speaking.)

16 MS. FLETCHER: Not a problem. Okay.
17 So, your Group of Five, Mr. Hamilton, is granted
18 conditional standing.

19 Is anyone present on behalf of ANC 2E?

20 MR. MATHEWS: Yes, ma'am. This is
21 Topher Mathews, that's spelled T-O-P-H-E-R, M-A-
22 T-H-E-W-S. And I'm Commissioner for ANC 2E-02.

23 MS. FLETCHER: Thank you, Mr. Mathews.
24 Anybody else present from ANC 2E?

25 MR. MATHEWS: No.

1 MS. FLETCHER: ANC 2E does have
2 standing as a Protestant.

3 We have a few, abutting property
4 owners. Is Micheline Klagsbrun present?

5 MS. KLAGSBRUN: Yes, I'm present.

6 MS. FLETCHER: If you would spell your
7 name for the record, please.

8 MS. KLAGSBRUN: Yes, I'm very used to
9 having to do that.

10 MS. FLETCHER: I'm sure.

11 MS. KLAGSBRUN: First name, the first
12 name is Micheline, M-I-C-H-E-L-I-N-E, last name
13 is Klagsbrun, K-L-A-G as in George, S as in
14 sugar, B as in brother, R-U-N as in Nancy.

15 MS. FLETCHER: Thank you. Is anyone
16 else present from your -- well, not a group --

17 MR. FREEMAN: Yes.

18 MS. FLETCHER: -- but there were two
19 of you as abutting property owners?

20 MS. KLAGSBRUN: Yes.

21 MR. FREEMAN: Yes. Sam Freeman.

22 MS. FLETCHER: Good morning, Mr.
23 Freeman.

24 MR. FREEMAN: Good morning.

25 MS. FLETCHER: If you would spell your

1 name for the Court Reporter, please?

2 MR. FREEMAN: Yes, S-A-M, last name,
3 Freeman, F-R-E-E-M-A-N.

4 MS. FLETCHER: Thank you, Mr. Freeman.
5 I checked the D.C. geographic information system
6 this morning, and you are both abutting property
7 owners and have standing as Protestants.

8 MS. KLAGSBRUN: Thank you.

9 MR. FREEMAN: Thank you.

10 MS. FLETCHER: You're welcome. Is Ms.
11 Crafton present?

12 MS. CRAFTON: I'm here.

13 MS. FLETCHER: Hi --

14 MS. CRAFTON: My name is Dawn Crafton,
15 D-A-W-N, C-R-A-F as in Frank, T-O-N.

16 MS. FLETCHER: Thank you, very much.
17 I checked the geographic information system this
18 morning, Ms. Crafton, and you are an abutting
19 property owner as well. And you have standing as
20 a Protestant.

21 Is anyone present on behalf of the
22 Citizens Association of Georgetown?

23 MS. CRUSE: Yes. Good morning, Ms.
24 Fletcher. Karen Cruse, and I'm representing the
25 Citizens Association.

1 MS. FLETCHER: Good morning, Ms.
2 Cruse.

3 MS. CRUSE: Good morning.

4 MS. FLETCHER: Ms. Cruse, is there
5 anyone else from CAG with you today?

6 MS. CRUSE: Yes. And I just saw his
7 initials pop up. It is Mark Martinkov.

8 MS. FLETCHER: Okay. Mr. Martinkov,
9 if you would state your name and spell it, for
10 the record, please?

11 Mr. Martinkov, you are on mute.

12 Ms. Cruse.

13 MS. CRUSE: Yes.

14 MS. FLETCHER: I can see that Mark
15 Martinkov is here. He's on mute, so, I'm going
16 to spell his name.

17 MS. CRUSE: Okay.

18 MS. FLETCHER: You let me know if I'm
19 spelling it correctly. We have M-A-R-K, M-A-R-T-
20 I-N-K-O-V.

21 MS. CRUSE: Yes, that is correct.

22 MS. FLETCHER: I'm noting that he was
23 present, although he's on mute. I can see that
24 he's here. Ms. Cruse, can I ask you something?

25 MS. CRUSE: Yes.

1 MS. FLETCHER: So, I read the protest
2 letter, I just need to ask you whether or not,
3 CAG, and for the Court Reporter, that's C-A-G?

4 MS. CRUSE: Yes.

5 MS. FLETCHER: Which is the acronym
6 for the Citizens Association of Georgetown. Did
7 CAG have a meeting and give the Applicant a
8 seven-day notice of that meeting concerning the
9 application?

10 MS. CRUSE: We gave him the seven-day
11 notice. I also gave the seven-day notice to our
12 Board because it was in between times of
13 meetings. I explained to the Board what the
14 application was about, pros, cons, and then we
15 took the vote. They took the vote. But I did,
16 alert both entities, the CAG Board, and the
17 Applicant, seven days in advance.

18 MS. FLETCHER: Thank you, Ms. Cruse.
19 The Citizens, or the Association has standing as
20 a Protestant.

21 The Applicant has not shown up. I
22 don't know why. But the application is
23 dismissed, because the Applicant is not present.
24 A Board order will be issued dismissing the
25 application. All of the parties, all of the

1 designated representatives I should say, from the
2 groups will receive a copy of the Board order.
3 And if the Applicant seeks reinstatement, you'll
4 have an opportunity to respond.

5 But you'll be kept informed about what
6 happens beyond today. And if the Board does
7 grant reinstatement of the application, because
8 the Applicant had a good reason for not being
9 here today, then I will contact everyone to set
10 up a date for mediation, a status hearing and a
11 protest hearing. But at this time, the
12 Application is dismissed.

13 Anybody have any questions about that?

14 Okay.

15 MR. MATHEWS: Just -- Ms. Fletcher,
16 this is Topher Mathews. Just in terms of
17 timeframe for some of the determinations that you
18 just discussed about --

19 MS. FLETCHER: Yes.

20 MR. MATHEWS: -- reinstating it. Is
21 there a period of time that he would have to seek
22 the reinstatement?

23 MS. FLETCHER: Yes. It would be 10
24 days from the date of the Board order, and the
25 Board meets on Wednesdays. The board will meet

1 on the 14th, I believe. The 14th may be the last
2 day before they recess, but this Board order
3 would be issued most likely next Wednesday.

4 MR. MATHEWS: Okay.

5 MS. FLETCHER: Because the Board meets
6 on Wednesdays, most likely it would be issued on
7 the 14th. I'm not positive about that, because
8 it's going to be just the Board recess, but
9 that's normally the way it works. That it would
10 be the following Wednesday that they would act on
11 this action today.

12 MR. MATHEWS: Okay.

13 MS. FLETCHER: And then, upon receipt
14 of the Board order, which you'll also get a copy
15 of, the Applicant will have 10 days from the date
16 of that order.

17 MR. MATHEWS: Understood, thank you.

18 MS. FLETCHER: Mr. Mathews, let me ask
19 you something. Did you want us beyond today, to
20 send you the Webex invite, or should we --

21 MR. MATHEWS: Oh, yeah.

22 MS. FLETCHER: Okay. So, we'll just
23 send it to you?

24 MR. MATHEWS: Yes, thank you.

25 MS. FLETCHER: Okay. Thank you.

1 MR. MATHEWS: And by saying, send to
2 me, are you saying for me to share with the other
3 Protestants, or just with the ANC?

4 MS. FLETCHER: Well, if we sent it
5 only to you, you may forward it to any other
6 members of the ANC that will attend the mediation
7 or any other upcoming proceedings. But as a
8 designated representative, we will send it to you
9 and then you can forward it to anyone else in ANC
10 2C that's got -- 2E, I'm sorry, that's going to
11 be appearing before the Board, or for mediation.

12 MR. MATHEWS: Okay. And just so I
13 understand, like Mr. Crafton and Micheline and
14 the others, they will also get their own links.
15 Is that correct?

16 MS. FLETCHER: Ms. who?

17 MR. MATHEWS: The others Protestants,
18 the non-ANC Protestants, they will also get
19 links?

20 MS. FLETCHER: And what name did you
21 just say?

22 MR. MATHEWS: Well, I said Ms. -- I
23 was referring to Ms. Crafton as one of the
24 abutting neighbors Protestants, or CAG, will they
25 also get their own link?

1 MS. FLETCHER: Yes, yes. Each group
2 that was granted standing will receive their own
3 invite. And I'm going to need you to spell the
4 name of the person you just mentioned, that was
5 Ms. Crafton?

6 MS. CRAFTON: Uh-huh.

7 MR. MATHEWS: Yes.

8 MS. CRAFTON: It's C-R-A-F-T-O-N.

9 MS. FLETCHER: Thank you, Ms. Crafton.

10 MS. CRAFTON: You're very --

11 MS. KLAGSBRUN: Could I ask a
12 question. This is Micheline Klagsbrun --

13 MS. FLETCHER: Yes.

14 MS. KLAGSBRUN: -- K-L-A-G-S-B-R-U-N.
15 Just in terms of looking ahead for our schedules,
16 can you possibly guess what this would do to the
17 mediation dates and the other dates? Because I'm
18 currently in, well, for the month of September
19 and August, I'm in Colorado and I would be flying
20 back especially for the mediation, so --

21 MS. FLETCHER: Well, Ms. Klagsbrun,
22 just so that you know, that will also be by a
23 Webex. So, you can do it from there if you like.

24 MS. KLAGSBRUN: Okay.

25 MS. FLETCHER: Yes. All of our

1 proceedings are via Webex right now.

2 MS. KLAGSBRUN: Oh, okay. Thank you,
3 that's very helpful, thank you.

4 MS. FLETCHER: You are very welcome.
5 Anything else? Ms. Cruse, anything?

6 MS. CRAFTON: No, I think we got
7 what's going on.

8 MR. MARTINKOV: Thank you all for
9 bearing with me, I was having some technical
10 difficulties. But worked those few out.

11 (Simultaneous speaking.)

12 MS. FLETCHER: Well, I guess that's
13 Mr. Mark Martinkov, I don't know if you can hear
14 me, but you were given credit for being present
15 today, even though we couldn't hear you.

16 MR. MARTINKOV: All right. Thank you
17 very much. I appreciate it.

18 MS. FLETCHER: You're very welcome.
19 Okay, well then, if there is nothing else, we're
20 going to issue the Board order dismissing the
21 application. And we'll see what happens next,
22 but we'll keep you posted. If the Board
23 reinstates the application, I will contact you to
24 set up the date for the mediation.

25 MR. FREEMAN: Thank you very, very

1 much.

2 MS. KLAGSBRUN: Thank you.

3 MS. FLETCHER: You're very welcome.

4 MS. CRUSE: Thank you.

5 MS. FLETCHER: All right then, we're
6 done. Have a good day.

7 (Whereupon, the above-entitled matter
8 went off the record at 10:40 a.m.)

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| <p style="text-align: center;">A</p> <p>a.m 2:2 14:8 ABC 1:16 able 3:20,21 above-entitled 14:7 ABRA-128670 1:8 2:6 abutting 5:3,19 6:6,18 11:24 acronym 8:5 act 10:10 action 10:11 additional 3:7,10 advance 8:17 adverse 2:9 Agent 1:14,16 2:14 ahead 12:15 Alcoholic 1:2,13 alert 8:16 ANC 1:7,21 4:19,22,24 5:1 11:3,6,9 Anybody 4:24 9:13 appear 3:7 appearing 11:11 Applicant 8:7,17,21,23 9:3,8 10:15 application 1:9 2:8 8:9 8:14,22,25 9:7,12 13:21,23 appreciate 4:13 13:17 Association 6:22,25 8:6,19 attend 3:18,20 11:6 August 1:11 12:19</p> | <p>Cannabis 1:2,13 case 1:8 2:3,4 checked 6:5,17 Citizens 6:22,25 8:6,19 Class 2:6 Colorado 12:19 COLUMBIA 1:1 coming 4:12 Commissioner 4:22 concerning 8:8 conditional 3:5,9 4:18 conducting 2:13 cons 8:14 contact 9:9 13:23 copy 9:2 10:14 correct 7:21 11:15 correctly 7:19 count 4:1 Court 6:1 8:3 Crafton 1:18 6:11,12,14 6:14,18 11:13,23 12:5 12:6,8,9,10 13:6 credit 13:14 Creme 1:6,6 2:4,5,14 Cruse 1:19 6:23,24 7:2 7:3,4,6,12,13,17,21 7:24,25 8:4,10,18 13:5 14:4 CT 1:7 CT- 2:6 currently 12:18</p> | <p style="text-align: center;">F</p> <p>F-R-E-E-M-A-N 6:3 fine 3:4,23 first 5:11,11 Five 2:17 4:17 Fletcher 1:14,16 2:3,12 2:16,21 3:1,4,14,23 4:1,5,8,16,23 5:1,6,10 5:15,18,22,25 6:4,10 6:13,16,24 7:1,4,8,14 7:18,22 8:1,5,18 9:15 9:19,23 10:5,13,18,22 10:25 11:4,16,20 12:1 12:9,13,21,25 13:4,12 13:18 14:3,5 flying 12:19 following 10:10 forward 3:17 11:5,9 four 3:6,10,17,24,25 4:6 Frank 6:15 Freeman 1:19 5:17,21 5:21,23,24 6:2,3,4,9 13:25 full 3:8</p> | <p>I-L-T-O-N 2:25 I-N-K-O-V 7:20 impact 2:9 information 4:13 6:5,17 informed 9:5 initials 7:7 invitation 3:15 invite 10:20 12:3 issue 13:20 issued 8:24 10:3,6 issues 2:9 It'll 4:9</p> |
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| <p style="text-align: center;">C</p> <p>C-A-G 8:3 C-R-A-F 6:15 C-R-A-F-T-O-N 12:8 CAG 7:5 8:3,7,16 11:24 calendar 2:4 call 1:3,7 2:13</p> | <p style="text-align: center;">E</p> <p>Eat 1:6 2:4 entities 8:16 especially 12:20 Excuse 2:7 explained 8:13</p> | <p style="text-align: center;">H</p> <p>H-A-M 2:24 Hamilton 1:20 2:18,19 2:20,22,24 3:2,3,12 3:14,19,25 4:3,7,11 4:17 happens 9:6 13:21 hear 13:13,15 hearing 1:3,7 2:13 3:6 3:11 9:10,11 helpful 13:3 Hi 6:13</p> | <p style="text-align: center;">L</p> <p>LaVerne 1:13,16 2:12 letter 8:2 License 1:8 2:5 link 11:25 links 11:14,19 long 3:24 4:6 looking 12:15 lot 4:12</p> <p style="text-align: center;">M</p> <p>M-A 4:21 M-A-R-K 7:19 M-A-R-T 7:19 M-I-C-H-E-L-I-N-E 5:12 ma'am 4:20 Mark 1:21 7:7,14 13:13 Martinkov 1:21 7:7,8,11 7:15 13:8,13,16 Mathews 1:21 4:20,21 4:23,25 9:15,16,20 10:4,12,17,18,21,24 11:1,12,17,22 12:7 matter 1:5 14:7 means 3:6 mediation 9:10 11:6,11</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: Creme

Before: DC ABCA

Date: 08-05-24

Place: teleconference

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



Court Reporter

NEAL R. GROSS

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