



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

2 10:09 a.m.

3 AGENT FLETCHER: Okay. Would the  
4 parties in the matter of Chanterelle, please,  
5 come forward? The parties in the matter of  
6 Chanterelle, please, come forward.

7 This is Case No. 18-PRO-00059,  
8 Georgetown Dining, Inc., 3251 Prospect Street,  
9 N.W., License No. 109998. This is a Retailer  
10 Class CR new application.

11 The protest issues are adverse impact  
12 on peace, order and quiet.

13 My name is LaVerne Fletcher. I'm  
14 conducting the Roll Call Hearing as the Board's  
15 Agent.

16 Introductions beginning with the  
17 applicant, please.

18 MS. HIRAO: Yes, good morning, Ms.  
19 Fletcher. Risa Hirao, H-I-R-A-O, counsel for the  
20 applicant.

21 AGENT FLETCHER: Thank you, Ms. Hirao.  
22 And present on behalf of ANC-2E?

1 MR. GIBBONS: Joe Gibbons, ANC-2E  
2 Chair.

3 AGENT FLETCHER: Thank you, Mr.  
4 Gibbons. And on behalf of the Citizens  
5 Association of Georgetown?

6 MS. CRUSE: Karen Tammany Cruse.

7 AGENT FLETCHER: Hi, Ms. Cruse. Good  
8 morning. Ms. Cruse, would you spell your last  
9 name, please?

10 MS. CRUSE: C-R-U-S-E.

11 AGENT FLETCHER: Oh, okay. Thank you.  
12 ANC-2E has standing as a protestant.

13 Ms. Cruse, I have a couple of  
14 questions for you. So I have your protest  
15 letter. It doesn't state that a meeting was held  
16 where the applicant was given at least the seven  
17 day notice of a meeting concerning the  
18 application.

19 Do you know if that actually happened?

20 MS. CRUSE: We -- I -- there are five  
21 together. I called the applicant and informed  
22 them that we were going to be holding -- taking a

1 vote, yes.

2 AGENT FLETCHER: So you called the  
3 applicant to let them know that you were going to  
4 do what again, Ms. Cruse?

5 MS. CRUSE: We were having a meeting  
6 to take -- and we would be taking a vote.

7 AGENT FLETCHER: And, Ms. Cruse, was  
8 that at least a seven day -- a call made at least  
9 seven days prior to the meeting?

10 MS. CRUSE: Yes, it was.

11 AGENT FLETCHER: And did the applicant  
12 appear?

13 MS. CRUSE: No. We had discussed that  
14 and basically had spoken about it and agreed that  
15 there was no real need to be at the meeting.

16 AGENT FLETCHER: Was that call by any  
17 chance made to Risa Hirao?

18 MS. CRUSE: Yes, it was.

19 AGENT FLETCHER: Okay. Did you  
20 receive that call, Ms. Hirao?

21 MS. HIRAO: We did.

22 AGENT FLETCHER: Okay. And your name,

1 sir?

2 MR. ILHAN: Hakan Ilhan.

3 CHAIRPERSON ANDERSON: Could you spell  
4 that for the record?

5 MR. ILHAN: H-A-K-A-N last name I-L-H-  
6 A-N.

7 AGENT FLETCHER: Thank you very much.  
8 Ms. Cruse, I made a note of everything you just  
9 said. You, based on what you said, followed the  
10 right steps, but the association actually has to  
11 do all of that in writing now.

12 MS. CRUSE: Oh, okay, sure.

13 AGENT FLETCHER: And so what I'm going  
14 to have to do, because at the point of the Roll  
15 Call Hearing is what I have to do, I'm going to  
16 dismiss the protest filed by the Citizens  
17 Association of Georgetown, but when you seek  
18 reinstatement, if you do, could you just explain  
19 to the Board what you just said?

20 MS. CRUSE: Um-hum.

21 AGENT FLETCHER: That you did  
22 everything.

1 MS. CRUSE: Yes.

2 AGENT FLETCHER: You just didn't write  
3 it.

4 MS. CRUSE: Yes.

5 AGENT FLETCHER: Under 25-601(3)(b) of  
6 the -- associations now have to do it in writing,  
7 send it in writing to -- notice of the meeting  
8 concerning the protest to the applicant, whoever  
9 that is, at least seven days prior to a meeting  
10 that you are going to hold concerning the  
11 application to invite them to come, even if they  
12 don't.

13 And so you are saying they didn't  
14 come, but they knew about it. So could you put  
15 that -- you can put all of that in your request  
16 for reinstatement, but for the purpose of the  
17 Roll Call Hearing, that you did, it has to be  
18 written. So I just wanted to let you know that.

19 MS. CRUSE: Okay. I'm going to have  
20 four more, three more of us coming in, because we  
21 have three of the same protests.

22 AGENT FLETCHER: Well then you know

1       what, Ms. Cruse, you can -- if you have three  
2       more coming, you can -- have the petition  
3       deadlines passed yet?

4                   MS. CRUSE:   Um-hum.  They are all  
5       scheduled.

6                   AGENT FLETCHER:  They are all  
7       scheduled?  Okay.

8                   MS. CRUSE:   In the next few weeks.

9                   AGENT FLETCHER:  So what you might  
10      want to do is check with Martha Jenkins.

11                   MS. CRUSE:   Okay.

12                   AGENT FLETCHER:  You know Martha?

13                   MS. CRUSE:   Um-hum.

14                   AGENT FLETCHER:  And see if somehow  
15      those can be -- you can have an opportunity to  
16      put that in the record, that I don't know.

17                   MS. CRUSE:   Okay.

18                   AGENT FLETCHER:  Since the petition  
19      deadline is passed.  If the petition deadline  
20      hasn't passed, there is always a chance to fix  
21      something.

22                   MS. CRUSE:   Um-hum.

1                   AGENT FLETCHER: But I mean, you can  
2 check with her on that. And I'll also let her  
3 know when I see her today, that that's what you  
4 are going to be doing. And if I get permission  
5 from Martha or the Board to do anything different  
6 than what I have done today, then that's what  
7 I'll do.

8                   MR. GIBBONS: Thank you.

9                   MS. CRUSE: I have one question. You  
10 just said to send a letter to the applicant with  
11 the information. We don't always have that  
12 information.

13                   For example in this one, the placard  
14 said contact the attorney with the telephone  
15 number.

16                   AGENT FLETCHER: Yes.

17                   MS. CRUSE: So that's why on most of  
18 these I have called the telephone number, rather  
19 than send a letter, because I don't have somebody  
20 to call.

21                   AGENT FLETCHER: It's a new -- it's a  
22 relatively new rule. It's not new, but it's



1 relatively new. So now whenever an association  
2 is going to have a meeting concerning the  
3 application, on whatever date you set the  
4 meeting, the applicant has to receive at least a  
5 seven day written notice that the meeting is  
6 going to be held.

7 MS. CRUSE: But don't you see my  
8 problem. How do I send a written notice when I  
9 don't have an address to send it to? The placard  
10 tells us to call the -- a number. In this case,  
11 it was the attorney. So how do I send a letter  
12 when all I've got is a telephone number?

13 AGENT FLETCHER: Well, you could send  
14 the letter to the address of the establishment,  
15 that would be one way to do it.

16 MS. CRUSE: Okay. In a lot of cases,  
17 they are not open.

18 AGENT FLETCHER: Yeah, so but you --  
19 then you will have met your requirement.

20 MS. CRUSE: Okay.

21 AGENT FLETCHER: So in this case, I  
22 see that Risa's name was the name on the placard.

1 MS. CRUSE: Um-hum.

2 AGENT FLETCHER: And so that's who you  
3 called and I understand what you are saying, Ms.  
4 Cruse.

5 MS. CRUSE: Um-hum.

6 AGENT FLETCHER: The -- that's all I  
7 can think of, because I know sometimes you don't  
8 have any mailing address information or any  
9 contact information, but in the case of Risa, you  
10 -- what you could do next time is ask her how to  
11 send her written notice, because written is the  
12 thing --

13 MS. CRUSE: Um-hum.

14 AGENT FLETCHER: -- what is important.  
15 And if you have a case where you can't do it for  
16 whatever reason, directly to a person, then I  
17 would send it to the establishment at least.  
18 Just so that you have a record that you provided  
19 seven day written notice to the establishment.

20 MS. CRUSE: May I ask when this was  
21 all done? Because I was on the Task Force that  
22 worked with Councilman Graham.

1                   AGENT FLETCHER: Uh-huh.

2                   MS. CRUSE: And this whole procedure  
3 was so hotly contested because it put such a  
4 burden --

5                   AGENT FLETCHER: Yeah.

6                   MS. CRUSE: -- on civic associations.

7                   AGENT FLETCHER: Right.

8                   MS. CRUSE: And this makes it even  
9 worse. I mean very often I will walk down to an  
10 establishment and talk to the manager right then  
11 and there and say, you know, this is what we are  
12 doing, so it's a one-to-one, which I think would  
13 be even better.

14                   AGENT FLETCHER: Yes.

15                   MS. CRUSE: But the burden is so much  
16 on the civic associations.

17                   AGENT FLETCHER: Well, and the -- so  
18 now, if you go down in-person, if you go at least  
19 seven days before the meeting, you can hand it to  
20 them, that's what some people are doing.

21                   MS. CRUSE: Hand it to them. Okay.

22                   AGENT FLETCHER: Some people are

1 walking to the establishments, if they can.

2 MS. CRUSE: Um-hum.

3 AGENT FLETCHER: And putting the  
4 notice in somebody's hand. I guess there are  
5 different ways to do it, but you can always mail  
6 something to the establishment there, that's what  
7 I would suggest.

8 MS. CRUSE: Okay.

9 AGENT FLETCHER: If you can't find  
10 anybody. Yeah, and I understand about the  
11 burden.

12 MR. GIBBONS: Thank you.

13 AGENT FLETCHER: You're welcome. I'm  
14 going to give you the Status and Protest Hearing  
15 date and then we will set a mediation.

16 Ms. Cruse, if you send in your request  
17 for reinstatement, you, of course, will come to  
18 the Status Hearing and the mediation. So I'm  
19 just going to give you the dates. I'm just going  
20 to give the dates and, you know, maybe see you at  
21 the mediation even.

22 MS. CRUSE: Okay.

1                   AGENT FLETCHER: The Board goes into  
2 recess, I don't have the date in front of me  
3 right now, but they will be in recess for a  
4 period of time. So if you could get your request  
5 for reinstatement in today or tomorrow to Martha,  
6 she can put it on the Board's agenda Wednesday,  
7 this coming Wednesday, so that they can rule on  
8 it, so that you will be ready for the mediation  
9 date that I'm going to give you.

10                   The Status Hearing is going to be  
11 September 12 at 9:30, that's the Status Hearing.

12                   And the Protest Hearing is going to be  
13 September 26 at 1:30.

14                   MS. HIRAO: Would you repeat those  
15 times?

16                   AGENT FLETCHER: Yes.

17                   MS. HIRAO: I'm sorry. I just want to  
18 make sure I wrote it down right.

19                   AGENT FLETCHER: The Status Hearing is  
20 September 12 at 9:30. And the Protest Hearing is  
21 September 26, September 26 at 1:30, that's for  
22 the Protest Hearing.

1                   The date that I'm about to give you is  
2                   the date for -- to consider for mediation, that's  
3                   going to be the next available day. The next  
4                   available day for mediation is, excuse me one  
5                   second, August 14 at 9:00, 10:00, 10:30, 11:00,  
6                   11:30 or 1:00. That's on Tuesday, August 14.

7                   MS. CRUSE: 11:00 would be good.

8                   AGENT FLETCHER: 11:00? Would 11:00  
9                   work for you, Mr. Gibbons?

10                  MR. GIBBONS: Um --

11                  AGENT FLETCHER: And Ms. Cruse, you  
12                  can let me know.

13                  MS. CRUSE: I'm not going to be here  
14                  probably, but I -- somebody from CAG will be, we  
15                  have staff.

16                  AGENT FLETCHER: Okay.

17                  MR. GIBBONS: You can also give --  
18                  Rick will be here.

19                  MS. CRUSE: Yes, good.

20                  MS. HIRAO: August 14th?

21                  AGENT FLETCHER: Oh, yes, August 14 at  
22                  11:00.

1 MS. HIRAO: All right.

2 AGENT FLETCHER: Any questions at all?  
3 Any questions at all?

4 MS. CRUSE: No.

5 AGENT FLETCHER: Okay. I'm going to--

6 MS. HIRAO: Ms. Fletcher?

7 AGENT FLETCHER: Ms. Cruse and Mr.  
8 Gibbons, you are just working on that --

9 MR. GIBBONS: Matter.

10 AGENT FLETCHER: -- document from --  
11 that we discussed earlier?

12 MR. GIBBONS: Yes.

13 AGENT FLETCHER: Okay. Well, then  
14 this Roll Call Hearing -- if you -- unless you  
15 have any questions?

16 MS. HIRAO: I did not see it on my  
17 calendar.

18 AGENT FLETCHER: Uh-huh.

19 MS. HIRAO: I just want to double  
20 check, but I have a strange feeling I have a  
21 conference on September 26.

22 AGENT FLETCHER: Oh, that's the

1 protest date?

2 MS. HIRAO: Yes.

3 MS. CRUSE: Hopefully we won't need  
4 one.

5 AGENT FLETCHER: That would be an  
6 ideal situation.

7 MS. HIRAO: So --

8 MS. CRUSE: Actually, ideal, yeah.

9 AGENT FLETCHER: But if you do, you  
10 know Martha Jenkins.

11 MS. HIRAO: Okay.

12 AGENT FLETCHER: You would ask Martha  
13 Jenkins for a continuance and copy Ms. Cruse and  
14 Mr. Gibbons on that request. You know that  
15 routine.

16 MS. HIRAO: Okay.

17 AGENT FLETCHER: And they can be in  
18 agreement with it or opposed to it, but those --  
19 that is the process.

20 MS. HIRAO: All right.

21 AGENT FLETCHER: Anything else? The  
22 Roll Call Hearing is concluded. Thank you.



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MR. GIBBONS: Thank you.

MS. CRUSE: Thank you.

MS. HIRAO: Thank you.

AGENT FLETCHER: See you in August.

MS. HIRAO: Okay.

(Whereupon, the Roll Call Hearing was  
concluded at 10:23 a.m.)

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In the matter of: Chanterelle

Before: DC ABRA

Date: 07-30-18

Place: Washington, DC

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*Neal R Gross*

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