

ALSO PRESENT:

BRIDGET SASSO, Licensee

JASON FACCI, Licensee's Attorney

JASON PERU, ABRA Investigator

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

2 11:05 a.m.

3 CHAIRPERSON ANDERSON: All right. We
4 are back on the record. Our next case, we have a
5 Fact-Finding Hearing on Radici, License No.
6 93739.

7 Will the parties, please, approach and
8 identify themselves for the record, please?

9 MR. FACCI: Yes, good morning. I'm
10 Jason Facci, counsel for Radici and I'm joined by
11 one of the owners.

12 MS. SASSO: Bridget Sasso. I'm owner/
13 operator or Radici.

14 CHAIRPERSON ANDERSON: Good morning.

15 INVESTIGATOR PERU: Jason Peru, ABRA
16 Investigator.

17 CHAIRPERSON ANDERSON: Good morning,
18 Mr. Peru.

19 All right. We have a Fact-Finding
20 Hearing here and one of the reasons why we have
21 this hearing is that the licensee is asking for a
22 class change from beer and wine to beer, wine and

1 spirits.

2 So we just want to find out -- get
3 some more information about the business
4 operation and yeah, just tell us about your
5 business model and why this -- why the request
6 for a chance.

7 MS. SASSO: Okay. Well, my business
8 partner and I particularly chose this location
9 because of the licenses, because it was both
10 retail and restaurant. We are fortunate enough
11 that we have direct contacts in Italy with
12 producers that like to come over and do events
13 and dinners and things.

14 So when we originally purchased the
15 business that was there to get the location, it
16 was our intention to turn it into an Italian
17 market, osteria, trattoria, which you find
18 everywhere in Italy. You will have somebody
19 selling fresh products in the morning of bread
20 and pastry and coffees and then you will go into
21 the panini and then in the evening you can get
22 some pastas and things like that.

1 So that was always our intention. And
2 very early on we also wanted to do something with
3 spirits. There are some local producers here in
4 D.C. There is an Italian producer that want to
5 be able to come in and do tastings with us.

6 And prior counsel had said I have
7 spoken to ABRA and they have said if you can find
8 somebody else that is doing this, it's more
9 helpful.

10 So I really started searching and I
11 discovered that Via Umbria, who actually opened
12 up after us in Georgetown, is doing exactly what
13 we would like to do.

14 And more than anything, we want to be
15 able to offer more of an evening program. The
16 prior owner of the business that was there before
17 had both of these licenses, but was not taking
18 advantage of the restaurant part of it. He
19 didn't even have a kitchen in the facility. He
20 had a sandwich table downstairs.

21 So currently our business model is
22 that we do breakfast. We offer fresh pastry,

1 breakfast sandwiches and then we move into lunch,
2 which are panini. We offer pre-packaged pastas
3 that can be warmed up and they are all plated
4 there in the store. We offer wine by the glass.
5 And they can also purchase it by the bottle.

6 And we have a really nice program
7 going on where we have people that want to do
8 special events in the store, where we have
9 special dinners with wine producers coming to
10 visit and we focus mostly right now on the main
11 foot traffic in the evenings, Thursday, Friday,
12 Saturday and Sunday.

13 So we will do more family lasagna
14 night on Sundays. But in addition, we just
15 wanted to be able to add these extra spirits,
16 because we know small producers in Italy that
17 would come over and do presentations and would
18 present different drinks and we are very much a
19 family business, but we also have, obviously,
20 Capitol Hill and Congress and Senators and people
21 that come through that like to be able to come
22 and taste and try.

1 CHAIRPERSON ANDERSON: So but tell me
2 -- okay. I hear about the restaurant which I'm
3 comfortable with from what I'm hearing.

4 MS. SASSO: Right, um-hum.

5 CHAIRPERSON ANDERSON: Now, but tell
6 me about the grocery store. You are a -- you
7 have a B License, am I correct?

8 MS. SASSO: Yes.

9 CHAIRPERSON ANDERSON: So you are a
10 grocery store. So explain that portion of the
11 business for me. So what is it that -- what type
12 of products? And I'm not necessary -- because I
13 mean I -- it might not necessarily fit our
14 interpretation of a grocery store today under the
15 law, but tell me about that portion of the
16 business.

17 MS. SASSO: Well, it is. It's a
18 market, a small market and we -- the entire
19 facility that we rent is 2,600 square feet, but
20 only 1,300 of it is retail space or retail
21 selling space.

22 So we do have and we offer pastas. We

1 offer fresh pastas. We offer salami. We offer
2 meats. We offer drinks. We offer wine. We
3 offer beer. There are sauces and jarred items
4 and, yeah, I mean, it's a little market. It's --
5 we have expanded it more than what it was before
6 certainly. We offer fresh bread as well.

7 We have frozen meats. We have frozen
8 ravioli. We have gelati. So we do -- we offer
9 pre-packaged food as well. Our salads,
10 sandwiches, cheese, so it's the -- a little
11 market all condensed into 1,300 square feet as
12 well.

13 CHAIRPERSON ANDERSON: All right. Mr.
14 Peru, are you familiar with this establishment?

15 INVESTIGATOR PERU: Yes, sir.

16 CHAIRPERSON ANDERSON: And how are you
17 familiar with this establishment?

18 INVESTIGATOR PERU: I visited it
19 yesterday.

20 CHAIRPERSON ANDERSON: Yesterday?

21 INVESTIGATOR PERU: I visited before
22 yesterday.

1 CHAIRPERSON ANDERSON: Oh, yesterday,
2 oh, yesterday.

3 INVESTIGATOR PERU: Yesterday.

4 CHAIRPERSON ANDERSON: But you said
5 you have been there before?

6 INVESTIGATOR PERU: Yes, sir, prior to
7 yesterday.

8 CHAIRPERSON ANDERSON: So and as early
9 -- as late as yesterday.

10 INVESTIGATOR PERU: Yes.

11 CHAIRPERSON ANDERSON: So tell me what
12 is it that you have seen as a result of this
13 establishment.

14 INVESTIGATOR PERU: I think her
15 descriptions are accurate, obviously, of her own
16 business of what I observed.

17 As you stated, the definition of the
18 whole full-service grocery store and what we have
19 seen in the city on a regular basis, it's not
20 that. It's definitely a small-scale market. You
21 know, I would have argument I'm calling it a
22 full-service grocery store.

1 As you can see by some of the photos
2 that I took, there is frozen -- a refrigerator
3 with frozen sausages and some ice cream in one
4 side. There was some cheeses for sale and a lot
5 of dry goods, canned goods, you know, mostly, and
6 not all, Italian-type products, tomato sauces,
7 oliver oils, some jellies and jams, dried pastas.

8 So, yes, can you go there for grocery
9 items to make a few dishes, sure. There is no
10 fresh produce available. And I asked the owner
11 about that and she said yeah, they do not offer
12 currently or have in the store.

13 So I guess it boils down to, you know,
14 yes, you can go in there. It's a market. I
15 mean, I think she used that word several times
16 and that's more accurate what I would call it as
17 a market to get certain items. But as a, I guess
18 once again we go back into the definitions and
19 what we consider to be a full-service grocery
20 store or not.

21 CHAIRPERSON ANDERSON: Right. Well,
22 outside of the fact that it doesn't fit our

1 general definition of full-service market, are
2 there any regulatory issues that you -- that
3 stand out to you that the owner should be aware
4 of, based on the operation of the market and the
5 restaurant portion in the sense of their invoices
6 and whether or not you believe that they are able
7 to make the 15 percent alcohol versus food
8 services?

9 INVESTIGATOR PERU: As far as an ASO --
10 as part of my -- when I did the inspection and
11 speaking with the ABC Manager and owner on the
12 phone yesterday, I asked -- you know, the --
13 operation-wise, it seems to be, you know, you go
14 in and if you are going to get -- like currently,
15 if you want a glass of wine, you go up to the
16 counter and you order that glass of wine. And
17 then they will check your ID and then you will
18 sit down or they will give you -- they will pour
19 the wine after they checked your ID and you go
20 and sit down in the establishment either outside
21 in the summer garden or inside in their chairs
22 inside.

1 So service-wise, I was told that
2 currently there is not a wait staff-type service.
3 So when it comes to restaurant-wise, it's not
4 really a sit-down and someone comes to your table
5 and order, currently, from what I was told. But,
6 you know, you are doing the plated and whatnot,
7 so that operation -- and I didn't see, while I
8 was there yesterday, any retail-type transactions
9 take place with alcohol.

10 I can tell you as a benefit to them
11 and give them some credit here, is that two weeks
12 ago personally I observed -- we did an STM
13 operation and they passed STM. So the individual
14 -- the -- our child went in, a minor went in.
15 The minor got some alcohol, I think a beer it was
16 and took it up to the counter. The girl behind
17 the counter -- the owner was in there, I remember
18 seeing her there.

19 The ABC Manager checked for ID,
20 ascertained her age, that they weren't old
21 enough, didn't let them sell and the minor left.
22 So they passed.

1 So that was a good thing to see, just
2 so happen coincidence that two weeks later I'm
3 asked to go there again, invoices-wise. There is
4 no separation of invoices currently. I voiced
5 that concern to the owner on the phone last
6 night, you know, about -- I asked her how she
7 kind of separated those things, but they order.
8 You know, their LLCs are the same for the B store
9 and the DR currently.

10 So when they order from the
11 distributors, they are ordering. And I was told
12 that the distributors do have copies of both
13 their licenses, but they are ordering for the
14 store, for the LLC and the invoices are, you
15 know, just one invoice for that address.

16 And based on what they receive, I
17 guess, they then decide. They might get a case
18 of wine and maybe two of those bottles are used
19 for the on-premise consumption and maybe the
20 other -- the rest of the six or the seven in that
21 case will then be put on the shelves for retail
22 purposes.

1 She did state that when it comes to
2 tracking, she said the -- the sales, that the
3 accounting personnel keep track of that, as well
4 as she used a QuickBooks system to kind of
5 separate those two types of sales.

6 CHAIRPERSON ANDERSON: Is that
7 problematic? I mean, from your perspective if
8 you go there to regulate them, is that
9 problematic for the Investigator or --

10 INVESTIGATOR PERU: I don't want to
11 use the word problematic. I think if she gets --
12 if they get audited on the restaurant portion,
13 that might be a little tricky, depending on how
14 well they keep those books in separation, because
15 they still have to file quarterly statements,
16 because they are a restaurant.

17 You know, so that perspective might be
18 tricky for the auditor to go in, depending on how
19 well the books are kept. Invoice-wise, I think,
20 you know, Investigators will maybe, you know,
21 raise an eyebrow as maybe under confusion of
22 that gray area that okay, they are maintaining

1 their records. Clearly, I saw that they are
2 keeping all the invoices on-site like they are
3 required to do.

4 There is just not a separate invoice
5 for, you know, retail and then for on-premise.
6 And I think that is -- but I say that to say
7 compared to a big scale location, like Whole
8 Foods for example, I have been into a Whole Foods
9 and it's not necessarily that separate cut and
10 dry either with -- because of the way they are
11 ordering.

12 But the Whole Foods is -- the
13 difference it would be is that they have taps.
14 So They are ordering their -- my experience has
15 been that Whole Foods their order, their taps
16 under their on-premise license, under their DR
17 License, which they have. So that's pretty
18 different. I can see that that's where that is
19 going to.

20 But when it comes to the beer, you
21 know, Whole Foods is selling craft beers and
22 whatnot, you know, for off-premise for retail.

1 And but they do offer -- like the newer ones have
2 these bars that you can actually sit at and order
3 that same craft beer from the bar. So I haven't
4 seen a separation of invoices with them either
5 when it comes to the general products that are
6 being sold.

7 CHAIRPERSON ANDERSON: Well, do you --
8 all right. Do you have any other comments,
9 questions you want to raise to the Board?

10 INVESTIGATOR PERU: No. I think -- I
11 understand their intention. I think I was a
12 little confused about the kitchen situation,
13 because the kitchen was closed when I was there
14 at 3:00, because it's not an operating live
15 kitchen, but they are offering hot food, which,
16 you know, there is -- it is prepared food. That
17 was the only thing.

18 And I asked that question, you know,
19 just kind of and she mentioned that their plan is
20 to have, like she mentioned, evening service and
21 have a live chef on-staff to prepare foods to
22 order, I guess you can say, as opposed to pre-

1 packaged. That was the only thing that I saw.

2 CHAIRPERSON ANDERSON: Well, I guess
3 the question then if you don't have a kitchen,
4 how are you preparing --

5 MS. SASSO: We do have a kitchen.
6 There was no kitchen prior. So the prior owner
7 of the location, the prior business had both of
8 these permits, but wasn't -- definitely wasn't a
9 restaurant. He had absolutely no kitchen. So my
10 business partner and I, when we entered, we added
11 a whole kitchen downstairs. And I have kitchen
12 staff that comes in at 6:30 in the morning and
13 they stay until 4:00 in the afternoon.

14 However, when we have these dinners,
15 our special dinners or weekends when we do the
16 beer and wine tastings or we do our small plates,
17 we have kitchen staff downstairs. It's not --
18 and it was a Tuesday. It's August. I don't have
19 kitchen staff 12 hours a day. I have kitchen
20 staff 8 hours a day.

21 CHAIRPERSON ANDERSON: All right. But
22 you do have -- I mean, I --

1 MS. SASSO: We have a full kitchen.

2 CHAIRPERSON ANDERSON: Okay.

3 MS. SASSO: Yes, we have a full
4 kitchen downstairs.

5 CHAIRPERSON ANDERSON: Now, are you
6 aware -- regarding -- now regarding the invoices,
7 would it be problematic for you to order -- if
8 the Board was to at least -- I guess the process
9 is that we would -- it wouldn't be approved, it
10 would be agreed to placard this matter for the
11 community --

12 MS. SASSO: Um-hum.

13 CHAIRPERSON ANDERSON: -- to weigh in.
14 But would it be problematic for you to separate
15 your invoices in the sense that the restaurant
16 has a -- when you order, you order specifically
17 for the restaurant and then you order
18 specifically for the grocery store. Is that
19 something that can be done easily or better yet,
20 tell me why do you order the way you currently
21 order? And can you separate the orders?

22 MS. SASSO: I order the way I

1 currently order because that was, basically, what
2 was happening before. In addition, I have
3 actually come to ABRA to ask for help in
4 reference to this, even quarterly reporting,
5 because our POS system very specifically and very
6 carefully tracks the on-site sales and the off-
7 premise sales and as well as our QuickBooks, our
8 accounting and everything.

9 But I have asked for help in this
10 situation, because nobody -- our licenses are
11 unique, as you all know. And it would be helpful
12 to understand how you would define that. If I
13 order from one distributor and I get three cases
14 of wine and one of those bottles is going to go
15 to my on-premise, is it something that I can make
16 a note on the invoice and separate it out?
17 Because it would be impossible for me to say just
18 one bottle is coming in from this shipment and
19 going directly to my on-site sales and the other
20 11 are going to my retail.

21 In addition --

22 CHAIRPERSON ANDERSON: But if you

1 didn't have both, if you did not have both
2 licenses, that's how you would order. So if you
3 had a B, you would order under your B License.
4 So you would order one bottle for B, if you did
5 not have both.

6 MS. SASSO: Right.

7 CHAIRPERSON ANDERSON: So that's when
8 you -- so when you to go the wholesaler, that's
9 how you would order, because just say if you had
10 a B, you are ordering under that license or if
11 you didn't have the B and if you had the
12 restaurant license, you -- when you order for the
13 restaurant, you are giving them your license, you
14 are ordering for the restaurant.

15 So I guess based on your business
16 model --

17 MS. SASSO: Um-hum.

18 CHAIRPERSON ANDERSON: -- you have to
19 -- and I guess the Agency can probably provide
20 you more information, but it's -- is it
21 problematic to order -- and I'm just asking, I'm
22 not saying that's way, could you in making the

1 order then -- it's like okay, fine I'm ordering
2 for this month, so I don't know how often you
3 order, then I need a case for the B and I need
4 two bottles for the restaurant.

5 Is that something that -- and I'm
6 asking. I'm not saying --

7 MS. SASSO: Yes.

8 CHAIRPERSON ANDERSON: -- because if
9 you had -- because if you only had one license,
10 that's what you had to do.

11 MS. SASSO: Right. No, that's
12 correct. The other predicament, I guess, well,
13 it would be helpful for me to understand perhaps
14 how Via Umbria or Wagshal's, for example, does
15 this. But this is the scenario.

16 Somebody comes in to my location and
17 they can taste some wines that we might be
18 tasting and they will say oh, wow, I really love
19 that Chianti, could I get a bottle and have it
20 here? So I have my wines out retail and they are
21 purchasing a bottle to be able to consume on-
22 premise. So but that's on my shelf.

1 And I --

2 CHAIRPERSON ANDERSON: But you are
3 only able to do that because you have --

4 MS. SASSO: Both licenses.

5 CHAIRPERSON ANDERSON: -- because if
6 you didn't -- right. If you didn't have both
7 licenses, you could not do that, because the
8 typical restaurant you cannot buy a bottle to
9 leave and the typical B, you cannot -- you
10 couldn't utilize it on-premises.

11 MS. SASSO: So I know. So I know we
12 are unique in that situation, but and I know that
13 Via Umbria does the same thing. You can get a
14 bottle of wine from our cantina and enjoy it on
15 our premises, but you pay a \$25 corkage fee. I
16 don't -- I pay -- I ask for a \$5 service fee,
17 basically, to open it and the glasses and
18 everything, because we are -- but I don't -- yes,
19 I mean, I could find out from my distributors if
20 they would consider separating the invoices, but
21 I have 1,300 square feet, so I couldn't
22 necessarily store just the restaurant wine some

1 place else.

2 Our product comes in. We put it up on
3 the retail shelf right away. We price it and get
4 it out. I mean, I could say you could only have
5 these six wines are available here in my
6 location, but then I'm really almost shooting
7 myself in the foot. Then I wouldn't have the
8 availability of the other wines that we have.

9 CHAIRPERSON ANDERSON: I'm going to
10 let other Board Members ask questions, but just
11 one last, one other question to ask then.

12 MS. SASSO: Yes.

13 CHAIRPERSON ANDERSON: And I guess I'm
14 going to ask one more question and then I'm going
15 to open it up to the Board, but I mean, these are
16 things that --

17 MS. SASSO: Yes.

18 CHAIRPERSON ANDERSON: -- you need to
19 keep in mind. And these are things that you
20 probably need to sit down with the Agency for us
21 to explain to you how to operate.

22 Now, the other issue that -- are you

1 aware that by having a restaurant license, that
2 there is a 15 percent of the sales has to be --
3 sorry. I'm saying it incorrectly. What am I
4 trying to say?

5 MS. SASSO: The food sales versus
6 the --

7 CHAIRPERSON ANDERSON: Yes.

8 MS. SASSO: -- on-premise?

9 CHAIRPERSON ANDERSON: Yes.

10 MS. SASSO: Yes.

11 CHAIRPERSON ANDERSON: You are aware?

12 MS. SASSO: We are well within that.

13 Right now, it's 96 percent food.

14 CHAIRPERSON ANDERSON: Okay. All
15 right.

16 MS. SASSO: Yeah.

17 CHAIRPERSON ANDERSON: All right.

18 MS. SASSO: We are well within that.

19 CHAIRPERSON ANDERSON: I just wanted
20 to make sure that you were aware for that license
21 that you have --

22 MS. SASSO: Yes.

1 CHAIRPERSON ANDERSON: -- those
2 provisions.

3 MS. SASSO: Yes, yes, yes, yes.

4 CHAIRPERSON ANDERSON: Hold on, Mr. --

5 INVESTIGATOR PERU: Yes, I just had a
6 quick -- just now that I'm thinking about it, you
7 are -- so you are applying -- you want to get a
8 C, so when you do order, when you start ordering
9 for that C, the spirits are going to be only for
10 the C, only for on-premise.

11 MS. SASSO: Um-hum.

12 INVESTIGATOR PERU: Not for off-
13 premise. So I guess that's a good place to
14 start. And I'm just trying to give suggestions,
15 thinking about the separation. You are going to
16 order your liquor and your spirits separately,
17 because you are not going to be selling on retail
18 those spirits, correct?

19 (Simultaneous speaking)

20 MS. SASSO: No. I mean --

21 INVESTIGATOR PERU: But that's --

22 MS. SASSO: -- it would be something

1 I would like to consider.

2 INVESTIGATOR PERU: Well, I'm just
3 saying because --

4 MS. SASSO: Right.

5 INVESTIGATOR PERU: -- it's going to
6 be --

7 MS. SASSO: Right, exactly. So that--

8 INVESTIGATOR PERU: -- and even --

9 MS. SASSO: -- would be separate.

10 INVESTIGATOR PERU: -- the
11 distributors from what I saw what you are getting
12 now from --

13 MS. SASSO: Yes.

14 INVESTIGATOR PERU: -- because you are
15 only getting beer and wine.

16 MS. SASSO: Right.

17 INVESTIGATOR PERU: Those
18 distributors, you would have --

19 MS. SASSO: They are different.

20 INVESTIGATOR PERU: -- to go outside
21 to get the spirits.

22 MS. SASSO: Correct, correct.

1 INVESTIGATOR PERU: So and depending
2 if you are bringing specialty spirits from Italy,
3 there has to be, you know, a different --

4 MS. SASSO: Right.

5 INVESTIGATOR PERU: -- process with
6 that as well.

7 MS. SASSO: Right.

8 INVESTIGATOR PERU: Imports and taxes
9 and whatnot.

10 MS. SASSO: Right, right.

11 INVESTIGATOR PERU: So I just wanted
12 to ask while it was fresh in my head.

13 CHAIRPERSON ANDERSON: All right. Mr.
14 Short?

15 MEMBER SHORT: Good morning, still.

16 MS. SASSO: Good morning.

17 MEMBER SHORT: It sounds delicious.

18 MS. SASSO: Thank you.

19 MEMBER SHORT: And for the record,
20 your business was grandfathered in as a grocery
21 store and a restaurant, correct?

22 MS. SASSO: Yes, yes.

1 MEMBER SHORT: And so that makes you
2 quite unique.

3 MS. SASSO: Right.

4 MEMBER SHORT: And speaking of unique,
5 being a lifelong Washingtonian, we still have
6 what they call DGS stores. DGS were like mom and
7 pop stores.

8 MS. SASSO: Okay.

9 MEMBER SHORT: But they also had on-
10 premise eateries and you could eat cheese and
11 crackers and --

12 MS. SASSO: Right.

13 MEMBER SHORT: -- whatever and then
14 they have a little baked chicken, that went on
15 all over Washington, D.C., especially in
16 Georgetown. But at any rate, that's what the
17 community expected and the community-endorsed 100
18 percent. Then we went with the supermarkets and
19 a lot of that changed.

20 MS. SASSO: Um-hum.

21 MEMBER SHORT: So I need to ask this,
22 have you been in contact with the ANC

1 Commissioners over there?

2 MS. SASSO: Yes.

3 MEMBER SHORT: And what did they seem
4 to think?

5 MS. SASSO: In reference to us
6 changing the licenses, actually, the former
7 commissioners, one of the people that suggested
8 that we do this, because she thought it was a
9 great idea, we are very much a community store.

10 We are very much a family store in the
11 morning and into the afternoon and in the evening
12 we have, obviously, a lot of Congress and
13 Senators that want to come and sit and have a
14 drink and talk politics. We were fortunate
15 enough to have the former First Lady, which was
16 very exciting for us.

17 MEMBER SHORT: Nice start.

18 MS. SASSO: Yes, thank you. And so
19 this young woman, she is the one who kept saying
20 oh, I would love it if you all brought Limoncello
21 and we could do a Limoncello tasting. And you
22 know, I said I can't, you know, we can't. We

1 only have beer and wine here.

2 So we are very well-accepted within
3 our community and we are unique in that location.

4 MEMBER SHORT: I really think that
5 since you are grandfathered and so the business
6 side is pretty much taken care of, but some of
7 the things Mr. Peru brought up sounds like we are
8 working those out right now.

9 MS. SASSO: Um-hum.

10 MEMBER SHORT: But I'm very, very
11 excited to know that we are going back to
12 something that is very Washington-oriented --

13 MS. SASSO: Thank you.

14 MEMBER SHORT: -- when it comes to
15 businesses and food and family and you have
16 outside section with the cafe and all. So I want
17 to be careful when I say this, maybe some of
18 those Congressman and Senators would think about
19 giving a statehood when they come there. But
20 that's neither here nor there. But at any rate,
21 I do think it's a great idea and I like to hear
22 back from the neighborhood commissioners.

1 MS. SASSO: Okay.

2 MEMBER SHORT: And I don't think that
3 I, as a Board Member, will have any problem at
4 all.

5 MS. SASSO: I have also spoken to our
6 Councilmember Charles Allen and he loves the
7 idea, too. I mean, we are very careful. We are
8 not -- I have no intention of becoming a bar or a
9 hangout or anything like that. And we very much
10 -- I mean, I think that you can agree last night
11 when you were in the store, it's not a hangout
12 for kids to come and get drunk. That's not -- it
13 was never our intention. It was a little
14 community place like you find in Italy.

15 MEMBER SHORT: Okay. All right.
16 Well, we had them here in Washington, D.C. years
17 ago, too. DGS, you are going to hear that from
18 some people.

19 MS. SASSO: Okay.

20 MEMBER SHORT: When you see old-timers
21 come by.

22 MS. SASSO: All right.

1 MEMBER SHORT: But again thank you
2 very much. That's all I have, Mr. Chair.

3 CHAIRPERSON ANDERSON: Any other
4 questions by any other Board Members? Well, one
5 thing, hearing none, I'll say to you, ma'am, is
6 that Mr. Peru takes -- stated that he was at your
7 establishment two weeks ago and doing a sale to
8 minor and that you probably got a certificate
9 from that.

10 Now, if he had said -- if you haven't
11 gotten it, I think you will get a certificate to
12 let you know that we came and you passed it and
13 so, therefore, if that was you had a sale to
14 minor, I think that would have said to the Board
15 that no, we are not sure if we want to approve
16 that.

17 But based on the questions I'm
18 hearing, I don't think that the Board has any
19 concerns. So do you want to make any final
20 statements?

21 MS. SASSO: No. I just hope that you
22 take our -- it would be for me very helpful to

1 expand my business. My rent, obviously, is
2 astronomical, so I'm trying to make the most out
3 of this very small location and take advantage as
4 best I can of the permits that we have. And that
5 would be expanding our evening program.

6 CHAIRPERSON ANDERSON: Well, the next
7 step, if the Board agrees, it would be to --
8 would be for this matter to be placarded for the
9 community to weigh in.

10 MS. SASSO: Okay.

11 CHAIRPERSON ANDERSON: And so one of
12 the things that, one, if the Board decides to
13 send it out to be placarded, one of the things
14 that you could talk to your ANC about is getting
15 a TORP.

16 MS. SASSO: Okay.

17 CHAIRPERSON ANDERSON: A Temporary
18 Operating Retail Permit, so you can start the
19 process through the comment period. So that's
20 something you can talk to the -- if it's
21 placarded and if it's something that the ANC
22 signs-off on, they could stipulate to allow you

1 to start operating prior to the 45 day
2 expiration. So that's something you could talk
3 to the committee about if the Board decides to
4 send this to be placarded for community input.

5 MS. SASSO: So I have another quick
6 question.

7 CHAIRPERSON ANDERSON: Yes, ma'am.

8 MS. SASSO: Because you sort of jogged
9 my memory. Would it be difficult for us to also
10 have the availability of selling the spirits to
11 bring home? I'm just thinking now over the
12 holidays if somebody has --

13 CHAIRPERSON ANDERSON: Well, part of
14 the problem is that you have a B License, so by
15 having a B License, you can't sell spirits --

16 MS. SASSO: Right.

17 CHAIRPERSON ANDERSON: -- in the B.

18 MS. SASSO: Right.

19 CHAIRPERSON ANDERSON: So --

20 MR. FACCI: It would be another class
21 change.

22 CHAIRPERSON ANDERSON: You would have

1 to apply for --

2 MS. SASSO: For another class change?

3 CHAIRPERSON ANDERSON: -- I'm not sure
4 if the neighborhood you are in, most
5 neighborhoods in D.C., do you want to apply for a
6 liquor license? I'll say it that way, which is
7 an A.

8 MEMBER ALBERTI: I'm not sure. Just
9 I'll interject. Mr. Peru, maybe you can help me
10 and maybe --

11 CHAIRPERSON ANDERSON: Mr. Alberti,
12 yes?

13 MEMBER ALBERTI: -- I'm looking for
14 counsel. I'm not sure the regulations even allow
15 for an off-sale of spirits for a grocery store.

16 MS. SASSO: Okay. Okay.

17 MEMBER ALBERTI: So for instance --

18 MS. SASSO: Okay.

19 MEMBER ALBERTI: -- yeah.

20 MS. SASSO: Okay.

21 INVESTIGATOR PERU: Only the
22 grandfathered in was that Safeway --

1 MEMBER ALBERTI: Yeah.

2 INVESTIGATOR PERU: -- in Southeast
3 that just got torn down.

4 MEMBER ALBERTI: It just got torn
5 down.

6 INVESTIGATOR PERU: And rebuilt.

7 MEMBER ALBERTI: Because they had --

8 INVESTIGATOR PERU: Yeah.

9 MEMBER ALBERTI: -- well --

10 INVESTIGATOR PERU: They got
11 grandfathered in because they had --

12 MEMBER ALBERTI: -- they had the Class
13 A.

14 INVESTIGATOR PERU: Correct.

15 MEMBER ALBERTI: The spirits, the
16 Class A.

17 MS. SASSO: What is Via Umbria?

18 MEMBER ALBERTI: Separate, many years
19 ago.

20 MS. SASSO: What we are asking for.

21 MEMBER ALBERTI: Okay. So your off-
22 premise is a Class B and you would be asking for

1 a Class A for off-premise. But I'm not even sure
2 the regs -- I would have to double check, but I'm
3 pretty sure the regs don't even allow that.

4 MS. SASSO: Okay.

5 MEMBER ALBERTI: So it's not even --

6 MS. SASSO: No, I was just --

7 MEMBER ALBERTI: -- an open question.

8 MS. SASSO: -- thinking somebody that
9 wants a gift of Limoncello at Christmas and --

10 MEMBER ALBERTI: Got it.

11 MS. SASSO: Yeah, tell them to go to
12 Schneider's.

13 CHAIRPERSON ANDERSON: Well, then --

14 MEMBER ALBERTI: Or send them to
15 Hayden's up the street.

16 CHAIRPERSON ANDERSON: -- you probably
17 would have to think about to see if A stores are
18 limited. I don't know if A's are available, so
19 you would have to --

20 MS. SASSO: That's fine.

21 CHAIRPERSON ANDERSON: -- look to see
22 if there is any A's are available.

1 MS. SASSO: Okay. No, no, no, I'm --

2 CHAIRPERSON ANDERSON: But I'm just
3 saying the process whether or not to see if there
4 is any A's are available from the Agency, because
5 there is a cap of 250. I believe that they are
6 for the entire city.

7 MS. SASSO: Okay.

8 CHAIRPERSON ANDERSON: So we will have
9 to look to see if the Agency has any A's
10 available.

11 MS. SASSO: Okay.

12 CHAIRPERSON ANDERSON: And then you
13 apply to get an A from the Agency and then you
14 would have to find a location and then you would
15 have to go through the same process you are going
16 through to get --

17 MS. SASSO: Right.

18 CHAIRPERSON ANDERSON: -- this class
19 change for the restaurant.

20 MS. SASSO: Right.

21 CHAIRPERSON ANDERSON: Then you would
22 have to get a class change for and in my

1 experience, it couldn't be called a liquor store.
2 You might get away with wine and spirits.

3 MEMBER ALBERTI: Right, yeah, you
4 couldn't --

5 CHAIRPERSON ANDERSON: But not a
6 liquor store.

7 MEMBER ALBERTI: -- you can't. And
8 the current regulations don't allow you to own a
9 Class A off-premise.

10 CHAIRPERSON ANDERSON: Right, right.

11 MEMBER SHORT: And a B.

12 MEMBER ALBERTI: No, and a restaurant.

13 MS. SASSO: Okay.

14 CHAIRPERSON ANDERSON: Right.

15 MEMBER ALBERTI: You can't own both
16 under the --

17 MS. SASSO: Right, right, right.

18 MEMBER ALBERTI: -- current
19 regulations.

20 MS. SASSO: Okay.

21 MEMBER ALBERTI: And so that's the --

22 MS. SASSO: Okay.

1 CHAIRPERSON ANDERSON: So the short
2 answer is that although you might have these
3 wonderful spirits that give -- that you cannot
4 sell it, because if you do, you will appear
5 before us again and it will be very --

6 MS. SASSO: Right.

7 CHAIRPERSON ANDERSON: -- as time goes
8 by, it will be very expensive --

9 MS. SASSO: Right.

10 CHAIRPERSON ANDERSON: -- for you.

11 MEMBER ALBERTI: I'm sure Schneider's
12 would be happy to --

13 MS. SASSO: To be referred.

14 MEMBER ALBERTI: -- partner with you,
15 yes.

16 CHAIRPERSON ANDERSON: All right. Any
17 other final comments, Mr. Peru?

18 INVESTIGATOR PERU: No comments.

19 CHAIRPERSON ANDERSON: Any final
20 comments?

21 MR. FACCI: No, thank you.

22 CHAIRPERSON ANDERSON: All right.

1 Well, I see you have your attorney and I'm giving
2 him an opportunity to say something, so you will
3 -- if he so desires.

4 MR. FACCI: I just want to say thank
5 you for your consideration.

6 MS. SASSO: Okay. Thanks.

7 CHAIRPERSON ANDERSON: All right.

8 MS. SASSO: Thank you.

9 CHAIRPERSON ANDERSON: Thank you, sir.
10 All right. With that said, the Board will take
11 this matter under advisement. Thank you.

12 MS. SASSO: Thank you.

13 CHAIRPERSON ANDERSON: All right. We
14 are adjourned until our 1:30 hearing. I'm sorry,
15 we are in recess until our 1:40 hearing. All
16 right.

17 (Whereupon, the Fact-Finding Hearing
18 was concluded at 11:36 a.m.)

19

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22

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This is to certify that the foregoing transcript

In the matter of: Radici

Before: DC ABRA

Date: 08-08-18

Place: Washington, DC

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

Neal R Gross

Court Reporter

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