

DISTRICT OF COLUMBIA  
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 ALCOHOLIC BEVERAGE CONTROL BOARD  
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 ROLL CALL HEARING

IN THE MATTER OF:                   :  
    :  
 The Fireplace Restaurant, :  
 Inc., :  
 t/a The Fireplace :  
 2161 P Street NW : Roll Call  
 Retailer CT : Hearing  
 License No. ABRA-014419 :  
 Case #19-PRO-00140 :  
    :  
 (License Renewal) :

Monday  
 December 9, 2019

The Alcoholic Beverage Control Board  
 met in the Alcoholic Beverage Control Hearing  
 Room, Reeves Building, 2000 14th Street, N.W.,  
 Suite 400S, Washington, D.C. 20009, LaVerne  
 Fletcher, Board's Agent, presiding.

PRESENT:  
 LAVERNE FLETCHER, ABRA Board's Agent  
 ALSO PRESENT:  
 STEVEN WEINSTEIN, Applicant  
 JEREMIAH GRISWELL, Applicant  
 SIDON YOHANNES, Counsel for Applicant  
 PETER SACCO, ANC 2B  
 SUSAN VOLMAN, Protestant  
 WINSTON HAYTHE, Protestant  
 JONATHAN PADGET, Protestant  
 JEFFREY RUECKGAUER, Protestant  
 SEYMOUR HEPNER, Protestant  
 DEBORAH BRODER, Protestant  
 ROBERT OAKS, Protestant  
 JUDITH SNYDER, Protestant

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

2 (11:06 a.m.)

3 MS. FLETCHER: Would the parties in  
4 the matter of The Fireplace, parties in the  
5 matter of The Fireplace please come forward?

6 This is Case #19-PRO-00140, The  
7 Fireplace Restaurant, LLC, 2161 P Street NW,  
8 License #ABRA-014419. Retailer Class CT License  
9 Renewal.

10 The protest issues are adverse impact  
11 on peace, order and quiet, residential parking  
12 and vehicular and pedestrian safety and real  
13 property values.

14 My name is Laverne Fletcher conducting  
15 the roll call hearing as the Board's agent.  
16 Present on behalf of the applicant, please? If  
17 you could just state your name and spell it for  
18 the record. We can start with you.

19 MR. WEINSTEIN: Steven Weinstein.

20 MS. FLETCHER: Mr. Weinstein, could  
21 you spell that, please?

22 MR. WEINSTEIN: S-T-E-V-E-N W-E-I-N-S-  
23 T-E-I-N.

24 MS. FLETCHER: Thank you very much.

25 MR. GRISWELLM: Jeremiah Griswelm.

1 MS. FLETCHER: Could you spell that  
2 for the record, please?

3 MR. GRISWELM: J-E-R-E-M-I-A-H; last  
4 name Griswelm, G-R-I-S-W-E-L-M.

5 MS. FLETCHER: Thank you.

6 MS. YOHANNES: And Sidon Yohannes, as  
7 counsel for the applicant. And that's  
8 S-I-D-O-N Y-O-H-A-N-N-E-S.

9 MS. FLETCHER: Thank you. Are you  
10 with the applicant as well?

11 MR. SACCO: No.

12 MS. FLETCHER: Are you on that side?  
13 Okay. Okay, I'll just -- okay, that's okay.  
14 Thank you. Present of behalf of ANC 2B?

15 MR. SACCO: Peter Sacco. I'm the  
16 executive director for ANC 2B. S-A-C-C-O.

17 MS. FLETCHER: Thank you, Mr. Sacco.  
18 Present on behalf of the Dupont Circle Citizens  
19 Association?

20 MS. VOLMAN: Susan Volman.

21 MS. FLETCHER: Could you spell your  
22 name for the record, please?

23 MS. VOLMAN: S-U-S-A-N V as in Victor,  
24 O-L-M-A-N.

25 MS. FLETCHER: And, Ms. Volman, I saw

1 from your protest letter that the applicant was  
2 given a 7-day notice to appear for the hearing.  
3 Did you get the notice, a 7-day notice to appear  
4 for a meeting?

5 MR. WEINSTEIN: Yes.

6 MS. FLETCHER: Okay, thank you. Just  
7 wanted to confirm that. Thank you. There is  
8 also a group of 12. Is Mr. Oaks here? Is that  
9 you, Mr. Oaks?

10 MR. OAKS: That's right. I am Rober  
11 Oaks, O-A-K-S. I'm the lead representative for  
12 the groups. If it helps any, I have the complete  
13 list as we submitted multiple petitions.

14 MS. FLETCHER: Is that the list  
15 because the protestants live in different units?

16 MR. OAKS: Well --

17 MS. FLETCHER: Correct. So we got  
18 them.

19 MR. OAKS: You got them?

20 MS. FLETCHER: Yeah, we have them all.

21 MR. OAKS: Excellent.

22 MS. FLETCHER: And it looks like some  
23 of them are here today. So if you would just,  
24 right in from of Mr. Oaks, there's a microphone -  
25 - if you could just state your name and spell it

1 for the record, please.

2 MR. HAYTHE: My name is Winston  
3 Haythe. That's W-I-N-S-T-O-N. And Haythe is  
4 H-A-Y-T-H-E.

5 MS. FLETCHER: Thank you. Oh, but  
6 don't touch the microphone. The court reporter -  
7 - sorry.

8 MR. PADGET: Jonathan Padget,  
9 J-O-N-A-T-H-A-N P-A-D-G-E-T.

10 MS. FLETCHER: Spell the last name  
11 again.

12 MR. PADGET: P-A-D-G-E-T.

13 MS. FLETCHER: Okay, thank you.

14 MR. RUECKGAUER: Jeffrey Rueckgauer,  
15 J-E-F-F-R-E-Y R-U-E-C-K-G-A-U-E-R.

16 MS. FLETCHER: Thank you.

17 MR. HEPNER: Seymour Hepner,  
18 S-E-Y-M-O-U-R H-E-P-N-E-R.

19 MS. FLETCHER: Thank you very much.

20 MS. SIMON: Beth Simon, S-I-M-O-N.

21 MS. FLETCHER: And what was the first  
22 name, Ms. Simon?

23 MS. SIMON: Beth, B-E-T-H.

24 MS. FLETCHER: Oh, Beth? Okay, thank  
25 you.

1 MS. BRODER: Deborah Broder,  
2 D-E-B-O-R-A-H Broder, B-R-O-D-E-R.

3 MS. FLETCHER: Thank you, Ms. Broder.  
4 Okay. Mr. Oaks, from your group, I count seven?

5 MR. OAKS: Correct.

6 MS. FLETCHER: That means that your  
7 group is granted full standing as protestants  
8 today. At the upcoming status hearing only you  
9 would need to appear on behalf of the group.

10 For the mediation, you may appear on  
11 behalf of the group or anyone from the group is  
12 welcome to attend, generally. As the designated  
13 representative, it's up to you. We accept you as  
14 being the representative for the whole group.

15 MR. OAKS: Correct.

16 MS. FLETCHER: Thank you. ANC 2B has  
17 standing as a protestant. The Dupont Circle  
18 Citizens Association has standing as a protestant  
19 as does the group of 12.

20 We need to set a date for mediation,  
21 a status hearing and protest hearing. I'll give  
22 you the date for the status and protest hearing  
23 first.

24 The status hearing is set for March  
25 11. That's March 11th at 9:30 a.m. for the

1 status hearing.

2 The protest hearing is set for April  
3 8, April 8 at 4:30 for the protest hearing.

4 I'll give you the next available date  
5 for mediation. The next available day is  
6 Thursday, April (sic) 20 -- that's Thursday,  
7 April (sic) 20, anytime between 9:00 and 2:00.

8 MS. YOHANNES: February 20 or --

9 MS. FLETCHER: February. We are now  
10 into February. Mr. Oaks?

11 MR. OAKS: One more person.

12 MS. FLETCHER: One more? Okay, one  
13 more has arrived for the protestants. If you  
14 could just state your name and spell it for the  
15 record. You don't need to sign that sign-in  
16 sheet. I only needed Mr. Oaks' name on that.

17 MS. SNYDER: Okay.

18 MS. FLETCHER: But if you would just  
19 state your name and spell it for the record.

20 MS. SNYDER: Judith Snyder,  
21 S-N-Y-D-E-R.

22 MS. FLETCHER: Thank you very much.  
23 So, yes, Ms. Yohannes, we've been looking at  
24 February 20. That's Thursday, February, anytime  
25 between 9:00 and 2:00.

1 MS. YOHANNES: I'm available -- so  
2 we're available anytime.

3 MS. FLETCHER: Mr. Sacco, do you have  
4 a preference?

5 MR. SACCO: I'm sorry, that was me?

6 MS. FLETCHER: Yes, do you have a  
7 preference for time?

8 MR. SACCO: No time. Whatever works  
9 for everybody.

10 MS. FLETCHER: Okay. Mr. Oaks, any  
11 preference?

12 MR. OAKS: Early is better for me.

13 MS. FLETCHER: Okay, well then let's  
14 make it 10 o'clock. Is that okay?

15 MR. SACCO: You said that's February  
16 20th?

17 MS. FLETCHER: Yes, that's Thursday,  
18 February 20.

19 MR. SACCO: Okay.

20 MS. FLETCHER: But you can go ahead  
21 and move it. So the mediation is set for  
22 Thursday, February 20 at 10:00. Any questions at  
23 all from anybody?

24 MS. YOHANNES: No questions.

25 MS. FLETCHER: Thank you very much.



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The roll call hearing is concluded.

(Whereupon, the above-entitled matter  
went off the record at 11:15 a.m.)

<p><b>A</b></p> <p>a.m 2:2 6:25 9:3  above-entitled 9:2  ABRA 1:17  ABRA-014419 1:8 2:8  accept 6:13  adverse 2:10  agent 1:14,17 2:15  ahead 8:20  Alcoholic 1:2,12,13  ANC 1:20 3:14,16 6:16  anybody 8:23  anytime 7:7,24 8:2  appear 4:2,3 6:9,10  applicant 1:19,19,20  2:16 3:7,10 4:1  April 7:2,3,6,7  arrived 7:13  Association 3:19 6:18  attend 6:12  available 7:4,5 8:1,2</p>	<p>date 6:20,22 7:4  day 7:5  Deborah 1:23 6:1  December 1:11  designated 6:12  different 4:15  director 3:16  DISTRICT 1:1  Dupont 3:18 6:17</p>	<p><b>J</b></p> <p>J-E-F-F-R-E-Y 5:15  J-E-R-E-M-I-A-H 3:3  J-O-N-A-T-H-A-N 5:9  Jeffrey 1:22 5:14  Jeremiah 1:19 2:25  Jonathan 1:22 5:8  Judith 1:25 7:20</p>	<p>P 1:7 2:7  P-A-D-G-E-T 5:9,12  P-R-O-C-E-E-D-I-N-G-S  2:1  Padget 1:22 5:8,8,12  parking 2:11  parties 2:3,4  peace 2:11  pedestrian 2:12  person 7:11  Peter 1:20 3:15  petitions 4:13  please 2:5,16,21 3:2,22  5:1  preference 8:4,7,11  Present 1:16,18 2:16  3:14,18  presiding 1:14  property 2:13  protest 2:10 4:1 6:21,22  7:2,3  protestant 1:21,21,22  1:22,23,23,24,25 6:17  6:18  protestants 4:15 6:7  7:13</p>
<p><b>B</b></p> <p>B-E-T-H 5:23  B-R-O-D-E-R 6:2  behalf 2:16 3:14,18 6:9  6:11  Beth 5:20,23,24  better 8:12  Beverage 1:2,12,13  Board 1:2,12  Board's 1:14,17 2:15  Broder 1:23 6:1,1,2,3  Building 1:13</p>	<p><b>E</b></p> <p>Early 8:12  everybody 8:9  Excellent 4:21  executive 3:16</p>	<p><b>K</b></p> <p><b>L</b></p> <p>LaVerne 1:14,17 2:14  lead 4:11  let's 8:13  letter 4:1  License 1:8,9 2:8,8  list 4:13,14  live 4:15  LLC 2:7  looking 7:23  looks 4:22</p>	<p><b>M</b></p> <p>March 6:24,25  matter 1:4 2:4,5 9:2  means 6:6  mediation 6:10,20 7:5  8:21  meeting 4:4  met 1:13  microphone 4:24 5:6  Monday 1:11  move 8:21  multiple 4:13</p>
<p><b>C</b></p> <p>call 1:3,7 2:15 9:1  Case 1:8 2:6  Circle 3:18 6:17  Citizens 3:18 6:18  Class 2:8  COLUMBIA 1:1  come 2:5  complete 4:12  concluded 9:1  conducting 2:14  confirm 4:7  Control 1:2,12,13  Correct 4:17 6:5,15  counsel 1:20 3:7  count 6:4  court 5:6  CT 1:7 2:8</p>	<p><b>F</b></p> <p>February 7:8,9,10,24  7:24 8:15,18,22  Fireplace 1:5,6 2:4,5,7  first 5:21 6:23  Fletcher 1:14,17 2:3,14  2:20,24 3:1,5,9,12,17  3:21,25 4:6,14,17,20  4:22 5:5,10,13,16,19  5:21,24 6:3,6,16 7:9  7:12,18,22 8:3,6,10  8:13,17,20,25  forward 2:5  full 6:7</p>	<p><b>M</b></p> <p>March 6:24,25  matter 1:4 2:4,5 9:2  means 6:6  mediation 6:10,20 7:5  8:21  meeting 4:4  met 1:13  microphone 4:24 5:6  Monday 1:11  move 8:21  multiple 4:13</p>	<p><b>Q</b></p> <p>questions 8:22,24  quiet 2:11</p>
<p><b>D</b></p> <p>D-E-B-O-R-A-H 6:2  D.C 1:14</p>	<p><b>G</b></p> <p>G-R-I-S-W-E-L-M 3:4  generally 6:12  give 6:21 7:4  given 4:2  granted 6:7  GRISWELL 1:19  GRISWELLM 2:25  Griswelm 2:25 3:3,4  group 4:8 6:4,7,9,11,11  6:14,19  groups 4:12</p>	<p><b>N</b></p> <p>N.W 1:13  name 2:14,17 3:4,22  4:25 5:2,10,22 7:14  7:16,19  need 6:9,20 7:15  needed 7:16  notice 4:2,3,3  NW 1:7 2:7</p>	<p><b>R</b></p> <p>R-U-E-C-K-G-A-U-E-R  5:15  real 2:12  record 2:18 3:2,22 5:1  7:15,19 9:3  Reeves 1:13  Renewal 1:9 2:9  reporter 5:6  representative 4:11  6:13,14  residential 2:11  Restaurant 1:5 2:7  Retailer 1:7 2:8  Rober 4:10  ROBERT 1:24  roll 1:3,7 2:15 9:1  Room 1:13  Rueckgauer 1:22 5:14  5:14</p>
	<p><b>H</b></p> <p>H-A-Y-T-H-E 5:4  H-E-P-N-E-R 5:18  Haythe 1:21 5:2,3,3  hearing 1:3,7,13 2:15  4:2 6:8,21,21,22,24  7:1,2,3 9:1  helps 4:12  Hepner 1:23 5:17,17</p>	<p><b>O</b></p> <p>o'clock 8:14  O-A-K-S 4:11  O-L-M-A-N 3:24  Oaks 1:24 4:8,9,10,11  4:16,19,21,24 6:4,5  6:15 7:10,11 8:10,12  Oaks' 7:16  order 2:11</p>	<p><b>S</b></p> <p>S-A-C-C-O 3:16  S-E-Y-M-O-U-R 5:18  S-I-D-O-N 3:8  S-I-M-O-N 5:20  S-N-Y-D-E-R 7:21</p>
	<p><b>I</b></p> <p>impact 2:10  issues 2:10</p>	<p><b>P</b></p>	

<p><b>S-T-E-V-E-N</b> 2:22  <b>S-U-S-A-N</b> 3:23  <b>Sacco</b> 1:20 3:11,15,15  3:17 8:3,5,8,15,19  <b>safety</b> 2:12  <b>saw</b> 3:25  <b>set</b> 6:20,24 7:2 8:21  <b>seven</b> 6:4  <b>Seymour</b> 1:23 5:17  <b>sheet</b> 7:16  <b>sic</b> 7:6,7  <b>side</b> 3:12  <b>Sidon</b> 1:20 3:6  <b>sign</b> 7:15  <b>sign-in</b> 7:15  <b>Simon</b> 5:20,20,22,23  <b>Snyder</b> 1:25 7:17,20,20  <b>sorry</b> 5:7 8:5  <b>spell</b> 2:17,21 3:1,21  4:25 5:10 7:14,19  <b>standing</b> 6:7,17,18  <b>start</b> 2:18  <b>state</b> 2:17 4:25 7:14,19  <b>status</b> 6:8,21,22,24 7:1  <b>Steven</b> 1:19 2:19  <b>Street</b> 1:7,13 2:7  <b>submitted</b> 4:13  <b>Suite</b> 1:14  <b>Susan</b> 1:21 3:20</p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p><b>T-E-I-N</b> 2:23  <b>t/a</b> 1:6  <b>thank</b> 2:24 3:5,9,14,17  4:6,7 5:5,13,16,19,24  6:3,16 7:22 8:25  <b>Thursday</b> 7:6,6,24 8:17  8:22  <b>today</b> 4:23 6:8  <b>touch</b> 5:6</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p><b>units</b> 4:15  <b>upcoming</b> 6:8</p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p><b>V</b> 3:23  <b>values</b> 2:13  <b>vehicular</b> 2:12  <b>Victor</b> 3:23  <b>Volman</b> 1:21 3:20,20,23  3:25</p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p><b>W-E-I-N-S-</b> 2:22  <b>W-I-N-S-T-O-N</b> 5:3  <b>wanted</b> 4:7  <b>Washington</b> 1:14</p>	<p><b>Weinstein</b> 1:19 2:19,19  2:20,22 4:5  <b>welcome</b> 6:12  <b>went</b> 9:3  <b>Winston</b> 1:21 5:2  <b>works</b> 8:8</p> <hr/> <p style="text-align: center;"><b>X</b></p> <hr/> <p style="text-align: center;"><b>Y</b></p> <hr/> <p><b>Y-O-H-A-N-N-E-S</b> 3:8  <b>Yohannes</b> 1:20 3:6,6  7:8,23 8:1,24</p> <hr/> <p style="text-align: center;"><b>Z</b></p> <hr/> <p style="text-align: center;"><b>0</b></p> <hr/> <p style="text-align: center;"><b>1</b></p> <hr/> <p><b>10</b> 8:14  <b>10:00</b> 8:22  <b>11</b> 6:25  <b>11:06</b> 2:2  <b>11:15</b> 9:3  <b>11th</b> 6:25  <b>12</b> 4:8 6:19  <b>14th</b> 1:13  <b>19-PRO-00140</b> 1:8 2:6</p> <hr/> <p style="text-align: center;"><b>2</b></p> <hr/> <p><b>2:00</b> 7:7,25  <b>20</b> 7:6,7,8,24 8:18,22  <b>2000</b> 1:13  <b>20009</b> 1:14  <b>2019</b> 1:11  <b>20th</b> 8:16  <b>2161</b> 1:7 2:7  <b>2B</b> 1:20 3:14,16 6:16</p> <hr/> <p style="text-align: center;"><b>3</b></p> <hr/> <p style="text-align: center;"><b>4</b></p> <hr/> <p><b>4:30</b> 7:3  <b>400S</b> 1:14</p> <hr/> <p style="text-align: center;"><b>5</b></p> <hr/> <p style="text-align: center;"><b>6</b></p> <hr/> <p style="text-align: center;"><b>7</b></p> <hr/> <p><b>7-day</b> 4:2,3</p> <hr/> <p style="text-align: center;"><b>8</b></p> <hr/> <p><b>8</b> 7:3,3</p> <hr/> <p style="text-align: center;"><b>9</b></p> <hr/> <p><b>9</b> 1:11  <b>9:00</b> 7:7,25</p>	<p><b>9:30</b> 6:25</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: The Fireplace

Before: DCABRA

Date: 12-09-19

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.



-----  
Court Reporter

**NEAL R. GROSS**

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