



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

10:35 a.m.

1  
2  
3 MS. FLETCHER: The parties in the  
4 matter of Macon DC, please come forward, the  
5 parties in the matter of Macon DC. This is Case  
6 Number 14-PRO-00017, Macon DC, LLC, trading as  
7 Macon DC, 5520 Connecticut Avenue NW, License  
8 Number ABRA-093939. This is a Retailer CR new  
9 application.

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

13 My name is LaVerne Fletcher, and I'm  
14 representing - conducting the Roll Call Hearing  
15 pursuant to DC Official Code 1601.2.

16 Introductions beginning with the Applicant?

17 MR. KLINE: Good morning, Andrew Kline  
18 on behalf of the Applicant.

19 MS. FLETCHER: Thank you, Mr. Kline.  
20 And there is a group of six protestants in this  
21 matter. Is there a designated representative for  
22 your group at this stage?

1 MS. VERHEYDEN-HILLIARD: Yes, Ms.  
2 Fletcher. I'm Mara Verheyden-Hilliard. I'm one  
3 of the protestants and the designated  
4 representative.

5 MS. FLETCHER: Okay, thank you. And  
6 would you spell your name for the record, please?

7 MS. VERHEYDEN-HILLIARD: Sure, M-A-R-A  
8 V-E-R-H-E-Y-D-E-N hyphen H-I-L-L-I-A-R-D.

9 MS. FLETCHER: Okay, and are there are  
10 other individuals from your protestant group  
11 present today?

12 MS. VERHEYDEN-HILLIARD: Yes.

13 MS. FLETCHER: Okay, if you would  
14 state your name into the microphone and spell it  
15 for the record?

16 MR. ABRECHT: Good morning, Ms.  
17 Fletcher. My name is Stephen Abrecht, S-T-E-P-H-  
18 E-N last name A-B-R-E-C-H-T.

19 MS. FLETCHER: Thank you.

20 MS. SHENK: Good morning, my name is  
21 Janet Shenk, J-A-N-E-T S-H-E-N-K.

22 MS. FLETCHER: Thank you, Ms. Shenk.

1 MR. MESSINEO: Good morning, Ms.  
2 Fletcher. My name is Carl C-A-R-L Messineo M-E-  
3 S-S-I-N-E-O.

4 MS. VERHEYDEN-HILLIARD: And may I add  
5 too into the record, we were scheduled originally  
6 for last Monday, but because ABRA was closed  
7 because of the inclement weather, we were  
8 rescheduled for today.

9 The other two protestants who were  
10 scheduled and were prepared to come on Monday are  
11 not able to be here today. They contacted Ms.  
12 Anderson in advance last week, Tesha Anderson, to  
13 advise her. And we have a letter from them  
14 designating me as a representative -

15 MS. FLETCHER: Okay.

16 MS. VERHEYDEN-HILLIARD: - which I  
17 would like to put in the record or read into the  
18 record.

19 MS. FLETCHER: I'll take those.

20 MS. VERHEYDEN-HILLIARD: But, just for  
21 the record, subsequent to the hearing on Monday,  
22 one of the protestants was diagnosed with cancer

1 and she and her husband then today are having  
2 follow-up procedures -

3 MS. FLETCHER: Okay.

4 MS. VERHEYDEN-HILLIARD: - which is  
5 why they're not here today.

6 MS. FLETCHER: No problem, thank you.  
7 And you mentioned Tesha Anderson, her name is  
8 spelled T-E-S-H-A Anderson.

9 MS. VERHEYDEN-HILLIARD: So, they have  
10 submitted a signed letter designating me on their  
11 behalf today.

12 MS. FLETCHER: Okay, thank you. I  
13 have a letter designating Ms. Verheyden-Hilliard  
14 to represent Annemarie Maguire and William -

15 MS. VERHEYDEN-HILLIARD: Schuerch.

16 MS. FLETCHER: Schuerch? I'll spell  
17 it. Annemarie is A-N-N-E-M-A-R-I-E, one word, M-  
18 A-G-U-I-R-E, and William's last name is spelled  
19 S-C-H-U-E-R-C-H. And they both signed the  
20 protest letter.

21 Ms. Verheyden-Hilliard, there are four  
22 members from your group present today, so

1 conditional standing is being granted to your  
2 group today. What that means is that at the  
3 upcoming status hearing, one more person - the  
4 Board needs to see just one more person.

5 MS. VERHEYDEN-HILLIARD: And does that  
6 mean that I, as a representative of the four who  
7 have been here, there just needs to be one of the  
8 other two -

9 MS. FLETCHER: One additional -

10 MS. VERHEYDEN-HILLIARD: - that needs  
11 to be present?

12 MS. FLETCHER: Yes.

13 MS. VERHEYDEN-HILLIARD: But, they do  
14 not necessarily need to be present?

15 MS. FLETCHER: That's right.

16 MS. VERHEYDEN-HILLIARD: Correct.

17 MS. FLETCHER: And you can come as a  
18 designated representative because you're the  
19 representative, but we just need to see that one  
20 other face from the group.

21 MS. VERHEYDEN-HILLIARD: That's fine.

22 MS. FLETCHER: And then at that time,

1 the Board will grant full standing to your group.  
2 But, we will proceed with the mediation, and that  
3 other person will appear at the status hearing,  
4 and then there's the protest hearing if the  
5 matter is not resolved in mediation.

6 MS. VERHEYDEN-HILLIARD: And just to  
7 clarify for the record, the ANC is not filed as a  
8 protestant. They do not have standing in the  
9 matter.

10 MS. FLETCHER: The ANC did not file a  
11 protest, so there's just -

12 MS. VERHEYDEN-HILLIARD: So, we are  
13 the only ones with standing.

14 MS. FLETCHER: Yes.

15 MS. VERHEYDEN-HILLIARD: Thank you.

16 MS. FLETCHER: We need to set a date  
17 for a mediation, a status hearing, and a protest  
18 hearing. The date for the status hearing is  
19 April the 23rd at 9:30 a.m.

20 MS. VERHEYDEN-HILLIARD: I'm sorry, at  
21 9:30?

22 MS. FLETCHER: At 9:30, 9:30 a.m. for

1 the status hearing, April 23rd. The date for the  
2 protest hearing is May 7th, May 7th at 1:30.

3 MS. SHENK: Just to clarify, if one of  
4 us cannot be there on May 7th, that's okay?

5 MS. FLETCHER: Well, the protest  
6 hearing, it's up to you who to bring. The  
7 purpose of the mediation is to - it's an  
8 alternative to the protest hearing. If you can  
9 resolve the matter in mediation, there won't be a  
10 protest hearing.

11 But, if there is a protest hearing,  
12 then you decide who's going to appear for that,  
13 who your witnesses will be. It's only at the  
14 status hearing that one more person has to  
15 appear. For the purposes of the protest hearing,  
16 it's up to you.

17 I'll give you some dates that are  
18 available for mediation prior to April 23rd.  
19 Thursday, April 10 is available at 9:00, 10:00,  
20 11:00 or 1:00.

21 MR. KLINE: Could we do it at 1:00  
22 that day if that's acceptable to the protestant?

1 MS. VERHEYDEN-HILLIARD: I'm not  
2 available on the 10th.

3 MS. FLETCHER: Okay, then let's see,  
4 Friday, April 18th is available at 9:00, 10:00,  
5 11:00 or 1:00.

6 MS. VERHEYDEN-HILLIARD: I'm afraid  
7 I'm out of town.

8 MS. FLETCHER: Okay, I'll keep going.

9 MR. KLINE: What about Friday the 11th?

10 MS. FLETCHER: Friday the 11th I'm  
11 actually not here that day.

12 MR. KLINE: Okay.

13 MS. FLETCHER: Let's see, how about -

14 MS. VERHEYDEN-HILLIARD: We may need  
15 to do it after the status hearing.

16 MS. FLETCHER: After the status  
17 hearing, and -

18 MS. VERHEYDEN-HILLIARD: It looks like  
19 we're moving that way.

20 MS. FLETCHER: And why would that be?

21 MS. VERHEYDEN-HILLIARD: Well, what is  
22 the next available -

1 MS. FLETCHER: Well, let me say this -

2 MS. VERHEYDEN-HILLIARD: What's the  
3 next available date?

4 MS. FLETCHER: Let me just tell you  
5 this just because you just should know, because  
6 this is a new application, the Board is not going  
7 to be very flexible with changing dates.

8 MS. VERHEYDEN-HILLIARD: Yes.

9 MS. FLETCHER: Just so that you know.  
10 In a renewal, as in a previous case you may have  
11 heard, it's a license renewal, so the business  
12 continues to operate. But, when it's a new  
13 application, they're unlikely to change the dates  
14 for a new application.

15 MS. VERHEYDEN-HILLIARD: When is the  
16 next available date?

17 MS. FLETCHER: I can try and squeeze -  
18 I'll see if I can squeeze you in some place.  
19 Those were the next available dates, but -

20 MS. VERHEYDEN-HILLIARD: I meant after  
21 the 18th

22 MS. FLETCHER: Yeah, let me see if I

1 have something. What's -

2 MS. VERHEYDEN-HILLIARD: Like the week  
3 of the 21st.

4 MS. FLETCHER: What about - there's  
5 something available - there's a spot available at  
6 1:00 on Tuesday, April 8. If that's too soon,  
7 I'll keep moving.

8 MR. KLINE: That works for us.

9 MS. SHENK: I have to be in New York.

10 MS. FLETCHER: Okay. Now, for the  
11 mediation, we need only the designated  
12 representative. But, if you want to - if you  
13 want to be present, we'll keep moving. For us,  
14 it doesn't matter. I just wanted you to know the  
15 designated representative is who is required, but  
16 it's fine if we keep moving so that -

17 MS. SHENK: If we could see if there's  
18 other dates -

19 MS. VERHEYDEN-HILLIARD: Is there  
20 anything on the 21st or 22nd? That would put us in  
21 advance of the status hearing.

22 MS. FLETCHER: Let's see, the 21st,

1 that's a Monday. We can do the 21st at 1:00.

2 MS. VERHEYDEN-HILLIARD: I'm sorry?

3 MS. FLETCHER: It's the 21st at 1:00.

4 Is that good for you, Mr. Kline?

5 MR. KLINE: Yeah, that works.

6 MS. FLETCHER: That will work.

7 MR. KLINE: It's a little further out  
8 than we would like, but if that's the only date  
9 that works, that's - we can make that work.

10 MS. FLETCHER: Ms. Verheyden-Hilliard,  
11 did you put your contact information on that  
12 sign-in sheet, your daytime number and email  
13 address?

14 MS. VERHEYDEN-HILLIARD: Yes, I did,  
15 Ms. Fletcher.

16 MS. FLETCHER: Okay, thank you. So,  
17 then mediation is set for Monday, April 14th at  
18 1:00.

19 MS. VERHEYDEN-HILLIARD: The 21st.

20 MS. SHENK: The 21st, you said.

21 MS. FLETCHER: I'm glad we clarified  
22 that. I just wrote it in the wrong place. One

1 second, please.

2 MR. KLINE: Do you have the 14th  
3 available?

4 MS. FLETCHER: The 14th is available.

5 MS. VERHEYDEN-HILLIARD: That whole  
6 week I am out of town.

7 MS. FLETCHER: Okay, mediation is set  
8 for Monday, April 21st at 1:00. Oh, the mediation  
9 will take place here also, just so you know.

10 MS. VERHEYDEN-HILLIARD: Thank you.

11 MS. FLETCHER: It will either be -  
12 most likely in this room. I just wanted you to  
13 know that. So, just check in with the  
14 receptionist and we will get together. Okay,  
15 well, thank you for coming.

16 MS. VERHEYDEN-HILLIARD: Thank you  
17 very much.

18 MR. KLINE: Thank you.

19 (Whereupon, the Roll Call Hearing was  
20 concluded at 10:48 a.m.)

21

22

<b>A</b>	<b>Board</b> 1:3,15 6:4 7:1 10:6 <b>bring</b> 8:6 <b>Building</b> 1:16 <b>business</b> 10:11	<b>designating</b> 4:14 5:10,13 <b>diagnosed</b> 4:22 <b>DISTRICT</b> 1:1	3:8 <b>heard</b> 10:11 <b>hearing</b> 1:5,16 2:14 4:21 6:3 7:3,4,17 7:18,18 8:1,2,6,8 8:10,11,14,15 9:15,17 11:21 13:19 <b>husband</b> 5:1 <b>hyphen</b> 3:8	2:6,7 <b>Maguire</b> 5:14 <b>Mara</b> 3:2 <b>MARCH</b> 1:13 <b>matter</b> 1:8 2:4,5,21 7:5,9 8:9 11:14 <b>mean</b> 6:6 <b>means</b> 6:2 <b>meant</b> 10:20 <b>mediation</b> 7:2,5,17 8:7,9,18 11:11 12:17 13:7,8 <b>members</b> 5:22 <b>mentioned</b> 5:7 <b>Messineo</b> 4:1,2 <b>met</b> 1:16 <b>microphone</b> 3:14 <b>Monday</b> 1:13 4:6 4:10,21 12:1,17 13:8 <b>morning</b> 2:17 3:16 3:20 4:1 <b>moving</b> 9:19 11:7 11:13,16	
<b>A-B-R-E-C-H-T</b> 3:18 <b>A-G-U-I-R-E</b> 5:18 <b>A-N-N-E-M-A-R...</b> 5:17 <b>a.m</b> 2:2 7:19,22 13:20 <b>able</b> 4:11 <b>ABRA</b> 4:6 <b>ABRA-093939</b> 2:8 <b>Abrecht</b> 3:16,17 <b>acceptable</b> 8:22 <b>add</b> 4:4 <b>additional</b> 6:9 <b>address</b> 12:13 <b>advance</b> 4:12 11:21 <b>adverse</b> 2:10 <b>advise</b> 4:13 <b>afraid</b> 9:6 <b>Agent</b> 1:17 <b>Alcoholic</b> 1:3,15,16 <b>alternative</b> 8:8 <b>ANC</b> 7:7,10 <b>Anderson</b> 4:12,12 5:7,8 <b>Andrew</b> 2:17 <b>Annemarie</b> 5:14,17 <b>appear</b> 7:3 8:12,15 <b>Applicant</b> 2:16,18 <b>application</b> 1:11 2:9 10:6,13,14 <b>April</b> 7:19 8:1,18 8:19 9:4 11:6 12:17 13:8 <b>available</b> 8:18,19 9:2,4,22 10:3,16 10:19 11:5,5 13:3 13:4 <b>Ave</b> 1:10 <b>Avenue</b> 2:7	<b>C</b>	<b>E</b>	<b>I</b>	<b>N</b>	
<b>B</b>	<b>C-A-R-L</b> 4:2 <b>Call</b> 1:5 2:14 13:19 <b>cancer</b> 4:22 <b>Carl</b> 4:2 <b>case</b> 1:11 2:5 10:10 <b>change</b> 10:13 <b>changing</b> 10:7 <b>check</b> 13:13 <b>clarified</b> 12:21 <b>clarify</b> 7:7 8:3 <b>closed</b> 4:6 <b>Code</b> 2:15 <b>COLUMBIA</b> 1:1 <b>come</b> 2:4 4:10 6:17 <b>coming</b> 13:15 <b>concluded</b> 13:20 <b>conditional</b> 6:1 <b>conducting</b> 2:14 <b>Connecticut</b> 1:10 2:7 <b>contact</b> 12:11 <b>contacted</b> 4:11 <b>continues</b> 10:12 <b>Control</b> 1:3,15,16 <b>Correct</b> 6:16 <b>CR</b> 1:11 2:8	<b>E-N</b> 3:18 <b>either</b> 13:11 <b>email</b> 12:12	<b>impact</b> 2:10 <b>inclement</b> 4:7 <b>individuals</b> 3:10 <b>information</b> 12:11 <b>Introductions</b> 2:16 <b>issues</b> 2:10	<b>O</b>	
<b>beginning</b> 2:16 <b>behalf</b> 2:18 5:11 <b>Beverage</b> 1:3,15,16	<b>D</b>	<b>F</b>	<b>J</b>	<b>N.W</b> 1:16 <b>name</b> 2:13 3:6,14 3:17,18,20 4:2 5:7 5:18 <b>necessarily</b> 6:14 <b>need</b> 6:14,19 7:16 9:14 11:11 <b>needs</b> 6:4,7,10 <b>new</b> 1:11 2:8 10:6 10:12,14 11:9 <b>number</b> 2:6,8 12:12 <b>NW</b> 1:10 2:7	
	<b>D.C</b> 1:17 <b>date</b> 7:16,18 8:1 10:3,16 12:8 <b>dates</b> 8:17 10:7,13 10:19 11:18 <b>day</b> 8:22 9:11 <b>daytime</b> 12:12 <b>DC</b> 1:9,9 2:4,5,6,7 2:15 <b>decide</b> 8:12 <b>designated</b> 2:21 3:3 6:18 11:11,15	<b>face</b> 6:20 <b>file</b> 7:10 <b>filed</b> 7:7 <b>fine</b> 6:21 11:16 <b>Fletcher</b> 1:17 2:3 2:13,19 3:2,5,9,13 3:17,19,22 4:2,15 4:19 5:3,6,12,16 6:9,12,15,17,22 7:10,14,16,22 8:5 9:3,8,10,13,16,20 10:1,4,9,17,22 11:4,10,22 12:3,6 12:10,15,16,21 13:4,7,11 <b>flexible</b> 10:7 <b>follow-up</b> 5:2 <b>forward</b> 2:4 <b>four</b> 5:21 6:6 <b>Friday</b> 9:4,9,10 <b>full</b> 7:1 <b>further</b> 12:7	<b>K</b>	<b>J-A-N-E-T</b> 3:21 <b>Janet</b> 3:21	<b>N</b>
		<b>give</b> 8:17 <b>glad</b> 12:21 <b>going</b> 8:12 9:8 10:6 <b>good</b> 2:17 3:16,20 4:1 12:4 <b>grant</b> 7:1 <b>granted</b> 6:1 <b>group</b> 2:20,22 3:10 5:22 6:2,20 7:1	<b>L</b>	<b>O</b>	
		<b>G</b>	<b>keep</b> 9:8 11:7,13,16 <b>Kline</b> 2:17,17,19 8:21 9:9,12 11:8 12:4,5,7 13:2,18 <b>know</b> 10:5,9 11:14 13:9,13	<b>Official</b> 2:15 <b>Oh</b> 13:8 <b>okay</b> 3:5,9,13 4:15 5:3,12 8:4 9:3,8 9:12 11:10 12:16 13:7,14	
		<b>H</b>	<b>M</b>		
		<b>H-I-L-L-I-A-R-D</b>	<b>LaVerne</b> 1:17 2:13 <b>let's</b> 9:3,13 11:22 <b>letter</b> 4:13 5:10,13 5:20 <b>license</b> 1:10 2:7 10:11 <b>little</b> 12:7 <b>LLC</b> 1:9 2:6 <b>looks</b> 9:18		
			<b>M</b> 5:17 <b>M-A-R-A</b> 3:7 <b>M-E</b> 4:2 <b>Macon</b> 1:9,9 2:4,5		

ones 7:13  
 operate 10:12  
 order 2:11  
 originally 4:5  
 overconcentration  
 2:12

---

**P**


---

**P-R-O-C-E-E-D-...**  
 2:1  
 parking 2:11  
 parties 2:3,5  
 peace 2:11  
 person 6:3,4 7:3  
 8:14  
 place 10:18 12:22  
 13:9  
 please 2:4 3:6 13:1  
 prepared 4:10  
 present 3:11 5:22  
 6:11,14 11:13  
 presiding 1:18  
 previous 10:10  
 prior 8:18  
 problem 5:6  
 procedures 5:2  
 proceed 7:2  
 property 2:12  
 protest 2:10 5:20  
 7:4,11,17 8:2,5,8  
 8:10,11,15  
 protestant 3:10 7:8  
 8:22  
 protestants 2:20  
 3:3 4:9,22  
 purpose 8:7  
 purposes 8:15  
 pursuant 2:15  
 put 4:17 11:20  
 12:11

---

**Q**


---

quiet 2:11

---

**R**


---

read 4:17  
 real 2:12

receptionist 13:14  
 record 3:6,15 4:5  
 4:17,18,21 7:7  
 Reeves 1:16  
 renewal 10:10,11  
 represent 5:14  
 representative 2:21  
 3:4 4:14 6:6,18,19  
 11:12,15  
 representing 2:14  
 required 11:15  
 rescheduled 4:8  
 residential 2:11  
 resolve 8:9  
 resolved 7:5  
 Retailer 1:11 2:8  
 right 6:15  
 Roll 1:5 2:14 13:19  
 room 1:16 13:12

---

**S**


---

**S-C-H-U-E-R-C-H**  
 5:19  
**S-H-E-N-K** 3:21  
**S-S-I-N-E-O** 4:3  
**S-T-E-P-H** 3:17  
 scheduled 4:5,10  
 Schuerch 5:15,16  
 second 13:1  
 see 6:4,19 9:3,13  
 10:18,22 11:17,22  
 set 7:16 12:17 13:7  
 sheet 12:12  
 Shenk 3:20,21,22  
 8:3 11:9,17 12:20  
 sign-in 12:12  
 signed 5:10,19  
 six 2:20  
 soon 11:6  
 sorry 7:20 12:2  
 spell 3:6,14 5:16  
 spelled 5:8,18  
 spot 11:5  
 squeeze 10:17,18  
 stage 2:22  
 standing 6:1 7:1,8

7:13  
 state 3:14  
 status 6:3 7:3,17,18  
 8:1,14 9:15,16  
 11:21  
 Stephen 3:17  
 Street 1:16  
 submitted 5:10  
 subsequent 4:21  
 Sure 3:7

---

**T**


---

**T-E-S-H-A** 5:8  
 t/a 1:9  
 take 4:19 13:9  
 tell 10:4  
 Tesha 4:12 5:7  
 thank 2:19 3:5,19  
 3:22 5:6,12 7:15  
 12:16 13:10,15,16  
 13:18  
 Thursday 8:19  
 time 6:22  
 today 3:11 4:8,11  
 5:1,5,11,22 6:2  
 town 9:7 13:6  
 trading 2:6  
 try 10:17  
 Tuesday 11:6  
 two 4:9 6:8

---

**U**


---

upcoming 6:3

---

**V**


---

**V-E-R-H-E-Y-D-...**  
 3:8  
 values 2:12  
 Verheyden-Hilli...  
 3:1,2,7,12 4:4,16  
 4:20 5:4,9,13,15  
 5:21 6:5,10,13,16  
 6:21 7:6,12,15,20  
 9:1,6,14,18,21  
 10:2,8,15,20 11:2  
 11:19 12:2,10,14  
 12:19 13:5,10,16

---

**W**


---

want 11:12,13  
 wanted 11:14 13:12  
 Washington 1:17  
 way 9:19  
 we'll 11:13  
 we're 9:19  
 weather 4:7  
 week 4:12 11:2  
 13:6  
 William 5:14  
 William's 5:18  
 witnesses 8:13  
 word 5:17  
 work 12:6,9  
 works 11:8 12:5,9  
 wrong 12:22  
 wrote 12:22

---

**X**


---



---

**Y**


---

Yeah 10:22 12:5  
 York 11:9

---

**Z**


---



---

**0**


---

093939 1:10

---

**1**


---

1:00 8:20,21 9:5  
 11:6 12:1,3,18  
 13:8  
 1:30 8:2  
 10 8:19  
 10:00 8:19 9:4  
 10:35 2:2  
 10:48 13:20  
 10th 9:2  
 11:00 8:20 9:5  
 11th 9:9,10  
 14-PRO-00017  
 1:11 2:6  
 14th 1:16 12:17  
 13:2,4  
 1601.2 2:15

18th 9:4 10:21

---

**2**


---

2000 1:16  
 2014 1:13  
 21st 11:3,20,22  
 12:1,3,19,20 13:8  
 22nd 11:20  
 23rd 7:19 8:1,18  
 24 1:13

---

**3**


---



---

**4**


---



---

**5**


---

5520 1:10 2:7

---

**6**


---



---

**7**


---

7th 8:2,2,4

---

**8**


---

8 11:6

---

**9**


---

9:00 8:19 9:4  
 9:30 7:19,21,22,22