

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
3 ALCOHOLIC BEVERAGE CONTROL BOARD
4

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6 Naylor Stables, LLC t/a : Case #15-PRO-00098
7 To Be Determined : New Application
8 1322 9th Street NW :
9 License ABRA-100016 :
10 Retailer Class CT :
11 Adverse impact on peace, :
12 Order and quiet, :
13 Real property values :
14 Residential parking, :
15 Vehicular & pedestrian safety:

16 - - - - -X

17 Monday, October 26, 2015

18

19 Whereupon, the above-referenced matters
20 came on for hearing at the Alcoholic Beverage
21 Control Board, Reeves Center, 2000 14th Street,
22 N.W., Suite 400S, Washington, D.C. 20009.

1 BOARD MEDIATOR:

2 LAVERNE FLETCHER, Presiding

3

4 BOARD MEMBERS:

5 DONALD BROOKS

6 MICHAEL SILVERSTEIN

7 JAMES SHORT

8 HERMAN JONES

9 NICK ALBERTI

10

11 ALSO PRESENT:

12 DAVID ROSNER, Esq.

13 Applicant

14 THADDEUS CURTZ

15 On behalf of Applicant

16 LYLE BLANCHARD, Esq.

17 On behalf of 1320 9th Street, NW, LLC

18 CHARLES BENGEL, Commissioner

19 On behalf of ANC 2F

20 JARED JABLONKA

21 On behalf of 1326 9th Street NW

22 And 1326 Naylor Court

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

2 MS. FLETCHER: Would the parties in the
3 matter of Naylor Stables please come forward?

4 This is case number 15-PRO-00098, Naylor Stables,
5 LLC trading as To Be Determined, 1322 9th Street,
6 NW, license number ABRA-100016.

7 This is a retailer class CT, new
8 application. The protest issues are adverse
9 impact on peace, order and quiet, real property
10 values and residential parking, vehicular and
11 pedestrian safety.

12 My name is LaVerne Fletcher. I'm
13 conducting the Roll Call Hearing as the Board's
14 Agent pursuant to D.C. Official Code 1601.2.

15 Introductions beginning with the
16 applicant.

17 MR. ROSNER: This is David Rosner, co-
18 owner.

19 MS. FLETCHER: And Rosner, would you
20 spell your name for the record, please?

21 MR. ROSNER: It's D-A-V-I-D, R-O-S-N-E-R.

22 MS. FLETCHER: Thank you.

1 MR. CURTZ: I'm Thaddeus Curtz, co-owner,
2 for the applicant. First name is spelled T-H-A-
3 D-D-E-U-S, last name, C-U-R-T-Z.

4 MS. FLETCHER: Thank you very much. And
5 present on behalf of -- is Jared Jablonka
6 present?

7 (No response heard)

8 MS. FLETCHER: Jared Jablonka or someone
9 representing Mr. Jablonka?

10 (No response heard)

11 MS. FLETCHER: Okay. Is anyone present
12 on behalf of 1320 9th Street, NW, LLC.

13 MR. BLANCHARD: Yes. Good morning, Ms.
14 Fletcher.

15 MS. FLETCHER: Good morning, Mr.
16 Blanchard.

17 MR. BLANCHARD: How are you?

18 MS. FLETCHER: Fine. Thank you.

19 MR. BLANCHARD: I have a letter which I
20 just filed with the front desk. I'm submitting
21 (Inaudible 00:09:09) --

22 MR. KNIESER: I'm not getting your

1 testimony, if this is actual testimony .

2 MS. FLETCHER: Yeah, this is the entire
3 record.

4 MR. KNIESER: He needs to stand in front
5 of a microphone.

6 MS. FLETCHER: Yes.

7 MR. BLANCHARD: Okay. I'll start again.
8 Good morning, Ms. Fletcher. Lyle Blanchard on
9 behalf of -- well, representing 1320 9th Street,
10 LLC, and I just handed you a date stamped letter
11 that I filed with ABRA a few minutes ago, which
12 is authorizing Charles Grazioli, CFO of the LLC.
13 And Mr. Grazioli is standing here with me.

14 MS. FLETCHER: Okay.

15 MR. BLANCHARD: I've given a copy of that
16 letter to the applicant.

17 MS. FLETCHER: Mr. Grazioli, would you
18 please state forward and state your name and
19 spell it for the record, please.

20 MR. GRAZIOLI: Good morning. Charles
21 Grazioli. C-H-A-R-L-E-S, G-R-A-Z-I-O-L-I.

22 MS. FLETCHER: Thank you.

1 [Pause]

2 MR. BLANCHARD: And Ms. Fletcher, I
3 already filed my agent/attorney designation form
4 by email with ABRA on October 13th.

5 MS. FLETCHER: And I do have that in the
6 record.

7 MR. BLANCHARD: Thank you.

8 MS. FLETCHER: Thank you. And so, this
9 letter that you've just given me, Mr. Blanchard,
10 authorizes Charles Grazioli to also represent
11 1320 9th Street?

12 MR. BLANCHARD: Right.

13 MS. FLETCHER: LLC?

14 MR. BLANCHARD: Just so that you can see,
15 there's an -- so that the board can see that
16 there's an actual person --

17 MS. FLETCHER: Yes.

18 MR. BLANCHARD: -- for the LLC.

19 MS. FLETCHER: Thank you.

20 Is there anyone present on behalf of ANC
21 2F?

22 MR. BENGEL: Yes, ma'am. Commissioner

1 Charlie Bengel, 2F 06.

2 MS. FLETCHER: And would you spell your
3 name for the record, please?

4 MR. BENDEL: Sure. First name is the
5 common spelling of Charlie. Last name, Bengel, B
6 as in boy, E-N-G-E-L.

7 MS. FLETCHER: I'm sorry. B-A-N?

8 MR. BENDEL: B-E-N-G-E-L.

9 MS. FLETCHER: And Mr. Bengel, when you
10 put your contact information, there is a sheet.

11 MR. BENDEL: Mm-hmm.

12 MS. FLETCHER: There should be a contact
13 --

14 MR. BENDEL: Yep, I already filled in
15 out.

16 MS. FLETCHER: Oh, you did that already?

17 MR. BENDEL: Oh, everyone doesn't need to
18 fill that out. That's just for designated
19 representatives, only. So, you can just pass
20 that back up to the table. I should have
21 mentioned that.

22 You can just leave it right there for Mr.

1 Bengel. You need to fill that out. Just flip it
2 over on the back.

3 MR. BENGEL: I already did.

4 MS. FLETCHER: Okay, thank you.

5 Okay. So, there are a group of
6 individuals standing. If you would just come
7 behind the microphone. It's in the center of the
8 table.

9 Just stand behind the microphone and
10 state your name and spell it for the record.

11 MR. BATTEH: Hi. My name is Kevin
12 Batteh, last name B like bravo, A-T-T-E-H. Do
13 you need our addresses?

14 (No response heard)

15 MR. BATTEH: We're a group of five or
16 more.

17 MS. FLETCHER: You're a group of five or
18 more?

19 MR. BATTEH: Yes.

20 MS. FLETCHER: No, I won't need your
21 addresses at this point. Thank you.

22 MR. BATTEH: Sure. And the -- will the

1 rest go?

2 MR. HARRISON: Good morning, Ms.

3 Fletcher. My name is Paul Harrison, H-A-R-R-I-S-
4 O-N.

5 MS. FLETCHER: Thank you. S-O-N?

6 MR. HARRISON: Correct.

7 MS. FLETCHER: Thank you.

8 MS. SIMON: Julia Simon, J-U-L-I-A, S-I-
9 M-O-N.

10 MS. FLETCHER: Did you say S, as in Sam?

11 MS. SIMON: S, as in Sam.

12 MS. FLETCHER: I-M-O-N?

13 MS. SIMON: Yes.

14 MS. FLETCHER: Okay. Thank you.

15 MS. HARRISON: Good morning. My name is
16 Nezahat Osmond Harrison. Harrison, H-A-R-R-I-S-
17 O-N.

18 MS. FLETCHER: Your first name?

19 MS. HARRISON: N-E-Z-A-H-A-T.

20 MS. FLETCHER: Okay. That's N-E-Z-A-H-A-
21 T?

22 MS. HARRISON: Yes.

1 MS. FLETCHER: Thank you.

2 MR. SALTER: My name is David Salter.

3 MS. FLETCHER: Oh, I'm sorry. David?

4 MR. SALTER: Salter. S, as in Sam, A-L-
5 T-E-R.

6 MS. FLETCHER: Thank you, Mr. Salter.

7 MR. SALTER: And my wife, Margita.

8 MS. SALTER: Margita, M-A-R-G-I-T-A,
9 Salter, S-A-L-T-E-R.

10 MS. FLETCHER: Thank you.

11 MS. SALTER: Thank you.

12 MS. FLETCHER: Anyone else? Oh.

13 MR. BATTEH: Ms. Fletcher, I'm just going
14 to mention that you called Jared Jablonka
15 earlier.

16 MS. FLETCHER: Yes.

17 MR. BATTEH: And it's my understanding
18 he's in the building on his way up.

19 MS. FLETCHER: Okay, this is -- you're
20 Mister --

21 MR. BATTEH: Batteh. I'm not affiliated
22 with Mr. Jablonka. I just --

1 MS. FLETCHER: Your understanding is that
2 he's on his way up?

3 MR. BATTEH: He's on his way up. He's a
4 separate filer.

5 MS. FLETCHER: Yes, he is. He's an
6 abutting property owner. I'm going to make a
7 note of that.

8 And so, just one second. And you're part
9 of a group of five?

10 (No response heard)

11 MS. FLETCHER: You're part of the
12 individual standing?

13 MR. BATTEH: Yes, ma'am., but I've
14 already -- you've already gotten my name.

15 MS. FLETCHER: Are you the designated
16 representative for this group?

17 MR. HARRISON: I am, ma'am. Paul
18 Harrison.

19 MS. FLETCHER: Oh, so Mr. Harrison,
20 you're the designated representative?

21 MR. HARRISON: That is correct.

22 MS. FLETCHER: So if Mr. Harrison, if you

1 would take a seat at the table, everybody else
2 can just have a seat.

3 MR. BLANCHARD: Ms. Fletcher?

4 MS. FLETCHER: Yes?

5 MR. BLANCHARD: I'm sorry. I just wanted
6 to make sure it's on the record that 1320 9th
7 Street, NW, LLC is requesting standing as an
8 abutting property owner.

9 MS. FLETCHER: 1320 9th Street, NW? Yes.
10 I'm just about to get to that. Thank you, Mr.
11 Blanchard.

12 1320 9th Street, NW is recognized as an
13 abutting property owner. That claim was made in
14 the roll call hearing notice, and also, according
15 to the Geographic Information System in the
16 District of Columbia, it is an abutting property.

17 MR. BLANCHARD: Thank you.

18 MS. FLETCHER: And so, 1320 9th Street,
19 NW is granted standing as an abutting property
20 owner.

21 [Pause]

22 MS. FLETCHER: Let's see. As you Mr.

1 Jablonka?

2 MR. JABLONKA: Yes.

3 MS. FLETCHER: Mr. Jablonka, would you
4 please state your and spell it for the record?

5 MR. JABLONKA: Sure. Jared Jablonka, J-
6 A-R-E-D, Jablonka, J-A-B-L-O-N-K-A.

7 MS. FLETCHER: Now, Mr. Jablonka, in your
8 protest letter, you claim to be an abutting
9 property owner of the property located at 1326
10 9th Street, NW and 1326 Naylor Court, NW?

11 And your properties do abut the
12 establishment. You made the claim, and according
13 to the D.C. Geographic Information System, your
14 properties do abut the establishment.

15 Now, I'm going to take a look at the
16 group of five or more.

17 [Pause]

18 MS. FLETCHER: I'm just making sure
19 everybody signed the protest letter.

20 [Pause]

21 MS. FLETCHER: Okay. Everyone present
22 signed the protest letter. Standing is granted

1 to the group of 13 -- the entire group of 13 that
2 filed the protest.

3 Because six members of the group of
4 present, full standing is granted. So, at the
5 upcoming status hearing, Mr. Harrison, you would
6 only need to appear for that.

7 MR. HARRISON: Great. Thank you.

8 MS. FLETCHER: Uh-huh.

9 The same thing applies to the mediation
10 that we're going to schedule in a moment. We
11 like the designated representatives to be
12 present. You are that person, Mr. Harrison, but
13 if any other member of the group wanted to be
14 present, they could.

15 But if you are present, we accept you as
16 representing the entire group.

17 MR. HARRISON: Understood. Thank you.

18 MS. FLETCHER: Okay. And Mr. Harrison,
19 do you have your contact information on that
20 sheet, already?

21 MR. HARRISON: I do, ma'am.

22 MS. FLETCHER: Thank you.

1 And so, we have three protestants, Jared
2 Jablonka as an abutting property owner, 1320 9th
3 Street, NW, LLC is an abutting property owner;
4 ANC 3F as --

5 SPEAKER: It's 2F.

6 MS. FLETCHER: 2F. I'm sorry. I do have
7 2. Thank you. ANC 2F is granted standing. And
8 we also have a group of 13, granted standing.

9 I'm going to give you the date for a
10 mediation, a status hearing and a protest
11 herself. I'll give you the date for the status
12 hearing and protest hearing first.

13 The date for the status hearing is
14 November the 18th. It's November 18th at 9:30
15 a.m.

16 The date for the protest hearing is
17 December the 9th at 1:30 p.m. And you'll receive
18 an official notice of these dates by email.

19 We need to set a date for mediation to
20 occur prior to November 18.

21 [Pause]

22 MS. FLETCHER: We've got a holiday in

1 there. Let's see, November 11. A date that is
2 available is Friday, November 13. Is that good
3 for anybody; Friday November 13 at 9, 10 or 11?

4 MR. BENGEL: Can any 2F commissioner be
5 present for that, or do I (Inaudible 00:20:14)?

6 MS. FLETCHER: It can be anybody that you
7 designate.

8 MR. KNIESER: What is your name again,
9 sir?

10 MS. FLETCHER: Oh, I'm sorry. You have
11 to state your name.

12 MR. BENGEL: Charlie Bengel.

13 MS. FLETCHER: Speak into the microphone.
14 I'm sorry, Mr. Bengel.

15 (Discussion off the record)

16 MR. HARRISON: Ma'am, that's fine for me.

17 MS. FLETCHER: Is that Mr. Harrison?

18 MR. HARRISON: Yes.

19 MS. FLETCHER: That's okay for you?

20 (No response heard)

21 MS. FLETCHER: Any particular time, Mr.
22 Harrison?

1 MR. HARRISON: The entire day is fine.

2 MS. FLETCHER: The entire day?

3 MR. HARRISON: That's correct.

4 MS. FLETCHER: And Mr. Blanchard?

5 MR. BLANCHARD: That's fine for me, too.

6 MS. FLETCHER: That's good for you?

7 MR. BLANCHARD: Anytime.

8 MS. FLETCHER: And Mr. Jablonka?

9 MR. JABLONKA: Sure, that's fine.

10 MS. FLETCHER: And for the applicant?

11 Mr. Rosner, is Friday, November 13 a good day for
12 you?

13 MR. ROSNER: Yeah, the 9:00 a.m. time
14 would be great.

15 MS. FLETCHER: Nine a.m. is good? Is
16 that good for you, too?

17 MR. CURTZ: That works well for me, as
18 well.

19 MS. FLETCHER: Hmm?

20 MR. CURTZ: That works fine for me.

21 MS. FLETCHER: And so for the applicants,
22 9:00? Did you say nine?

1 MR. ROSNER: Yes.

2 SPEAKER: Yeah.

3 MS. FLETCHER: So, mediation is set for
4 9:00 on Friday, November 13th.

5 [Pause]

6 MS. FLETCHER: Okay. Any questions at
7 all?

8 MR. BLANCHARD: Just to confirm, Ms.
9 Fletcher, Mr. Grazioli does not need to attend,
10 if I'm the designated --

11 MS. FLETCHER: That's right.

12 MR. BLANCHARD: -- agent.

13 MS. FLETCHER: That's right. And that's
14 Mr. Blanchard speaking.

15 Yes, that is correct.

16 MR. BLANCHARD: Thank you.

17 MS. FLETCHER: You're welcome.

18 Okay. Well, thank you for coming.

19 SPEAKER: Thank you very much.

20 MS. FLETCHER: The mediation will take
21 place in this room, but you can just check in
22 with the receptionist and then just come on in.

1 SPEAKER: Thank you.

2 SPEAKER: Thank you.

3 MS. FLETCHER: Roll call hearing is
4 concluded.

5 [Whereupon, the above-entitled matter
6 concluded.]

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