

Minutes
Alcoholic Beverage Licensing (ABL) Committee
Advisory Neighborhood Commission (ANC) 6A
June 21, 2016

Pursuant to notice duly given, a meeting of the Alcoholic Beverage Licensing Committee ("Committee") of ANC 6A was held commencing at 7:00 pm on June 21, 2016 at Sherwood Recreation Center, 640 Tenth (10th) Street NE, Washington, DC 20002.

Committee Members Present: Christopher Seagle (Co-Chair), Michael Herman, Roger Caruth, and Mark Samburg.

Committee Members Absent: Jay Williams (Co-Chair), Justin Rzepka, and David Oberting.

Commissioners Present: Calvin Ward

Community Members Present: Analiese Marchesseault, Sam Derian, Bailey Thamis (Master Liquors), Musican Sethi (Sol), Liz Tate, Drew Anderson, Adam Sonders, Blair Zervos (H Street Country Club), John Briley (Master Liquors), Victor McKoy, Joanna Portnoy

I. Call to Order

Mr. Seagle called the meeting to order at 7:00 pm. The meeting having been duly convened was ready to proceed with business with a quorum. There were no additions or edits to the agenda as published.

II. Community Comment

None.

III. Old Business

None.

IV. New Business

A. Discussion of request by H Street Country Club at 1335 H Street NE (ABRA #06649) for a change to its hours of live entertainment (requesting addition of entertainment Sunday through Thursday 6:00 pm to 1:00 am, no change to Friday/Saturday entertainment hours).

- Mr. Zervos indicated that H Street Country Club held a comedy show on a Sunday night and faced a \$1000.00 fine, looking to extend entertainment hours accordingly.
- A community member asked whether H Street Country Club intended to use this for comedy, or whether it would be more for music.
- Mr. Zervos indicated that the entertainment would primarily be comedy, possibly a magic show, and also to allow private events to have music, karaoke, individual performers, etc. He indicated that H Street Country Club does not intend to put in a new sound system for entertainment, and is not seeking a change to the settlement.
- The community member indicated he was "pleasantly surprised."

Mr. Seagle moved that the Committee recommend the ANC grant H Street Country Club's request, Mr. Caruth seconded, and the motion passed 3-0 with Mr. Samburg abstaining.

B. Discussion of neighborhood issues related to Master Liquors at 1806 D Street NE.

- A community member indicated that there is a lot of activity on the corner of Eighteenth (18th) and D Streets NE, including loitering, drinking, and public urination, and that the corner is loud, and that individuals are on the corner with chairs drinking all day. A second community member indicated that a lot of trash accumulates in the area, and that he is concerned about the fact that drugs and weapons have been found in the area at different times.
- Mr. Seagle asked the representatives from Master Liquors whether they could take a larger role in addressing trash. The representatives indicated that they have, and that they presently clear trash in the morning and at night, but that they cannot do anything about the loitering. The representatives indicated that when they ask individuals to stop loitering in front of Master Liquors, the individuals simply move over one storefront, but that Master Liquors always calls MPD if individuals are loitering in the lot.
- A neighbor indicated to the representatives from Master Liquors that MPD has said they will clear loitering individuals from the area if Master Liquors gives their permission to do so. The representatives indicated that they have given such permission, and another neighbor asked whether they would be willing to write an open letter to MPD granting permission to clear loiterers. Master Liquors indicated that they would.
- A neighbor said that Master Liquors' management has been hostile to him during phone conversations about this problem. A representative from Master Liquors indicated that he feels attacked and may have become defensive as a result.
- A neighbor suggested that Master Liquors should stop selling alcohol to visibly intoxicated loiterers. Representatives from Master Liquors indicated that he doesn't sell to visibly intoxicated persons, and would be liable if he did so. Some neighbors disputed this.
- Mr. Seagle indicated that he thought an open letter permitting MPD to clear loiterers was a good step, and asked the Master Liquors' representatives to contact the Committee to commit to two (2) daily cleanups of trash.
- A neighbor suggested that Master Liquors just moves the trash to the corner but does not throw it out, so it re-spreads through the area. A representative from Master Liquors indicated that individuals throw household trash in the corner trash can, which presents challenges. A neighbor asked what the Settlement Agreement requires as far as trash removal and Mr. Seagle indicated that it probably only requires Master Liquors to keep the area clean, nothing further. Mr. Caruth suggested that a multi-pronged approach to trash removal was probably appropriate. Commissioner Calvin Ward asked if Master Liquors would work with neighboring businesses to coordinate trash removal.
- A representative from Master Liquors indicated that things were calmer, and trash was more manageable when individuals were in chairs outside the store. Commissioner Ward suggested that coordination with neighboring businesses would solve the problem. A representative from Master Liquors indicated that when he has asked individuals to move, he is sometimes met with threats and he does not want to exacerbate the situation. He feels police involvement is necessary to move people. Commissioner Ward offered to help coordinate notice and contact to MPD, and asked the representative from Master Liquors not to endanger himself.

- A neighbor reiterated that he would like Master Liquors to send an open letter permitting MPD to clear loiterers. He asked if the Committee would ask Grand Liquors how they addressed this problem. A representative from Master Liquors indicated that Grand Liquors has condos across the street rather than a parking lot.
- Mr. Caruth suggested that neighbors contact Councilmember Charles Allen's office for assistance.

C. Discussion of ANC's protest of expansion of seating and entertainment hours by Sol Mexican Grill at 1251 H Street NE.

- Ms. Sethi noted that Sol closes at 12:00 am, which is unusual for H Street, as most bars close at 2:00 am. She indicated that most entertainment at Sol is Spanish music, not DJs; sometimes private events use DJs but those events end early. She said that Sol is trying to address their trash problem, and has hired someone who cleans the trash area twice daily (around 4:00 pm and 11:00 pm). She also indicated that the current placement of Sol's dumpster requires her staff to walk around into the alley because the dumpster blocks the rear door. She indicated that Sol has increased their trash pickups to weekly, and suggested that a substantial portion of the trash problem is caused by Smith Commons.
- Commissioner Ward clarified that Sol staff has to walk around the building to reach the dumpster. He observed that Smith Commons is loud, Ms. Sethi noted that Sol only has one speaker on their patio. Mr. Seagle said that he thinks the speaker is probably prohibited by Sol's Settlement Agreement, and Ms. Sethi indicated that Sol would remove it if Smith Commons removed any speakers from their patio. Mr. Samburg indicated that Sol had to remove the speaker, regardless of Smith Commons.
- A community member asked where Smith Commons' dumpster is, and Ms. Sethi explained that it was adjacent to Sol's. Mr. Seagle asked Sol to continue their effort to address Sol's trash.
- Ms. Sethi asked if trash has improved, and a community member indicated that it has, but that it is still unsatisfactory. Ms. Sethi pointed out that Sol's dumpster is in an open alley accessible to the public, and indicated that Sol may set up cameras to monitor the dumpster and may ask their neighbor about moving the dumpster into an adjacent closed area.
- Mr. Caruth suggested that Sol contact the Department of Consumer and Regulatory Affairs (DCRA) for assistance.
- A neighbor asked whether Sol has deployed traps, and Ms. Sethi indicated that they have.
- Mr. Seagle asked Ms. Sethi to contact the Committee to work on some language before the protest date.
- Ms. Sethi indicated that Sol would be happy to label dumpsters and to see whether their dumpster could be locked, and that they would continue to clean the area twice daily.

V. Adjourn

The Committee adjourned at 7:50 pm.