

Michael D'Amore, Ph.D., President
Peter Schweyer, Vice President
W. Michael Donovan
Jeanette Eichenwald
Julio A. Guridy
Ray O'Connell
Mike Schlossberg



Allentown City Council
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PUBLIC HEARING INTERMUNICIPAL LIQUOR LICENSE TRANSFER
August 17, 2011
COUNCIL CHAMBERS

Anjin Asian Diner and Grill, Inc.
2952 Lehigh Street
Allentown, PA 18103

PUBLIC HEARING - 7:00 PM

Roll Call: D'Amore, Donovan, Eichenwald, Guridy, O'Connell, Schlossberg and Schweyer.
John Marchetto represented for solicitor's office.
Wai Peng Lam represented for Anjin Asian Diner and Grill, Inc.

Mr. D'Amore stated that they will open the record on the Intermunicipal Liquor License Transfer Request. He asked Mr. Hanlon what was the particular request.

Mr. Hanlon stated that the request is to Transfer the Intermunicipal Liquor License #TR-712 from Charlie Brown's Steakhouse 1908 Walbert Avenue in South Whitehall to the Anjin Asian Diner and Grill Inc at 2952 Lehigh Street in Allentown, PA.

Mr. D'Amore asked is the petitioner present. Please come forward and he asked Mr. Bennington if it is ok for the petitioner uses the administration's desk. He asked the petitioner to speak on record on the microphone. He stated that they will be swearing everyone in.

Mr. Marchetto stated to Mr. D'Amore to make sure that all the advertisements and formalities are on the record.

Mr. D'Amore stated that they will enter it into the record and asked Mr. Hanlon about the advertising, the postings and the application all of them were done in the correct timeframe. He asked if the Clerk could attest to that.

Mr. Marchetto stated yes.

Mr. D'Amore asked the petitioner do they swear or affirm that the testimony that they are about to give is the truth, the whole truth and nothing but the truth. Please state your case. He asked if she is asking about the transfer and ask what the purpose of the transfer is. Have you already purchased the liquor license?

Ms. Wai Peng Lam stated that in the beginning Charlie Brown's Steakhouse when they were selling it to her, they told her that it was Allentown, but later on they found out it was not Allentown. She stated that is why they have to transfer to Allentown.

Mr. D'Amore asked if she wanted to move the Liquor License to a location on Lehigh Street in south Allentown.

Ms. Lam stated yes.

Mr. D'Amore asked if she had a business she wanted to open.

Ms. Lam stated that the restaurant has been opened for four months and they are doing ok, but it would be better if they do not have the license.

Mr. D'Amore stated to her that she already has a successful operation and she wants to make it more successful by bringing the liquor license.

Ms. Lam stated that it helps and creates more jobs.

Mr. D'Amore stated that she has presented them with a business plan is that correct. He asked Mr. Hanlon did they have that and could they enter that into the record. He asked Mr. Marchetto if they could enter that as an exhibit. The advertisement and postings will be Exhibit A and this will be Exhibit B.

Mr. Marchetto stated that he could refer to them and can identify them. It is a formality.

Mr. D'Amore stated that they will have that without objections and have that entered. He asked was it anything else she would like to add.

Ms. Lam provided pictures of the property. She stated that Ms. Whitehead stated that it would be great if she brought in pictures.

Mr. D'Amore stated that the petition brought in to Council pictures and they will enter those pictures into the record and give back to her later.

Mr. Marchetto stated that it would be helpful for her to describe what they are showing. He stated that Mr. D'Amore may want to number them on the back one through --.

Mr. D'Amore asked Ms. Lam if she could give them an idea of what the pictures depict.

Ms. Lam stated that there are four pictures, three for the interior and one for the outside front. The three interior shows the bar area, the dining area and the front entrance side view.

Mr. Donovan asked how many people she is employing.

Ms. Lam stated that they have four employees. She stated herself and her husband is a total of six. Three are part-time and four are full-time.

Mr. Donovan asked about the seating in the restaurant.

Ms. Lam stated 76.

Mr. Donovan stated that he watched the development and saw when Friendly's went out of business there. It is good that you made the investment. He stated that he has not been there. He stated that certainly, she has put a lot of work into it.

Ms. Eichenwald asked what the hours of operation are.

Ms. Lam stated that they open from 11:00 AM – 10:00 PM and weekends, Friday and Saturday a half hour more.

Ms. Eichenwald asked if that would change if the liquor license is granted.

Ms. Lam stated that she does not think so because it is not a full bar.

Ms. Eichenwald stated that knowing that area, it is a residential area behind it. She stated that they are always concerned about how liquor in a restaurant will impact that. What measures will you take to make sure that it does not spill out into the neighborhoods and that the hours of operations will be kept as you say.

Ms. Lam stated that it is an Asian Diner and they do not have a full bar and people won't stay late for drinks. She stated that all her staff knows that need training to be certified for that purpose. She stated that know to look for IDs that look under thirty and if they look intoxicated, not to serve them anymore and to call a cab.

Ms. Eichenwald asked who is financing the business.

Ms. Lam stated friends and family that they borrowed money from and some were from when her and her husband worked since they were sixteen and they saved up the money.

Ms. Eichenwald asked if they were the owners of the building itself or were they leasing it.

Ms. Lam stated that they are leasing from Mr. David Weiner.

Mr. O'Connell stated that the two questions he had were the hours of operation and the seating capacity. He stated that there are some restaurants in Allentown that are considered family oriented restaurants and they have a drink limit and that drink limit is three drinks. He stated that might be a suggestion for their patrons for a three drink limit. How many parking spaces do you have?

Ms. Lam stated parking spaces, we have twenty-five.

Mr. Schweyer stated that he lives less than a mile from there and have watched them developed and they did a very nice job and he stated that his wife has eaten there and she was very happy and satisfied. He stated that two things he noticed, the hours of operation. You are across the street from the Brass Rail and they are open Monday – Thursday to midnight, Friday and Saturday 1:00 AM and Sunday until 10:00 PM. He stated that there is a little of a difference because immediately north there is a residential neighborhood and he appreciates them not even trying to operate as long as the Brass Rail does. He stated the significant difference is that the restaurant has a bar and by looking at those photos, you are not having stools going up to a bar in a traditional drinking establishment sort of manner. It is clear, it is where you pay your check for drinks and take to your seat. It is certainly a different atmosphere. He stated that is one thing that kind of stuck out at me. It is not a traditional bar atmosphere.

Mr. D'Amore asked if there were any other questions form Council and if there was anything else Ms. Lam wanted to add.

Ms. Lam said no.

Mr. D'Amore asked did anyone want to speak either in support of or objecting to the Liquor License Transfer. He stated that if there is no one thank you for your testimony and moved to the next step which is the determination of what they want to do with this hearing. He stated that the postings and advertisements were done. He stated what they usually does, but not required is to provide notification to adjoining property owners and that was not done for residents that live north of this establishment. It is not a legal requirement, but is something that they have done in the past.

Mr. Marchetto stated that not to his knowledge is it a legal requirement.

Mr. D'Amore stated in order to be consistent to what they did in the past, they could decide to keep this public hearing open until the next council meeting and give an opportunity to the adjoining property owners to speak or also in the right to close this hearing and refer it to council.

Mr. Schweyer stated that it is what they always done. It is a matter of common courtesy of the neighbors of the establishment. He stated that he does not think they have a choice. He stated that for the record it was our mistake and something that they failed to follow what has not been the rule, but protocol for council and in his opinion they have to wait and keep the public hearing open and go from there as quickly as possible. In interest and fairness to the business owner we can't keep this past the next council meeting. We have to vote at the next council meeting.

Mr. Donovan asked Ms. Lam if she understood their predicament that they have to delay the meeting because they want to notify the abutters and then they would make a decision at that time.

Ms. Lam stated ok, thank you.

Mr. O'Connell stated that the next meeting would be September 7th.

Mr. Marchetto stated the decision to keep the meeting open or not is not open for public comment.

Mr. D'Amore asked was it any other further discussion on this matter from council. Is there a motion to either close the hearing or adjourn it and keep it open until September 7th?

Mr. Donovan stated that he moves to adjourn and keep it opened until September 7th.

Mr. Schweyer seconded the motion.

Mr. D'Amore asked were there any objections and stated that they will adjourn this public hearing and keep the record open until September 7th and they will reconvene the public hearing at 7:15 PM on September 7th.

Mr. Donovan stated to Ms. Lam there is there is no reason for her to testify. It would be an opportunity for anybody to come in and speak. He stated that unless they want to see the pictures again. He stated to Ms. Lam that she has done her job in terms of presenting the information to them.

Mr. D'Amore stated to Ms. Lam or if you can also speak again if you wish.

Mr. Schweyer asked Mr. Hanlon will you send a letter out to the property owners.

Mr. Hanlon stated that he will send out a letter to the property owners. He stated that they tried to call every property owner that was in the vicinity. He stated that there are probably nine properties in the vicinity.

Mr. D'Amore asked Ms. Lam to give those to Mr. Hanlon as part of the record.

Meeting Adjourned: 7:16 PM

Council meetings are held on the first and third Wednesday of each month beginning at 7:30 pm in Council Chambers. For copies of the agenda or meeting announcements, please visit our website at www.allentownpa.gov, or contact the Clerk at hanlon@allentowncity.org to receive an email notice of the meetings.