

ATTENDANCE: Dennis L. Brink, Vice Chairman; Edward D. Nikles, Supervisor; Karen Kleist, Secretary/Treasurer; Anthony Magnotta, Alternate Solicitor; Chris Wood, Sewage/Zoning Enforcement Officer; Anne Cianflone, Esq., Michael Mullins & Lisa Marie Wilson for Mirabito Holdings. Thomas E. Mincer was absent.

ITEM NO. 1: CALL TO ORDER Vice Chairman Brink called the Public Hearing to order at 6:00 pm opening with the Pledge of Allegiance.

PUBLIC HEARING: A duly advertised Public Hearing was held to consider the request of Mirabito Holdings, Inc. to transfer a restaurant liquor license from Shohola Township to their Convenience Store at 304 Route 6 in Dingman Township. NOTE: A Court Stenographer from Panko Reporting was present and the transcript will be maintained in the property file.

Mirabito Holdings Inc. Request for Intermunicipal Liquor License Transfer

Anne Cianflone, General Counsel for Mirabito Holdings stated that the company is family owned and has other stores with liquor licenses (mostly selling beer) – 104 in New York and 4 in Pennsylvania. Exhibits submitted were: A-1: letter from plumbing contractor that in his opinion the sewage system could handle additional volume if required; A-2: Diagram #1 of the outside of the property indicating where parking would be located; and A-3: Diagram #2 showing the inside layout including where seating, food and beverages would be located.

They will only be selling beer even though it is a restaurant license. They have to have 30 seats; food would be self-service (microwave; paper plates) and there is no desire to expand into a full service restaurant. There would be 16 parking spaces; they anticipate food and drink would continue to be mainly “to go”.

In their New York stores, the employees go through alcohol and tobacco training and the Pennsylvania employees will do the same. They hire a third-party company to do “sting” operations at least quarterly to check that age requirements are being adhered to.

Solicitor Magnotta asked if the person who checked the septic system was an engineer licensed in PA. Are there any grease traps at the sink(s)? They do not think so. Will there be dishes involved in food prep or service? No. Will zoning allow 30 seats? Chris Wood responded that the current zoning permit does not allow any seats; a new permit would need to be issued.

Chris Wood stated that the following (at a minimum) would need to be addressed: What method was used in evaluating the septic system? Does the current layout meet the approved SALDO plan? When the delivery truck is there, it blocks some of the parking spaces. Solicitor Magnotta asked the applicant to mark the property entrance and exit on the site diagram. Modifications would need to undergo SALDO, Zoning, Sewage reviews and approvals, and possibly also Building Code for Change of Use.

Supervisor Brink asked if beer would be able to be consumed on-site. Yes, the Liquor Control Board allows that. The applicant stated that the purchase of the liquor license would be contingent upon them being able to receive the necessary Township approvals.

There being no further testimony or questions, MOTION was made by Ed Nikles, seconded by Dennis Brink, and unanimously carried to close the hearing.

Respectfully submitted,

Karen Kleist, Secretary/Treasurer