

INCORPORATED VILLAGE OF FLORAL PARK

Board of Trustees Public Hearing Minutes

Tuesday, October 5, 2021; Village Hall Courtroom

IN -PERSON ATTENDANCE IS PERMITTED; Masks required if Unvaccinated

<https://us02web.zoom.us/j/89442966164?pwd=WWFMMGVZclpLYlNrSFdUTkpQNUhadz09>

Meeting ID: 894 4296 6164; Passcode: 908581; Dial-in: +646 558 8656; Meeting ID: 894 4296 6164; Passcode: 908581.

A Special Use Permit Public Hearing for the property 31 Covert Avenue, Floral Park, NY 11001 was held by the Board of Trustees on October 5, 2021 at 8:21 pm.

Present were Mayor Kevin M. Fitzgerald, Trustees Lynn Pombonyo, Archie T. Cheng, Frank J. Chiara and Jennifer Stewart, Village Administrator Gerard M. Bambrick, Village Clerk Susan E. Walsh, Superintendent of Public Works Kevin Ginnane, Superintendent of Buildings Renee Marcus, Police Commissioner Stephen McAllister, Deputy Village Clerk Rosaleen Shea, Village Attorney John E. Ryan, Court Reporter Catherine Murphy, Applicant Alex Aguirre for property located at 31 Covert Avenue, Floral Park, NY 11001.

Purpose: The application of Alex Aguirre, lessee, of property 31 Covert Avenue, Floral Park, NY, is made in accordance with Article III, Section 99-10 (B) (2) of the Zoning Ordinance of the Incorporated Village of Floral, NY, which requires that when a building changes its existing retail use to a wine and liquor store in a B-1 District which prepares, stores or sells food, the use may only be authorized as a special use after a public hearing. The structure for which said Special Permit is applied is situated on the northwest corner of Covert Avenue at Beverly Avenue and known as Section 32 Block 269 and Lots 37-41 on the Nassau County Land and Tax Map.

Mayor Fitzgerald opened for public comment.

Trustee Pombonyo offered Resolution No. 2021-199 to reserve decision and close the public hearing.

The Resolution was seconded by Trustee Chiara and adopted on roll call as follows:

| | |
|------------------|-------|
| Trustee Pombonyo | - Aye |
| Trustee Cheng | - Aye |
| Trustee Chiara | - Aye |
| Trustee Stewart | - Aye |
| Mayor Fitzgerald | - Aye |

The hearing ended at 8:47 pm.

A copy of the transcript and a copy of the legal notice of public hearing is attached and made a part of these minutes.

Susan E. Walsh
Village Clerk

Att.

LEGAL NOTICE

**NOTICE OF SPECIAL USE PUBLIC HEARING
INC. VILLAGE OF FLORAL PARK, NY**

NOTICE IS HEREBY GIVEN, that the Board of Trustees of the Incorporated Village of Floral Park, NY will hold a Public Hearing at the Village Hall, One Floral Boulevard, Floral Park, NY and on Tuesday October 5, 2021 at 8:00 pm in relation to the following application:

The application of Alex Aguirre, lessee, of property 31 Covert Avenue, Floral Park, NY, is made in accordance with Article III, Section 99-10 (B) (2) of the Zoning Ordinance of the Incorporated Village of Floral, NY, which requires that when a building changes its existing retail use to a wine and liquor store in a B-1 District which prepares, stores or sells food, the use may only be authorized as a special use after a public hearing.

The structure for which said Special Permit is applied is situated on the northwest corner of Covert Avenue at Beverly Avenue and known as Section 32 Block 269 and Lots 37-41 on the Nassau County Land and Tax Map.

A copy of the application is on file in the Office of the Village Clerk, One Floral Boulevard, Floral Park, NY and may be examined by any persons interested therein during business hours Monday through Friday inclusive, except legal holidays, from 8:30 am to 4:30 pm.

NOW TAKE NOTICE that all parties in interest and citizens will be given the opportunity to be heard at the aforesaid time and place.

**BY ORDER OF THE BOARD OF TRUSTEES
INCORPORATED VILLAGE OF FLORAL PARK, NY**

**Susan E. Walsh
Village Clerk**

Dated: September 17, 2021

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M I N U T E S
OF THE MEETING
OF THE
PUBLIC HEARING
INCORPORATED VILLAGE OF FLORAL PARK
October 5, 2021
8:00 p.m.

P R E S E N T:

- | | |
|-----------------------|----------------------|
| KEVIN M. FITZGERALD, | MAYOR |
| DR. LYNN POMBONYO, | DEPUTY MAYOR/TRUSTEE |
| ARCHIE T. CHENG, ESQ. | TRUSTEE |
| FRANK J. CHIARA, | TRUSTEE |
| JENNIFER STEWART, | TRUSTEE |

ALSO PRESENT:

- JOHN RYAN, ESQ. Village Attorney
- GERARD M. BAMBRICK, Village Administrator
- SUSAN E. WALSH, Village Clerk
- RENEE MARCUS, Superintendent of Buildings
- STEPHEN MCALLISTER, Police Commissioner
- KEVIN GINNANE, Superintendent Public Works

Catherine P. Murphy
Court Reporter

- 10/5/21 - BOT - ALEX AGUIRRE- 31 COVERT AVENUE -

1 MAYOR FITZGERALD: Miss Walsh, if you
2 would read the Notice of Public Hearing for 31
3 Covert Avenue.

4 MS. WALSH: Legal Notice. Notice of
5 Special Use Public Hearing Incorporated Village
6 of Floral Park, New York.

7 Notice is Hereby Given that the Board of
8 Trustees of the Incorporated Village of Floral
9 Park, New York will hold a Public Hearing at
10 the Village Hall, One Floral Boulevard, Floral
11 Park, New York on Tuesday, October 5, 2021 at
12 8:00 p.m. in relation to the following
13 application:

14 The application of Alex Aguirre, lessee,
15 of property 31 Covert Avenue, Floral Park, New
16 York is made in accordance with Article III,
17 Section 99-10 (B(2) of the Zoning Ordinance of
18 the Incorporated Village of Floral Park, New
19 York, which requires that when a building
20 changes its existing retail use to a wine and
21 liquor store in a B-1 District which prepares,
22 stores or sells food, the use may only be
23 authorized as a special use after a public
24 hearing.

25 The structure for which said Special

- 10/5/21 - BOT - ALEX AGUIRRE- 31 COVERT AVENUE -

1 Permit is applied is situated on the northwest
2 corner of Covert Avenue at Beverly avenue and
3 known as Section 32, Block 269 and Lots 37-41
4 on the Nassau County Land and Tax Map.

5 A copy of the application is on file in
6 the Office of the Village Clerk, One Floral
7 Boulevard, Floral Park, New York and may be
8 examined by any persons interested therein
9 during business hours Monday through Friday,
10 inclusive, except legal holidays from 8:30 a.m.
11 to 4:30 p.m.

12 Now Take Notice that all parties in
13 interest and citizens will be given the
14 opportunity to be heard at the aforesaid time
15 and place.

16 By Order of the Board of Trustees
17 Incorporated Village of Floral Park, New York,
18 Susan E. Walsh, Village Clerk. Legal notice
19 dated September 17, 2021.

20 And that the Legal Notice has been
21 published in the official paper of the
22 Incorporated Village of Floral Park, New York
23 and posted according to law and was sent to the
24 Nassau County Planning Commission and pursuant
25 to Section 239-L&M of the General Municipal Law

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1 determined to defer to the Village to take
2 action as deemed appropriate.

3 MAYOR FITZGERALD: Thank you, Miss Walsh.
4 I would like to place on the record the
5 applicant has previously filed an affidavit of
6 service indicating all neighbors within 200
7 foot radius of the dwelling have been served
8 with notice.

9 Also, I would like to announce that the
10 Board had previously adopted a resolution
11 determining that the application does not have
12 a significant impact on the environment as
13 defined by SEQRA Good evening and welcome.

14 (Whereupon, Milton Hernandez was sworn
15 in.)

16 MILTON HERNANDEZ: Milton Hernandez,
17 Gesture, Inc, 34-17 Northern Boulevard, Unit
18 2-37, Long Island City, New York 11101. Thank
19 you so much for hearing us tonight.

20 MAYOR FITZGERALD: You're the architect or
21 applicant?

22 MILTON HERNANDEZ: We're from the
23 architectural firm.

24 MAYOR FITZGERALD: Is the applicant here?

25 MILTON HERNANDEZ: Yes, he is here. Thank

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1 you so much once again for allowing us this
2 opportunity to present our project to you. My
3 client is here is behind me, as well as his
4 partner Claudia and their legal representative,
5 Emanuele Bardazzi. Thank you once again.

6 So, we are proposing a boutique wine and
7 liquor shop at 31 Covert Avenue. The proposal
8 is a boutique wine and liquor shop at 31 Covert
9 in Floral Park. Very so, the proposal is very
10 unique. I would like to call it boutique
11 because of the vision that the clients have for
12 the space.

13 As you see, the rendering and some of the
14 rendering we passed along, they're really going
15 for something very different, high end finishes
16 in the space, as well as high end attention in
17 terms of customer service. So, as you walk in
18 the space, they will be able to kind of take
19 you and teach you to each of the wines that
20 they are able to, you know, express their
21 specialities in wine and liquor.

22 The space itself, the alterations
23 proposed, is very minimum. It is updating and
24 finishes, but we are complying with certain
25 code requirements for fire safety, such as

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1 having a controlled area as storage space so in
2 the -- will have a one hour fire radium
3 enclosure, as well as, fire extinguishers
4 inside the storage at the front, located at the
5 front of the store and the rear. There's also
6 going to be new emergency exit signs and
7 emergency lights located at all entries and
8 exit of the building. Again, very minimal
9 alterations.

10 The electrical is staying the same,
11 ceiling finishes. What will be updated is
12 just, you know, superficial, just painting,
13 adding cabinetry, refacing of the mill work in
14 the space.

15 I think that's it. Do you have any
16 questions?

17 MAYOR FITZGERALD: They're are a couple of
18 questions, so I'll ask a question more so along
19 the operation of the business.

20 MILTON HERNANDEZ: Okay.

21 MAYOR FITZGERALD: What are the hours
22 going to be?

23 MILTON HERNANDEZ: So, Monday to Friday
24 9:30 am to 8:00 p.m. Saturday 9:30 am to 9:00
25 p.m and Sunday from 12:00 to 7:00 p.m, 12:00

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1 p.m. to 7:00 p.m.

2 MAYOR FITZGERALD: When will deliveries be
3 coming?

4 MILTON HERNANDEZ: Deliveries, I think
5 Alex can explain. Come up.

6 MAYOR FITZGERALD: If you can come up and
7 be sworn in and we'll ask you questions.

8 (Whereupon, Alex Aguirre was sworn in.)

9 ALEX AGUIRRE: Alex Aguirre, 15 Flower,
10 Hempstead, New York 11550.

11 MAYOR FITZGERALD: Thank you for coming
12 and hopefully doing your business in Floral
13 Park.

14 ALEX AGUIRRE: Thank you.

15 MAYOR FITZGERALD: Deliveries?

16 ALEX AGUIRRE: We will have a driveway in
17 the back of the store we can get deliveries
18 through. We have space in the back where we
19 can get deliveries through.

20 MAYOR FITZGERALD: What days will the
21 deliveries be coming?

22 ALEX AGUIRRE: We don't know until we
23 place the orders. That's when the deliveries
24 can be made.

25 MAYOR FITZGERALD: Is it just wine or

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1 liquor also?

2 ALEX AGUIRRE: Liquor. Mainly wines.

3 MAYOR FITZGERALD: Are you going to have
4 any wine tasting events? If so, if you can
5 talk about that.

6 ALEX AGUIRRE: Well, we thought about
7 that. We're not sure about it, but I can.
8 There is not going to be a lot of people be in
9 the place. It will be people coming in and
10 tasting the wine. They buy it and they will be
11 out. They're not going to be hanging around
12 the place.

13 MAYOR FITZGERALD: You're not having
14 events like some of the big wine shops have
15 parties?

16 ALEX AGUIRRE: No, nothing like that. No.

17 MAYOR FITZGERALD: Okay. Thank you. I
18 will ask if Doctor Deputy Mayor Pombonyo has a
19 question.

20 TRUSTEE POMBONYO: Thank you. Thank you
21 for coming in and thank you for your very
22 professional interest in presentation.

23 MILTON HERNANDEZ: Thank you.

24 TRUSTEE POMBONYO: I appreciate it. You
25 talked about uniqueness and vision and those

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1 are wonderful words to hear. Why does Floral
2 Park, what about Floral Park fits your vision?

3 ALEX AGUIRRE: Well, we looked at a lot of
4 places and we found a place in Floral Park. We
5 really liked it. We like the area, the
6 neighborhood. The reason we want do it this
7 way is because we like to be nice in the
8 neighborhood. There's wine to present,
9 something you need, elegant, with a lot of
10 customer service and provide with the variety
11 of excellent wines that we will be selling,
12 selling from cheap to expensive wines, catered
13 for everybody.

14 TRUSTEE POMBONYO: Very good. Thank you.
15 Following up on one of the Mayor's questions,
16 do you propose any kind of activities in the
17 store besides customers coming in and
18 purchasing and leaving the store? Would you be
19 having anything taking place where they will be
20 staying?

21 ALEX AGUIRRE: No, not really. I didn't
22 think anything like that.

23 TRUSTEE POMBONYO: Okay What is your
24 history in this industry?

25 ALEX AGUIRRE: Well actually, I study

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1 bartending when I was very young. I went to,
2 as a career, as bartending. That's about 30
3 something years now. Pretty familiar with the
4 alcohol in the liquor, I.D.'g people, make sure
5 they're of legal age and stuff like that.

6 TRUSTEE POMBONYO: Have you worked in
7 similar businesses?

8 ALEX AGUIRRE: No, I have not.

9 TRUSTEE POMBONYO: And I think that's it
10 for you now. Thank you.

11 MAYOR FITZGERALD: Thank you. Trustee
12 Cheng?

13 TRUSTEE CHENG: I really don't have any
14 questions. The renderings are beautiful.

15 MILTON HERNANDEZ: Thank you. I
16 appreciate that.

17 MAYOR FITZGERALD: Trustee Chiara?

18 TRUSTEE CHIARA: Yes, I totally agree.
19 You did a nice job. It is nice. One question.
20 I know Deputy Mayor Pombonyo touched upon this,
21 but are you going to have any wine tasting
22 events that I can attend? That all the
23 residents can attend?

24 ALEX AGUIRRE: Yeah. Like I said earlier,
25 we -- I think it will be a good idea to have

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1 people come in and taste different kinds of
2 wines we will be offering and hopefully, you
3 know, they buy something.

4 TRUSTEE CHIARA: Thank you. Good luck.

5 MAYOR FITZGERALD: Trustee Stewart?

6 ALEX AGUIRRE: Can my lawyer add something
7 too?

8 EMANUELE BARDAZZI: My name is Emanuele
9 Bardazzi, attorney, with offices in Manhattan,
10 One Liberty Street, New York, New York 10006.
11 And I took care of filing the liquor store
12 application for the applicants. And my
13 opinion, this application is very
14 straightforward application. I don't see any
15 problem with the approval with the State Liquor
16 Authority. I believe that this liquor store is
17 going to be furthering the public's interest in
18 advantage of the community.

19 There's only one liquor store in almost a
20 one mile radius where the premises will be
21 located. This will be an advantage of the
22 community. The community will have further
23 competition, lower the prices, create new
24 employment opportunities.

25 I believe that this should be approved.

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1 If you have any other questions regarding the
2 liquor authority, I'll be happy to answer them.

3 MR. RYAN: You just have a question. Did
4 you say the license has been issued or pending?

5 EMANUELE BARDAZZI: We're in the process
6 of applying.

7 MR. RYAN: You haven't gotten it yet?

8 EMANUELE BARDAZZI: No, not yet. There
9 will be a hearing. State Liquor Authority
10 probably going to be out in a few months.

11 MR. RYAN: Okay.

12 MAYOR FITZGERALD: We have a couple of
13 more questions. Trustee Stewart?

14 TRUSTEE STEWART: Hi. Will you be making
15 deliveries?

16 ALEX AGUIRRE: No, we will not.

17 TRUSTEE STEWART: How many players do you
18 expect you will have on hand?

19 ALEX AGUIRRE: My partner and I, one more
20 person.

21 TRUSTEE STEWART: Three employees on-site
22 most times?

23 ALEX AGUIRRE: Yes.

24 TRUSTEE STEWART: Is your partner here?

25 ALEX AGUIRRE: Yes, she is here.

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1 TRUSTEE STEWART: You don't have to get
2 up. I was curious. Just as I said in the
3 previous public hearing so we're all on the
4 same page, you have no intention of selling
5 medical marijuana or dispensary or vaping?

6 ALEX AGUIRRE: Not at all.

7 TRUSTEE STEWART: I don't see it in your
8 beautiful drawing, but so we're all on the same
9 page. I appreciate you took the time to look
10 around and notice what a wonderful community we
11 have here.

12 ALEX AGUIRRE: Thank you.

13 TRUSTEE STEWART: Thank you.

14 MAYOR FITZGERALD: Thank you, Trustee
15 Stewart. If you don't mind taking a seat.

16 MR. RYAN: I don't know if this was
17 covered, what are your proposed hours and days
18 of operation?

19 MAYOR FITZGERALD: We covered that.

20 MR. RYAN: Okay.

21 TRUSTEE CHIARA: Will you be selling beer
22 in this store?

23 ALEX AGUIRRE: No beer.

24 MAYOR FITZGERALD: Thank you. Just take a
25 seat. I'll see if anyone in the audience,

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1 anyone here in Village Hall has any questions
2 on this application?

3 CHARLES LINN: Opposition?

4 MAYOR FITZGERALD: Yes, either one.

5 (Whereupon, Charles Linn was sworn in.)

6 CHARLES LINN: Charles Linn is my name and
7 I'm an attorney. My office is 420 Riverside
8 Avenue, Croton-on-Hudson, New York 10520.

9 MAYOR FITZGERALD: Good evening.

10 CHARLES LINN: Good evening. I represent
11 the liquor, current liquor store, which is at
12 94 Covert Avenue. The name of the store is
13 Covert Wine Liquor, Inc. at 94 Covert. The
14 principle here is Ben Chang, C-H-A-N-G, who is
15 here with me as well.

16 My basic argument, I do a lot of State
17 Liquor Authority work. My basic argument is
18 that the licensing of the premises is not in
19 the public's interest to grant this use. It is
20 not in the public's interest and the reason why
21 I say that is the area is actually saturated
22 with liquor stores, 12 liquor stores within a
23 radius of 2.2 miles from the applicants
24 proposed location. But more importantly, the
25 closest store, Covert Wine and Liquor, is

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1 650 feet from the applicants, almost a stones
2 throw. You can see the applicants store
3 directly from my client's store.

4 The gross sale figures of my client's
5 store has actually been decreasing in the last
6 couple of years except for the Covid anomaly of
7 2020 where sales did come up, but it wasn't
8 really a reflection of having anymore demands
9 of product within the community.

10 As far as public convenience, there is no
11 evidence the applicants will be supplying any
12 new product lines or any new services that the
13 current stores in the area are not already
14 offering. There's no evidence of increased
15 demand upon alcoholic beverages, based on
16 population, not only in Floral Park, but also
17 within the three villages that are contingent
18 to Floral Park. There's no evidence of
19 increased demand for alcoholic beverages based
20 on revenue report from the near stores. They
21 don't show any increases at all and no showing
22 the public was not being adequately served by
23 the current liquor store and the current liquor
24 store has been in that area more than, well 8
25 years it's been my client and been there more

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1 than that serving this public.

2 In addition to that, as far as in the
3 public's interest, my client's store, as far as
4 hours of operations, is exactly the same. It
5 goes from Monday to Wednesday, 9:30 to 8:00
6 p.m. Thursday to Saturday, 9:30 to 9:00 and
7 Sunday, 12:00 to 7:00.

8 In addition to that, it's the same type of
9 operation that the applicant has. He has
10 70 percent wine and 30 percent liquor.
11 Nowadays, it is more of a sale of wines that
12 you find with the population especially with
13 Covid now in the excess of drinking that, you
14 know, unfortunately has occurred.

15 Again, my client has been servicing this
16 area for 8 years. This applicant has no
17 experience, whatsoever, other than being a
18 bartender. He isn't a sommelier. When he
19 purports that, I see the beautiful pictures,
20 shelving is not really the product that they
21 sell. He is selling wine and it is not a
22 sommelier. He has no experience and stated
23 none in the liquor business, nothing involved
24 in liquor stores, as far as managing, operating
25 or anything like that.

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1 So, I don't see where it is in the public's
2 interest that he is bringing anything different
3 then my client's store has and the 12 current
4 stores that are within, as I said, within 2.2
5 miles.

6 MR. RYAN: Can I ask you a question? You
7 were here arguing points that seem to me to be
8 more appropriately argued before the State
9 Liquor Authority. This is a special exception
10 hearing governed by the code of the Village of
11 Floral Park. In that code, there are standards
12 this Board has to apply. You have not
13 addressed any of those standards in your
14 argument. I think if you are going to address
15 the issues before the Board, you should address
16 them to those and not to matters that are going
17 to be heard by the state liquor authority.

18 CHARLES LINN: My response to that is I
19 would think it is important to determine where
20 that change is in the public's interest. That's
21 what my argument is. If the Board feels as
22 though that is not a strong argument as to
23 whether it is in the public's interest, then my
24 opposition is correct, but I think it is very
25 important. That's all.

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1 MR. RYAN: I'm the Village Attorney. I'm
2 telling you one of the standards. There's no
3 standard on this application that this Board
4 has to determine that this applicants store is
5 in the publics interest. That's not in the
6 criteria that they're looking at.

7 CHARLES LINN: The only reason I say that,
8 is I listened to the other presentation and the
9 other Trustees did request information with
10 regards to the type of operation and the type
11 of operation seems to be analogies with public
12 interest. If not again, then perhaps I wasted
13 my time but I don't think so. I think the
14 publics interest is something that most
15 representatives of a Village have a
16 responsibility to, at least listen to, and
17 they -- you will make the determination whether
18 it is relevant or not.

19 MAYOR FITZGERALD: Thank you. Thank you.

20 CHARLES LINN: Thank you.

21 MAYOR FITZGERALD: Thank you for your
22 time. Anyone else in Village Hall like to
23 speak on this? Anyone on Zoom like to speak on
24 this? No.

25 TRUSTEE CHENG: Can I ask a question?

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1 MAYOR FITZGERALD: Sure. Go ahead.

2 TRUSTEE CHENG: Mr. Linn, I have a
3 question. You can stay there. Can you tell
4 me, when your client opened his store, how many
5 of the other 11 stores were already in
6 operation, since you made the argument we're
7 over-saturated?

8 CHARLES LINN: I do have a list.

9 TRUSTEE CHENG: I just need a number.

10 CHARLES LINN: Number of stores open like
11 9:00 in the morning.

12 TRUSTEE CHENG: You kept repeating
13 yourself, 12 other stores within the proximity
14 of 2.2 miles. My question is, when your client
15 opened his store, how many of the 11, not
16 counting the 12 before that, were an exception
17 within that 2.2?

18 CHARLES LINN: I can tell you that 900
19 Jericho Turnpike --

20 TRUSTEE CHENG: Just a number, I don't
21 need the names.

22 CHARLES LINN: I'm sorry, 6.

23 TRUSTEE CHENG: So tell me, five stores in
24 the last 8 years have opened up?

25 CHARLES LINN: Correct.

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1 TRUSTEE CHENG: Thank you. Those stores
2 are still in operation?

3 CHARLES LINN: Correct. Yes.

4 TRUSTEE CHENG: Interesting. I thought it
5 was over-saturated.

6 CHARLES LINN: Well --

7 TRUSTEE CHENG: I'm asking. You had 6
8 before now is still open?

9 TRUSTEE STEWART: I have a question for
10 him.

11 MAYOR FITZGERALD: Go ahead.

12 TRUSTEE STEWART: Is your client a
13 sommelier?

14 CHARLES LINN: No, he is not.

15 TRUSTEE STEWART: Okay. Thank you.

16 MAYOR FITZGERALD: Any other questions for
17 Mr. Linn?

18 Would the applicant would like to come up
19 and respond to anything, see if we have anymore
20 questions?

21 EMANUELE BARDAZZI: Really quickly. He is
22 100 percent right, Mr. Ryan. The objection
23 raised by the attorney for the liquor authority
24 to decide 100 percent. Everywhere have liquor
25 stores, all the areas. This applicant is on

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1 point. We took distance measurements and the
2 opposing parties liquor store is located
3 670 feet away, but the other three closest
4 liquor stores are 138 and 93. Other one is
5 5737. There's another one 3630 feet. So, I
6 don't think that, I believe is fairly
7 populated, packed with liquor stores, honestly.

8 And as far as the hours of operation, the
9 last thing I want to point out, hours of
10 operation cannot be that different because
11 they're pretty much dictated by the liquor
12 authority. So that's all I have to say. Thank
13 you.

14 MAYOR FITZGERALD: You're welcome. Anyone
15 on the board have further questions?

16 CHARLES LINN: Can I make one comment? I
17 do have a map and list of the stores. I don't
18 know if you allow that for submission.

19 MAYOR FITZGERALD: Sure.

20 TRUSTEE CHENG: Sure.

21 CHARLES LINN: Is a torn copy, okay?

22 MAYOR FITZGERALD: Yes.

23 EMANUELE BARDAZZI: May I submit one too?

24 MAYOR FITZGERALD: Sure.

25 MS. WALSH: Exhibit A.

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1 MAYOR FITZGERALD: From the applicant?

2 MS. WALSH: Yes, from the applicant.

3 Exhibit B from the opposing party.

4 MAYOR FITZGERALD: Thank you. Seeing
5 there's no other questions, I would ask the
6 Board for a motion to reserve decision and
7 close the public hearing.

8 TRUSTEE POMBONYO: So moved.

9 TRUSTEE CHENG: Second.

10 MAYOR FITZGERALD: Miss Walsh, would you
11 poll the Board?

12 MS. WALSH: Trustee Pombonyo?

13 TRUSTEE POMBONYO: Aye.

14 MS. WALSH: Trustee Chiara?

15 TRUSTEE CHIARA: Aye.

16 MS. WALSH: Trustee Cheng?

17 TRUSTEE CHENG: Aye.

18 MS. WALSH: Trustee Stewart?

19 TRUSTEE STEWART: Aye.

20 MS. WALSH: Mayor Fitzgerald?

21 MAYOR FITZGERALD: Aye. Thank you very
22 much for coming in and we will be back to you
23 shortly with a decision.

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- 10/5/21 - BOT - ALEX AGUIRRE- 31 COVERT AVENUE -

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Certified to be a true and
accurate transcript of the proceedings.

CATHERINE P. MURPHY
Court Reporter