

The North Strabane Township Board of Supervisors held a Special Meeting-Public Hearing, Tuesday, January 16, 2018 at approximately 7:00 P.M., at the Township Municipal Building, 1929 Route 519, Canonsburg, Pennsylvania 15317.

ATTENDING THE MEETING

Robert Balogh, Chairman
Marcus Staley, Vice-Chairman
Bob Ross, Supervisor
Harold Close, Supervisor
Neil Kelly, Supervisor

ALSO ATTENDING THE MEETING

Frank R. Siffrinn, Manager-Secretary
Gary Sweat, Solicitor
Deanna Kelly, Stenographer

Mr. Balogh called the meeting to order followed by the Roll Call.

**PUBLIC
HEARING**

Public hearing on a request by Emporio Meadows, LLC for inter-municipal transfer of a liquor license, no. R-14632, from Canton Township to a proposed restaurant facility to be located at 800 Adios Drive in North Strabane Township.

Mr. Balogh

At this time, I would like to turn the hearing over to our solicitor.

Mr. Sweat

Thank you Mr. Chairman. This is the hearing on the request by Emporio Meadows, LLC for a transfer of a Pennsylvania liquor license from Canton Township into North Strabane Township. Transfers of this nature are governed by the Pennsylvania Liquor Code and requires that the receiving Township hold a public hearing in instances where the number of licenses within the Township exceeds one license per 3000 inhabitants, and that is the case for North Strabane Township. The request was done pursuant to a letter sent to the Township by the Caputo & Caputo Law firm dated November 29, 2017 requesting a hearing on this transfer. Tonight's hearing was advertised in the legal section of the Observer Reporter on January 2nd and January 9th of 2018. Mr. Siffrinn has received proof of publication from the newspaper confirming advertisement. Is anyone here to represent Emporio?

Ms. Guna

Good evening, my name is Holly Guna. I am here from Caputo Law Firm on behalf of applicant Emporio Meadows, LLC. As Mr. Sweat mentioned, they are looking to transfer a liquor license from Canton Township because we weren't able to secure a license within North Strabane for this location. The address is 800 Adios Drive Washington, PA 15301. It is located in front of the Meadows. There is already commercial development there. It will be a freestanding restaurant at that location.

A little about the license. It is presently owned by an individual, Charles McMasters. It was originally issued for 165 West Wylie Avenue. Our buyer in this case has no relationship with the seller. They are simply purchasing the license to transfer to their company. As Mr. Sweat has mentioned, we have to come before you before we can start the process with the Liquor Board. The process normally takes about 60-90 days. This is the first step that we have to do. The restaurant Emporio, these guys have a location in the city which has three concepts. Emporio being one of the concepts at that location, and one in Pine Township. I don't know if you are familiar, it is a gourmet meatball. It is amazing if you have never been there. Matt Porco is here. He is one of the owners. He did bring menus if you are interested. It is great food.

Hours of operation are: Sunday through Tuesday, 11:00A.M. until 10:00P.M., Wednesday and Thursday, 11:00A.M. until 11:00P.M., Friday and Saturday, 11:00A.M. until 12:00P.M. They are hoping to employ 65 full-time and part-time employees. The inside is 4,900 square feet. The outside will be a patio which is close to 1,000 square feet. I am happy to answer any questions that you may have. If I cannot answer them, I am sure Mr. Porco would be happy to.

- Mr. Sweat I have a few questions just to complete the record. Emporio Meadows LLC, is it a Pennsylvania LLC?
- Ms. Guna Yes.
- Mr. Sweat Who are the principal members?
- Ms. Guna It is actually another company within Emporio LLC, and those members are Mr. Porco, David Gilcrest, and Tom Certo. There are three individuals.
- Mr. Sweat Do any of those individuals, either individually or as part of a registered entity, have any other liquor license interest?
- Ms. Guna They do. They have a location in downtown Pittsburgh, Sienna Mercato, which has three concepts, one of them being Emporio. They also have Emporio Pine, which is Pine Township. They also have another restaurant in the city, Sienna on the Square, which is a different concept. They are all under different companies, but all similar owners.
- Mr. Sweat Are they under any violations or any citations on any of those liquor licenses?
- Ms. Guna Not at this time.
- Mr. Sweat They were in the past?
- Ms. Guna I would have to look and see. I would have to check for you on that but, at this time, they have no current pending affecting their licenses. They have been in business for five years. The restaurants in the city are well known. They are reputable businesses.
- Mr. Sweat Is there a sales agreement between Emporio and Mr. McMasters?
- Ms. Guna There is. Yes.
- Mr. Sweat You are authorized by Mr. McMasters to make this representation to transfer the liquor license into North Strabane? Pursuant to the sales agreement?
- Ms. Guna Yes, there is a sales agreement to purchase the liquor license.
- Mr. Sweat When does Emporio plan on opening at this location?
- Ms. Guna I don't believe they have started construction yet, maybe in the fall.
- Mr. Sweat Just the standard questions. Is there a church within 300 feet of the 800 Adios Drive location?
- Ms. Guna I don't think so.
- Mr. Sweat Is there a school, hospital, or park within 500 feet of this location?
- Ms. Guna I don't believe so. You would know better than I do. I have not looked into that as part of your application. I do not believe there is.
- Mr. Sweat What is the nature of the surrounding businesses?
- Ms. Guna It is definitely commercial. There is a strip mall there with some other restaurants. The Meadows is there. A hotel.
- Mr. Sweat For the record, we will mark the application letter dated November 29, 2017 as Exhibit A. Exhibit B will be the proof of advertising. If you like, we could put the menu into the record as Exhibit C.

- Ms. Guna Sure.
- Mr. Sweat Do the Board members have any questions? Is there anybody in the public that would like to be heard?
- Mr. Close Sienna Marcato does have a liquor license violation, March 1, 2017 for a loud speaker. Do you plan on doing an outside seating area at our location and have an outside speaker as well?
- Ms. Guna I do not know about speakers at this point.
- Mr. Sweat Sir, I will need to swear you in. Can you please come up and answer these questions? Would you raise your right hand, please. "Is the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God"? And your name for the record?
- Mr. Porco Yes, it is.
- Mr. Sweat And your name for the record?
- Mr. Porco Matthew Porco.
- Mr. Sweat You are one of the principals in the applicant, Emporio Meadows, LLC?
- Mr. Porco Yes, sir.
- Mr. Sweat Mr. Close.
- Mr. Close Do you plan on having outside seating and is there going to be loud speaker music being played?
- Mr. Porco We do plan on having outdoor seating. We are planning to build anywhere from a 500 to 1, 000 square foot outdoor patio. We would like to put a speaker out there. The location, if any of you are familiar, is The Street at the Meadows, which is a Horizon Property. Primanti's houses it. This is what they call the second phase. They are building and developing a pad adjacent and connecting to what is already there. It sits off Racetrack Road behind the car dealership. As you head up the hill, you can see the racetrack. There will be a patio. I do think we would be somewhat of a distance from any type of residential.
- Mr. Close The Street does have residential.
- Mr. Balogh Those are apartments above the first floor.
- Mr. Porco I believe we would be, give or take, maybe 60 yards from them. I think through the experiences of what we dealt with down there, with the location we have in downtown Pittsburgh, and with the battle with the people across the street.
- Ms. Guna Sienna is a different concept in the city. It is a roof top deck. I am wondering if that is where that came from.
- Mr. Porco That was a completely an open air concept. We have a roof top restaurant.
- Mr. Close Do you still open the roof there?
- Mr. Porco We do open the roof in good weather. We have gone in front of the judge with LCB and we have done everything we can. We do not put speakers on the outside of that restaurant. We have invested thousands of dollars in sound proofing. I don't perceive that happening here. That was a late night crowd. This is more of a family style restaurant.

- Mr. Siffrinn Harold, all those items will be reviewed by the Township when they make the application for a zoning permit.
- Mr. Close I was telling them there was a violation.
- Mr. Sweat How did you find that Harold?
- Mr. Close Online.
- Mr. Sweat It's online. Was the violation issued by the LCB or by the local municipality?
- Mr. Close Liquor Control Board.
- Mr. Sweat Do you know what the status of that violation is?
- Ms. Guna It has to be closed if it is on there.
- Mr. Porco I believe it's closed. We did not fight it. We paid the fine.
- Ms. Guna Just so you are aware if you are looking on the LCB website, you have to watch because sometimes they will list a citation from the prior owner. I know that one is a recent one. A lot of times the way their system is, which does not make sense, the violation stems from the old license's owner.
- Mr. Close No, it clearly states it.
- Mr. Porco That one is closed. We feel we have corrected that problem. As you know, once a complaint is received, it sparks a whole scale investigation.
- Ms. Guna Under the Liquor Code regarding a noise complaint it, is very strict. If something were to happen, they cannot be heard beyond their property line. It has changed over the years. Should something happen, the LCB would come out and they would get cited. They would have to correct it. It is regulated by the Liquor Control Board.
- Mr. Sweat Anyone else have any questions? Thank you. With that we will close the record.
- ADJOURNMENT** All business being concluded, the special meeting adjourned at 7:14 P.M.

Robert F. Balogh, Chairman

Frank R. Siffrinn, Manager-Secretary