

OCTOBER 20, 2004
WAYNESBORO, PA 17268
PUBLIC HEARING RE: LIQUOR LICENSE
TRANSFER

Council President Charles McCammon called the hearing to order at 7:00 p.m. with the following in attendance:

Borough Council Members – Richard George, C. Harold Mumma, John Cook, Charles McCammon and Andrew Benchoff (Ardie Winters was absent)

Mayor Louis M. Barlup, Jr.

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
D. Lloyd Reichard, II, Borough Solicitor
Kevin Grubbs, Assistant Director of Engineering
Dan Sheffler, Zoning-Code Enforcement Officer
Ray Shultz, Police Chief
Ron Flegel, Fire Chief

Mr. McCammon noted that the purpose of the hearing was to accept input and testimony on the proposed inter-municipal transfer of a liquor license (License No. 12-15914) from a location in the Borough of Chambersburg to a proposed tavern at 227 W. Main Street, Waynesboro, PA. The hearing was duly advertised in *The Record Herald* on October 11, 2004.

Those wishing to comment for the record were asked to rise and receive the oath for their testimony.

Mr. Hamberger reiterated that the Notice of Public Hearing was advertised in *The Record Herald* on October 11, 2004. Mr. Grubbs advised that he posted the property (227 W. Main Street) with a Notice of Public Hearing on October 14, 2004.

James Strong, 3401 N. Front Street, Harrisburg, PA, was present. He is the attorney representing John and Barbara Persun, who purchased the property at 227 W. Main Street (formerly the Hoover House). Their plans are to renovate the property into a restaurant on the first floor, with their personal residence on the second and third floors. The Persuns have entered into an agreement to purchase a liquor license in the Borough of Chambersburg, and are requesting Council's approval to transfer it to Waynesboro. Mr. Strong advised that this is permitted by law, provided that the license is transferred to another municipality within the same county.

Barbara Persun noted that they purchased the vacant property in March, and moved into their residence in late August. They have begun making changes to the outside, and are planning to begin interior renovations in the near future. She explained their

plans to establish a period restaurant on the first floor, which would consist of three (3) dining rooms and accommodate seating for approximately 50 people. Their anticipated hours of operation would be 11:00 a.m. to 11:00 p.m, and food would be served the entire time. Background dining music (folk, oldies, Caribbean-style) may be provided on the weekends.

Mr. Strong presented Exhibits 1-4 to Borough Council, copies of which are included in the Borough files.

Mrs. Persun explained that Exhibit 1 is a plan of their property from the Franklin County Courthouse.

Exhibit 2, she noted, is a drawing of their existing property. They are currently working with an architect to lay out a floor plan for the proposed restaurant. Three (3) dining areas and a small bar area would be available for use by patrons. A kitchen and preparation area will be developed, and changes will be made to the existing bathrooms to provide multi-stall mens', womens' and handicapped accessible facilities. Mrs. Persun noted that the original plan submitted with their application was revised in October, with several other revisions anticipated. Outdoor seating is also in their future plans, however they would like to get the restaurant "up and running" and successful first.

Exhibit 3 was presented, and Mrs. Persun noted that this is the proposed menu for the restaurant which was submitted with their application. She added that they will start with a basic menu, and then work with the kitchen staff and customers to develop an expanded dinner menu. Mrs. Persun explained that she and her husband have entered into an agreement to purchase an existing liquor license in the Borough of Chambersburg. The license is currently held in escrow, and the purchase/transfer is contingent upon all other approvals.

Mr. Strong noted that they have been working on the proposed transfer for several months. Borough Solicitor Lloyd Reichard raised questions regarding off-street parking for the establishment, which is also being pursued. As this is a permitted use within the Town-Center zone, the number of required off-street parking spaces will be determined by the Planning Commission and Zoning Officer. Five (5) spaces are available at the rear of the property, and the Persuns have been talking with their neighbors regarding potentially leasing several parking spaces or buying a piece of land.

Exhibit 4 is a Letter of Intent executed by Greg Baker, who has indicated his willingness to lease 10-11 parking spaces at his property located at 219 W. Main Street. They continue to discuss the matter with both the hotel (Best Western) and other parties in an effort to obtain additional parking.

It was noted that the Borough may wish to approve the liquor license transfer contingent upon various other approvals required. Mr. Strong added that the license transfer is the first step in the Persuns realizing their dream, and they are aware that various other

avenues will need to be worked through in order to proceed with their ultimate plans.

John Persun also noted that he and his wife are very happy to be residents of Waynesboro, and they look forward to bringing a successful enterprise to town. He thanked Council members for holding the public hearing this evening, stating that their plans are currently “on hold, to a degree” pending Council’s decision on the license transfer matter. He added that it is not their intention to invest time and money into something that is not realizable.

Don Truett, Jr., 132 E. Fifth Street. Mr. Truett noted that he is opposed to adding another liquor license to Waynesboro, as there are currently eleven (11). He added that he has no objections to the restaurant concept, but feels that the liquor license should be purchased from one of those available for sale in Waynesboro.

MaryBeth Hockenberry, Executive Director of Chamber of Commerce. Mrs. Hockenberry spoke as a representative for the Chamber’s Board of Directors, whose job it is to look out for the economic development of the area (in conjunction with the Main Street Committee). She stated that the downtown area is developing, and another restaurant would be beneficial. Renovations being done at the property will also assist in their downtown revitalization efforts, and the Chamber supports the project.

John Miller, owner of Pappy’s Pub (220 W. Main Street). Mr. Miller noted that Liquor Control Board laws regulate that establishments utilizing liquor licenses must be at least 300’ away from each other. In that particular area, however, there are already several others as close of 100’ away. He noted his concern that if the restaurant fails and they sell the liquor license to another individual, there may be additional problems. Mr. Miller noted he feels that this license transfer from Chambersburg would contribute to over-extending the town.

Chuck McFadden, C. J.’s Tavern (308 W. Main Street). Mr. McFadden noted that he, too, is opposed to the liquor license transfer, as there are already numerous bars in that area. Parking is also a concern, but it seems that that is being addressed. He added that the restaurant is a great idea, but it would be nice if the liquor license were bought locally.

Ronald Martin, 66 State Hill Road. Mr. Martin noted that the former Hoover House was a nice accessory in Waynesboro. Many local business people went there for lunch and dinner meetings. The Persuns’ proposal would be a welcome addition to the current downtown, and would help to establish the property. Failure is a possibility for any business, but they should have the right to try. A “plus” is that the property is already Labor and Industry approved. Mr. Martin stated he hopes that Council will look favorably at continuing to get new businesses in town.

Hearing no further comments, the hearing adjourned at 7:24 p.m.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant