



515 West Hamilton Street
Suite 502
Allentown, PA 18101
P: 610-391-1800
F: 610-391-1805

Matthew B. Andersen, Esquire
E-mail: mandersen@norriss-law.com

February 11, 2019

City Clerk's Office
City of Bethlehem
10 East Church Street
Bethlehem, PA 18018

ATTENTION: Louise M. Kelchner, City Clerk

RE: Request Intermunicipal Liquor License Transfer
My Client: Bethlehem Meat & Produce Corp.
Site Location: 226 E. 3rd Street, Bethlehem, PA 18015

Dear Ms. Kelchner:

Please consider this correspondence as my client's request for an intermunicipal transfer of liquor license into the City of Bethlehem at the above location, pursuant to 47 P.S. § 4-461(b.3). Under this statute, please note that a public hearing (duly advertised) must be held by the municipal governing body for the purpose of receiving comments and recommendations of interested individuals residing within the municipality relative to my client's application. In addition, the City Council must render a decision within 45 days of the request. In my experience before your Honorable Council, the hearings have been conducted at a legislative forum to ascertain whether moving the license into the City at a particular location would adversely affect the welfare, health, peace and morals of the municipality. Typically, the hearings have not been specially listed at their own times, but have been specially listed agenda items of regular City business. Further, the hearings have been conducted as the first order of business.

The proposed site is located at 226 E. 3rd Street, Bethlehem, PA, and I welcome City Council to review zoning records in this regard. My client currently operates a grocery store at this site known as Bethlehem Meat & Produce Corp. My client does not intend to materially alter its business and is simply adding the additional convenience of beer and, potentially, wine offerings. In addition, should you have any questions, concerns, or would like a summary of my client's proposal (which we intend to present at the hearing with plans), please do not hesitate to contact me. Lastly, attached is a copy of the proposed Resolution approving the transfer.

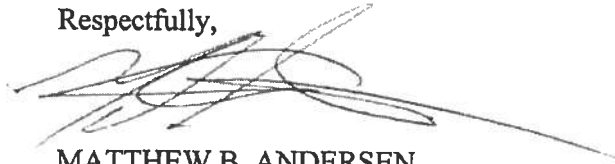
City Clerk's Office
City of Bethlehem
February 11, 2019
Page 2

As requested, I have enclosed this firm's check in the amount of \$200.00 representing the required fee.

Additional information regarding the applicant will be provided upon request. Please advise me when my client's request is scheduled to be heard by Bethlehem City Council.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'MATTHEW B. ANDERSEN', with a long horizontal line extending to the right.

MATTHEW B. ANDERSEN

MBA:rds
Enclosure

RESOLUTION NO. 2019 -

WHEREAS, Section 461 of the Pennsylvania Liquor Code (47 P.S. 4-461, hereinafter "Code") authorizes, among other things, the Pennsylvania Liquor Control Board (hereinafter "PLCB") to approve the transfer of liquor licenses across municipal boundaries within the same county and under certain conditions to issue restaurant and eating place retail dispenser licenses without regard to quota restrictions for the purpose of economic development; and

WHEREAS, subsection (b.3) of Section 461 requires that an intermunicipal transfer or issuance of a new license for economic development must, under certain conditions, first be approved by the governing body of the receiving municipality; and

WHEREAS, that subsection also requires that a receiving municipality issue a resolution approving or disapproving the intermunicipal transfer or issuance of a new liquor license prior to submission of an application for such transfer to the PLCB; and

WHEREAS, that subsection mandates that, prior to adoption of such a resolution, at least one hearing be held for the purpose of receiving comments and recommendations from interested individuals residing within the receiving municipality concerning the intent to transfer the license into the municipality or the issuance of an economic development license; and

WHEREAS, Bethlehem Meat & Produce Corp. leases property located at 226 E. 3rd Street, Bethlehem, Northampton County, PA and operates a grocery store at such location; and

WHEREAS, on _____, 2019 and pursuant to Section 461, the Applicant's request was received for approval by City Council, City of Bethlehem, Northampton County (hereinafter "Council") of a proposed intermunicipal transfer of Retail Restaurant Liquor License No. R-20144. The license was previously issued to Valley View Inn and Restaurant, Inc., for licensed premises located at 794 Sunrise Boulevard, Mount Bethel, Northampton County; and

WHEREAS, on _____, 2019 and in accordance with Section 461 (b .3) Council held a public hearing on the proposed liquor license transfer; and

WHEREAS, the purpose of this Resolution is to comply with Code Section 461 (b.3).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bethlehem, Northampton County, Pennsylvania as follows:

1. Applicant seeks approval of an intermunicipal transfer of Retail Restaurant Liquor License No. R-20144 which was previously issued to Valley View Inn and Restaurant, Inc., for licensed premises located at 794 Sunrise Boulevard, Mount Bethel, Northampton County to 226 E. 3rd Street, Bethlehem, Northampton County, Pennsylvania, pursuant to Code Section 461.

2. Applicant proposes to, and will, operate a grocery store with carry-out beer and wine at the aforescribed location.

3. The Applicant's proposal is a permitted use at this location.

4. The Applicant's proposed grocery store with carry-out beer and wine is in a commercial CB zoning district.

5. There is no evidence that the proposed, intermunicipal transfer will adversely affect the welfare, health, peace and morals of this City or the residents hereof.

6. Council hereby approves the Applicant's request for an intermunicipal transfer of Pennsylvania Liquor License No. R-20144 pursuant to Code Section 461 (b.3).

7. The transfer of the Liquor License contemplated hereby is subject to final approval by the PLCB.

Sponsored by _____

ADOPTED by Council this day of , 2019.

President of Council

ATTEST:

City Clerk