



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

David C. Berger, Esquire
E-mail: dberger@norris-law.com

March 21, 2022

VIA E-MAIL (rvidoni@bethlehem-pa.gov) – ORIGINAL TO FOLLOW

Robert G. Vidoni, Esquire
Office of the City Clerk
City of Bethlehem
10 East Church Street
Bethlehem, PA 18018

RE: Request Intermunicipal Liquor License Transfer
My Client: Montclair Meat & Food Corp.
Site Location: 410 Montclair Avenue, Bethlehem, PA 18015

Dear Attorney Vidoni:

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. It would be greatly appreciated if this matter could be added to City of Bethlehem's Council agenda to be read into the record on April 4th and the hearing scheduled for April 19th in order for our client and the City to meet their legal requirements.

The proposed site is located at 410 Montclair Avenue, Bethlehem, and I welcome the City Council to review zoning records in this regard. My client will operate a grocery store at the site and intends to add the additional convenience of beer and, potentially, wine offerings at its grocery store. We have also provided a Summary of Food Offerings, the draft Transfer Application to the Pa.L.C.B., and the proposed Notice of the hearing to be provided to neighboring property owners within a 500 feet radius of the proposed site. Should you have any questions, concerns, or need any additional information regarding my client's proposal prior to

City Clerk's Office
City of Bethlehem
March 21, 2022
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the hearing, please do not hesitate to contact me. Lastly, attached is a copy of the proposed Resolution approving the transfer.

We are also providing a check in the amount of \$200.00 representing the City's required fees. If additional fees are required, please advise and we will promptly forward the same.

Additional information regarding the applicant will be provided upon request. Please confirm when my client's request is scheduled to be heard by Bethlehem City Council. By copy of this correspondence, we are providing Brian Panella, City Council Solicitor, of this request.

Thank you for your time and consideration.

Respectfully,



DAVID C. BERGER

DCB:rds

Enclosures

cc: Brian Panella, Esquire (w/encl.)

SUMMARY OF FOOD OFFERINGS

Full grocery store including, but not limited to:

Canned goods;

Butchered meats;

Fresh produce;


Prepared foods, such as deli sandwiches and self-serve hot food items;

Baked goods;

Frozen Foods;

Cold cuts/lunch meats

License Transfer (LID 46810)

Need Help? 

As the buyer of a license, you can use this application to submit a request for a license transfer. The entity to whom the license is being transferred to is responsible for submitting this application.

LID to be transferred: 46810
License R14009 (Restaurant (Liquor))
VALLEY PIZZA, INC.
VALLEY PIZZA, INC.
503 OLD MAIN ST
PO BOX 5
WALNUTPORT PA 18088

Type of transfer: Transfer - Person & Location
This amendment allows you to request to transfer a license from one licensee to another licensee, as well as from one premise location to another location.
Please allow 30 days for processing.

Retain license in Safekeeping on approval: ☐

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OR, ENTER NEW APPLICANT / LICENSEE INFORMATION

Licensee Type:	Corporation
Legal Name:	Montclair Meat & Food Corp.
EIN:	86 - 2987915
Sales Tax Number:	
Unemployment Id:	
Corporate Box Number:	
Incorporation Date:	Apr 21, 2021
Mailing Address:	410 Montclair Avenue Bethlehem, PA 18015
Physical Address:	410 Montclair Avenue Bethlehem, PA 18015
<input checked="" type="checkbox"/> (same as Mailing)	

CONTACT INFORMATION FOR APPLICANT / LICENSEE

<input checked="" type="checkbox"/> (use my information)	
Contact Name:	Robin Schultz
Phone Number:	(610) 391-1800
Alternate Phone:	() -
Fax:	() -
Email:	rschultz@nmmlaw.com
Preferred Contact Method:	Email

OFFICERS

List all interested parties, partners (including investment percentage and profit distribution), officers, directors, and any other information pertinent to the Licensee and the Liquor License to be approved.

[Add Officer](#)

Name		
Edit	Juan Diaz (President, Director, SH)	Remove
Edit	Jeremy Diaz (Treas/Sec/Dir/SH)	Remove

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New Officer

First Name:
Middle Name:
Last Name:
Title:
Home Address:

Contact Phone: () -

ADDITIONAL INFORMATION REQUIRED FOR CRIMINAL RECORD CHECK

The PLCB runs a criminal record check on all new licensees. Please provide as much information below as possible to ensure the criminal record check is accurate.

Birthplace:
Birth Date:
Gender: ☒ Male ☐ Female
Race:
Maiden / Alias Name:
SSN: - -
Cancel Save Save & Close

New Officer

First Name:
Middle Name:
Last Name:
Title:
Home Address:


Contact Phone: () -

ADDITIONAL INFORMATION REQUIRED FOR CRIMINAL RECORD CHECK

The PLCB runs a criminal record check on all new licensees. Please provide as much information below as possible to ensure the criminal record check is accurate.

Birthplace:
Birth Date:
Gender: ☒ Male ☐ Female
Race:
Maiden / Alias Name:
SSN: - -
Cancel Save Save & Close

License Transfer (LID 46810)

Need Help? 

To complete the transfer application, you must also specify information about the premises.

LOCATION

Please specify the county and municipality in which the premises will be located.

State: Pennsylvania
County: Northampton County
Municipality: Bethlehem

PREMISES INFORMATION

Please provide us with information about the new Premises.

Premises Type: GROCERY STORE
Premise Name: Montclair Meat & Food Corp.
Mailing Address: 410 Montclair Avenue
Bethlehem, PA 18015
Physical Address: 410 Montclair Avenue
Bethlehem, PA 18015
☒ (same as Mailing)

PREMISES OWNER

Enter information for the Owner of the Premises.

Name: 410 Bethlehem Realty LLC

PREMISES MANAGER

Enter information for the Manager of the premises.

[Add Manager](#)

CONTACT INFORMATION FOR PREMISES

☒ (use my information)

Contact Name: Robin Schultz
Phone Number: (610) 391-1800
Alternate Phone: () -
Fax: () -
Email: rschultz@nmmlaw.com
Preferred Contact Method: Email

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License Transfer (LID 46810)

Need Help? 

PERMITS / SECONDARY LICENSES

You may apply for new permits / secondary licenses using the "Add" button below.

Add



Sunday Sales Permit

Remove

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License Transfer (LID 46810)

Need Help? 

QUESTIONS

Before submitting, please answer the following questions:

1. Conviction record: Do any individuals, partners, members, managers, corporate officers, directors or stockholders have any misdemeanor or felony convictions? ☐ Yes ☒ No
2. Was a placard, PLCB-1296, Public Notice of Application Alcoholic Beverages posted in a conspicuous space? ☒ Yes ☐ No
Date placard was posted:

TBA
3. Is a Management Company employed? ☐ Yes ☒ No
4. Will the premises have a trade name? ☐ Yes ☒ No

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License Transfer (LID 46810)

Need Help? 

FEES

The following fees must be paid as part of your license amendment application.

Fee	Amount Due
Amendment Fee	\$700.00
Criminal Record Check Fee	\$44.00
Permit Fee	\$300.00
TOTAL:	\$1044.00

DECLARATION

☐ I certify that I am authorized to submit this application on behalf of the organization.

By submitting this application, I swear or affirm, subject to the penalties provided by 18 Pa. C.S. Sections 4904 and 47 P.S. Sections 4-403(h) and 4-436(j) that the answers and statements provided herein are true and complete to the best of my knowledge and belief.

You can pay these fees and submit your application now, or you can put this application in your shopping cart and pay later (along with other applications).

[Pay Fees & Submit Application](#) **OR** [Add to Shopping Cart](#)

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**NOTICE OF FILING OF
INTERMUNICIPAL LIQUOR LICENSE REQUEST
WITH THE
CITY OF BETHLEHEM, NORTHAMPTON COUNTY, PA**

Notice is hereby given pursuant to City of Bethlehem Resolution No. 2012-114 that a request for intermunicipal transfer of liquor license has been filed with the City of Bethlehem for the transfer of a restaurant liquor license to property located at 410 Montclair Avenue, Bethlehem, Northampton County, Pennsylvania.

The request was filed on behalf of Montclair Meat & Food Corp., Bethlehem, Northampton County, Pennsylvania. This request and information in connection with the proposed Transfer Application to be submitted to the Pennsylvania Liquor Control Board can be reviewed during normal business hours at the offices of David C. Berger, Esquire, Norris McLaughlin, P.A., 515 West Hamilton Street, Suite 502, Allentown, PA 18101; telephone 610-391-1800.

The City of Bethlehem Council will conduct a Public Hearing regarding this request during the City Council Meeting on Tuesday, April 19, 2022, at 7:00 P.M. in Town Hall, 10 East Church Street, Bethlehem, PA 18018.

RESOLUTION NO. 2022-

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, Montclair Meat & Food Corp. leases property located at 410 Montclair Avenue, Bethlehem, Northampton County, PA and intends to operate a grocery store at such location; and

WHEREAS, on _____, 2022 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-14009. The license was previously issued to Valley Pizza, Inc. for licensed premises located at 503 Old Main Street, P.O. Box 5, Walnutport, Northampton County; and

WHEREAS, on _____, 2022 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-14009 which was previously issued to Valley Pizza, Inc., for licensed premises located at 503 Old Main Street, P.O. Box 5, Walnutport, Northampton County to 410 Montclair Avenue, 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 General Commercial ("CG") 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-14009 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 , 2022.

President of Council

ATTEST:

City Clerk

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

NORRIS McLAUGHLIN, P.A.

515 W. HAMILTON ST, SUITE 502
ALLENTOWN, PA 18101

PEAPACK GLADSTONE BANK

55-0523/0212

NUMBER 3978

DATE

AMOUNT

Two Hundred and 00/100 Dollars

03/21/2022

*****200.00

PAY
TO THE
ORDER
OF

CITY OF BETHLEHEM

THIS RED IMAGE
FADING WITH HEAT

NORRIS McLAUGHLIN, P.A.
COST ACCOUNT

Robert A. Spitha

AUTHORIZED SIGNATURE

⑈003978⑈ ⑆021205237⑆ 500074567⑈