

RESOLUTION NO. 091117-1

A RESOLUTION OF THE BOROUGH OF GETTYSBURG, ADAMS COUNTY, PENNSYLVANIA, APPROVING THE INTERMUNICIPAL TRANSFER OF AN EATING PLACE LIQUOR LICENSE (LICENSE NO. E-3255) OWNED BY THE NEW A-VILLE INN, INC. IN THE BOROUGH OF ARENDTSTVILLE, ADAMS COUNTY, PENNSYLVANIA, PURSUANT TO THE REQUEST OF THE APPLICANT, LINDA ATIYEH, OR HER ASSIGNS, FOR THE TRANSFER OF THE LIQUOR LICENSE INTO THE BOROUGH OF GETTYSBURG FOR USE BY THE APPLICANT AT PREMISES LOCATED AT EITHER 19 YORK STREET OR 3 CHAMBERSBURG STREET, GETTYSBURG, ADAMS COUNTY, PENNSYLVANIA.

WHEREAS, by letter dated August 3, 2017, Linda Atiyeh, or her assigns, (hereinafter referred to collectively as the "Applicant") has made a request of the Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania, for approval of an intermunicipal transfer of an Eating Place Liquor License No. E-3255 owned by The New A-Ville Inn, Inc. for use at its premises located in the Borough of Arendtsville, Adams County, Pennsylvania, for the transfer of the said Liquor License for use at premises, owned or leased by the Applicant, located within the Borough of Gettysburg at 19 York Street or 3 Chambersburg Street, Gettysburg, Adams County, Pennsylvania; and

WHEREAS, the Applicant proposes to use said Eating Place Liquor License No. E-3255 in connection with the operation of a restaurant which will include on-premises alcohol sales and take-out beer and wine sales to be operated by the Applicant at premises, owned or leased by the Applicant, located at either 19 York Street or 3 Chambersburg Street, in the Borough of Gettysburg, Adams County, Pennsylvania; and

WHEREAS, pursuant to the authority granted in section 461 of the Pennsylvania Liquor Code (47 P.S. § 4-461) and consistent with the requirements of the regulations set forth in 40 Pa. Code § 7.61, the Borough Council of the Borough of Gettysburg has conducted a duly advertised public hearing on September 11, 2017 for the purpose of receiving comments and recommendations of interested individuals residing within the Borough of Gettysburg concerning the intent of the Applicant to transfer Eating Place Liquor License No. E-3255 into the Borough of Gettysburg, Adams County, Pennsylvania.

WHEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania, does hereby adopt the following:

1. The premises located within the Borough of Gettysburg at 19 York Street or 3 Chambersburg Street, Gettysburg, Adams County, Pennsylvania, at which the Applicant proposes to make a restaurant and on-premises alcohol sales and take-out beer and wine sales use, is zoned and located within the OT Old Town District of the Borough of Gettysburg. The Applicant's proposed use is permitted by right in the OT Old Town District.

2. The Applicant, in connection with the proposed restaurant and on-premises alcohol sales and take-out beer and wine sales use at the proposed premises at either 19 York Street or 3 Chambersburg Street within the Borough of Gettysburg, will comply with all local ordinances of the Borough of Gettysburg including, without limitation the Gettysburg Borough Zoning Ordinance and all building and construction codes.

3. In consideration of the information provided by or on behalf of the Applicant and in consideration of the comments and recommendations, if any, from interested individuals residing within the Borough of Gettysburg received at the public hearing held on September 11, 2017, the Borough Council of the Borough of Gettysburg hereby finds that the proposed intermunicipal transfer of Eating Place Liquor License No. E-3255 for use at premises, owned or leased by the Applicant, located within the Borough of Gettysburg at either 19 York Street or 3 Chambersburg Street, Gettysburg, Adams County, Pennsylvania, will not adversely affect the welfare, health, peace and morals of the Borough of Gettysburg or its residents.

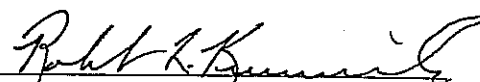
4. Pursuant to 40 Pa. Code § 7.61(b)(4), the Borough Council of the Borough of Gettysburg does hereby approve the request of the Applicant for the intermunicipal transfer of Eating Place Liquor License No. E-3255 owned by The New A-Ville Inn, Inc. of 27 North High Street in the Borough of Arendtsville, Adams County, Pennsylvania, to premises, owned or leased by the Applicant, located within the Borough of Gettysburg at either 19 York Street or 3 Chambersburg Street, Gettysburg, Adams County, Pennsylvania, in connection with the proposed restaurant and on-premises alcohol sales and take-out beer and wine sales use to be made by the Applicant at the aforesaid premises within the Borough of Gettysburg.

5. A true and correct copy of this resolution, as adopted, shall be submitted to the Pennsylvania Liquor Control Board (hereinafter the "LCB") by the Applicant along with the application for transfer to the LCB evidencing the approval of the Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania, of the requested intermunicipal transfer of Eating Place Liquor License No. E-3255 owned by The New A-Ville Inn, Inc. of 27 North High Street in Borough of Arendtsville, Adams County, Pennsylvania, to premises located within the Borough of Gettysburg at either 19 York Street or 3 Chambersburg Street, Gettysburg, Adams County, Pennsylvania.


6. This resolution shall take effect upon its adoption by the Borough Council of the Borough of Gettysburg.

THIS RESOLUTION DULY ADOPTED according to law on this 11th day of September, 2017 at a duly advertised special meeting of the Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania.

BOROUGH OF GETTYSBURG

By: 
Robert L. Krummerich
President of Borough Council

Attest:


Sara L. Stull, Secretary





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HISTORIC CROSSROADS

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Susan C. Naugle, Council President
Jacob W. Schindel, Council Vice President

Charles R. Gable, Borough Manager
Sara L. Stull, Borough Secretary
Harold A. Eastman, Jr., Borough Solicitor

ADDENDUM

**RESOLUTION NO. 091117-1
BOROUGH OF GETTYSBURG, ADAMS COUNTY, PENNSYLVANIA**

Intermunicipal Transfer of an Eating Place Liquor License
for Linda Atiyeh, or her assigns

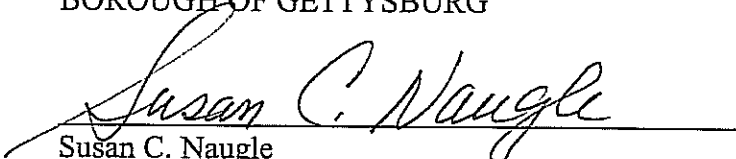
The Liquor License Number is E-3255

The proper name of the proposed Licensee is: The Upper Crust, LLC


The address of the proposed premises is: 19 York Street, Gettysburg, PA 17325

BOROUGH OF GETTYSBURG

Dated: February 12, 2018


Susan C. Naugle
President of Borough Council

Attest:


Sara L. Stull, Secretary

