



ANDREW M. CUOMO
Governor

LILY M. FAN
Commissioner

VINCENT G. BRADLEY
Chairman

GREELEY FORD
Commissioner

ADVISORY #2020-8

To: All On-Premises liquor license applicants

Subject: 500 Foot Law Hearings

If an applicant is seeking an On Premises Liquor license and the applicant's premises is: (1) in a city, town or village with a population of 20,000 or more; and (2) there are three or more establishments already operating with an On Premises Liquor license within a 500 foot radius of the applicant's premises, the application is subject to the 500 Foot Law. As a result, the application cannot be approved unless the Authority finds that issuing the license is in the public interest. The 500 Foot Law requires that, before the decision is made, the Authority consult with the municipality and conduct a hearing to consider arguments and information on the issue of public interest.

As a result of restrictions placed on public gatherings as a result of the coronavirus (also known as COVID-19), the Authority had postponed all previously scheduled 500 Foot Law hearings and refrained from scheduling any new hearings. The suspension of hearings has resulted in a delay of the processing of applications subject to the 500 Foot Law. To address the issue, the Authority will resume the required hearings under the following conditions:

- Neither the applicant, the applicant's representative or anyone who wishes to be heard in support or opposition will be allowed to attend the hearing.
- All parties will be required to send written submissions.
- The submissions must be sent by email to Secretarys.office@sla.ny.gov.
- The applicant and the municipality in which the proposed licensed premises is located will receive notification by email that all submissions must be received within 15 days of the email notification.
- Applicants must complete and return a public interest questionnaire to Secretarys.office@sla.ny.gov by the deadline noted above. This questionnaire will replace any public interest statement that has already been submitted and no other document will be accepted as a substitute. If needed, the applicant can attach supplemental pages to the questionnaire. The Administrative Law Judge will not be reviewing any documents in the application that are on file with the Authority.

- After the deadline for submissions, the matter will be forwarded to an Administrative Law Judge for review and the issuance of a hearing report.
- Submissions not sent to Secretary's Office using the above email address, or any submissions received after the above deadline, will not be forwarded to the Administrative Law Judge for his/her consideration.

This Advisory will be subject to further review by the Members of the Authority.

This matter was heard and determined by the Members of the Authority at a Special Full Board meeting held on May 27, 2020 before Chairman Vincent Bradley, Commissioner Lily Fan and Commissioner Greeley Ford. The above written advisory was approved by Chairman Bradley on behalf of the Members of the Authority on June 1, 2020.

Dated: 6/1/20

A handwritten signature in black ink, reading "Thomas J. Donohue". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Thomas J. Donohue
Secretary to the Authority