



KATHY HOCHUL
Governor

LILY M. FAN
Commissioner

VINCENT G. BRADLEY
Chairman

GREELEY FORD
Commissioner

ADVISORY #2022-21

Subject: Review of 500 Foot Law hearing decisions


It has been the practice of the Licensing Board to forward to the Members of the Authority any application subject to the 500 Foot Law if the Administrative Law Judge (ALJ) found, after hearing, that the applicant failed to demonstrate that issuing the license is in the public interest. This referral is made even if there is not any opposition to the application.

In certain situations, an ALJ would have found in favor of the applicant but for the stated omission of information or documentation for the 500 Foot Law hearing. For example, an ALJ may note that the omission of a signed agreement with the municipality regarding the operation of the premises resulted in a decision that is not favorable to the applicant.

Going forward, if the ALJ states that the omission of specified information or documentation resulted in such an unfavorable decision, if such information or documentation is subsequently provided to the Licensing Bureau, the information or documentation will be forwarded to the Hearing Bureau Supervisor who may, in their discretion, find that the applicant has demonstrated that it would be in the public interest to issue the license. If there are no other issues requiring review by the Members of the Authority, the Licensing Board can act on such application.

This matter was heard and determined by the Members of the Authority at a Full Board meeting held on August 31, 2022 before Chairman Vincent Bradley, Commissioner Lily Fan, and Commissioner Greeley Ford. The above written advisory was approved by the Members of the Authority on August 31, 2022.

Dated: 09/26/22


Donald Roper
Secretary to the Authority