

**OFFICE OF THE DELAWARE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER
ALTERATIONS / EXTENSION OF PREMISE REQUEST FORM**

LICENSEE: Stingray Rock, LLC t/a Stingray

DATE: 12/26/13

ADDRESS: 59 Lake Avenue, Rehoboth Beach, DE 19971

LICNESEE # 13907

CONTACT: Darius Mansoori (302) 658-6050
dariusm@cherrytreegroup.com

SUMMARY OF REQUEST

1. Licensee requests an approximate 1,225 sq.ft. patio extension to the currently licensed premise.
2. No variances requested.

CHECKLIST

Letter of Intent Filing Fee Blueprints Building Permit _____

42/42.1 Ltr. Sent _____ Landlord Approval _____ Variances _____ Other _____

IS PUBLIC NOTICE REQUIRED YES NO

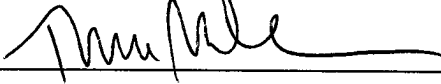
IF YES, ARE PUBLISHERS CERTIFICATES PROVIDED? YES NO N/A

IS NOTIFICATION OF PROPERTY OWNERS PROVIDED? YES NO N/A

DATE OF INITIAL INSPECTION 1/13/14

PHOTOS Y

LICENSE INVESTIGATOR SIGNATURE



DEFICIENCIES

COMMISSIONER APPROVAL _____ DATE _____

FINAL INSPECTION COMPLETED YES NO

DATE _____

FINAL INSPECTION FEE PAID YES NO

DATE _____

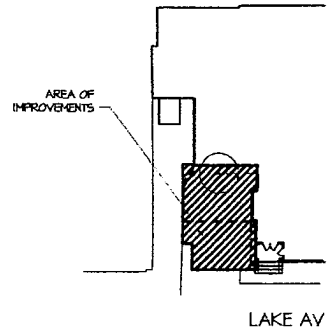
12/26/2013

Stingray Rock, LLC is applying for a license to constructing a patio for Seated Food and Alcoholic Beverage Service at 59 Lake Avenue Rehoboth Beach, DE 19971. Stingray Rock, LLC intends to comply with all rules set forth in rule 42.1, therefore not seeking a special variance. Construction is scheduled to start March 3, 2014 with 2-3 weeks of construction. Stingray Rock, LLC has acquired all necessary approval from the State Fire Marshall. Stingray Rock, LLC is currently publishing legal announcements with all necessary publications approved by the DABCC and will provide publishing certification announcement of legal notice. The patio dimensions comply with all current zoning codes as set forth by the City of Rehoboth. The enclosed letter has been mailed to all residents within 1000 feet of 59 Lake Avenue Rehoboth Beach, DE 19971. Addresses were provided by Sussex . County Tax Department.

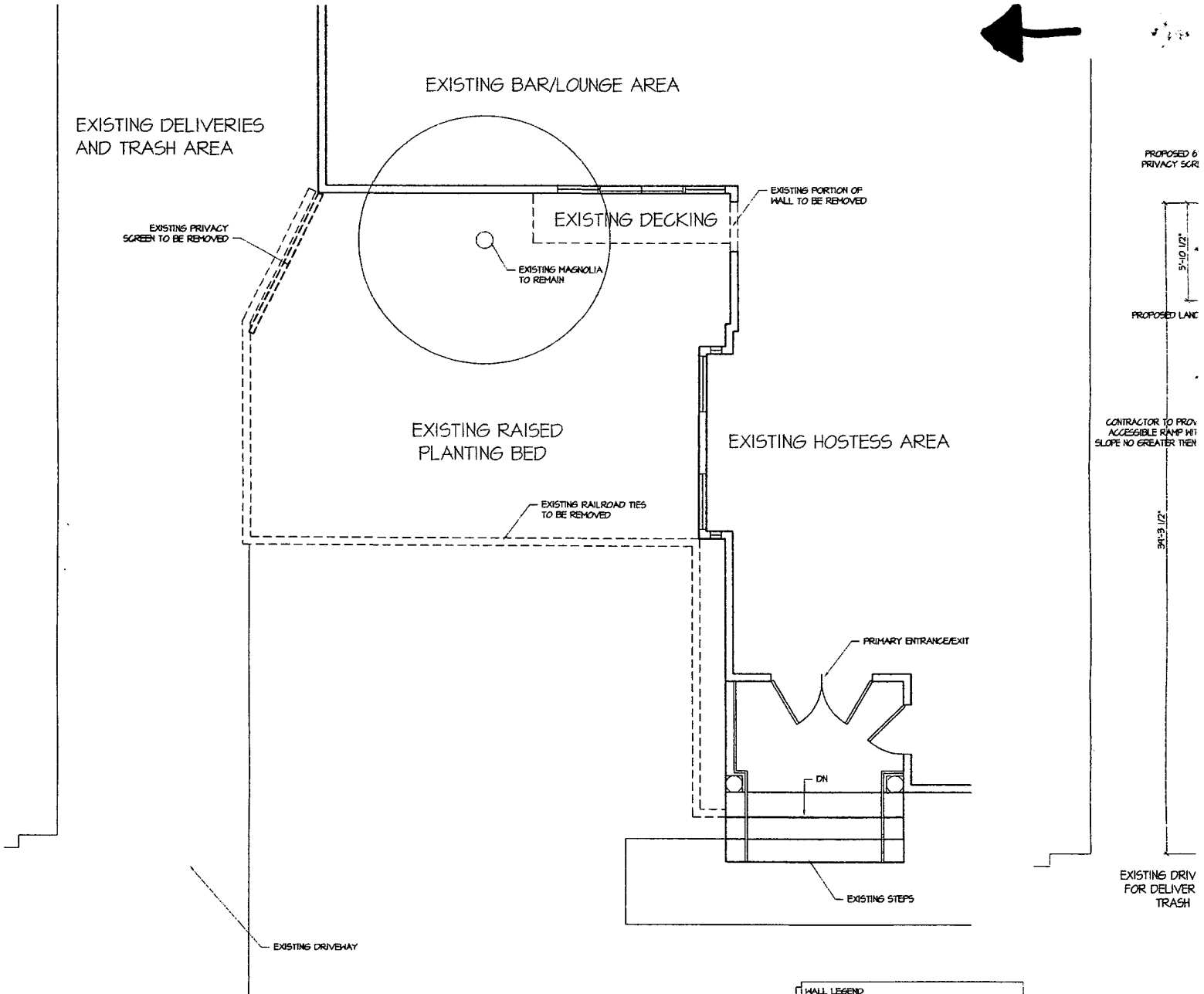
A handwritten signature in black ink, appearing to read 'Darius Mansoor', with a long horizontal flourish extending to the right.

Darius Mansoor
Stingray Rock, LLC
302-658-6050

1 of 2

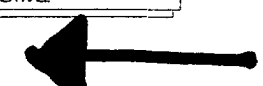


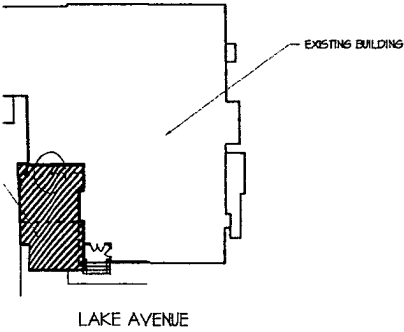
3 KEY PLAN
SCA



2 EXISTING CONDITIONS PLAN
SCALE: 1/4" = 1'-0"

HALL LEGEND	
	EXISTING HALL
	EXISTING TO BE REMOVED
	NEW HALL



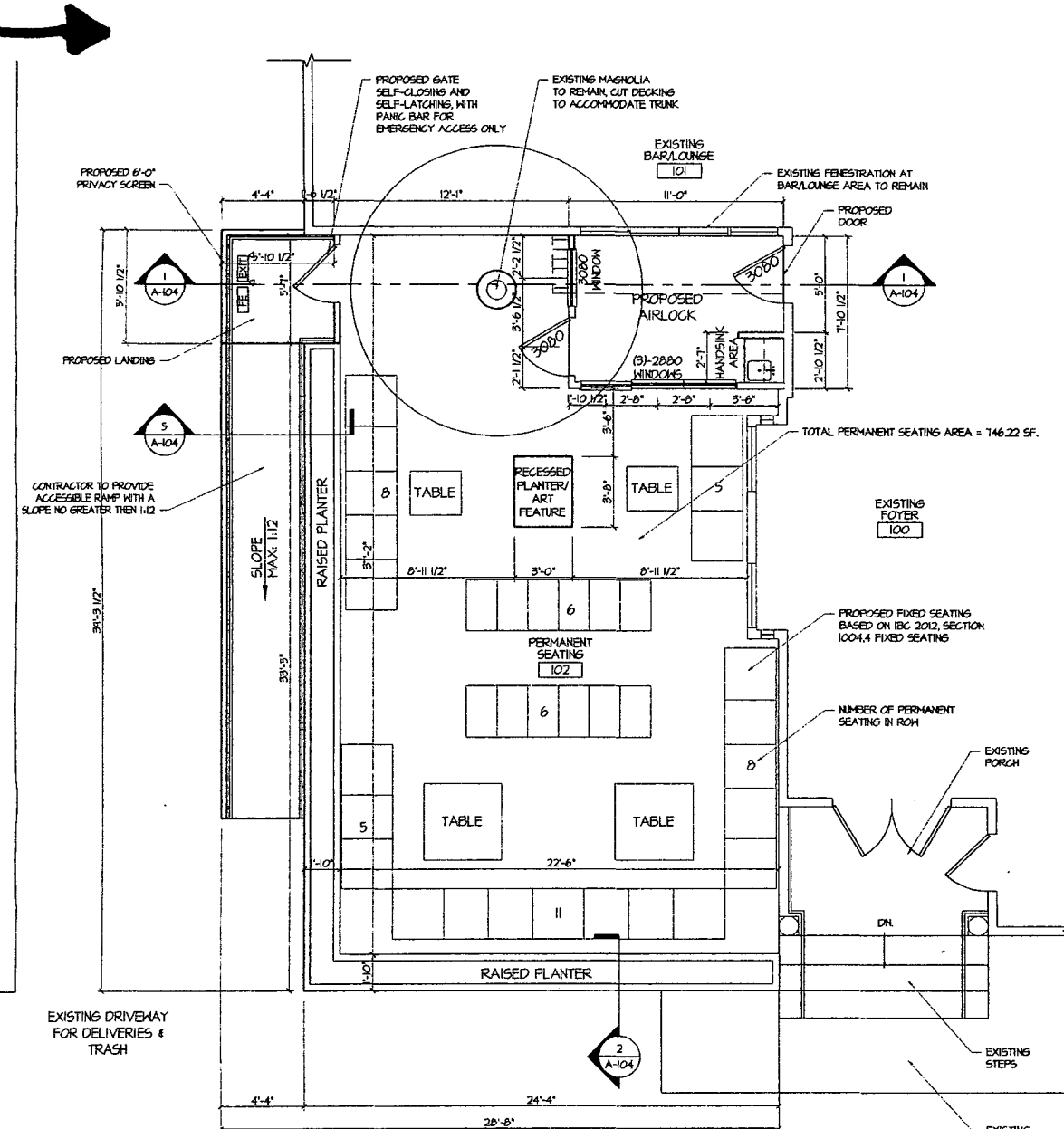


KEY PLAN
SCALE: NOT TO SCALE

FIRE SAFETY LEGEND	
SYMBOL	DESCRIPTION
	BATTERY EMERGENCY LIGHT UNIT, CONTINUOUS ILLUMINATION, 90 MINUTES
	EXIT SIGN W/ BATTERY EMERGENCY LIGHT, CONT. ILLUMINATION 90 MIN.
	EXIT SIGN
	FIRE EXTINGUISHER

NOTE:

- ALL REQUIRED FIRE SAFETY HORNS, STROBES, AND FULL STATIONS TO BE PROVIDED BY OWNER; FIRE SYSTEM CONTRACTOR.
- FIRE EXTINGUISHERS TO BE A MINIMUM 10 POUND MULTIPURPOSE A-B-C TYPE WITH AT LEAST A 2A:10B:C RATING PER NFPA 10.
- ALL PORTABLE FIRE EXTINGUISHERS SHALL BE SERVICED ON AN ANNUAL BASIS (EVERY 12 MONTHS) BY AN INDIVIDUAL LICENSED UNDER THE PROVISIONS OF DSFFR, PART III, CHAPTER
- ALL DUCTS WITH GREATER THAN 2000 CFM CAPACITY TO BE EQUIPPED WITH SMOKE DETECTORS LISTED FOR USE IN AIR DISTRIBUTION SYSTEMS. PROVIDE DETECTORS PER NFPA 90A SPECIFICATIONS. THE DETECTORS TO BE LINKED TO A AUDIBLE ALARM PER NFPA 90A SPECIFICATIONS.



DECK PLAN
SCALE: 1/4" = 1'-0"

EXISTING CONDITIONS & PROPOSED DECK PLAN

PLAN STATUS		BY	DATE
CHANGE	ISSUED FOR FIRE MARSHAL	EN	07-11-13
	ISSUED FOR REVIEW	MJ	08-20-13

STINGRAY

59 LAKE AVENUE
REHOBOTH BEACH, DELAWARE 19471
TAX ID# 334-1417-10.00
REHOBOTH BEACH, SUSSEX COUNTY, DE

ELEMENT

115 w. market street, 2nd floor, Lewes, de 19958
phone 302.645.0777
www.elementidg.com

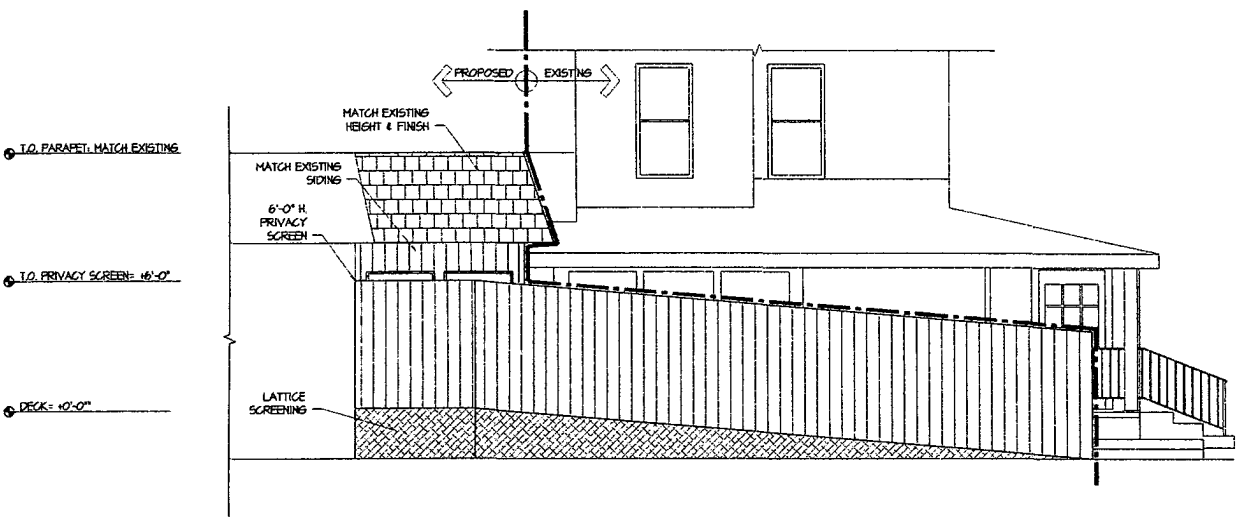
DSN	DRW	CHKD
EWLS	EWMJ	LS

SCALE: AS NOTED

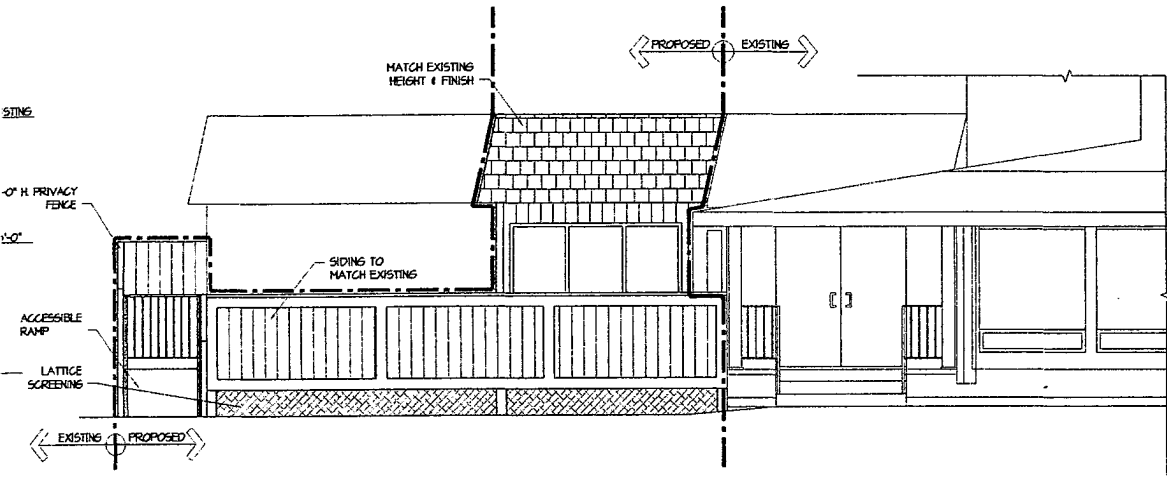
JOB No. e13130

FILE No. EDDO STINGRAY

A-101



② LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



① FRONT ELEVATION
SCALE: 1/4" = 1'-0"

PLAN STATUS		
REV	DATE	BY
-	07-11-13	EW
1	08-20-13	MJ

STINGRAY
51 LAKE AVENUE
REHOBOTH BEACH, DELAWARE 19971
TAX ID# 334-14.17-10.00
REHOBOTH BEACH GIBBEY SUBDIVISION DE

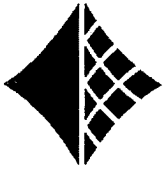
ELEMENT
115 W. MARKET STREET, 2ND FLOOR, LEWES, DE 19958
PHONE 302.645.0777
WWW.ELEMENT3D.COM

DSN	DRW	CHK
EW/LS	EW/MJ	LS

SCALE: AS NOTED
JOB No. e13130
FILE No. E080 STINGRAY

Stingray Rock, L.L.C. has on December 26, 2013 applied with the Alcoholic Beverage Control Commissioner for a 746 sq.ft. patio extension to the currently licensed premise located at 59 Lake Avenue, Rehoboth Beach, DE 19971.

Persons who are against this application should provide written notice of their objections to the Commissioner. For the Commissioner to be required to hold a hearing to consider additional input from persons against this application the Commissioner must receive one or more documents containing a total of at least 10 signatures of residents or property owners located within 1 mile of the premises or in any incorporated areas located within 1 mile of the premises. The protest(s) must be filed with the Alcoholic Beverage Control Commissioner at the 3rd Floor, Carvel State Office Building, 820 North French Street, Wilmington, DE 19801. The protest(s) must be received by the Commissioner's office on or before January 26, 2014. Failure to file such a protest may result in the Commissioner considering the application without further notice, input, or hearing. If you have questions regarding this matter please contact the Commissioner's Office.



The News Journal Media Group

A GANNETT COMPANY

Street Address:
950 West Basin Road
New Castle, DE 19720

(302) 324-2500
(800) 235-9100

Mailing Address:
P.O. Box 15505
Wilmington, DE 19850

Legal Desk:
(302) 324-2676
Legal Fax:
302 324-2249

CHERRY TREE HOSPITALITY GROUP
ATTN: DANIELLE BAIN/DARIUS MANSOORY
1206 WASHINGTON STREET
WILMINGTON, DE 19801

State of Delaware } **SS.**
New Castle County

Personally appeared **The News Journal**

Of the **The News Journal Media Group**, a newspaper printed, published and circulated in the State of Delaware, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 3 times, once in each issue as follows:

12/27/13, 12/28/13, 12/29/13

A.D. **2013**

Lorraine M. DiSantis

Justin Segner

Sworn and subscribed before me, this
30 day of **December, 2013**

Notary Public of Delaware

Legal notification printed at larger size for affidavit.

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12/27,28,29-NJ

0110960330-01

Cape Gazette

Office: 17585 Nassau Commons Blvd., Lewes, DE 19971 • Mailing: P.O. Box 213, Lewes, DE 19958
Telephone: 302-645-7700 • Fax: 302-645-1664

AFFIDAVIT

**To: Cherry Tree Hospitality Group
Darius Mansoor
1206 Washington Street
Wilmington, DE 19801**

This is to certify that the advertisement who's content is shown below (minus the formatting)

Was published in the Cape Gazette on the following dates:

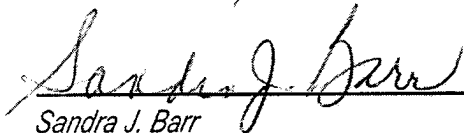
Friday, December 27, 2013

Tuesday, December 31, 2013

Friday, January 3, 2014



For the Cape Gazette


Sandra J. Barr

SANDRA J. BARR
NOTARY PUBLIC DELAWARE
COMM. EXP. AUGUST 22, 2015

MISCELLANEOUS
over counter wreck, like chimney, 550 (902) 231-8037 (2d)
new, used 1 year in 2nd home, New \$340, selling \$100, (319) 868-8711 (1d)
COLLECTORS - ANNA
LEE DOLLS From the workshop cheer & abdominal 1970's, Santa Claus 144", still in boxes, \$100 for both (high), telephone & all \$150 OBO, (302) 303-0198 (2d)
for all \$, (302) 944-1099
CD'S OVER 100 Easy listening instrumental guitar and Christmas, all \$3.50 each, (302) 542-3138 (12d)
DOONEY & BOURKE HANDBAG, Navy & tan, 11" L x 7 1/2" D, Perfect condition, \$75 (302) 542-3138 (12d)
ACUSTIC GUITAR
Never played with case and accessories. Like new, \$65 (302) 542-3138 (12d)
WELL PUMP \$30, Hot water heater, \$30 (302) 542-3138 (12d)
5 & W MODEL 22A 22 LR with both composite wood target grips & rubber grips. New, never fired with 3 mags, \$300 firm, (302) 381-7485 (2d)
PRECOR ELLIPTICAL CROSSTRAINER EFX cover/raindog Great Plate system, Book & cup holders, excellent condition, \$3,600 new, sell for \$700, (302) 644-0231 (2d)
TRUMPET - SUZUKI MASTER SERIES, student model, mint condition, Original aluminum case & carton, 2 mouthpieces (1 professional), stand, mule, book, DVD & case for \$255 (302) 544-7252 (2d)
THREE (3) FISHING POLES, All 3 for \$25, (302) 227-7036 (2d)
MONTROSH STEREO MC2205, 500 watt amp, C-28 Pre-amp, W777 tuner, & extras \$1,500 firm, (302) 542-1311 (2d)
CARPENTRY TOOLS Chop saws, routers, drills, circular saws & more Call (302) 542-1311 for prices & details (2d)
STAINED GLASS beautiful, matching pair, 25" X 26", \$500 firm, (302) 542-1311 (2d)
SWISS AIR FORCE MENS WATCH New, in box \$125, (302) 644-0835 (3d)

MISCELLANEOUS
chimpanzee \$50 (902) 231-8037 (2d)
PHYSICAL FITNESS EQUIPMENT Pilates workout chair, New, used 1970's, Santa Claus 144", still in boxes, \$100 for both (high), telephone & all \$150 OBO, (302) 303-0198 (2d)
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PRECOR ELLIPTICAL CROSSTRAINER EFX cover/raindog Great Plate system, Book & cup holders, excellent condition, \$3,600 new, sell for \$700, (302) 644-0231 (2d)
TRUMPET - SUZUKI MASTER SERIES, student model, mint condition, Original aluminum case & carton, 2 mouthpieces (1 professional), stand, mule, book, DVD & case for \$255 (302) 544-7252 (2d)
THREE (3) FISHING POLES, All 3 for \$25, (302) 227-7036 (2d)
MONTROSH STEREO MC2205, 500 watt amp, C-28 Pre-amp, W777 tuner, & extras \$1,500 firm, (302) 542-1311 (2d)
CARPENTRY TOOLS Chop saws, routers, drills, circular saws & more Call (302) 542-1311 for prices & details (2d)
STAINED GLASS beautiful, matching pair, 25" X 26", \$500 firm, (302) 542-1311 (2d)
SWISS AIR FORCE MENS WATCH New, in box \$125, (302) 644-0835 (3d)

MISCELLANEOUS
chimpanzee \$50 (902) 231-8037 (2d)
PHYSICAL FITNESS EQUIPMENT Pilates workout chair, New, used 1970's, Santa Claus 144", still in boxes, \$100 for both (high), telephone & all \$150 OBO, (302) 303-0198 (2d)
CD'S OVER 100 Easy listening instrumental guitar and Christmas, all \$3.50 each, (302) 542-3138 (12d)
DOONEY & BOURKE HANDBAG, Navy & tan, 11" L x 7 1/2" D, Perfect condition, \$75 (302) 542-3138 (12d)
ACUSTIC GUITAR
Never played with case and accessories. Like new, \$65 (302) 542-3138 (12d)
WELL PUMP \$30, Hot water heater, \$30 (302) 542-3138 (12d)
5 & W MODEL 22A 22 LR with both composite wood target grips & rubber grips. New, never fired with 3 mags, \$300 firm, (302) 381-7485 (2d)
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LAWN & GARDEN
Lighting retrofits, building performance, solar/renewables, and sustainability.

Call David at
Delaware Tech at
(302) 259-6695
dlrzt@odtc.edu
Classes start soon!

LEGAL NOTICE
STINGRAY ROCK LLC
has on December 26, 2013 applied with the Atlantic Beverage Control Commissioner for a 746 soft, 60% extension to his currently licensed premises located at 593 Lake Avenue, Rock Hill, South Carolina, DE 19071.

Persons who are against this application should provide written notice of their objections to the Commissioner. For the Commissioner to be required to hold a hearing to consider additional input from persons against this application the Commissioner must receive one or more documents containing a total of at least 10 signatures of residents or property owners located within 1 mile of the premises or in any incorporated area located within 1 mile of the premises. The protest must be filed with the Atlantic Beverage Control Commissioner at the 3rd Floor, Canal State Office Building, 920 North French Street, Wilmington, DE 19801.

The protest(s) must be received by the Commissioner's office on or before January 26, 2014. Failure to file such a protest may result in the Commissioner considering the application without further notice, input, or hearing. If you have questions regarding this matter, please contact the Commissioner's Office.

PUBLIC NOTICE

A Public Hearing of Petitioning Application No. 1113-04 will be held by the Planning Commission of the City of Hoboken Beach, Delaware, on Friday, the 10th day of January 2014, at 8:30 o'clock in the evening, prevailing time in the Commissioners Room on the matter of the PETITIONING REQUEST for the property located at 49 Park Avenue, Lots G & H, into two (2) lots with Lot G becoming one (1) lot of 5,000 square feet. The Petitioning has been requested by Timothy G. Whelan, Esq. of the law firm Fuqua, Von and Willard, P.A. on behalf of Mowthin Ann Thomas, Elaine Marie Lewis Nolan, Campbell Collier Lewis & Melanie Scott Lewis, Trustees of The Ocean Jule Irrevocable Trust, owners of the property.

For additional information or special accommodations, please call (302) 227-9181 (TDD accessible) the (5) days prior to the meeting.

All interested parties are invited to attend.

Gregory Farnese
City Manager

QUOTE CRYPTOPGRAM
B TWHCUZXBVQBF QP B CHMPZY INZ NHWC P NQXPHWJ
DHFBELPH NH FBYU NHWC NQXPHWJ — NHYME XZMKBY

SEE LAST PAGE OF CLASSIFIEDS FOR ANSWER

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MISCELLANEOUS

FIVE (5) STAFFOROSHIRE IRONSTONE Liberty Blue (redup) Hon. Hill (302) 947-2030. (14)
TRAY BILT TRACTOR 2004 42" 17.50 disc blade 10 plates New condition. \$30 OBO. (302) 947-2030. (30)
HOWARD MILLER MANTLE CLOCK. Model #1300-020. Chimes on the quarter hour. Works fine, with book & key. \$150 OBO. (302) 947-2030. (30)
H. A. L. M. A. R. K. ORNAMENTS An assortment of ornaments. Call for details & prices. (302) 684-7703. (34)
PROJECTION TV. Excellent condition. Well maintained. Asking \$250 OBO. (302) 644-2709. (30)
BLACK & DECKER hypnert lower fan, remote control, new/never used. \$15. (302) 226-2335. (19)
HOLMES HUMIDIFIER 2.5 gallon, new/never used. \$15. (302) 226-2335. (10)
4 - 25" BICYCLES 10 speed, mens. \$40. Each (302) 684-5597. (24)
MEN'S BASS PENNY LOADERS Size 12D Made in USA. Like new. \$50. (302) 226-5505. (24)
SPINET PIANO Good condition. (Lowest) \$44-3583. (28)
CHIMNEY WITH STAND for back yard use. \$45. (882) 230-4218. (24)
TIFFANY STYLE LAMP with blue tone floral lamp shade. Height is 26" and shade is 23" wide at bottom. Gorgeous. Pips on request. \$300. (302) 827-2382. (24)
TODDLERS SNOWSUITS Girls/Boys. B cash. size 24m. \$50. (302) 645-8829. (24)

VINYL LP's Pop, Soul, rock'n roll, jazz, R&B, child. Rare. Lowest. (302) 249-5073. (24)
LASER DISCS Star Wars Bond and many more. Mint condition. Lowest. (302) 249-5073. (24)
CANADA GOOSE and black duck decoys by Miles Hancock and swan by Madison Mitchell. (302) 645-7571. (24)
LARGE SELECTION of gold rings, earrings & pendants set with certified gemstones. (302) 645-7571. (24)
SEWING MACHINE Commercial Singer straight

LAWN & GARDEN

RAINBOW IRRIGATION 1/2" - 160' S/S (302) 947-2030. (14)
TROY BILT TRACTOR 2004 42" 17.50 disc blade, new hatchet, \$350 (302) 644-1274 before 8 PM. (124)
JOHN DEERE 110 LAWN TRACTOR Professionally restored. \$1,300. (302) 546-0590. (14)
CUB CADET 28" 2-STAGE SNOW BLOWER Electric control zero-turn position & 28" clearing width. New. (286) 651-722. (24)
TORO ELECTRIC SNOW BLOWER New. \$45. (302) 644-8955. (24)

RUBBER MOUND (recycled tires), Fry Sale brand approx. 1/2 inch size. A full size pick-up load for playground, etc. \$150. (302) 665-0145. Leave message if no answer. (24)

LEGAL NOTICE

STINGRAY ROCK, LLC has on December 26, 2013, applied with the Alcoholic Beverage Control Commissioner for a 246 self patio extension to the currently licensed premises located at 59 Lake Avenue, Randolph Beach, DE 19171.

Persons who are against the application should have written notice of their objections to the Commissioner. For consideration to be required to hold a hearing, consider additional notice from persons against this application. The Commissioner must receive one or more comments containing total of at least 10 signatures of residents, properly owners, and within 14 days of incorporation, or if incorporated, areas called within 1 mile of the premises. The protest(s) must be filed with the periodic Beverage Control Commission at the 3rd floor, Canal State Office Building, 820 North French post Wilmington, DE 19801.

NOTICES

AUCTION - SET-STORAGE UNITS January 25, 2014 9:00 AM
HERBERT W. STORE 1869 Blue Bell Lane
 Rehoboth Beach DE 19871
 (302) 227-5850

Unit 115 10x10
 Helen Lange
 Bed room suite, one seat wicker furniture, luggage, clothing, plastic containers, boxes, misc. items
 Unit 231 10x20
 Jennifer M. Watson
 Furniture, toys, doggies, VHS/DVD player, plastic containers, boxes, clothing, misc. items
 Unit C1 5x5
 Joshua D. Smith
 TV, chest, lawn, arbor, computer boxes, luggage, clothing, misc. items
 Unit 057 10x10
 Eric H. Saver
 Sofa, forecast chair, cabinet and table, multi-range, registers, TV, microwave, glass containers, boxes, misc.

NOTICES

Unit 075
Bonchombar Restaurant
 Resealable seating, commercial sink, utility cart, floor top handles, beer/water signage, gasstove, misc. items
 Unit E9 10x10
 Antonio Gato
 Furniture, toys, games, plastic containers, misc. items
 Unit E79 10x10
 Robert Rhomberg
 Furniture, books, toys, sports equipment, plastic containers, air boxes, many misc. items

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CLASSIFIED

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Continued from page 32

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Find the help you need through the Cape Gazette Classifieds.
 Call 645-7700 to place your ad.

NOTICE
 The City of Rehoboth

NOTICE
 A RESOLUTION OF THE MAYOR & CITY COUNCIL OF THE CITY OF LEWES, DELAWARE, PROPOSING THAT A PUBLIC HEARING BE HELD ON THE SUBJECT OF AMENDING THE CANARY CREEK RECORD PLOT PLAN TO DELETE A PORTION OF THE WALKING TRAIL DEPICTED IN THE APPROVED PLAN DATED MARCH 30, 2014 AND DECEMBER 19, 2014.

NOTICE
 The City of Rehoboth

Crossword Answer
 From Page 13

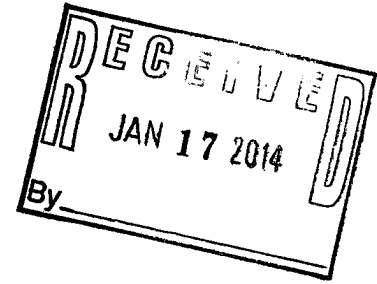
S	A	G	S	A	T	D	A
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C	E	O	R	L	E	U	L
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Sudoku Answer
 From Page 13

6	4	7	0	1	2	5	9
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Deputy Commissioner Robert Wiest
Office of the Alcoholic Beverage Control Commissioner
Carvel State Building
820 North French Street, 3rd Floor
Wilmington, Delaware 19801



Dear Comm. Wiest,

From what I understand, your commission has already received a petition with enough signatures to require a hearing.

But as a property owner to the rear of the Stingray property for more than 30 years, we wanted to write to express our concerns regarding the restaurant's patio petition.

Although Stingray has been a quiet business, the same could not be said for the previous restaurants that occupied this space, which included Fran O'Brien's, 59 Lake, Millennium and the Third Edition. Those businesses each recorded several noise complaints each year, receiving sometimes the highest number of noise complaints of any business in town.

The restaurant is surrounded by residential property. We are concerned that while the noise level from Stingray has been palatable, we have no guarantee that future businesses or future Stingray uses of the property will be as peaceful.

If the patio is allowed, strict restrictions must be placed on current and future uses.

Other than the "legal notice," which re-stated the city ordinance, we have not received any specifics from Stingray regarding the business' proposed patio such as its location, usage or hours of use. We hope the business will improve its communication with neighbors.

If the patio is anything like the one at Obie's Restaurant, the ambient noise emanating from the deck without any music during the late-night hours makes it impractical – at times impossible -- for neighbors to sleep with the windows open. Just ask persons living in the Edgewater House.

Another problem is trash and debris. While Stingray has been good at clearing its parking area of debris, the restaurant's staff has been using a leaf blower to blow trash into the neighboring yards. Just take a look at the rear of 49 Lake Avenue, the residential property adjacent to the restaurant's parking lot.

We hope the restaurant will make a better effort to remove the trash rather than blow it from the property – especially if a patio is built. The patio must be designed so that trash cannot be easily swept off the deck and onto the adjacent street, sidewalk or neighboring properties.

Sincerely,

Dr. Dagmar Henney
Alan Henney

34 Sussex St.
40 Delaware Av.

Wiest, Robert (DSHS)

From: jzslavin@aol.com
Sent: Sunday, January 26, 2014 12:44 PM
To: Wiest, Robert (DSHS)
Subject: Request from OABCC Client

Request From OABCC Client

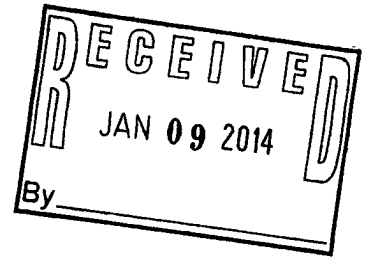
Mail Address : jzslavin@aol.com

Comments or Questions :

Good morning. I am one of the owners of a house at 311 Scarboroughm Avenue, Rehoboth Beach I would like to be one of the local property owners requesting a hearing for the patio extension of the Stingray Restaurant 59 Lake Avenue RB How do I become part of the petition requesting this hearing? Thank YOU! Jeffrey Z. Slavin my permanent address is 5706 Warwick Place, Chevy Chase MD 20815 in the Town of Somerset where I am the Mayor... Your assistance is appreciated

Jan. 03, 2014

Alcoholic Beverage Control Commissioner
3rd Floor, Carvel State Office Building
820 North French St.
Wilmington, DE 19801



I am writing in response to the **third** letter I have received, in reference to Stingray Rock, LLC applying to the Alcoholic Beverage Control Commissioner for a 720 sq. ft. patio extension to the currently licensed premise located at 59 Lake Ave., Rehoboth Beach, DE 19971. I, for the third time am opposed to their receiving a liquor license for their proposed outdoor patio.

I am writing to oppose this application request to the Liquor Board. Stingray's initial request to construct a patio for dining was denied by the city, following city guidelines, however, this was overturned by a higher court. I do not understand how **adding** seating for customers on a 720 sqft. patio cannot be considered an **addition**. The Stingray restaurant is one of the largest, if not the largest, restaurant in the city limits of Rehoboth Beach. Although it is located on a street that allows restaurants, being a Residential/Commercially zoned street, it is completely surrounded by residential buildings, with the exception of one other restaurant, The Zebra Restaurant. The Zebra tends to have a more refined clientele; however there are times when their guests dining on their front porch get a little too noisy. I am quite fearful of the noise level I will have to deal with if the Stingray is permitted to allow their customers to spill out of their bar onto their new patio. Their customers are already noisy at times when they go outside to smoke cigarettes. I believe that putting this patio in will greatly increase the noise level in a mixed use area and likely negate any peaceful enjoyment that we all have a right to enjoy. I also suspect it will negatively impact all residential property values. People will not want to buy in an area where there are noisy customers sitting outside at late night hours. Although the Stingray has been a respectful neighbor thus far, I fear the ramifications of additional seating outside with alcoholic beverages. Please consider my request to deny this application.

Sincerely,

Gloria J. Walls
34 Lake Ave.
Rehoboth Beach, DE
19971

Stingray Walls *G. Walls*

Finley B Jones Jr 28 Sussex ST

Julia Acebal
JULIA ACEBAL 37 SUSSEX ST

Dr. D. Henry
34 SUSSEX ST
34A SUSSEX SL

ALAN HENNING
40 DELAWARE AVE
39 SUSSEX ST.

Diane Katz
39 SUSSEX ST

Alex Lincoln
35 SUSSEX ST

DON KELLY
35 SUSSEX ST

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Wilmington, DE 19801

I am writing in response to the **third** letter I have received, in reference to Stingray Rock, LLC applying to the Alcoholic Beverage Control Commissioner for a 720 sq. ft. patio extension to the currently licensed premise located at 59 Lake Ave., Rehoboth Beach, DE 19971. I, for the third time am opposed to their receiving a liquor license for their proposed outdoor patio.

I am writing to oppose this application request to the Liquor Board. Stingray's initial request to construct a patio for dining was denied by the city, following city guidelines, however, this was overturned by a higher court. I do not understand how **adding** seating for customers on a 720 sqft. patio cannot be considered an **addition**. The Stingray restaurant is one of the largest, if not the largest, restaurant in the city limits of Rehoboth Beach. Although it is located on a street that allows restaurants, being a Residential/Commercially zoned street, it is completely surrounded by residential buildings, with the exception of one other restaurant, The Zebra Restaurant. The Zebra tends to have a more refined clientele; however there are times when their guests dining on their front porch get a little too noisy. I am quite fearful of the noise level I will have to deal with if the Stingray is permitted to allow their customers to spill out of their bar onto their new patio. Their customers are already noisy at times when they go outside to smoke cigarettes. I believe that putting this patio in will greatly increase the noise level in a mixed use area and likely negate any peaceful enjoyment that we all have a right to enjoy. I also suspect it will negatively impact all residential property values. People will not want to buy in an area where there are noisy customers sitting outside at late night hours. Although the Stingray has been a respectful neighbor thus far, I fear the ramifications of additional seating outside with alcoholic beverages. Please consider my request to deny this application.

Sincerely,

Gloria J. Walls
34 Lake Ave.
Rehoboth Beach, DE
19971



Dale Sheldon 41 Perry St.
Peg C. Jordan 45 Sussex St.
Henry R. Jordan 45 Sussex St.

Wiest, Robert (DSHS)

From: Dagmar Henney <dagmar@henney.com>
Sent: Monday, January 13, 2014 1:53 PM
To: Wiest, Robert (DSHS)
Cc: Stan Mills; beach.head@verizon.net; la_zellers@yahoo.com; wsargent@tenpenn.com; patrickgossett@yahoo.com; rehosharp@gmail.com; markforrebothbeach@gmail.com
Subject: RE: Stingray Petition, Rehoboth Beach

(If you require these comments sent by U.S. Mail, please advise)

RE: Stingray Petition, Rehoboth Beach

Dear Comm. Wiest,

From what I understand, your commission has already received a petition with enough signatures to require a hearing.

But as a property owner to the rear of the Stingray property for more than 30 years, we wanted to write to express our concerns regarding the restaurant's patio petition.

Although Stingray has been a quiet business, the same could not be said for the previous restaurants that occupied this space, which included Fran O'Brien's, 59 Lake, Millennium and the Third Edition. Those businesses each recorded several noise complaints each year, receiving sometimes the highest number of noise complaints of any business in town.

The restaurant is surrounded by residential property. We are concerned that while the noise level from Stingray has been palatable, we have no guarantee that future businesses or future Stingray uses of the property will be as peaceful.

If the patio is allowed, strict restrictions must be placed on current and future uses.

Other than the "legal notice," which re-stated the city ordinance, we have not received any specifics from Stingray regarding the business' proposed patio such as its location, usage or hours of use. We hope the business will improve its communication with neighbors.

If the patio is anything like the one at Obie's Restaurant, the ambient noise emanating from the deck without any music during the late-night hours makes it impractical -- at times impossible -- for neighbors to sleep with the windows open. Just ask persons living in the Edgewater House.

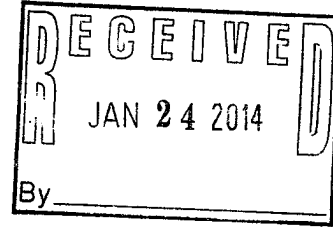
Another problem is trash and debris. While Stingray has been good at clearing its parking area of debris, the restaurant's staff has been using a leaf blower to blow trash into the neighboring yards. Just take a look at the rear of 49 Lake Avenue, the residential property adjacent to the restaurant's parking lot.

We hope the restaurant will make a better effort to remove the trash rather than blow it from the property -- especially if a patio is built. The patio must be designed so that trash cannot be easily swept off the deck and onto the adjacent street, sidewalk or neighboring properties.

Sincerely,

Dr. Dagmar Henney
Alan Henney
34 Sussex St.
40 Delaware Av.
302-227-9160

Jan. 20, 2014



Alcoholic Beverage Control Commissioner
3rd Floor, Carvel State Office Bldg.
820 North French Street
Wilmington, Delaware 19801

RE: Stringray Rock LLC
Application for patio extension at 59 Lake Ave., Rehoboth Beach Del. 19971

Dear Commissioner,

This is the first time that I have been notified regarding the application concerning Stringray's request for an outside patio extension. I live next door at 63 Lake Ave. and I have not received the courtesy of being sent written notification on the two previous requests. I find that strange since I am the neighbor most affected by this application request.

My family has lived at 63 Lake for 87 Years and I realize that my neighborhood has changed from a quiet dirt street residential community to a mostly noisy and busy commercial street during those years. It has gotten to be heavily trafficked with daily delivery trucks. These trucks have parked in front of my house blocking my driveway on several occasions and they often leave their motors running causing noise, foul odors

At night time their customers on occasions have been extremely loud, toss debris on my property and have use my yard to relieve themselves. We have suffered through these inconsiderations for years and now we are asked to approve an application for an outdoor patio which would be about twenty feet from our bedroom. What would your decision be?

Now regarding to the former subsection A(1)(f) which was repealed that stipulated the hours when food and alcoholic beverages could be served, Since there was no mention of closing times for outside dining; I must assume that there is no set closing time for the outside patio.

I am seventy three and my wife and I have plans to retire to 63 Lake. I have paid taxes on this property over 50 years and I think we should be shown some consideration for our remaining years.

THEREFORE WE ARE EMPHATICALLY AGAINST STRINGRAY'S REQUEST FOR THEIR OUTDOOR PATIO EXTENSION.

THANK YOU FOR YOU CONSIDERATION.

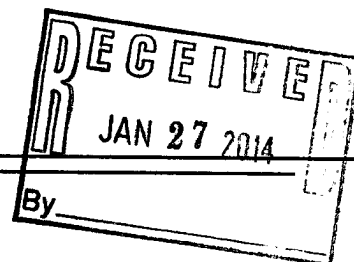
Handwritten signature in cursive script, appearing to read "Joseph S. and Ann M. Dougherty".

JOSEPH S. AND ANN M. DOUGHERTY
63 LAKE AVENUE
REHOBOTH BEACH, DELAWARE 19971

PERMENANT ADDRESS
908 PARKSIDE BLVD.
CLAYMONT, DELA. 19703

Carol Schwartz

2029 Connecticut Ave. N.W., Washington, D.C. 20008



January 22, 2014

Dear Commissioner:

I am writing to oppose Stingray Rod UC's application to the Alcoholic Beverage Control Commission for a 746 sq. ft. patio extension to its premises located at 59 Lake Avenue, Rehoboth Beach, DE 19971.

I am the owner - for over 23 years - of a house at 33 Sussex Street in Rehoboth which is the street behind the restaurant. Patios especially those of that size that stay open late can be very disruptive to residents and businesses nearby. You have often seen it before; and in spite of regulations, warnings & fines, it is always a problem. It's a matter of right, that's one thing but if a process must be followed to allow it, why go there? Why disturb the good balance between residents, visitors & businesses that make Rehoboth Beach such a desirable place for us all?

Many people I spoke to this week did not receive a notice of this application, and they have property within one mile of 59 Lake Avenue. Your quick turnaround process in the dead of winter certainly does not allow ample notice and/or response time.

Thank you for your thoughtful consideration of the concerns raised in my strong opposition to this application.

Sincerely,
Carol Schwartz



STINSON
LEONARD
STREET

Marc E. Albert
202.728.3020 DIRECT
202.572.9999 DIRECT FAX
marc.albert@stinsonleonard.com

January 22, 2014

Via U.S. mail

Alcoholic Beverage Control Commissioner
3rd Floor
Carvel State Office Building
820 North French Street
Wilmington, DE 19801

To Whom It May Concern:

I oppose the patio extension. I am an owner at 131 Columbia Ave, Rehoboth Delaware.

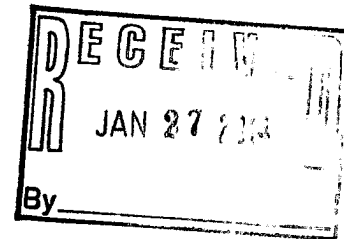
Very truly yours,

Stinson Leonard Street LLP



Marc E. Albert

MEA:PB



Harvey Jack Musser
31 Sussex Street
Rehoboth Beach, DE 19971
January 23, 2014

Delaware Alcohol and Beverage Commission
Carvel State Office Bldg. – 3rd Floor
829 North French Street
Wilmington, DE 19801

Dear Alcohol and Beverage Commission:

As a resident of North Rehoboth Beach, Delaware, living in close proximity to the Stingray Restaurant, I emphatically oppose the application of Stingray Rock LLC for a 746 square foot patio extension to the Stingray restaurant at 59 Lake Avenue, Rehoboth Beach.

This is a local concern and the state should in no way get involved in it. It is a decision which affects local citizens only and should be handled by local representatives. Overturning what our local representatives have decided would surely bring into questions the quid pro quo machinations that we have seen in New Jersey and which we do not want to see in Delaware.


We in Rehoboth would look very critically upon any politicians who chose the welfare of a commercial enterprise over the welfare of the residents. Any approval of this request would increase the value of the Stingray while significantly lowering the value of the residential property that backs up to or is in close proximity to the property.

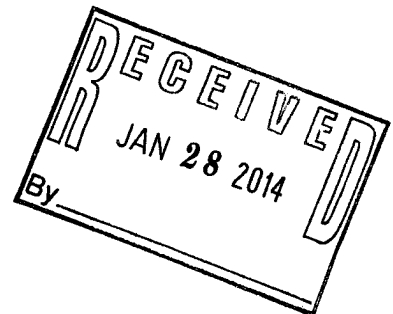
Worse of course would be the unpleasant noise that would make a quiet appreciation of our property, which we have enjoyed for well over a century, simply impossible.

Any decision to allow the patio will lead to constant warfare because there is little doubt that once Stingray gets permission to built this patio, it will find important and necessary loud music, dancing, partying, etc. The economic and political toll would be immense.

There are already sufficient commercial enterprises of similar nature in Rehoboth so expanding this one is completely unnecessary and foolish. It would unnecessarily increase the competition in the city and adversely effect the established businesses now flourishing. There is absolutely no reason to adversely affect a residential neighborhood to give a boon doggle to a profitable business that does not need it.

Sincerely,


H. Jack Musser



January 23, 2014

Terry R. O'Bryan
31 Sussex Street
Rehoboth Beach, DE 19971-2113

Delaware Alcohol and Beverage Commission
Carvel State Office Bldg. - 3rd Floor
829 North French Street
Wilmington, DE 19801



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Sincerely,

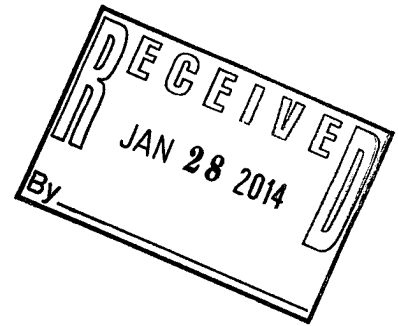
A handwritten signature in cursive script that reads "Terry R. O'Bryan".

Terry R. O'Bryan

January 23, 2014

Terry R. O'Bryan
31 Sussex Street
Rehoboth Beach, DE 19971-2113

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Carvel State Office Bldg. - 3rd Floor
829 North French Street
Wilmington, DE 19801



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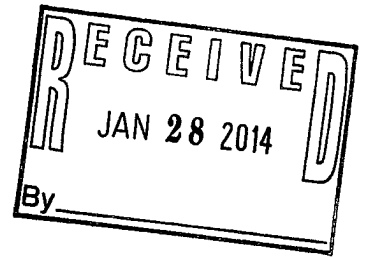
Sincerely,

A handwritten signature in cursive script that reads "Terry R. O'Bryan".

Terry R. O'Bryan

(copy)

Harvey Jack Musser
31 Sussex Street
Rehoboth Beach, DE 19971
January 23, 2014



Delaware Alcohol and Beverage Commission
Carvel State Office Bldg. – 3rd Floor
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Wilmington, DE 19801

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