



## Development Services

389 Spruce Street  
Morgantown, WV 26505  
304.284.7431

# MEMORANDUM

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Date: March 20, 2013  
To: Board of Zoning Appeals  
RE: CU10-10 / Big Zach Productions, LLC / 344 High Street  
Conditional Use Approval – Amendment 1  
Transfer of Beneficiary Assignment

Brandon Kupec and Michael Bowyer seek the Board of the Zoning Appeals' approval to transfer the beneficiary assignment of the related conditional "Restaurant, Private Club" use approval from Big Zach Productions, LLC (d/b/a "Lira Restaurant") to Triple L Emporium, LLC (d/b/a/ "The Dancing Fig"). Addendum A of this memorandum identifies the location of the subject site.

Because the Board's August 18, 2010 approval of CU10-10 included a condition that said approval could not be transferred, the Board must approve Mr. Kupec and Mr. Bower's request.

The following exhibits are attached hereto for review and consideration by the Board:

- The Board's approval letter dated August 19, 2010 concerning its August 18, 2010 approval of CU10-10 including conditions.
- West Virginia Secretary of the State (WVSOS) documentation changing the member/manager of Big Zach Productions, LLC from Zachary Traugh to Brandon Kupec (obtained from the WVSOS website).
- WVSOS Certificate of a Limited Liability Company for Triple L Emporium, LLC documenting that Michael A. Bowyer is the only current member of the limited liability company (obtained from the WVSOS website).
- WVSOS Certificate of Registration of Trade Name authorizing Triple L Emporium, LLC to transact business in West Virginia under the assumed name of "The Dancing Fig" (obtained from the WVSOS website).
- Two email correspondences from Brandon Kupec concerning the present matter before the Board.
- A letter of explanation of the present request to transfer the subject conditional use beneficiary dated February 28, 2013 from Brandon Kupec, on behalf of Big Zach Productions, LLC, Michael Bowyer, on behalf of Triple L Emporium, LLC, and Janet Ferraro, Executive Chef and Manager of "Lira" and "The Dancing Fig".
- Resume submitted by Janet J. Ferraro.



**Development Services**

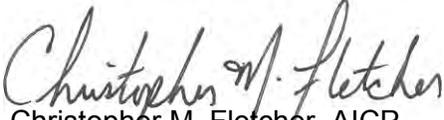
389 Spruce Street  
Morgantown, WV 26505  
304.284.7431

## MEMORANDUM

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- Resume submitted by Michael Andrew Bowyer.
- A lunch and dinner menu for “The Dancing Fig Restaurant & Venue”.

Staff recommends that the Board approve the requested beneficiary assignment transfer of the August 18, 2010 conditional “Restaurant, Private Club” use granted under Case No. CU10-10 for “Lira Restaurant” located at 344 High Street on Parcels 107 and 109 of Tax Map 26A from “Big Zach Productions, LLC” to “Triple L Emporium, LLC” and that “Triple L Emporium, LLC” and its managers, officers, employees, and agents shall comply with the conditions set forth by the Board in its August 18, 2010 approval of CU10-10, which are stated in the related approval letter dated August 19, 2010, as well as the requirements set forth in Paragraph 27, Article 1331.06 “Supplemental Regulations Pertaining to Permitted Land Use Table” of the Planning and Zoning Code.

  
Christopher M. Fletcher, AICP

Director of Development Services

**STAFF REPORT ADDENDUM A**  
**CU10-10 / Big Zach Productions, LLC / 344 High Street**







# The City of Morgantown

389 SPRUCE STREET  
MORGANTOWN, WEST VIRGINIA 26505  
(304) 284-7431 TDD (304) 284-7512  
FAX (304) 284-7534 www.morgantown.com

August 19, 2010

Zachary Traugh  
22 Walnut Street  
Morgantown, WV 26505

**RE: CU10-10 / Traugh / 344 High Street  
Tax Map #26A, Parcel #109; B-4, General Business District**

Dear Mr. Traugh:

This letter is to notify you of the decision made by the Board of Zoning Appeals concerning your conditional use petition for a "Restaurant, Private Club" in the B-4, General Business District at 344 High Street. The decision is as follows:

**Board of Zoning Appeals, August 18, 2010:**

- A. Each of the Findings of Fact was found in the positive as stated in Addendum A of this letter.
- B. The Board approved your conditional use petition as requested with the following conditions:
  1. That the petitioner shall maintain compliance with all supplemental regulations set forth in Article 1331.06 (27) of the Planning & Zoning Code.
  2. That the applicant must obtain permitting as a "restaurant" from the Monongalia County Health Department under the *Monongalia County Clean Indoor Air Regulations*.
  3. To ensure that the petitioner's business description is executed as described and considered in granting the one-year "bona fide restaurant" requirement, the subject "Restaurant, Private Club" use must, for the purposes of serving lunch, be open by at least 11:00 AM Monday through Friday.
  4. To preserve the quality and character of the adjoining pedestrian way and protect significant public and private improvements and investment, all kitchen appliance and/or exhaust venting systems must terminate or exit through the roof of the building and may not terminate or exit through the wall of the building along the public pedestrian way (former Wall Street). However, the petitioner may, with the input of the Downtown Design Review Committee and the approval of the Planning Director, develop and implement an architectural design solution for exhausting through the side of the building provided the quality and character of the adjoining pedestrian way is preserved and public and private improvements within the pedestrian way are protected and same is allowed by applicable building and fire codes.

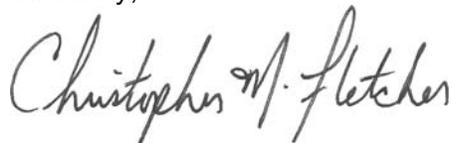
5. That the area of the “Restaurant, Private Club” use shall be limited to the first floor and second floor conference/meeting room as shown in the submitted floor plans. Any expansion of said use beyond the conference/meeting room of the second floor and/or into the basement level must first be approved by the BZA.
6. That the petitioner voluntarily submit all necessary financial information to the City for the subject establishment following its first twelve (12) months of operation as a “Restaurant, Private Club” use to ensure compliance with Article 1331.06 (27) (e) provisions, which requires the sale of food and non-alcoholic beverages to comprise a minimum of 60 percent of total gross sales of all food and drink items in each calendar month.
7. That any exterior building modifications (i.e. façade, awning, etc.) shall be reviewed and approved by the Downtown Design Review Committee and the Planning Director prior to building permit issuance for same.
8. That any regulated signage shall be reviewed and approved by the Downtown Design Review Committee and the Planning Director prior to building permit issuance for same.
9. That the conditional use approval granted herein may not be transferred.

This decision may be appealed to the Circuit Court of Monongalia County within thirty (30) days. Any work done relating to decisions rendered by the Board of Zoning Appeals during this thirty-day period is at the sole financial risk of the applicant.

Please note that building permits will be necessary for any construction, remodeling, and/or signage.

Should you have any questions or require further clarification, please contact the undersigned.

Sincerely,

A handwritten signature in black ink that reads "Christopher M. Fletcher". The signature is written in a cursive, flowing style.

Christopher M. Fletcher, AICP  
Planning Director  
cfletcher@cityofmorgantown.org

## **ADDENDUM A – Approved Findings of Fact**

### **CU10-10 / Traugh / 344 High Street**

**Finding of Fact #1** – Congestion in the streets is not increased, in that:

The proposed “Restaurant, Private Club” use establishment appears to target lunch and dinner patrons within walking distance for employees and clients of neighboring professional service establishments. There appears to be sufficient public parking within the immediate area.

**Finding of Fact #2** – Safety from fire, panic, and other danger is not jeopardized, in that:

The building has numerous exits and will conform to fire safety and building regulations.

**Finding of Fact #3** – Provision of adequate light and air is not disturbed, in that:

There are no alterations proposed to the existing building that would increase building footprint or scale.

**Finding of Fact #4** – Overcrowding of land does not result, in that:

The building is an existing structure and no alterations are proposed that would increase building footprint or scale. The occupancy level established by the fire marshal will be enforced and conformity to zoning regulations in the B-4 District will be adhered to.

**Finding of Fact #5** – Undue congestion of population is not created, in that:

The building was used as a commercial space by the previous tenant. No alterations are proposed that would increase building footprint or scale nor are residential uses proposed.

**Finding of Fact #6** – Granting this request will not create inadequate provision of transportation, water, sewage, schools, parks, or other public requirements, in that:

The conditional use request will neither increase nor decrease demand for said public infrastructure and services already needed to serve the previous use and occupancy.

**Finding of Fact #7** – Value of buildings will be conserved, in that:

The building will be upgraded by remodeling the space into a restaurant and will preserve and enhance the historic relevance of the building and surrounding areas and will be maintained at all times.

**Finding of Fact #8** – The most appropriate use of land is encouraged, in that:

It is a commercial business in the B-4 District and will enhance the atmosphere in downtown Morgantown. This restaurant should provide an additional dining alternative in the downtown area.

FILED

MAR 01 2011

Natalie E. Tennant  
Secretary of State  
1900 Kanawha Blvd E.  
Bldg 1, Suite 157-K  
Charleston, WV 25305



IN THE OFFICE OF  
SECRETARY OF STATE

Penney Barker, Manager  
Corporations Division  
Tel: (304)558-8000  
Fax: (304)558-8381  
[www.wvsos.com](http://www.wvsos.com)

FILE ONE ORIGINAL  
(Two if you want a filed  
stamped copy returned to you)  
FEE: \$15.00

APPLICATION TO APPOINT OR  
CHANGE PROCESS, OFFICERS,  
AND/OR ADDRESSES

Hrs: 8:30 a.m. – 5:00 p.m. ET

1. The company filing this change  
is registered as a:

- |                                     |                               |                          |                       |
|-------------------------------------|-------------------------------|--------------------------|-----------------------|
| <input type="checkbox"/>            | Corporation                   | <input type="checkbox"/> | Limited Partnership   |
| <input checked="" type="checkbox"/> | Limited Liability Company     | <input type="checkbox"/> | Voluntary Association |
| <input type="checkbox"/>            | Limited Liability Partnership | <input type="checkbox"/> | Business Trust        |
| <input type="checkbox"/>            | Insurance Company/Agency      |                          |                       |

2. The change is filed for:  
(Note: Enter information as previously  
filed. No change can be accepted  
without this information.)

Company name Big Zach Productions, LLC

Principal Office Address as Listed. 344 High St.  
Morgantown WV 26505

Home State: WV WV Form. Date: \_\_\_\_\_

3. Change of Address (use appropriate lines for the type of address to be changed):

Address Type

New Address

a. Principal Office

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Principal Mailing

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. Designated Office

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Change of Agent for Service of Process:

New Agent Name and Address

The agent named here has given consent to appointment as agent to accept service of process on behalf of this company.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

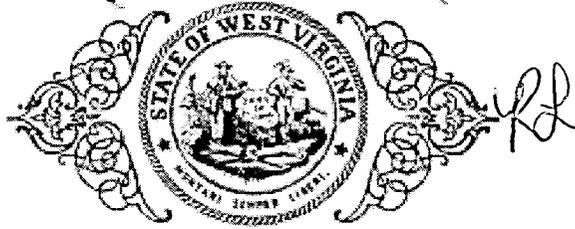
New Agent Signature: \_\_\_\_\_

5. Complete the Change of Officers of Other Persons in Authority:

Officer Type (check one for each new officer)	New Officer Name	New Officer Address
a. <input type="checkbox"/> President (Corp. VA) <input checked="" type="checkbox"/> Member/Manager (LLC) <input type="checkbox"/> General Partner (LP, LLP) <input type="checkbox"/> Trustee (Bus. Trust) <input type="checkbox"/> Other _____	<u>Brandon Kupec</u> Remove (previous officer name, if any)	<u>344 High St.</u>
<input type="checkbox"/> Vice President (Corp. VA) <input type="checkbox"/> Member/Manager (LLC) <input type="checkbox"/> General Partners (LP, LLP) <input type="checkbox"/> Trustee (Bus. Trust) <input type="checkbox"/> Other _____	_____ Remove (previous officer name, if any)	_____
c. <input type="checkbox"/> Secretary (Corp. VA) <input type="checkbox"/> Member/Manager (LLC) <input type="checkbox"/> Limited Partner (LP) <input type="checkbox"/> General Partner (LLP) <input type="checkbox"/> Trustee (Bus. Trust) <input type="checkbox"/> Other _____	_____ Remove (previous officer name, if any)	_____
d. <input type="checkbox"/> Treasurer (Corp. VA) <input type="checkbox"/> Member/Manager (LLC) <input type="checkbox"/> Limited Partner (LP) <input type="checkbox"/> General Partner (LLP) <input type="checkbox"/> Trustee (Bus. Trust) <input type="checkbox"/> Other _____	_____ Remove (previous officer name, if any)	_____
e. <input type="checkbox"/> Director (Corp. VA) <input type="checkbox"/> Member/Manager (LLC) <input type="checkbox"/> Limited Partner (LP) <input type="checkbox"/> General Partner <input type="checkbox"/> Trustee (Bus. Trust) <input type="checkbox"/> Other _____	_____ Remove (previous officer name, if any)	_____

Zach Traugh                      Member                        
Name (please print)                      Title                      Signature

# State of West Virginia



## Certificate

*I, Natalie E. Tennant, Secretary of State of the  
State of West Virginia, hereby certify that*

**TRIPLE L EMPORIUM, LLC**

Control Number: 99YMZ

has filed its "Articles of Organization" in my office according to the provisions of West Virginia Code §§31B-2-203 and 206. I hereby declare the organization to be registered as a limited liability company from its effective date of January 22, 2013 until the expiration of the term or termination of the company.

Therefore, I hereby issue this

### **CERTIFICATE OF A LIMITED LIABILITY COMPANY**



*Given under my hand and the  
Great Seal of the State of  
West Virginia on this day of  
January 22, 2013*

*Natalie E. Tennant*

Secretary of State

FILED

JAN 22 2013

IN THE OFFICE OF  
SECRETARY OF STATE

WEST VIRGINIA ARTICLES OF ORGANIZATION

OF

TRIPLE L EMPORIUM, LLC

Control # 99KMZ

The undersigned, acting as organizer of a limited liability company under Chapter 31B of the West Virginia Code, adopts the following Articles of Organization.

**SECTION I - ORGANIZATION**

1. The undersigned agrees to become a West Virginia limited liability company by the name of **TRIPLE L EMPORIUM, LLC**.

2. The address of the initial designated office of said company will be **1464 Mayfield Avenue, Morgantown, 26505**.

3. The name of the initial agent for service of process is **Michael A. Bowyer**. His address for said service of process is be **1464 Mayfield Avenue, Morgantown, 26505**.

4. The name of the organizer of said limited liability company is **Michael A. Bowyer**. His address is be **1464 Mayfield Avenue, Morgantown, 26505**.

5. The limited liability company will not be a term company but will be an "at-will company".

6. The company will be manager-managed, and the names and addresses of the initial manager is **Michael A. Bowyer, and 1464 Mayfield Avenue, Morgantown, 26505**.

7. None of the members of said company are liable for any debt, obligation or liability incurred by the company whether arising in contract, tort or otherwise. All debts, obligations and liabilities are solely the debts, obligations and liabilities of the company.

**SECTION II - NATURE OF BUSINESS**

The purpose for which this limited liability company is organized will be the management and ownership of restaurant related enterprises.

001 k \$100.00 01/23/2013 1039672

### **SECTION III - POWERS**

The limited liability company will have the same powers as an individual to do all things necessary or convenient to carry on its business or affairs, including power to:

1. Sue and be sued, and defend, in its name.
2. Purchase, receive, lease, or otherwise acquire, and own, hold, improve, use and otherwise deal with real or personal property, or any legal or equitable interest in property, wherever located.
3. Sell, convey, mortgage, grant a security interest in, lease, exchange and otherwise encumber or dispose of all or any part of its property.
4. Purchase, receive, subscribe for or otherwise acquire, own, hold, vote, use, sell, mortgage, lend, grant a security interest in or otherwise dispose of and deal in and with, shares or other interests in or obligations of any other entity.
5. Make contracts and guarantees, incur liabilities, borrow money, issue its notes, bonds and other obligations, which may be convertible into or include the option to purchase other securities of the limited liability company, and secure any of its obligations by a mortgage on or a security interest in any of its property, franchises or income.
6. Lend money, invest and reinvest its funds and receive and hold real and personal property as security for repayment.
7. Be a promoter, partner, member, associate or manager of any partnership, joint venture, trust or other entity.
8. Conduct its business, locate offices and exercise the powers granted by this chapter within or without this state.
9. Elect managers and appoint officers, employees and agents of the limited liability company, define their duties, fix their compensation and lend them money and credit.

10. Pay pensions and establish pension plans, pension trusts, profit sharing plans, bonus plans, option plans and benefit or incentive plans for any or all of its current or former members, managers, officers, employees and agents.

11. Make donations for the public welfare or for charitable, scientific or educational purposes.

12. Make payments or donations, or do any other act, not inconsistent with law, that furthers the business of the limited liability company.

### **SECTION III - MANAGEMENT**

The above powers and any other matters relating to the business of the company shall be exclusively decided by the manager; and the manager shall be designated, appointed, elected, removed or replaced only by unanimous vote, approval or consent of the members.

### **SECTION IV - MEMBERSHIP**

There shall be one hundred (100) membership units and any member shall be entitled to vote and shall be entitled to distributions according to their prorated share of membership units. No member may transfer any units without first giving the company the opportunity to purchase said units, and the company's right of first refusal will be endorsed on all unit certificates.

#### Share Distribution

Michael A. Bowyer

100 member shares

I, the undersigned, for the purpose of organizing a limited liability company under the laws of the State of West Virginia, do make and file this "Articles of Organization," and I have accordingly hereunto set my hand this 1<sup>st</sup> day of January, 2013.

  
Michael A. Bowyer

STATE OF WEST VIRGINIA,

COUNTY OF MONONGALIA, TO-WIT:

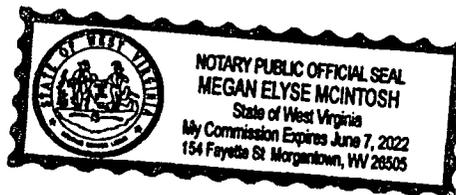
I, Megan Elyse McIntosh, a Notary Public in and for the County and State aforesaid, hereby certify that **Michael A. Bowyer**, whose name is signed to the foregoing Articles of Organization, bearing date the 16 day of January, 2013, this day personally appeared before me and acknowledged his signature to the same.

Given under my hand this 16 day of January, 2013.

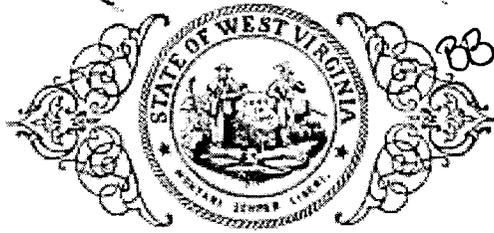
Megan Elyse McIntosh  
Notary Public

My commission expires:

June 7, 2022



# State of West Virginia



## Certificate

*I, Natalie E. Tennant, Secretary of State of the  
State of West Virginia, hereby certify that*

**TRIPLE L EMPORIUM, LLC**

has filed a "Certificate of Registration of Trade Name" in my office according to the provisions of Chapter 47 of the West Virginia Code and was found to conform to law.

Therefore, I hereby issue this

### **CERTIFICATE OF REGISTRATION OF TRADE NAME**

authorizing it to transact business in West Virginia under the assumed name of

**THE DANCING FIG**



*Given under my hand and the  
Great Seal of the State of  
West Virginia on this day of  
January 29, 2013*

*Natalie E. Tennant*

Secretary of State

FILED

JAN 29 2013

Natalie E. Tennant  
Secretary of State  
1900 Kanawha Blvd E.  
Bldg 1, Suite 157-K  
Charleston, WV 25305

IN THE OFFICE OF  
SECRETARY OF STATE



Penney Barker, Manager  
Corporations Division  
Tel: (304)558-8000  
Fax: (304)558-8381  
www.wvsos.com

FILE ONE ORIGINAL  
(Two if you want a filed  
stamped copy returned to you)  
FEE: \$25.00

APPLICATION FOR  
TRADE NAME

Hrs: 8:30 a.m. – 5:00 p.m. ET

1. The name of the company applying to register a trade name is:

Triple L Emporium, LLC

2. The above company is applying to do business within West Virginia under the following trade name:

The Dancing Fig

3. The address of the principal office:

344 High Street  
Morgantown, WV 26505

4. The name, title, address and signature of the person having authority to make application:

Name: Michael A. Bowyer  
Street: 1464 Mayfield Avenue  
City/State/Zip: Morgantown, WV 26505

5. Signature:

Michael A. Bowyer

Title: \_\_\_\_\_

**BEFORE you fill out the application:** The name you select will be approved only if it is available—that is, if the name is not the same as and is distinguishable from any other name which has been reserved or filed. Before you prepare this application, call the Corporations Division at (304)558-8000 to find out if the name you have chosen is available. A telephone check on availability of a name is not a guarantee, but it will help find a name you can use.

As required by §47-8-4 of the West Virginia Code, corporations, associations, limited partnerships, limited liability partnerships, business trusts, and limited liability companies may not conduct business under a trade name or assumed name without first filing an application for registration of trade name with the Secretary of State.

**FILE THE APPLICATION AT THE ADDRESS ON THE TOP OF THE APPLICATION**  
**FEE -- \$25 Make checks payable to the WV Secretary of State.**

JAN 28 2013

Zimbra

cfletcher@cityofmorgantown.org

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**Lira Restuarant**

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**From** : Brandon Kupec <Brandon.Kupec@Kupeclaw.com>

Wed, Feb 13, 2013 02:43 PM

**Sender** : brandon kupec <brandon.kupec@gmail.com>**Subject** : Lira Restuarant**To** : cfletcher@cityofmorgantown.org

Chris,

As a follow up to our discussion today, I am writing to request that we begin the process of transferring the conditional use license from Big Zach Productions, LLC to Triple L Emporium, LLC. As we discussed, Janet Ferraro has been a part of Big Zach Productions since its inception and will be a part of Triple L Emporium. Please let me know what we can do to properly make this transfer.

I appreciate your assistance in this matter and look forward to working on it with you.

Thanks,

Brandon

--

Brandon J. Kupec  
Attorney at Law  
West Virginia State Bar Identification Number 9800

Kupec & Associates  
228 Court Street  
Clarksburg, WV 26301  
(304)623-6678 (office)  
(304)623-1027 (facsimile)

344 High St., Suite 301  
Morgantown, WV 26505  
(304)629-0378 (cellular)  
(888)250-5265 (facsimile)

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Attorney Work Product

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Zimbra

shollar@cityofmorgantown.org

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**Re: Hours of Operation - The Dancing Fig**

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**From** : Brandon Kupec <Brandon.Kupec@Kupeclaw.com>

Mon, Mar 04, 2013 09:39 AM

**Sender** : brandon kupec <brandon.kupec@gmail.com>**Subject** : Re: Hours of Operation - The Dancing Fig**To** : Stacy Hollar <shollar@cityofmorgantown.org>

Stacy,

Dinner will be served Tuesday through Thursday, 5-10, Friday and Saturday, 5-11.

Lunch will be served Wednesday and Thursday (starting out) from 11-2. There will be a Sunday brunch from 12-3

Thanks,

Brandon Kupec

On Mon, Mar 4, 2013 at 9:29 AM, Stacy Hollar <[shollar@cityofmorgantown.org](mailto:shollar@cityofmorgantown.org)> wrote:

Mr. Kupec,

What will the days and hours of operation be for "The Dancing Fig"?

**Stacy Hollar**

Executive Secretary

Development Services Department

389 Spruce Street

Morgantown, WV 26505

[304-284-7431](tel:304-284-7431)[shollar@cityofmorgantown.org](mailto:shollar@cityofmorgantown.org)

--

Brandon J. Kupec

Attorney at Law

West Virginia State Bar Identification Number 9800

Kupec &amp; Associates

228 Court Street

Clarksburg, WV 26301

(304)623-6678 (office)

(304)623-1027 (facsimile)

344 High St., Suite 301

Morgantown, WV 26505

(304)629-0378 (cellular)

(888)250-5265 (facsimile)

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Attorney - Client Communication

Attorney Work Product

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Big Zach Productions, LLC  
d/b/a Lira Restaurant  
344 High Street  
Morgantown, WV 26505

Triple L Emporium, LLC  
d/b/a The Dancing Fig  
344 High Street  
Morgantown, WV 26505

February 28, 2013

Christopher M. Fletcher, AICP  
Director of Development Services  
City of Morgantown  
389 Spruce Street  
Morgantown, WV 26505

RE: Meeting of the Board of Zoning Appeals to discuss  
Transfer of beneficiary from Lira to The Dancing Fig

Dear Mr. Fletcher,

We appreciate the opportunity to address the Board of Zoning Appeals regarding the intended change of ownership of the restaurant at 344 High Street. Lira has worked very hard over the last two years to establish itself as a mainstay dining establishment in downtown Morgantown. Key to that success has been the hard work and dedication of Janet Ferraro. Janet began as the Executive Chief of Lira, creating the menu, staffing the kitchen, and preparing the meals. Over the last year, her role has expanded to the front of the house, as she has taken over the managerial and accounting responsibilities as well.

Michael Bowyer will be the owner of The Dancing Fig. He brings significant restaurant experience, having been the Executive Chief at the Vintage Room for the last two years. Janet and Michael have worked diligently on their vision for The Dancing Fig, and look forward to bringing excellent dining to downtown Morgantown for years to come.

The Dancing Fig will continue many of the same tenants and principles of dining in place at Lira over the last two years. The Dancing Fig will offer a full menu, both for lunch and dinner with fresh Italian cuisine influence. A series of fresh house made pastas will be a new menu item and will compliment some of Lira's classic dishes, such as blackened pork tenderloin and pierogies. The Dancing Fig will also offer a Sunday brunch. The focus of the new restaurant will be the continued improvement of cuisine and customer service.

The transition from Lira to The Dancing Fig will require very little modifications as Janet Ferraro has exercised control over Lira since its inception and has had a vested interest in its well-being. Janet will collaborate on the menu with Michael but will continue to focus on front of the house duties and overall business responsibilities. Michael and Janet look forward to continued success in downtown as Janet is a lifelong Morgantown resident and has an interest in remaining so, as Michael and Janet have recently invested in a home together in Saberton.

We look forward to answering questions and providing as much information as possible regarding the transition to The Dancing Fig. We collectively believe that the restaurant will continue to be an improvement to the Lira concept and look forward to serving downtown Morgantown for years to come.

Sincerely,



Brandon J. Kupec,  
Managing Member  
Big Zach Productions, LLC,  
d/ba Lira Restaurant



Janet Ferraro  
Executive Chief, Manager  
Lira and The Dancing Fig



Michael Bowyer  
Managing Member  
Triple L Emporium, LLC  
d/b/a The Dancing Fig

## Janet J Ferraro

### Address

1464 Mayfield Avenue  
Morgantown WV 26505

Contacts: 304-290-1523

Chefs.lira@gmail.com

### Professional Objective:

To own and manage a restaurant that promotes culinary excellence by using all natural and when possible local ingredients which in turn provides culinary recognition to the state of WV

**Education:** Johnson & Wales University: Charlotte, NC  
Associate of Science, Culinary Arts 04/06  
Dean's List, GPA 3.6/4.0

### Work Experience:

11/10-2/13 **Lira Restaurant and Lounge**

#### Executive Chef/ General Manager

- Designed kitchen floor plan with proper placement of new equipment to best utilize the small available space
- Priced and ordered all new equipment
- Collaborated with owners to create theme and concept of restaurant
- Solely created both lunch, dinner, and special event menus
- In charge of hiring, scheduling and managing of back of the house employees: staff of 15+
- May 2012 promoted to general manager where I effectively ran front and back of the house; Responsible for all purchasing, staffing, payroll, and day to day operations

01/07-08/10 **The Vintage Room, Morgantown WV**

#### Executive Chef

- Efficiently managed and scheduled my 5-6 person kitchen staff
- Created 18 item seasonal menus while maintaining 2-3 weekly specials; trained kitchen staff to prepare each item on the menu
- Responsible for ordering all food products/plating/to go boxes; inventory
- Designed all plate presentations
- Developed personalized banquet menus serving 50-200 guests

02/06-09/06 **The Grille at Cross Waters, 4 Star Resort, Sunriver Oregon**

#### Line Cook

- Cross trained all positions of line to utilize kitchen production
- Created new menu items and menu descriptions weekly
- Maintained HACCAP sanitation standards throughout shift and closing down station

05/05-02/06 **Mcormick's and Shmitz's Seafood Restaurant, Charlotte NC**

#### Pantry

### Work Related Skills:

- Excellent communication skills, interpersonal skills, and management skills developed over years in the food service industry as well in marketing/sales
- Advanced knife skills
- Efficient with micros E7, Microsoft Publisher, and Microsoft Excel programs

## References for Janet J Ferraro

513 Center St  
Morgantown WV26505  
(304) 290-1523  
[janetferraro94@Yahoo.com](mailto:janetferraro94@Yahoo.com)

### Professional References:

Jason Greene  
Executive Chef  
The Grille at Cross Water  
Sunriver Resort  
Sunriver, OR  
541-408-1689

Rob Lapinto  
General Manager  
AKA Enterprises  
PO Box 738  
Morgantown WV26505

John Fahey  
Founder  
Centra Bank  
990 Elmer Prince Dr  
Morgantown WV26505

### Personal References:

Grant Hastings  
Funeral Director  
Hastings Funeral Home  
Morgantown WV26505  
304-685-2621

# Michael Andrew Bowyer

## Objective

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My career goals are to maintain and run an effective kitchen at a business that I own. To provide high quality and fresh food products to all customers and overall have a successful and well known restaurant.

## Experience

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August 2010-February  
2013

The Vintage Room

Morgantown, WV

### Executive Chef

- Maintain a well-run kitchen and provide high quality food products.
- Create and write seasonal menus and write weekly food specials.
- Provide accurate food costs and food inventory.
- Conduct weekly food orders.
- Cook and write menus for on-premise catering.
- Create desserts and fresh baked food products.

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August 2004-June 2010

The Vintage Room

Morgantown, WV

### Sous Chef/Line Cook

- Work grill station, sauté station, salad station, pizza station, and dishes.
- Help with menu ideas and specials.
- Help run the kitchen when executive chef is off duty.
- Help with food orders and inventory.
- Help with kitchen duties for on-premise catering.

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June 2004-August 2004

Outback Steakhouse

Bridgeport, WV

### Prep Cook

- Make all cold sauces and dressings.
- Cut and portion vegetables and other cold products.
- Provide clean up and extra help on kitchen line when needed.
- Help with food orders and inventory.

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February 2004-May  
2004

Fairmont State University

Fairmont, WV

### Internship/Cook

- Catering style cooking for student body.
- Prepped soups, pasta dishes, and other products in bulk quantity.
- Provide clean up and oversee manager duties.

304-612-2852•bowyer\_mike@yahoo.com

## **Michael Andrew Bowyer**

### **Education**

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2003-2008

Fairmont State University

Fairmont, WV

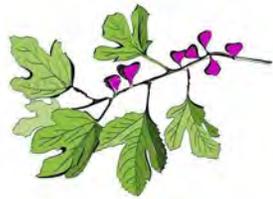
#### **Associates Degree**

- Food Service Management/Culinary Arts
- Business classes

### **References**

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Rob LaPinto 304-290-5095 General Manager Bent Willeys



The  
**DANCING FIG**  
RESTAURANT & VENUE

# Lunch Menu

## Appetizers

**\$7 Fried Cauliflower Y**  
Served with warm marinara

**\$9 Brie Cheese Purses Y**  
Brie cheese and raspberries wrapped in puff pastry served with caramel apple slices

**\$3 Assorted Bread Basket**  
Baked in house daily

**\$9 Spanakopita Y**  
Phyllo dough filled with spinach, onions, garlic, and cheese

**\$6 Fried Calamari**  
Lightly dusted with flour and cornmeal: served with marinara or jalapeno aioli

**\$8 Smokey Artichoke Dip**  
Three cheeses blended with bacon and artichoke hearts

## Salads

**\$8 Spinach Salad D §**  
Tossed in chipotle Italian dressing; topped with shaved fennel, red onion, cantaloupe, and salami and prosciutto crisps

**\$9 Salad Ala Marlene §**  
Romaine, grape tomatoes, and polenta croutons tossed in a rich Caesar dressing with grated parmesan cheese and topped with a poached egg

Add grilled Chicken- \$3 Add grilled Shrimp-\$4.50

## Grilled Ham and Cheese

*All Sandwiches served with house spicy pickle and Sicilian potato Salad. Substitute French fries or Soup \$1.00 Brew fries-2.00*

**\$7 The Classic Melt-** Fontina, Gruyere, and garlic aioli

**\$9 Spicy Pepè-** Jalapenos, cream cheese, Smoked Cheddar, and roasted red peppers

**\$ 9 Smokey Sam-** Smoked Cheddar, bacon, spinach and Dijon garlic aioli

**\$8 The Michelle-** Brie Cheese and marionberry jam

## Sandwiches

**\$8 Mr. Montgomery-** Peppercorn encrusted chicken tenders grilled with spinach, honey mustard, bacon, mozzarella and provolone cheese on a Brioche bun

**\$8 Chorizo and Pepper-** The dippers delight a deconstructed hoagie; stewed bell peppers and onions in tomato sauce with chicken chorizo sausage smothered in melted cheese, served with garlic bread

## Fresh Pastas

*May add a side salad to any pasta for \$2.00 for a gluten free option try dishes over polenta instead of fresh pasta*

**\$9 Bolognese-** Northern Italian meat sauce using onions, garlic, carrot, tomatoes and a bouquet of fresh herbs

**\$11 Chicken Parmesan-** Lightly Italian breaded chicken layered with mozzarella, provolone, and parmesan cheese served on a bed of spicy marinara

**\$12 Shrimp Mascarpone-** Black tiger shrimp with roasted tomatoes and sautéed spinach in a lemon garlic mascarpone sauce.

**\$11 Mushroom Delight Y-** Crimini, oyster, shitake mushrooms sautéed with spinach and spicy marinara

Key:

§: Gluten Free

Y: Vegan Y: Vegetarian

D: Dairy free

## Sides

- Soup**— cup \$3 Bowl \$5  
\$4 **Brew Fries** ¥ – beer batter waffle fries  
\$3 **French Fries** ¥ §  
\$3 **Salad** ¥- Field greens with tomato, cucumber, shaved red onion  
\$4.00 **Risotto Cakes** ¥- Arborio rice slowly simmered with vegetable stock and blended with parmesan, lightly flour and fried served with marinara  
\$ 4.00 **Fried Pierogies**- Served with marinara

## Beverages

*Prices include free refills on fountain beverages*

- Coca Cola Products— \$2.50**  
Coca Cola  
Diet Coke  
Mellow Yellow  
Fanta Orange  
Sprite  
Coke Zero  
Sweet Tea  
Unsweetened Tea  
Lemonade
- San Pellegrino Sparkling Water~ \$3.00  
Whole Bean Kona Blend Coffee~ \$2.50  
Decaf Coffee~ \$2.00  
Shirley Temple~\$2.50  
Cherry infused Coke\$2.50  
Signature Sangria~\$5.00

## Bottled Beers

### Domestics - \$3.00

- Miller Lite  
Budweiser  
Bud Light  
Michelob Ultra  
Yuengling  
Coors Light

### Imported— 3.75

- Stella Artois  
New Castle  
Corona  
Sierra Nevada  
Blue Moon  
Samuel Adams
- Magic Hat #9  
Guinness  
Heineken  
Peroni  
Shiner Bock

### Red Wines

- Pinot Noir**— Mark West..... G.11 Btl. 33  
**Merlot**— Red Rock..... G. 7 Btl. 21  
**Chianti**— Coltibuono Cetamura G. 7 Btl 21  
**Cabernet Sauvignon**— Earthwise G. 7 Btl. 21  
**Malbec**— Nuna Reserve..... G. 11 Btl. 33

### White Wines

- Pinot Grigio**— Earthwise..... Gl. 7 Btl. 21  
**Sauvignon Blanc**— Castle Rock.. Gl. 7 Btl. 21  
**Moscato**— Earthwise..... Gl. 6 Btl. 18  
**Chardonnay**— Lost Angel..... Gl.7 Btl. 21  
**Riesling**— Dr. Loosen..... Gl. 9 Btl. 24

**Have it Our Way**— Please make sure you ask your server if requesting a sauce or condiment that is not listed on the menu. All our sauces and condiments excluding ketchup and mustard are made in house so if you don't see it on the menu chances are we don't have it.

**Our Mission:** To utilize fresh and natural ingredients to offer our customers a more wholesome culinary experience. While promoting music and arts in our community.

**Our Vision:** We believe that fresh food nourishes the body while music and arts nourishes the Soul, this is why we are committed to providing and supporting both. We want to provide an enjoyable laid back atmosphere where on occasion the two arts (Culinary and Musical) meet. We have an idea of a sustainable restaurant which means to us that we support sustainable methods: We try to source local produce ingredients when available, pay to recycle all bottles consumed in our establishment, and only offer seafood raised in a sustainable habitat. In exchange we encourage our customers to donate any old plating or silverware that helps us keep up with the continuous cost of replacing these items. And you get to see our food served on your plates! We emphasize the dish or wine being served, not the crystal glass it gets poured into.

*Fresh Italian  
Cuisine  
And  
Innovative  
Cocktails*



Key:

§: Gluten Free  
Y: Vegetarian  
D: Dairy free

*Chef Owned,  
Chef Operated*

344 High Street

304-285-8245

**Our Mission:** To utilize fresh and natural ingredients to offer our customers a more wholesome culinary experience. While promoting music and arts in our community.

## Appetizers and Salads

### Y Brie Cheese Purses ~ 9

Brie cheese and raspberries wrapped and baked in puff pastry dough. Served with caramel apples and mixed greens.

### Y Spanakopita ~ 9

Phyllo dough filled with spinach, garlic, onions, and cheese.

### Y Swiss Fondue ~ 11

Baby potatoes roasted to perfection, fresh apples, and French bread; accompanied by traditional Swiss Fondue.

### Assorted Bread Basket ~ 3

Served with whipped butter.

### Y Cheese and Fruit Plate ~ 11

The perfect white wine accompaniment: Your choice of 3 cheeses. Danish Blue cheese, Smoked White Cheddar, Fontina, Asiago, or Brie with candied apricots, fresh apples, and cantaloupe.

### The Dancing Fritter ~ 9

Check out the chalkboard for the weekly changing fritter. Made with a corn batter.

### Smokey Artichoke Dip ~ 8

Three cheeses blended with bacon and artichoke hearts.

### Chorizo and Peppers ~ 8

Chorizo chicken sausage in Italian pepper sauce covered with mozzarella and provolone served with crostinis.

### § Charcutier Platter ~ 9

The perfect red wine accompaniment: Hard salami, prosciutto, chorizo, and chipped Asiago served with cornichons and olives.

### Stuffed Artichoke ~ 9

Artichoke heart stuffed with roasted garlic, cheese, and herbs then breaded and fried. Served with spicy marinara.

### Salads ~ Single ~ 5 Family Style ~ 12

#### Y House Field Greens

Tossed in Balsamic-Basil vinaigrette with tomatoes, cucumbers, shaved red onion, and chipped Asiago

#### § Spinach Salad

Tossed in Chipotle Italian vinaigrette with shaved fennel, shaved red onion, cantaloupe, fried feta, and salami and prosciutto crisps.

#### § Caesar Salad

Crispy romaine, garlic croutons, grape tomatoes, and grated parmesan tossed in classic Caesar dressing.

## Signature A la Carte

### Y Eggplant Parmesan

Italian breaded eggplant layered with spinach, mozzarella, and provolone topped with marinara.  
Single ~ 5 Family Style ~ 12

### Blackened Pork Tenderloin

Rubbed with house blackening spice; topped with onions, red peppers, and red onion crackling.  
Single ~ 7 Family Style ~ 18

### § Y Zucchini Ratatouille

Stewed onions, tomatoes, peppers, and zucchini topped with melted mozzarella and provolone.  
Single ~ 5 Family Style ~ 12

### § Shrimp and Polenta

Black Tiger shrimp sautéed with garlic, lemon, and basil served with roasted tomato and jalapeno polenta.  
Single ~ 7 Family Style ~ 18

### Steamed Mussels- Served with Garlic Crostini

#### §- without Crostini

**Spanish-** Steamed with garlic, tomatoes, and spinach in a sherry seafood broth.

**Danish-** Steamed with shaved fennel, garlic, and blue cheese in a lemon and white wine seafood broth.  
Single ~ 5 Family Style ~ 15

#### Fried Calamari

**Italian Style-** Lightly breaded and flash fried, served with spicy marinara.

**South American-** Lightly breaded and flash fried; tossed in a chili citrus spice and served with roasted garlic and jalapeno aioli.  
Single ~ 7 Family Style ~ 18

#### § Y Polenta

Roasted tomato and jalapeno polenta, served baked or fried  
Single ~ 5 Family Style ~ 13

### Y Pierogies

**Traditional-** Sautéed with onions and fresh sage with brown butter.

**American-** Fried until crunchy golden brown and served with spicy marinara.

**Rustic-** Seared until crispy on the outside and tossed with house made sauerkraut.  
Single ~ 5 Family Style ~ 15

### Y Fried Cauliflower

Marinated cauliflower florets battered, fried, and served with spicy marinara.  
Single ~ 5 Family Style ~ 13

### Y Risotto Cakes

Arborio rice slowly simmered in vegetable stock with seasonal ingredients.  
Single ~ 5 Family Style ~ 15

## Entrées and Fresh Pastas

*All Entrees are served with house side salad*

### Filet Mignon ~33

( Nature Source Beef- No Hormones, Antibiotics, or Steroids administered Ever)  
Hand cut 8oz. Beef Filet seared to perfection and topped with a roasted garlic-tomato demi sauce and fried sage leaves; served with potatoes du jour and vegetables.

### Chicken Marsala ~ 24

Lightly floured and sautéed chicken tenders with shitake, portabella, porcini, and button mushrooms in a rich beef Marsala wine sauce; served with potatoes du jour and vegetables.

### Chicken Parmesan ~ 19

Italian breaded chicken tenders topped with spicy marinara, mozzarella, and provolone; served on a bed of fresh made pasta.

### Veal Crème de Sherry ~ 26

Lightly breaded Veal cutlets seared and finished in a sweet Sherry wild mushroom cream sauce with onions and peppers. Served with potatoes du jour and vegetables.

### Shrimp Mascarpone ~ 23

Jumbo Tiger Shrimp sautéed with garlic, tomatoes, and spinach in a white wine lemon sauce with Mascarpone cheese; served on a bed of fresh made pasta.

### Quail ~ 24

Rubbed with fresh garlic and sage, battered and fried; served over a sauté of brown rice, fennel, cauliflower, bacon, and mushrooms with a light cheese sauce.

### Filet Duo ~ 26

4oz. Rosemary rubbed beef and 5oz. Blackened pork topped with roasted tomatoes, olive oil, balsamic reduction, and prosciutto and salami crisps; accompanied with potatoes du jour and vegetables.

### Pasta Salvio ~ 22

Jumbo Tiger Shrimp sautéed with garlic and roasted red peppers in a blue cheese vodka sauce; served over fresh made pasta.

### Pasta Bolognese ~ 17

Fresh made pasta tossed in a classic Bolognese meat sauce; garnished with chipped Asiago cheese and fresh basil.

### Veal Saltimbocca ~ 24

Lightly breaded veal cutlets oven roasted with spinach, prosciutto, and Fontina cheese served on a bed of fresh pasta in spicy marinara.

### Y Eggplant ~ 16

Breaded eggplant topped with a sauté of mushrooms, spinach, roasted tomatoes, garlic, onions, peppers, and cheese. Served with polenta, fresh basil, and olive oil.

\*Consuming undercooked or raw beef, poultry, seafood, game meat, or eggs may increase chances of foodborne illnesses.

\*Parties of 8 or more are subject to an 18% gratuity charge.

\*No separate checks on parties larger than 10.