

MINUTES OF THE BOARD OF LICENSE COMMISSIONERS OF CECIL COUNTY

The Board of License Commissioners of Cecil County met in a regular session at the County Administrative Building, Conference Room, 200 Chesapeake Boulevard, Elk Room, Elkton, MD on **Wednesday, February 24, 2016** at 9:15 A.M.

PRESENT: Tim Snelling, Chairman
Herrel "Cuz" Curry, Commissioner
Reid Cameron, Commissioner
H. Norman Wilson, Jr., Esquire
Earl R. Bradford, Chief Alcohol Beverage Inspector
Robin Trader, Administrative Assistant

NEW LICENSE

Application received from Anthony Cirino and Stella Marie Lundin, MISA Pier 1, Inc. T/A Pier 1 Restaurant, One North Main Street, North East, MD 21901 for a reclassification from Beer and Light Wine to Beer, Wine & Liquor Alcoholic Beverage License.

Anthony Cirino and Stella Marie Lundin appeared before the Board; the applicants were duly sworn by the Clerk. Mr. Wilson read the legal notice which appeared on dates of February 10 and 17, 2016. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 5; a signed zoning certification signed by Betsy Vennell, Director of Planning, Town of North East; the certification form stated "Family owned and operated restaurant since March 2, 1996. Serving fresh seafood and specializing in Italian cuisine. Pier 1 would like to upgrade from Beer and Light Wine to Liquor; we have received a high volume of requests from customers for liquor to be served." Mr. Wilson asked if they questions they answered when they filed the application were the same today; the applicants stated yes. Mr. Cirino stated they are not classified as a bar, but are interested in upgrading their license to allow them to serve specialty drinks, etc.

Chairman Snelling asked if anyone was in attendance to speak in favor or against the license; Don Harmer, Weaver's Liquors stated he feels the upgrade should be granted; he continued they run a good business and he has recommended their restaurant to many of their customers. With no further questions, Commissioner Curry made a motion to approve the reclassification of the Class "B" license to beer, wine and liquor; Commissioner Cameron seconded that motion and the Board unanimously approved the reclassification of the license.

Application received from Kailash Sayal, 7-Eleven #33267, 1504 Performance Drive, Elkton, MD 21921 for issuance of a new Class "A" Beer and Light Wine Alcoholic Beverage License.

Kailash Sayal appeared before the Board; he was duly sworn by the Clerk. Mr. Wilson read the legal notice which appeared on dates of February 10 and 17, 2016. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 3; a signed zoning certification signed by Cliff Houston, Zoning Administrator, Cecil County Office of Planning & Zoning; the certification form stated "to provide to sell beer & light wine." .” Mr. Wilson asked if they questions they answered when they filed the application were the same today; the applicant stated yes. Mr. Sayal stated he has had customers request he sell beer and 7-11 would like them to sell beer; the Board asked if he was a franchisee, he responded yes; they then asked if 7-11 would get profit from the license; he stated no; he splits the profit 50/50 but not alcohol.

Chairman Snelling asked if anyone was in attendance to speak in favor or against the license:

Frederick Ostrand, partner at State Line Liquors stated there are three existing licenses within a quarter mile of this establishment and two additional within a half mile. He stated they work very hard at their business, 7-11 will not be offering any product that is not available anywhere else in the community. He stated State Line is open 8:30 am to 11:00 pm and they do not see the benefit. Mr. Sayal responded that his company will not sell a lot of beer and wine, he plans on having two coolers.

Glenn Brinsfield, Free State Liquors stated when the state increased the cigarette and alcohol tax this hurt their business, he doesn't see a need for this in the area.

Don Harmer, Weaver's Liquors stated there are three full size stores within a quarter mile and two additional licensees within a half mile; he is asking the Board to deny the license due to the density of licenses in the area.

Jigar Patel, Caps & Corks stated it is a small area within one mile there are many businesses and it is not good for the community to sell alcohol in the early morning.

Manish Patel, Triangle Liquors stated there are simply too many licenses within the area.

Mr. Sayal stated he will not be a full liquor store; he will follow the rules for hours, a license will help his business.

Chief Bradford stated that within a two mile radius there are two Class A licenses, six Class B license and one Class GC license, total of nine licenses within a two mile radius.

Commissioner Curry made a motion to break into Executive Session to speak with counsel. After a brief break, Commissioner Curry made a motion to end the Executive Session. Commissioner Cameron made a motion to deny the license based on Article 2B, Section 10-202, 5ii 1) the granting of the license is not necessary for the accommodation of the public; (2) (i) 1. The public need and desire for the license. 2. The number and location of existing licenses and the potential effect on existing licensees of the license applied for; 3. The potential commonality or uniqueness of the services and products to be offered by the applicant's business; Commissioner Curry seconded that motion and the Board unanimously voted to deny issuance of the license.

General Business

- **Approve Minutes**
The minutes from the January 27, 2016 meeting were approved.
- **Specials**

Old Business

- **Renewal**
 - Renewal packets were mailed February 1
 - **Renewal Issues** – several licenses were granted extensions through renewal
 - **Worsall Manor**
 - **Lafayette Inn 2** – will need to be opened for business or a transfer packed received by April 1

New Business

With no further business to discuss, the meeting was adjourned.

BY:

Tim Snelling, Chairman

ATTEST:

Robin S. Trader, Administrative Assistant