

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, June 28, 2017** at 9:15 A.M.

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

OVERVIEW OF SPECIAL EVENT – JULY 8 – TRITON ELK RIVER FEST – B-83

William E. Gravlee, Owner; Justin G. Taylor, Manager, Triton Marina Services, LLC, T/A Triton Bar & Grill, 285 Plum Point Road, Elkton, MD 21921

William Gravlee and Justin Taylor appeared before the Board to discuss the event, Triton Elk River Fest, to be held at Triton Bar & Grill on Saturday, July 8th. Mr. Gravlee stated he has had this event for several years and Mr. Taylor would be continuing it. Mr. Taylor stated they expect between 400-500 people; WXCX will be broadcasting from the event with other bands. He continued they will have off-site parking with a shuttle bus. Mr. Wilson asked how they plan to check IDs; Mr. Taylor stated everyone will be checked, those underage will receive a red wristband and those over 21 will receive a green one. Chief Bradford asked if the sales of alcohol would take place outdoors; Mr. Taylor stated yes. Commissioner Cole asked about security; Mr. Taylor stated he will have Cecil County Sheriff's Office patrolling the airport parking lot and onsite he will have two uniformed police officers plus additional security. Mr. Wilson asked if there have been any problems in the past. Mr. Gravlee stated no. With no further questions, Commissioner Cole made a motion to approve the event including outdoor sales, cautioning the licensees he doesn't like trouble; Commissioner Curry seconded that motion and the Board unanimously approved the one day event with outdoor sales of alcohol.

OUTDOOR EVENT

Kevin McDevitt, Member; Station 26 LLC, T/A Station Ale House, 26 S. Main Street, North East, MD 21901 - **POSTPONED**

RESIDENT CONCERNS REGARDING CHARLESTOWN WINE AND SPIRITS AND MARKET STREET CAFE

John J. Spangler, Sr., President; Roberta S. Asher- Spangler, Secretary/Treasurer; Charles A. Spangler, Vice President, Charlestown Poca House, Inc. T/A Charlestown Wine and Spirits and Market Street Café, 315 Market Street, Charlestown, MD 21914

Town of Charlestown resident, Bill Reed appeared before the Board. Mr. Reed stated he lives in the community of Charlestown and there is a new outside bar in the back of Market Street; they have pulled a boat into the area which is practically in his backyard. He continued he has tried to address this issue with Market Street in regards to the noise and rowdiness to no avail. He stated he has gone to the Town and was told that being in the historic district, it is not properly zoned; this area is residential not commercial. He also stated it is within site view and hearing of the new playground area/basketball courts. Mr. Reed submitted a petition with about 15 signatures against this outdoor bar area; this was marked as Petitioners Exhibit #1. Mr. Wilson asked how long this bar has been there; Mr. Reed stated this is the third season. He stated the first year he approached Market Street and last year it just got worse. The only answer he can get from the Town is "a mistake was made."

Ursula Boudart, resident of Charlestown, stated Market Street proceeded to engage in activity in the area behind the building; they were called in for not submitting a permit and they submitted a permit. Chief Bradford asked who called them in; Ms. Boudart stated the Town. She continued stating there is a strip of land behind Market Street which becomes residential. The Town sent them a letter stating they could continue this activity but it would need to stop once the activity ceased. Commissioner Cole later inquired about this and Ms. Boudart stated she is unsure of the wording of the letter. Mr. Reed and Ms. Boudart asked about having a signed zoning certificate; Mr. Wilson explained the original application had a signed zoning certificate, the request for outdoor sales would not require a zoning certificate. Mr. Wilson continued that they would need to go to the Town to get the issue of the proper zoning addressed. Chairman Snelling asked what time this activity takes place; Mr. Reed stated one o'clock in the afternoon until two o'clock in the morning. Chairman Snelling stated they would have Chief Bradford go and observe the activity and asked what days this occurs; Ms. Boudart stated Friday and Saturday nights. Chief Bradford asked if they do this every Friday and Saturday; Mr. Reed stated this year so far it has been somewhat subdued.

David Jaranko introduced himself; he stated he is retired from the State of MD and he was previously in charge of monitoring noise. It was determined that Chief Bradford would contact him and they would meet one night in Charlestown.-

Chairman Snelling advised Mr. Reed that they would have Chief Bradford do an investigation on the noise level, but they needed to take care of the zoning issue with the Town of Charlestown.

NEW LICENSE

Application received from Charles Copeland, Jr, Member; Jason Zang, Member; William Dix, Member; Bayheads Brewing Company, LLC, T/A Bayheads Brewing Company, 2525 Augustine Herman Highway, Suite D, Chesapeake City, MD 21915 for issuance of a new Class "DBR" Alcoholic Beverage License.

Applicants Charles Copeland, Jr; Jason Zang and William Dix appeared before the Board; they were duly sworn by the Clerk. Mr. Wilson read the legal notice that appeared on the dates of

June 14 and 21, 2017. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 2; a signed zoning certificate signed by Sandra Edwards, Town of Chesapeake City. Mr. Wilson asked the applicants if the questions they completed were the same today as when they signed and submitted the application on May 30, 2107; they each answered yes. The applicants explained they each began making their own beer and decided they would do this together, they have completed the state and federal applications. Chairman Snelling asked what the hours would be; the applicants stated Thursday through Sunday until 10 PM. Chairman Snelling asked if they planned to have kitchen services; they stated not at this time. With no further questions Commissioner Curry made a motion to approve the application; Commissioner Cole seconded that motion and the Board unanimously voted to approve the license.

VIOLATIONS

Official transcript available upon request and receipt of fees.

Operating Without License

Karen Graves, Owner; The Archway Inn Corporation, T/A The Archway Inn, 2835 Crystal Beach Road, Earleville, MD 21919

Karen Graves appeared before the Board; she and Chief Bradford were duly sworn by the Clerk. Mr. Wilson stated Chief Bradford would continue upon an agreed statement of fact. Chief Bradford read his report into the record basically stating our office received information from the Comptroller of Maryland's office prior to renewal process asking to hold the license until the taxes were satisfied; this letter was sent with the renewal application. On May 4th Chief Bradford witnessed the sale of alcoholic beverages with no current license displayed; he also stated everyone was cooperative and after he spoke with the bartender and she called Ms. Graves who instructed her to close the restaurant immediately. Mr. Wilson asked if Ms. Graves had any questions; she stated no. Chairman Snelling stated the Board would make a decision and she would be notified by certified mail.

Underage Sales of Alcoholic Beverages

Richard A. Kelso, T/A Rick's Crabs, 1205 Tome Highway, Port Deposit, MD 21904

Richard Kelso and his store manager appeared before the Board; they and Chief Bradford were duly sworn by the Clerk. Mr. Wilson stated Chief Bradford would continue upon an agreed statement of fact. Chief Bradford read his report into the record basically stating a compliance check was done and our agent, Shyla Dempsey entered the store without identification; she purchased 4-pack Barefoot wine without being asked for her identification. Mr. Wilson asked if Mr. Kelso had any questions; Mr. Kelso stated the lady who did this worked maybe four weeks, she was trained and they have no explanation how this happened and she was terminated.

Commissioner Cole asked if this was their first offense; Mr. Kelso stated he was caught several years ago, it was his fault and because of health issues, he no longer works in the store, only in the warehouse. Chairman Snelling stated the Board would make a decision and he would be notified by certified mail.

General Business

- **Approve Minutes**
The minutes from the April 26, 2017 meeting were approved.
- **Specials**
Mrs. Trader informed the Board Dove Valley winery has applied for two wine festival licenses for August 5-6 and September 30.

Old Business

New Business

- Change of Officers – Renewal

With no further business to conduct, Commissioner Cole made a motion to adjourn the meeting; Commissioner Curry seconded that motion. The meeting was adjourned at 10:01 AM.

BY:

Tim Snelling, Chairman

ATTEST:

Robin S. Trader, Administrative Assistant