

The Board of License Commissioners of Cecil County met in a regular session at the County Administrative Building, Conference Room, 200 Chesapeake Boulevard, Elkton Center, Elkton, MD on **Thursday, August 30, 2018** at 9:15 A.M.

PRESENT: Tim Snelling, Chairman
Steven A. Miller, Commissioner
Kristen Ortt, Commissioner
H. Norman Wilson, Jr., Esquire
Earl R. Bradford, Chief Alcohol Beverage Inspector
Robin S. Trader, Administrative Assistant

Chairman Snelling called the meeting to order; he introduced and welcomed Commissioner Kristen Ortt to the Board.

**APPLICATIONS:
NEW LICENSE**

Application received from Surinder Singh, President; Pritam Singh, Vice President; Noor Inc., T/A **Carroll Mart**, 259 Belle Hill Road, Elkton, MD 21921 for issuance of a new Class "A" Beer, Alcoholic Beverage License.

Surinder Singh and Pritam Singh appeared before the Board; they were duly sworn by the Clerk. Mr. Wilson read the legal notice that was published on August 15, 17 and 22, 2018. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 3. Mr. Wilson asked if the questions that were answered and submitted were the same as when they were submitted; the applicants stated yes. Chairman Snelling asked what their plan was for the business; Mr. Surinder Singh stated they would like to sell beer, customers have been asking for it and it will help their business from the hours of 5 AM – midnight. Commissioner Miller asked how many licenses were issued within a two mile radius; Chief Bradford responded there are 2 Class A licenses, 2 Class B, which include 4 liquor stores, a total of 9 licenses within a two-mile radius. Chairman Snelling asked if there was anyone here to speak for or against the application; several people raised their hands, at which time those who were present to speak at any hearings were duly sworn by the Clerk.

Step Mika, introduced himself, stating he is the Co-Coordinator, MSPF Coalition; the MSPF Coalition provides funding for checking underage sales and over service compliance checks. He stated he believes there are enough liquor stores servicing the area, 10 with the one just over the DE line.

Don Harmer, Weavers Liquors stated he is in opposition of the approval of the license; substance abuse is running rampant in the county; he feels there are enough to service the area.

Rick Ostrand, a partner at State Line Liquors, stated he is against the approval of the license; he stated within 1.5 miles of the application there is a liquor store in Delaware, Caps & Corks, Free

State, State Line, as well as two licenses on Fletchwood Road; he continued that Route 279 is not developed, no new housing, no new business, there's no need in the area for another license.

Nick Vlamis, Vlamis Liquors, stated the area is saturated with licenses, there's just no need for another license.

With no further questions, Chairman Snelling called for a motion; Commissioner Miller made a motion to deny the license based on the number of licenses in the area; Commissioner Ortt seconded that motion and the Board unanimously voted to deny the license.

Application received from Vincenzo Veterbo, President; Anthony Caponi, Cecil County Resident; New York Square, LLC, T/A **New York Square LLC**, 802 N. Bridge Street, Elkton, MD 21921 for issuance of a new Class "B" Beer, Wine & Liquor Alcoholic Beverage License.

Vincenzo Veterbo appeared before the Board with his contractor, Kyle Jerden; they were duly sworn by the Clerk. Mr. Wilson read the legal notice that was published on August 15, 17 and 22, 2018. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 3. Mr. Wilson asked if the questions that were answered and submitted were the same as when they were submitted; the applicants stated yes. Mr. Veterbo stated has had many restaurants with liquor licenses, his plan is to tear down the building that is there and build something nice. Commissioner Ortt asked what they will be serving; Mr. Veterbo stated he has a chef from Italy and will be service authentic Italian food. Commissioner Miller asked if they would be delivering pizzas; Mr. Veterbo stated yes. Chairman Snelling asked if he was planning to tear down the building; Mr. Veterbo stated they will be gutting the building, leaving the outer shell. Chairman Snelling asked if they would be having outdoor music; Mr. Veterbo stated he would like to open and see what the areas calls for. Chairman Snelling asked if there was anyone here to speak for or against the application.

Nick Vlamis, Vlamis Liquors, stated he has no objection to the license, as long as it is on premises only; Mr. Veterbo stated he has no room for package goods and that's not his plan.

With no further questions or comments, Chairman Snelling called for a motion; Commissioner Miller made a motion to approve the license conditioned upon having all permits and submitting a copy of the Occupancy permit to our office, sales should be restricted to on-premises only and if he would like to change that, he will need to come back; Commissioner Ortt seconded that motion and the Board unanimously approved the issuance of the license with those conditions.

Application received from David A. Carey, Member; Charles Harry Craven, Jr., Member; 31 River LLC, T/A **Tiki Lee's**, 31 River Road, Perryville, MD 21903 for issuance of a new Class "B" Beer, Wine & Liquor Alcoholic Beverage License.

Charles "Bud" Craven appeared before the Board with attorney, Shelly Upton and Nick Paros; they were duly sworn by the Clerk. Mr. Wilson read the legal notice that was published on

August 15, 17 and 22, 2018. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 7. Mr. Wilson asked if the questions that were answered and submitted were the same as when they were submitted; the applicants stated yes. Ms. Upton stated the application is for the property known as Perryville Yacht Club; they are planning a significant amount of renovation and have received the approval from the Town of Perryville. Mr. Craven stated they plan to revamp three plus acres with a number of structures and piers, as well as replacing the bulkhead. They will be tearing down the current building and rebuilding a 4,000 square seafood restaurant. He continued their plan is to be open Wednesday through Sunday, 11 AM – 2 AM; they have no plans for off-premises sales. He stated they have Nick Paros, who is the head of security. Mr. Paros stated he is a former Maryland State Trooper, where he made it to the rank of Lieutenant Colonel. He stated that they have purchased the sound system at Lee's Landing and will do the same at Tiki Lee's and will control the volume. He stated their plan is not play music past 10 o'clock, usually not past 9 o'clock. Ms. Upton stated they have met with DNR regarding replacing the bulkheads; they've met with the architect; their plan is to invest over \$2 million in the property and upgrades, but it's all conditioned upon the Liquor Board approval. Chairman Snelling asked if there was anyone present to speak for or against this license.

Dianna Battaglia, Director of Planning & Zoning, Town of Perryville, stated the Town of Perryville is very excited and looking forward to having a waterfront restaurant in town. They have our total support. She stated they did have a meeting with residents and most of the concerns were parking and noise, there's plenty of parking. She stated Mr. Craven was very receptive at the meeting and handed out business cards to the community.

John Buck, 134 Owens Landing; Mr. Buck stated he lives 14 mile down river; he's very familiar with the Pork Deposit operation. He stated sound travels on the river; there are three developments that will be impacted and noise is the most important concern. He reiterated the hours of operation with outdoor music from 1 PM – 9 PM; he stated Sunday is a day of rest, how can anyone rest when music is extremely loud. This will impact the pleasures of living on the river. He asked the Board to restrict the hours of live music. Mr. Paros stated Lee's Landing had its own sound system installed two Fridays ago; he, himself is in charge of that sound system. He stated if the Sheriff's Office came in and said the music is too loud, they would turn it down. He reviewed different levels in the room while everyone was talking. Mr. Wilson stated he's not sure the Board has the authority to regulate the hours of music, only the hours of the sale of alcohol. Mr. Buck interjected and said, Article 2B states the Board does have the authority to regulate noise.

With no further questions or comments, Chairman Snelling called for a motion; Commissioner Miller stated "Mr. Chairman, I make a motion that depending on all the approved paperwork, settlement, occupancy permits, approval by the town hall, planning and zoning, all the other permits are approved, we issue a Class "B" beer, wine and liquor alcoholic beverage license with a six month extension on the premise that within 30 days after opening, we reevaluate

your operation.” Commissioner Ortt seconded that motion and the Board unanimously approved the new license with the above conditions.

VIOLATION – SALES TO UNDERAGE PERSON

Class “A” BWL No. A-34 - Arthur D. Johnston, Member; Karnail Singh, Member; USA Liquors, LLC T/A Johnston's Discount Liquors, 1170 Rock Springs Road, Rising Sun, MD 21911 **(Official transcript available upon request and payment of fees)**

Karnail Singh appeared before the Board; he was duly sworn by the Clerk. Mr. Wilson stated the licensee agree to proceed on a Statement of Fact, in which Chief Bradford read his report into the record. Chairman Snelling stated the Board will make a decision and they would receive that decision by registered mail.

BOARD DECISION: Guilty, \$1,000 fine plus \$250 administrative fee for a total of \$1, 250.00.

General Business

- **Approve Minutes**
The minutes from the June and July meetings were approved
- **Specials**

Old Business

New Business

- **J&J Pho** requested a 90-day extension; Commissioner Miller made a motion to approve the 90-day extension; Commissioner Ortt seconded that motion and the Board unanimously approved the 90-day extension.

With no further business to discuss, Commission Ortt made a motion to adjourn the meeting; Commissioner Miller seconded that motion and the meeting was adjourned 10:47 AM.

BY:

Tim Snelling, Chairman

ATTEST:

Robin S. Trader, Administrative Assistant