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 26, 2019 at 9:15 A.M.

PRESENT:  Tim Snelling, Chairman  
Steven A. Miller, Commissioner  
Earl Bradford, Chief Alcoholic Beverage Inspector  
Jason Allison, Board Attorney  
Robin S. Trader, Administrative Assistant

Commissioner Ortt was excused.

Chairman Snelling called the meeting to order; he stated the Board has recently lost our attorney and friend, H. Norman Wilson, Jr and county attorney, Jason Allison has agreed to represent the Board. Chairman Snelling stated there is one member absent, however, there is a quorum, however, if anyone wishes to have a full Board they may postpone.

REQUEST FOR HARDSHIP EXTENSION/UPDATE
Class “B” BWL No. B-15 - James Vincent Bomba, President; Margaret Kathryn Bomba, Secretary/Treasurer; Vincent J. Bomba, Madison House, Inc. 2360 Pulaski Highway, North East, MD 21901

James Bomba appeared before the Board; he requested a 90-day extension. Commissioner Miller made a motion to grant a 90-day extension to the Madison House, Chairman Snelling seconded that motion and the Board unanimously approved the request for a 90-day extension.

LEASE MANAGEMENT AGREEMENT:
Class “B” BWL No. B-135 - Christopher D. Shelton, Licensee; Jake Ritter, Bay Crawlers, LLC, Lease Manager; T/A Captain Chris’s Crab Shack, 1717 Turkey Point Road, North East, MD 21901

– DID NOT APPEAR

REQUEST FOR OUTDOOR ENTERTAINMENT/CONCERNS:
Larry McElroy, President/CEO; James Gorman, Vice President; The Golden Mule LLC, T/A The Golden Mule, 1809 Conowingo Road, Rising Sun, MD 21911

Larry McElroy appeared before the Board; he was sworn by the Clerk.

The Board submitted as evidence several emails from the neighbors; Exhibit #1 – email from Wes Henderson dated 6/2; Exhibit #2 email from Jamie Rash dated 6/4; Exhibit #3 email from Jamie Rash dated 5/29; Exhibit #4 email from Jamie Rash dated 6/21; Exhibit #5 email from Denise Rash dated 6/25.

Denise Rash, Jamie Rash, Josh Rash and Melissa Hunter Rash each voiced their concerns about the noise emanating from the picnic tables. Denise Rash stated the neighborhood is a wooded,
quiet area, where she can sit outside and enjoy the birds and the quiet. She stated now she can hear people from the parking lot from her front porch and in the dark, it is scary, to hear people and not know how close they are and if they would do anything to her or her property.

Jamie Rash stated that as his mother stated, the music on that first weekend was really loud; he asked what the plan is for the dirt mounds, as they are an eyesore and there is no silt fence between the construction of the picnic area and their houses. He asked if they could move the porta pot closer to the building.

Josh Rash asked about safety and if they planned to put up lighting in the back lot; Jamie stated they have had issues with cars coming down their private lane. He stated they are having issues with trash blowing from the tables out back and asked that something be done about this.

Melissa Hunter Rash stated she has grown up in the public eye; her father has been a local businessman for many years. Her concern is that he blatantly disregard what the Board said, it was in the paper and she feels that because no neighbors were present at the last hearing, he did what he wanted. She continued that when her mother in law called and asked if you could turn down the music, you didn’t, you totally did not and you disregarded her and her right to live peacefully. She brought up the trees that are very sparse. She’s concerned with their safety; she said he needs to draw the lines between the bar and their community.

Mr. Allison stated this is what could comparatively described as a show cause type of hearing. We’ve heard from witnesses and we’ve taken testimony and evidence in the matter and moved it into the record. He summarized what was said and he believes the best course of action is for the parties to continue to take this proceeding and the communication that’s been facilitated and to build on that and address those issues informally. He stated that if any issues come up in the future and if there are any violations of alcoholic beverage laws that can’t be resolved, the Board is an available venue to try to resolve those issues.

**UPDATE:**

Class “B” BWL No. B-178 - 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 - **DID NOT APPEAR**

Class “B” BWL No. B-112 – Lyle DeShaw II and John Killian; Chappytes, LLC, T/A Granite Run Tap Room, 26 S. Main Street, Port Deposit, MD 21904

John Killian appeared before the Board on behalf of Chappytes LLC. Mrs. Trader stated the transfer was approved in April; generally approvals are good for 60 days, we have not received the bulk transfer permit and the applicants need to request an extension. Mr. Killian stated the new owner has been tied up working his regular job, as well as running the restaurant and this is being taken care of and would like to request a 30-day extension. Commissioner Miller made a motion to approve a 30-day extension; Chairman Snelling seconded that motion and the Board unanimously approved a 30-day extension for Chappytes. LLC.
APPLICATIONS
TRANSFER:
Application received from Yogesh Aahyabam Patel, Cecil County Resident; Ishan S. Patel, President/Treasurer; IK Liquors, Inc. T/A Cherry Hill Liquors, 42 Beauchamp Road, Elkton, MD 21921 for transfer of Class “A” Beer, Wine & Liquor Alcoholic Beverage License No. A-53 from Minai Sachin Patel; Dale Ray Frederick; Mayan, Inc. T/A Cherry Hill Liquors, 42 Beauchamp Road, Elkton, MD 21921

Yogesh Patel and Ishan Patel appeared before the Board with attorney Gary Brown; the applicants were duly sworn by the Clerk. Mr. Allison read the legal notice stating it was advertised on the dates of June 12 and 19, 2019. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 3; zoning certificate signed by Bryan Lightner, Zoning Administrator, Planning & Zoning Division, Cecil County Land Use & Development Services. Mr. Brown stated the applicants have completed alcohol awareness and they know to card anyone who appears to be under 27 and no sales to an intoxicated person. When asked they stated there will be no changes to the interior or exterior. Mrs. Trader stated the transfer is conditioned upon receiving the settlement sheet, as settlement has occurred, and receiving the bulk transfer permit. With no further questions, Commissioner Miller made a motion to approve the transfer conditioned upon receiving the settlement sheet and the bulk transfer permit; Chairman Snelling seconded that motion and the Board unanimously approved the transfer of the license conditioned upon receiving the settlement sheet and the bulk transfer permit.

CONCERNS:
Class “B” BWL – No. 139 - Raymond Walters, President; Valerie Walters, Vice President; Sara Cox, Board Member; Walt's Tavern, LLC, T/A Walt's Tavern, 301 Augustine Herman Highway, Southfield Park, Suite 103, Elkton, MD 21921

Mr. Allison stated this is a Show Cause type of hearing; Chairman Snelling stated this is not a violation hearing, we are just going to address some of the issues/complaints we’ve received. Jason Allison read several incident reports from Elkton Police into the record. Mr. Walters stated they open at 11 AM and the time determines what crowd they have; he stated he is very unhappy with Elkton Police as they haven’t really helped him in clearing the area or arresting anyone causing problems. He’s been told they cannot throw anyone off of the property, as it is private property. He stated “we do not serve anyone when they’re drunk, we are doing everything we can.” Chief Bradford cited several times he was present around closing time; he stated there were as many people outside as inside the building and they seem to just show up and sit by their vehicles watching what is going on around the establishment. There was a discussion about the picnic tables and Mr. Walters stated he will get rid of the picnic tables, in hopes that may solve some problems. Mr. Walters took many ideas from the Board and Chief Bradford and the Board gave him a very stern warning about cleaning up the premises and keeping incidents from happening after hours.
General Business

• **Approve Minutes**
  The minutes from the April 24, 2019 meeting were approved.

• **Specials**

Old Business

New Business

Chairman Snelling read a farewell statement as this would be his last meeting.

With no further business to discuss, Commission Miller made a motion to adjourn the meeting; Chairman Snelling seconded that motion and the meeting was adjourned.

BY:

________________________________________
Stephen Miller, Chairman

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ATTEST:
Robin S. Trader, Administrative Assistant