

**Queen Anne’s County
Board of License Commissioners
Minutes of Meeting**

**March 1, 2022
9:00 a.m.**

The Board of License Commissioners of Queen Anne’s County met on Tuesday, March 1, 2022. The meeting was called to order by Chairman Gene M. Ransom, III, Esq. Those present were: Gene M. Ransom, III, Esq., Chairman; Thomas E. Beery, Vice Chairman; John T. McQueeney, Timothy G. Hibbard and Charles W. Ferrar, Members; Jeffrey E. Thompson, Esq., Attorney for the Board; Mandy Calvert, Liquor Inspector; Cathy Maxwell, Clerk to the Board; Rob Tracey, Long Range Senior Planner; and Vivian Swinson, Zoning Administrator.

SPECIAL/TEMPORARY LICENSES:

The Board approved the following Special/Temporary Licenses:
Kent Island Vol. Fire Dept. – Date of event – April 2 – Sportsmans Bash
Sudlersville Vol. Fire Co. – Date of event – May 21 – Ale & Artisan Festival

APPROVAL OF MINUTES AND REPORTS:

The Board approved the February 1, 2022 Minutes and February, 2022 Liquor Inspector’s Report

LIQUOR INSPECTOR:

Ms. Calvert said she conducted 10 compliance checks for the month of February and all businesses passed.

PUBLIC HEARING:

The Board held a public hearing to receive comments on House Bill 506/Senate Bill 603 – Constitutional Amendment to allow Beer & Wine Licenses - Retail Grocery Establishments. Mr. Warren Wright, Drug Free Coalition, appeared before the Board. He prepared two letters opposing these Bills. Mr. Ransom said these letters will be made a part of the record. Mr. Wright will forward his letters to the appropriate parties. No one else appeared in favor or opposition to these two proposed Bills. Mr. Rob Tracey appeared before the Board. He prepared two letters of opposition to these two Bills for the Board’s signature. A motion was

made by Mr. Beery, seconded by Mr. Ferrar, to sign the two letters presented by Mr. Tracey. All members voted in favor. A motion was made by Mr. Beery, seconded by Mr. McQueeney, to oppose any other attempts to allow chain stores to obtain an exemption. All members voted in favor.

TEMPORARY EXPANSION REQUEST:

Ms. Paige Barton Evans, Licensee for Draper Brothers, 2615 Centreville Rd., Centreville, MD appeared before the Board. Mr. Thompson administered the oath to all who were to testify. Ms. Evans submitted pictures for the Board's review showing the stock in the back room of her store. The trailer located on the property is full. She requested to be allowed to rent a box truck for 2-3 days, move all the stock from the back room to the truck, which would be locked and secured. She would then be able to put in shelves and reorganize that back room and then put the stock back. She said it has just been an accumulation of boxes, etc. over the years. She said the Health Dept. is requiring her to install a 3-compartment sink because of sub sales so this will require items to be moved somewhere and there is no room. She said she hopes to complete this job over a weekend once she arranges for the truck, etc. A motion was made by Mr. McQueeney, seconded by Mr. Hibbard, to grant Ms. Evans six months from this date to complete this. All members voted in favor. Ms. Evans also said she has had a lot of requests for alcohol delivery for weddings and other events. Mr. Thompson said Ms. Evans may apply for a delivery permit which is \$10 monthly and she must maintain a log as specified in the Board's Rules & Regulations. Mr. Beery advised Ms. Evans she cannot deliver alcohol to another licensed property. A motion was made by Mr. Beery, seconded by Mr. Hibbard, to approve a delivery permit for Draper Brothers. All members voted in favor.

ALCOHOL LICENSE EXTENSION REQUEST:

Ms. Christine Yeung appeared before the Board regarding Café Sado, 205 Tackle Circle, Chester, MD. 21619. Ms. Yeung's husband, Chiu Hung Wong (Tony), Licensee for Café Sado, passed away on December 20, 2021. Mr. Thompson administered the oath to all who were to testify. Mr. Thompson recused himself regarding this matter as he is handling the estate but said he will still give the Board background information. Ms. Yeong is the Personal Representative of the estate. She and her daughter are the heirs so Ms. Yeong will own the business. Ms. Yeong requests to be the license holder during the probate period. Mr. Ransom extended the Board's sympathy to Ms. Yeong. He said under the statute

Ms. Yeong has 18 months from the date of death to settle the matter. He advised her if she has any issues at the end of 18 months, to contact the Board. A motion was made by Mr. Hibbard, seconded by Mr. Ferrar, to name Ms. Yeong as the license holder as Personal Representative for 18 months as allowed by the statute. Mr. Ransom advised Ms. Yeong to complete and submit the renewal application for the coming year by April 1, 2022. She will be named on the license effective May 1, 2022. Mr. McQueeney reminded Ms. Yeong to work with her staff regarding sale to minors. Mr. Ransom said Café Sado had fines that were put in abeyance and this remains in effect.

REVIEW FOR ADVERTISING:

The Board reviewed an application for the transfer of a Class “B” Beer, Wine & Liquor License from Deidre Wilson (Personal Representative) to Robin M. Casey, for the Benefit of Chesapeake Bay Beach Club, LLC, trading a Chesapeake Bay Beach Club, permitting the sale of the aforesaid beverages on the premises located at 500 Marina Club Rd., Stevensville, MD 21666. Mr. Ransom asked if anyone present had an objection to the Board voting to extend the current estate license to April 5, 2022. No one objected. A motion was made by Mr. Beery, seconded by Mr. Hibbard, to extend the current estate license for Ms. Wilson to April 5 2022, the next scheduled Board meeting. All members voted in favor. Mr. Don Reedy, Esq. appeared before the Board. Mr. Thompson reviewed the submitted paperwork. He asked Mr. Reedy who is Chesapeake Lodge LLC. Mr. Reedy said the original LLC was formed as Chesapeake Lodge and was later changed to Chesapeake Bay Beach Club, LLC. Mr. Thompson said there was no document in the file authorizing Ms. Casey to be the applicant and hold the license. Mr. Reedy said Ms. Deidre Wilson is the majority owner of the entire company and she signed the application. Mr. Thompson said the Board needs Minutes from the Company authorizing Ms. Casey to be the license holder on behalf of the company. Ms. Deidre Wilson is the current license holder for the Inn At the Chesapeake Bay Beach Club and she cannot be on both licenses. Mr. Reedy said he will follow up on this. A public hearing will be held on this application on April 5, 2022.

BOAT SHOW AT HEMINGWAYS RESTAURANT:

Mr. Don Reedy and Mr. Bill Redmond appeared before the Board with questions about an upcoming boat show April 21-24, 2022. Mr. Reedy said the Beach Club is the new management entity for the Bay Bridge Marina Waterfront Restaurant

(Hemingways) which has its own liquor license (B/D). Mr. Redmond is the food and beverage manager at the Beach Club. He said they plan to have two beer and beverage stations available for the boat show working in conjunction with their distributors. Mr Reedy said the boat show contracts with the Bay Bridge Marina to hold the event there. Mr. Thompson said the boat show is not on the licensed premises but on the same piece of property. Mr. Ransom said there are different ways to do this. They could put the stations on the licensed premises and use their current license or have a non-profit apply for a special/temporary license if it was not on the licensed premises. They could also request a temporary expansion. Mr. Thompson said the Board needs a plat showing the existing licensed premises and the expansion of that license for the boat show. This will be placed on the April 5, 2022 Agenda.

REVIEW FOR ADVERTISING:

The Board reviewed an application for the transfer of a Class “B” Beer, Wine & Liquor License from Emily Shepherd to Roger L’Heureux, for the Benefit of Joshua’s Centreville, LLC, trading as the Station Steak & Grille, permitting the sale of the aforesaid beverages on the premises located at 420 Pennsylvania Ave., Centreville, MD 21617. Mr. L’Heureux appeared before the Board. He said he will be forfeiting the alcohol license for BBQ Bueno at 420 Pennsylvania Ave. and transferring the license for Station Steak and Grille to him. Mr. Thompson said since both establishments are at the same location, this would also be an expansion of the remaining business (Station Steak & Grille). Mr. Ransom said at the April 5, 2022 meeting, Mr. L’Heureux can simultaneously forfeit the BBQ Bueno license (beer only) and transfer and expand Station Steak & Grille (beer/wine/liquor). Mr. L’Heureux said he is the only partner of Joshua’s Centreville, LLC. Mr. Thompson said the Board needs the organizational documents for the LLC and documentation showing that Mr. L’Heureux is the 100% owner of the surviving LLC. Mr. Thompson said the lease must be amended also. These documents should be submitted to the Board’s Clerk by this Friday. Mr. L’Heureux will not be required to get another background check as he is currently a licensee. A public hearing will be held on this application on April 5, 2022.

The Board reviewed an application for a new Class “B” Beer, Wine & Liquor License for Richard L. Cooper, for the Benefit of ESHG Kent Island, LLC, trading as Cooper’s Tavern, permitting the sale of the aforesaid beverages on the premises

located at 105 Shopping Center Dr., Stevensville, MD 21666. Richard Cooper and his Attorney, Joseph McQueeney, appeared before the Board. Member John McQueeney recused himself as he is the father of Joseph McQueeney. Mr. Cooper said he plans to move to a space in the Kent Island Shopping Plaza, next to the Trailer Parts store. He currently has a location in Edgewater, MD. He has been there for four years. He is a Queen Anne's Co. resident so he wanted to bring his business here. Mr. McQueeney said Mr. Cooper owns 10% interest in the company but he has a Resolution drafted appointing him as the authorized member. Mr. Thompson said the Board will need documentation that Mr. Cooper owns at least 15% and an authorization. Mr. McQueeney said he was not sure if they would have an executed lease prior to the public hearing. Mr. Thompson said all other documents were in order. A public hearing will be held on this application on April 5, 2022.

PUBLIC HEARINGS:

The Board held a public hearing for the transfer, including expansion of premises, of a Class "D" Beer, Wine & Liquor license, from Walter E. Thompson, Jr. to Christopher Sims and Steven McD. Smith, for the Benefit of MHI Hotel Services, LLC, trading as Hilton Garden Inn Kent Island, permitting the sale of the aforesaid beverages on the premises located at 3206 Main St., Grasonville, MD 21638. Mr. Thompson administered the oath to all who were to testify. Mr. Steven Smith and his Attorney, Sara Arthur, Esq. appeared before the Board. Ms. Arthur said the other applicant, Christopher Sims, is not present today but is available by phone or facetime. She said Mr. Smith is the primary person involved in the operation of the hotel and can speak to all the relevant information. She said both applicants were fingerprinted at Lives Scan in Annapolis but they said they had no way of transferring the information to this Board. Mr. Smith and Mr. Sims will go to the local Sheriff's office to have them re-done. Ms. Arthur said Mr. Smith and Mr. Sims hold other licenses and they have previously passed background checks. Mr. Thompson said the Board can proceed with the hearing and make a clear background check a condition before a license is issued. There are still other documents that have not been submitted. Ms. Arthur said they have applied for the MD Sales & Use Tax License but it has not been received. She said the two key elements are whether or not Mr. Smith and Mr. Sims are fit and proper persons and there is also an expansion area proposed. This is a Class "D" beer, wine & liquor license that goes back to 2005. Mr. Walter Thompson was the individual licensee. In June 2020 Mr. Thompson retained MHI Hotel

Services to manage and ultimately purchase the Hotel. She said it did close in December 2021. There are other investors. MHI Hotel Services is the operator of the Hotel. Mr. Smith owns approx. 23% interest and Mr. Sims owns approx. 24% interest in MHI Hotel Services. The Hotel has a restaurant where they sell beer, wine & liquor. The general manager is Ms. Jackie Collins and she is Alcohol Awareness certified as well as the staff. Mr. Smith will take the class when available. Concerning the proposed expansion, Ms. Arthur said there is a small, low red brick wall with a landscaped area between it and the Hotel. She highlighted this area in orange on the plat submitted. This outside area will be mainly for lunch and breaks for the meeting room guests, not late night activity. Mr. Smith said his wife taught in Queen Anne's Co. for 30 years. He is now part owner of the Hotel and looks forward to spending more time here. He said MHI Hotel Services have been in business since 1957. He has been with MHI for 39 years and came on board as he was the food and beverage person. The company now manages 30 hotels in 12 states. He is a past Chairman of the Board of the Restaurant Assoc. of MD. He and his partners currently own 8 Ledo Pizza franchises. Mr. Smith holds beer & wine licenses for several of the Ledo's. He is very familiar with complying with alcohol regulations and State laws. It is his policy that all staff be alcohol awareness certified. Mr. Smith and Mr. Sims have been authorized to hold the alcohol license for MHI Hotel Services. Concerning the proposed expansion area, Ms. Arthur said after they get preliminary approval for this, the next step would be to go to the County Permit Office to make sure the improvements can be done. She said at that point they would be happy to come back to this Board with a drawing that would detail the information. Mr. Smith said Mr. Walter Thompson mainly did a breakfast menu and Mr. Smith wants to expand this. He said they have groups in the Hotel that utilize the meeting rooms and he wants to provide an attractive space outside the rooms that right now is landscaped. There is a patio when you come out from the Hotel lobby to the left where Mr. Thompson had 4-5 tables. This space measures 24/11 ft. It is an elevated area and there are stairs down to landscaping on the right and left before you come to the walkway. The area to the right of the lobby is where he plans to put two more tables for expanded seating for outdoor dining. Mr. Ransom suggested that the transfer be dealt with first. The submitted documents were entered as Applicant's Exhibit No. 1. Ms. Arthur said Mr. Sims is also on some of the current alcohol licenses held by Mr. Smith. Mr. Sims has been found to be a fit and proper person to hold those licenses. Mr. Ransom reviewed §4-210 of the Alcoholic Beverages Code, approval or denial of license. Mr. Smith said

he does not feel this license will have any negative effect on existing licenses in the area. There are no other hotels with restaurants in the area. There will be no adverse effect on the public health and welfare of the community. Mr. Smith and Mr. Sims have no interest in any other alcohol license in Queen Anne's Co. Concerning the authorization question that came up during last month's meeting, Mr. Thompson said there are several companies involved and the question was do the two applicants each own 15% beneficial interest in those companies and he feels they do. Documents still needed before the license can be issued are background checks for both applicants done by an appropriate agency with no violations; Trader's license; MD Sales & Use Tax Certificate; Comptroller's signoff on taxes; Fire Marshal inspection; Health Dept. certificate; and Bulk Transfer permit. Mr. Ransom said if the background checks have any violations, the transfer will not be approved without another hearing. A motion was made by Mr. Hibbard, seconded by Mr. Beery, to conditionally approve the transfer of the license pending receipt of the aforementioned documents. All members voted in favor. Concerning the proposed expansion, Ms. Vivian Swinson, Zoning Administrator, appeared before the Board. Ms. Arthur said no plans have been submitted to Planning & Zoning to date. Mr. Ransom explained the proposed outside expansion area to Ms. Swinson. She said she will coordinate with Ms. Maxwell prior to the license being issued to be sure all zoning compliances have been met. Mr. Ransom said when the Board approves an outside area, they are very strict about making sure that there is control to avoid underage sales. Ms. Swinson said there will be required landscape area so they may not be able to turn it into a patio area. Ms. Arthur said they were looking into ways of giving up other impervious area. Ms. Swinson said they will have to have changes to the approved site plan on file and they may be back to the Planning Commission for those changes. No one appeared in opposition to this application. A motion was made by Mr. Hibbard, seconded by Mr. Ferrar, to approve the expansion of the premise as described in the photos. In order for this to occur, the applicant must have approval from Planning & Zoning and all other appropriate State and Federal agencies. And they must submit a plat with the highlighted area to this Board consistent with what was presented today in the photos. All members voted in favor. Mr. Thompson said it is a raised area so it will probably be fenced in anyway. Ms. Arthur said to be clear, the transfer of the license, once the other required documents are submitted, will not include this additional expanded area until such time as the requirements of Planning & Zoning are met. The Board members agreed. If the required documents are not received prior to May 1,

2022, the renewal date for licenses, then Mr. Walt Thompson, current license holder, will have to renew the license so there will be no lapse.

The Board held a public hearing for a new Class "B" Beer, Wine & Liquor license for Justin Kiernan, for the Benefit of Dock House, LLC, trading as Dock House, permitting the sale of the aforesaid beverages on the premises located at 110 Piney Narrows Rd., Chester, MD 21619. Mr. Kiernan and Mr. Jody Schulz appeared before the Board. Mr. Thompson administered the oath to all who were to testify. The application and submitted documents were admitted as Applicant's Exhibit No. 1. Justin Kiernan appeared before the Board. Dock House will be a full-service seafood-oriented restaurant. He said this is needed in that area since Annie's is closing. Also the status of Red Eyes is not known at this time. Mr. Ransom reviewed the standards under §4-210 of the Alcoholic Beverages Code, approval or denial of license. Mr. Kiernan said we need another nice restaurant to accommodate Kent Narrows and the area is constantly growing. He does not feel this license will have an adverse effect on existing licenses in the area. There will be no negative effect on the community. There will be no live music. Mr. Schulz said the construction should be done by the end of April. He said they will not need this license before the normal renewal date of May 1. Mr. Schulz reviewed the submitted plat (entered as AE#2) and said the black line is the property line and the yellow is the licensed premises. There is an outside seating area which is shown on AE#2. Mr. Thompson said someone can apply for a license for a store that is not built yet. Mr. Schulz said one of the contingencies will be getting a certificate of occupancy from Planning & Zoning. No one appeared in opposition to this application. A motion was made by Mr. Hibbard, seconded by Mr. McQueeney, to approve this license, contingent upon receipt of the following documents: Trader's license, MD Sales Tax Certificate, sign off from Comptroller's Office, Fire Marshal approval, Health Dept. certificate, and the appropriate permits from Planning & Zoning. This approval is good from one year from this date and can be extended if necessary. All members voted in favor. Mr. Ransom said the applicant has met all the standards under §4-210 for approval of the license.

The Board held a public hearing for a new Class "B" Beer & Wine license for Berj Ghazarian and Roberto B. Romero, for the Benefit of Tamar & Tomas, Inc., trading as Bark Barbecue Café, permitting the sale of the aforesaid beverages on the premises located at 371 Log Canoe Circle, Stevensville, MD 21666. Mr. Ghazarian

and Mr. Romero appeared before the Board. Mr. Thompson administered the oath to all who were to testify. The application and submitted documents were admitted as Applicant's Exhibit No. 1. Bark BBQ opened in December 2021 and the response from the community has been very good. They plan to extend to evening and weekend hours and they feel a beer & wine license would accompany the BBQ and food that they serve. Mr. Ransom reviewed the standards under §4-210 of the Alcoholic Beverages Code, approval or denial of license. They are located in the Chesapeake Bay Business Park and there is not another business that serves lunch or dinner. There are no other licenses in the Business Park. They said there will be no negative effect on other license holders in the area. The food is traditional Texas style BBQ and there are no other businesses nearby that serve this type of food. There will be no negative effect on the community health, safety and welfare. Mr. Ghazarian is the sole stockholder and officer in the company. Mr. Thompson said each license holder must own at least 15% of the outstanding shares. Mr. Ghazarian said he was under the impression that one license holder had to be a resident of Queen Anne's Co. and that is why Mr. Romero was added as a licensee. Mr. Beery said Class "B" license holders do not have to be a resident of the County. Mr. Ghazarian asked if Mr. Romero can be removed from the application. Mr. Thompson said this application was advertised for both licensees but that should not be a problem. He said the Board will need a Resolution showing that Mr. Ghazarian is the only stockholder and officer. Mr. Ghazarian said he is alcohol awareness certified. Mr. Ransom said Ms. Swinson has advised that there is an active zoning violation on the property. Mr. Ghazarian said he was not aware of this. He said his general contractor has had conversations with the Fire Marshal. They have received approval for a covering that will be housing outdoor seating and a cover for the smokers and this could be the issue. The area where the outdoor seating will be is completely closed in with a front opening. Mr. Ghazarian said the plat submitted shows two parking spots highlighted in yellow and that is the outdoor covering will be for the outdoor seating area. Mr. Thompson said there is a lease for the building but not parking spaces. Mr. Ransom said with these outstanding issues with the zoning violation, it may be best for this hearing to be continued until the April 5th meeting. Mr Ransom said the outstanding issues are the outstanding zoning violation, the lease, parking space issue, lack of minutes and corporate resolution, alcohol awareness certificate, Fire Marshal approval, background check for the applicant and Trader's license. He said the Board cannot contingently approve the license

without the background check and with a zoning violation. Regarding the lease and the parking spaces, Mr. Ghazarian said he owns the entire building under another entity so he owns the parking spaces under Log Canoe Circle LLC. A motion was made by Mr. Hibbard, seconded by Mr. McQueeney, to continue this hearing until April 5, 2022. All members voted in favor.

DRUG FREE COALITION:

Mr. Warren Wright appeared before the Board. He commended the Board for doing compliance checks. He is now working on tobacco compliance. He has arranged through the Sheriff's Office and Health Dept. updates of all officers on things related to tobacco products. There is a separate in service for the policemen being scheduled to discuss the cannabis related materials that are already sold in Queen Anne's Co. Information will be put in the newspaper. Hemp pens and CBD that are sold in three places in the County are not regulated. Mr. Wright said any age can buy these. He hopes there will be a bill soon that will regulate this. Mr. Ransom said vape pens are regulated by the FDA. The oils you put in them are not regulated if they are CBD based. Mr. Wright described to the Board some of the items that are available for sale, such as Kratom which is a tree native to Southeast Asia with leaves that contain a psycho active mind-altering opioid compound and is sold in Queen Anne's Co. Any age can buy this product. Mr. Wright said the "A-Squad" has started again this year who is Commissioner Jim Moran, the Sheriff and State's Attorney. They go to each of the middle schools and discuss alcohol related subjects.

ROUNDTABLE:

Ms. Calvert had indicated that some businesses are having difficulty getting certain products delivered to their store. Mr. Beery said MALA said that a lot of counties are having this problem. Some businesses are getting invoiced but never receive the product.

The Board discussed 2022 renewal applications. Ms. Maxwell sent 93 renewal applications out last week. There is a backup in the process between Annapolis and the Clerk's Office at the Court House regarding the 2022 Trader's license. The licensees must have their Trader's license when they pay for the liquor license. This could possibly be resolved by the May 1st deadline. Mr. Ransom suggested that as long as their 2021 Trader's license is on file, this will not hold up the

process. The Board agreed that the renewal licenses will be released without the 2022 Trader's license if necessary. Hopefully this will be resolved before May 1st.

There being no further business, the meeting was adjourned to meet again on Tuesday, April 5, 2022.

Respectfully Submitted,

Cathy Maxwell
Clerk

/s/ Gene M. Ransom, III, Esq.
Chairman