

**QUEEN ANNE’S COUNTY BOARD OF LICENSE COMMISSIONERS
TUESDAY, APRIL 5, 2022
9:00 A.M.**

The Board of License Commissioners of Queen Anne’s County met on Tuesday, April 5, 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; and Vivian Swinson, Zoning Administrator.

SPECIAL/TEMPORARY LICENSES:

The Board approved the following Special/Temporary Licenses:

Goodwill Vol. Fire Dept. – Date of event – April 30

Back Creek Yacht Club – Date of event – May 7

Talisman Therapeutic Riding – Date of event – May 7

Jeff Davis Post 18 American Legion – Date of event – May 15

APPROVAL OF MINUTES AND REPORTS:

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

LIQUOR INSPECTOR:

Ms. Calvert said her inspections have been going well. She plans to do compliance checks in the near future.

REVIEW FOR ADVERTISING:

The Board reviewed an application for advertising a new Class “A” Beer, Wine & Liquor License for Richard C. Boulay, Jr. and Richard C. Boulay, Sr. for the Benefit of Cedar Point, LLC, trading as Cedar Point, LLC, permitting the sale of the aforesaid beverages on the premises located at 3420 Main St., Grasonville, MD 21638. Richard Boulay, Sr. and Jr. appeared before the Board. Mr. Thompson said the documents filed are in order. He said the application states that the lower portion of the building is a reception area, 23’ x 34’, that they would like to offer beer, bait and ice to their marina patrons. This area is highlighted in green on the submitted licensed premises plat. The Boulays recently purchased Cedar Point Marina and are in the process of trying to upgrade the facility. A public hearing will be held on this application on Tuesday, May 10, 2022.

The Board reviewed an application for advertising the transfer of a Class “B” Beer and Wine License from Michael B. Collinson and Stephen L. Beall, to Jonathan Carrion, for the Benefit of GCB Partners, LLC, trading as Ledo Pizza, permitting the sale of the aforesaid beverages on the premises located at 110 Kent Landing, Stevensville, MD 21666. Mr. Carrion appeared before the Board. Mr. Thompson asked if there is a Resolution authorizing Mr. Carrion to hold the license. Mr. Carrion said he will provide this prior to the public hearing. Mr. Thompson said all

other documents are in order. Mr. Ransom said this Board has never had a complaint about Ledo Pizza. A public hearing will be held on this application on Tuesday, May 10, 2022.

The Board reviewed an application for advertising a new Class "B" Beer, Wine & Liquor License for Andrew DePaola II, for the Benefit of DePaola Food Group, LLC, trading as DePaola's Bagels and Brunch, permitting the sale of the aforesaid beverages on the premises located at 1227 Shopping Center Rd., Unit 4, Stevensville, MD 21666. Mr. DePaola appeared before the Board. He wants to have a bagel shop for breakfast and lunch. He would like to serve breakfast cocktails. The location is at the shopping center in the old El Jefe location. Mr. Thompson asked if the landowner has a financial interest in the business and Mr. DePaola said, no. Mr. Thompson said there was no operating agreement filed and it is not legally required. Mr. DePaola said he does, in fact, have an operating agreement and he submitted it to the Board. Mr. Thompson said all other documents are in order. A public hearing will be held on this application on Tuesday, May 10, 2022. Mr. DePaola asked if the hearing could be in June if necessary. He will advise if he wants to change the date.

PUBLIC HEARINGS:

The Board continued a public hearing for transfer of location for a Class "A" Beer, Wine & Liquor License for Adarshdeep Khalar, for the Benefit of Hillside Liquors and Deli, LLC, trading as Hillside Liquors and Deli, permitting the sale of the aforementioned beverages to be transferred from 2640 Centreville RD, Centreville, MD 21617 to 425 S. Commerce St., Centreville, MD 21617. Mr. Khalar, Licensee, and Mr. Greg Torchio, Architect, appeared before the Board. Mr. Thompson administered the oath to all who were to testify. No one else appeared in favor or opposition to the granting of this application. At the original public hearing on February 2, 2022 it was determined that the Board needed plans and specs of what is being proposed. That hearing was continued at the request of the applicant. Mr. Khalar submitted a 2-page general drawing of the proposed property which was designed by Mr. Torchio. This drawing was submitted as "Applicant's Exhibit No. AA". The first floor is commercial and the second floor is for affordable housing which is a different situation. Mr. Khalar said he has increased the size of storage which was his biggest concern. He opened up the flooring and the coolers to prevent clustering so it is a safer environment for clientele and there is more storage area. Mr. Torchio said the total square footage of the footprint is 6,300 sq. ft. which includes the two stairways. The actual liquor store is 6,048 sq. ft. The second page of the drawing shows where the alcohol will be located. The licensed premises will be the four square corners on the bottom floor. The second floor will be apartments. Mr. Khalar said he has contacted the Town of Centreville since the proposed building is within the Town limits. Mr. Thompson said it appears there is a 100 ft. stream buffer running through the building and parking lot. Mr. Torchio said they had to go through full engineering and site plan approval so the owners can know they can have a liquor license there. He said this building is basically on the same footprint of the previous building. He has had two site plans approved for that same site. The State took the front part of the property and part of the bridgework so this has moved the building back. Mr. Torchio said there may be an issue with the buffer on this site. He said the lines on the site plan show the critical area buffer line. Mr. Ransom suggested this

application could be approved, contingent on approval of Town of Centreville Planning & Zoning and all other appropriate zoning and government agencies. Mr. Ransom said Mr. Khalar's existing license is in compliance and he simply wants to move their location down the street. Mr. Ransom added that these approvals do not last forever and if Critical Area has any problems, Mr. Khalar could be back before the Board. Mr. Thompson said Mr. Khalar will need longer than 6 months to complete this project. He suggested that the Board give Mr. Khalar tentative approval for one year. Mr. Ransom said this application has been on the Agenda several times with no one objecting. Also Mr. Khalar has met all the conditions under §4-210 of the Alcoholic Beverages Code, approval or denial of license. A motion was made by Mr. McQueeney, seconded by Mr. Ferrar, to approve this license, contingently for one year from this date, based on the plans and specs entered today, and also contingent on approval of the Town of Centreville Planning & Zoning and all other appropriate zoning and government agencies, including, but not limited to, the Critical Area Commission. Mr. Khalar also needs to meet with Ms. Calvert. All members voted in favor.

The Board continued a hearing for a new Class "B" Beer & Wine license for Berj Ghazarian 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. The applicant, Berj Ghazarian, was not present. Mr. John Prisbe, Esq. from Venable LLC, and Mr. Boris Ghazarian, father of Mr. Berj Ghazarian, appeared before the Board in his absence. Mr. Prisbe said Ms. Swinson, Zoning Administrator, and the Fire Marshal have agreed to only allow the licensed premises to include the existing restaurant, no outside seating. Ms. Swinson appeared before the Board and said this is correct, they can use the existing building and no expansion outside until the canopy is approved. Mr. Prisbe said there were combustible elements in the canopy. Mr. Ransom said the applicants met the requirements of §4-210 at the last hearing. He said they will have to come back to the Board if they work out the problems with the Fire Marshal and want to expand to the outside. Mr. Ransom asked if they wish to have the license issued effective today or May 1. Mr. Prisbe said he believes their preference is to have it issued today. They would therefore have to pay \$250 from now until May 1 and then the annual fee at that time. A motion was made by Mr. Beery, seconded by Mr. Hibbard, to approve this application as amended. All members voted in favor.

The Board continued a 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. Steven McD. Smith appeared before the Board. Mr. Ransom said the reason this hearing was continued was the Board previously approved this license contingently, even though Mr. Sims was not in attendance. He said Mr. Smith and his Attorney, Ms. Sara Arthur, Esq. proffered at the March 1, 2022 hearing that there were no violations on the background checks when actually there was a violation regarding Mr. Smith. Mr. Ransom said he is concerned that Mr. Sims is again not in attendance today. Also he recalls that Ms. Arthur said she had seen a background check for Mr. Smith and there was nothing on it. Mr.

Ransom said what is on the background check is minor but that is not the point. Mr. Smith said Mr. Sims is not in attendance today because he felt the subject was Mr. Smith's background check and he did not need to attend. Mr. Ransom said the application is still incomplete and Mr. Smith may want to continue this hearing again so that his Counsel and Mr. Sims can be present. Or the Board can move this application to the end of today's meeting and Mr. Smith can try to contact his Attorney for advice. It was agreed that this matter will be continued at the end of today's Agenda.

The Board held a hearing 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. Don Reedy and Ms. Robin Casey appeared before the Board. Mr. Thompson administered the oath to all who were to testify. No one else appeared in favor or opposition to the granting of this application. The Board had previously approved Ms. Deidre Wilson as Personal Representative of her husband's estate until April 1, 2022. Mr. Reedy said Ms. Casey is requesting to have the license transferred from Ms. Wilson. Ms. Casey and her husband have been with the Beach Club since the beginning. She has 17.5% ownership. Mr. Ransom entered the application and all relevant documents as Applicant's Exhibit No. 1. Mr. Ransom reviewed §4-210 of the Alcoholic Beverages Code, approval or denial of license. Ms. Casey said a primary part of the business is weddings which makes it unique. There are no other similar events nearby. This is a transfer of an existing license so this will have no negative effect on current licenses in the area. There will be no negative effect on the health, safety and welfare of the community. The Beach Club has been there for approx. 22 years. There has never been a violation. Mr. Thompson said a bulk transfer permit is not necessary in this case because the company is not changing. A motion was made by Mr. Beery, seconded by Mr. Hibbard, to approve the transfer of this license, contingent upon receiving final Fire Marshal approval. All members voted in favor. The license will be transferred immediately to Ms. Casey's name.

TEMPORARY EXPANSION OF PREMISES:

Mr. Don Reedy appeared before the Board regarding the Bay Bridge Boat Show at Hemingways Restaurant on April 21-24, 2022. Mr. Reedy submitted a yellow highlighted plat showing the location of the Boat Show. He said the current premises includes Hemingways Restaurant plus the pool bar that is in the middle of the marina buildings. This request is for a temporary expansion to allow the beer trucks to park in those designated areas. Mr. Reedy requested that the expansion request go from April 20 (day before the Boat Show) until April 25 (day after the Boat Show). They will use wrist bands for people over 21. A motion was made by Mr. Beery, seconded by Mr. Hibbard, to approve the expansion request. All members voted in favor.

PUBLIC HEARINGS CONTINUED:

The Board continued a hearing for the transfer and expansion of premises 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. Ms. Shepherd and Mr. L'Heureux appeared before the Board. Mr. Thompson administered the oath to all who were to testify. No one else appeared in favor or opposition to the granting of this application. The hearing was continued because there are currently two licenses on the premises: Station Steak & Grille and BBQ Bueno. The final outcome will be one entity, Joshua's Centreville, LLC, who will hold the license for the two locations and it will be treated as one license. Mr. L'Heureux said the two businesses are Station Steak and Grille and BBQ Bueno. Mr. L'Heureux is the current license holder for BBQ Bueno. SRR Holdings, LLC will be eliminated and Joshua's Centreville, LLC will have Station Steak & Grille and BBQ Bueno as the two trade names. Mr. Thompson said necessary documents are still missing. Mr. L'Heureux said he is the 100% owner of Joshua's Centreville, LLC. Ms. Shepherd does not have any remaining interest in that company. Mr. Thompson said an Operating Agreement showing that Mr. L'Heureux is 100% owner should be in the file. He said the Operating Agreement in the file lists Sheri Hamberger, Edward Turk and Emily Shepherd. Mr. L'Heureux said they have all transferred their interest over to him. Mr. Thompson said a bulk transfer permit is also needed. A motion was made by Mr. McQueeney, seconded by Mr. Hibbard, to approve the transfer of the license, plus expansion of premises, contingent upon receipt of the following: Operating Agreement showing that Mr. L'Heureux is 100% owner; completing the application so that the LLC is consistent with his testimony and listing both trade names; release from the Comptroller's Office on taxes; and a Bulk Transfer Permit. Mr. Ransom said the Board has found that the applicant meets all the standards of § 4-210 of the Alcoholic Beverages Code, approval or denial of license. All members voted in favor.

The Board held a hearing 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 1203 Shopping Center Dr., Stevensville, MD 21666. Mr. Richard Cooper and his Attorney, Joseph McQueeney, Esq., appeared before the Board. Member John McQueeney recused himself from participating in this hearing as he is the father of Joseph McQueeney, Esq. Mr. Thompson administered the oath to all who were to testify. No one else appeared in favor or opposition to the granting of this application. All submitted documents were entered into the record as Applicant's Exhibit "1". Mr. McQueeney said there is an unexecuted commercial lease. Mr. Cooper was hoping to have approval from this Board before he signs the lease. The improvements to the building are not quite finished yet. Mr. McQueeney said the landlord is fully behind the issuance of this license and signed the application for this license. Mr. Thompson said there is an Amended and Restated Operating Agreement which shows that Mr. Cooper now owns 15% of the company. Mr. Cooper said he has been in operation in Anne Arundel Co. for approx. 4 years. His stepson runs that operation on a daily basis. He will be selling approx. 75% food and 25% alcohol at this new location. It will be a family style tavern. Mr. Cooper has never had any violations. Mr. McQueeney reviewed § 4-210 of the Alcoholic Beverages Code, approval or denial of license. Mr. Cooper believes there is a public need for this license. It is American cuisine which is unique from the other restaurants in the immediate area. He does not feel this license will have any negative impact on existing licenses in the area. He hopes to support other businesses in the area. He

will not have any live music. There will be no negative impact on the health, safety or welfare of the community. He will have adequate seating with no outdoor seating. There is adequate parking. Mr. Cooper is Alcohol Awareness certified. A motion was made by Mr. Beery, seconded by Mr. Hibbard, to approve this license, contingent on receiving a signed lease, Fire Marshal approval, Health Dept. approval and Planning & Zoning approval. With a vote of four in favor, none opposed and Member McQueeney recused, the motion passed.

DRUG FREE COALITION:

Mr. Warren Wright from the Drug Free Coalition had no additional comments.

VOTE ON 2022 LICENSE RENEWAL APPLICATIONS AND DELIVERY PERMITS:

The Board discussed the 2022 renewal applications and delivery permits. Member Chuck Ferrar recused himself from this discussion. A motion was made by Mr. Hibbard, seconded by Mr. McQueeney, to approve 2022 delivery permits for the following establishments: Bakers Liquors, Bay Ridge Wine & Spirits, Draper Bros., Go Mart, L&L Liquors, and The Winery. With a vote of four in favor, none opposed and Member Charles Ferrar recused, the motion passed. Ms. Calvert will follow up with these businesses to be sure they understand the rules for delivery.

Concerning the 2022 renewal applications. All received applications are in order. No one has requested a hearing before this Board regarding any application. A motion was made by Mr. McQueeney, seconded by Mr. Hibbard, to approve the received renewal applications. With a vote of four in favor, none opposed and Member Ferrar recused, the motion passed. Regarding late applications, there are two applications that have not been submitted to date, that being Big Bats Café and Bull & Goat Brewery. One application was submitted but not signed and notarized by the property owner, that being Cult Classic Brewing. Ms. Maxwell has been in regular contact with the licensees. Some did not receive their renewal applications in the mail due to the ongoing mail backup. The applications were mailed on 2/25/22. Mr. Thompson said the Alcoholic Beverages Code states all applications shall be filed between March 2nd and April 1st of each year and the licensees are aware of this. Mr. Ransom said he feels the Board could give these businesses some latitude by a few days. A motion was made by Mr. McQueeney, seconded by Mr. Beery, to approve the renewal application for Cult Classic Brewing, contingent upon them having a notarized signature by the property owner by May 1, 2022. With a vote of four in favor, none opposed and Member Ferrar recused, the motion passed. Ms. Maxwell was advised that the application for Big Bats Café should be submitted today and Bull & Goat Brewery should be submitted this week. Mr. Thompson said the licensees need to understand that they need to file the application on time. Under the law a late application results in the filing of a complete new application. Or the Board could extend the time period to file their application to May 1, 2022 and their application would then be voted on at the next monthly meeting on May 10, 2022 which means they would lose their license for 10 days. Or the Board could advise them they need to file a new application and they could have a hearing on May 10, 2022. A motion was made by Mr. McQueeney, seconded by Mr. Hibbard, to extend the application filing date under § 4-408 of the Alcoholic Beverages Code until Friday, April 8, 2022.

With a vote of four in favor, none opposed and Member Ferrar recused, the motion passed. During the meeting the renewal application for Big Bats Café was delivered to the Board. Mr. Ransom suggested that this discussion be tabled until later in this meeting so that this application may be reviewed.

ROUNDTABLE:

The Board discussed Kent Island Yacht Club and a question about a caterer. Mr. Jeff Smith, Commodore of the Yacht Club, and Mr. Herry Binnendijk, Rear Commodore, appeared before the Board. Mr. Ransom said someone had previously notified this Board that alcohol was going outside of the licensed premises. The caterer was using their license and the Yacht Club was using their license. Mr. Ransom said you can only have one license for one covered area. He said the compromise was that the Yacht Club would purchase the alcohol for the events and the caterer would serve the alcohol so there would only be one license on the premises and that would be the Yacht Club's. Mr. Thompson said the Yacht Club can have a caterer on the property but the Yacht Club is selling alcohol to the patrons who are consuming it, not the caterer. The caterer is acting in capacity of bartender. Mr. Thompson said this Board is not concerned what the business arrangement is, that is between the Yacht Club and the caterer. Mr. Ransom said the Yacht Club does great things for the community and it is appreciated.

PUBLIC HEARING CONTINUED:

The Board resumed the hearing on Hilton Garden Inn Kent Island. Mr. Christopher Sims, Applicant, and Sara Arthur, Esq. were now present. Mr. Thompson administered the oath to all who were to testify. Mr. Ransom said at the last hearing Ms. Arthur proffered that she had seen a background check and there was nothing on it when actually there was a charge. Ms. Arthur apologized and thanked the Board for continuing the hearing. She said she stated she had seen a copy of the receipt for the background check and she stated they had both previously had background checks done for their other liquor licenses. Ms. Sims and Mr. Smith had previously been approved for liquor licenses and had to have background checks done in conjunction with that. As a result she assumed it would be clear. She said when she and Mr. Smith left the last meeting, Mr. Smith advised her he had been charged previously 40 years ago. Mr. Smith immediately went to the local Sheriff's Office and had another background check done. At the location he previously had it done was not forwarding the results to the Liquor Board's office. Ms. Arthur said she assumed only Mr. Smith needed to attend today to explain the violation. Mr. Ransom said he feels Ms. Arthur has offered a reasonable explanation and the violation was minor. Ms. Arthur said also that she would not have received the background check prior to the Liquor Board's office receiving it. Mr. Smith only received his copy a week ago. Concerning the 2022 renewal license, Mr. Walt Thompson's current license is effective until 4/30/22. The transfer will then be effective May 1, 2022, pending Fire Marshal approval.

2022 RENEWAL APPLICATIONS CONTINUED:

The Board discussed the 2022 renewal application for Big Bats Café which was in order. A motion was made by Mr. Hibbard, seconded by Mr. McQueeney, to approve the application. With a vote of four in favor, none opposed and Member Ferrar recused, the motion passed.

Concerning Bull & Goat Brewery, a motion was made by Mr. Ransom, seconded by Mr. Hibbard, to give Ms. Maxwell the authority to approve Bull & Goat’s renewal application as long as it is received and in order by this Friday, April 8, 2022. With a vote of four in favor, none opposed and Member Ferrar recused, the motion passed.

ROUNDTABLE CONTINUED:

The Board discussed changes in the monthly meeting dates for 2022 due to conflicts with the meeting room because of the 2022 Election. The following are now the dates for the monthly meetings: Tuesday, May 10, Tuesday, June 7, Tuesday, July 5, Tuesday, Aug. 2, Tuesday, Sept. 6, Friday, Oct. 7, Tuesday, November 22; and Tuesday, December 6.

The Board discussed an invitation received from Libbey’s Restaurant’s “soft opening”. Mr. Thompson said he just wanted to remind the Board that if they accept a gift of more than \$25, it must be disclosed with the Ethics Commission.

Mr. Beery said last year the Health Dept. provided the Board with funds to purchase booklets that had driver’s licenses for all 50 states that were given to all licensees. He said the Board may want to consider something similar to enable licensees to train their staff to identify people that are impaired, besides Alcohol Awareness training, to avoid over serving. Mr. Beery will work with Mr. Warren Wright, DFC, on this.

The Board discussed the dates for licensees to pick up their new 2022 licenses. The normal dates are between April 15 thru May 1. This year April 15 is a Holiday (Good Friday) and May 1 is a Sunday. The Board agreed to extend the date to May 2, 2022.

There being no further business, the meeting was adjourned to meet again on Tuesday, May 10, 2022.

Respectfully Submitted,

Cathy Maxwell
Clerk

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