

**May 28, 2024
9200 Basil Court
Largo, MD 20774
Virtual Hearing**

Present:

Oretha Bridgwaters-Simms, Chair
Armando Camacho, Vice Chair
Tammie Norman, Commissioner
Dennis Smith, Commissioner
Jason DeLoach, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Leonard Vauss, Deputy Chief Liquor Inspector
Christian Mendoza, Deputy Chief Liquor Inspector
Patricia Bell, Administrative Manager
Katrice James, Administrative Aide
Ariana Posada-Mejia, Administrative Aide
Alecia Hughes, Assistant to the Director

Start Time: 10:11 a.m.

Commissioner Bridgwaters-Simms: At the Board of License Commissioners, we endeavor to be as efficient as possible in our virtual environment. Thank you for your patience. This is a public meeting subject to the Maryland Open Meetings Act so a truthful, transparent, open, and honest dialogue and record is required. As such, there are some formalities that will take place that may appear redundant but nonetheless are important and required to ensure compliance with the law.

Director Sheppard: During a typical hearing, there would be an exchange between the Board and the attorneys to exchange information as exhibits. Because this hearing is now virtual, we have implemented a 10-day rule to give those individuals here today, 10-days from today's date to add to the official record. I would ask that you email myself or the administrative staff of the BOLC. You may add information to the record long as it is information that has been discussed in this hearing.

PRELIMINARY MATTERS

1. Substitution of Corporate Officers application, **t/a Rosa Mexicano**, Class B(BLX), Beer, Wine and Liquor, 154 Waterfront Street, Oxon Hill, 20745, Peter Katsihtis to serve as Authorized Person instead of Kevin M. Johnson, Authorized Person. Represented by **Linda Carter, Esquire.**

There will be no changes made to the application.

Mr. Katsihtis is familiar with the Board's Rules and Regulations and is Alcohol Awareness certified.

Ms. Carter asked the standard questions typically used to qualify the Substitution of Corporate Officers Application. Including what are the six acceptable forms of I.D.'s, and the legal age to purchase and sell alcohol. The applicant was able to answer each question.

Commissioner Camacho makes a motion to approve the SCO for t/a Rosa Mexicano, seconded by **Commissioner Norman.**

After Board vote, the motion carries.

2. Substitution of Corporate Officers application, **t/a Cambria Hotel at College Park**, Class B(BH), Beer, Wine and Liquor, 8321 Baltimore Avenue, College Park, 20740, George Korten to serve as Member/Authorized Person. Represented by **Linda Carter, Esquire.**

Mr. Korten has been in the restaurant business since 1985-1986. He owns six restaurants in New York and two in Arundel County all of which have never had any violations. The anticipated opening date will be at the end of August 2024. Mr. Korten is familiar with the Board's Rules and Regulations.

Ms. Carter asked the standard questions typically used to qualify the Substitution of Corporate Officers Application. Including what are the six acceptable forms of I.D.'s, and the legal age to purchase and sell alcohol. The applicant was able to answer each question.

Commissioner Camacho makes a motion to approve the SCO for t/a Cambria Hotel at College Park, seconded by **Commissioner Norman.**

After Board vote, the motion carries.

3. Substitution of Corporate Officers application, **t/a Marlboro Pike Restaurant and Liquors**, Class B+, Beer, Wine and Liquor, 5205 Marlboro Pike, Capitol Heights, 20743, Vendant H. Bhatt to serve as Member/Authorized Person instead of Ashminkumar Patel, Member. Represented by **Robert Kim, Esquire.**

Mr. Vendant is Alcohol Awareness certified and will serve Full-Time, holding 50% ownership at t/a Marlboro Pike Restaurant and Liquors.

Mr. Kim asked the standard questions typically used to qualify the Substitution of Corporate Officers Application. Including what are the six acceptable forms of I.D.'s, and the legal age to purchase and sell alcohol. The applicant was able to answer each question.

No changes will be made to the application.

Commissioner Camacho makes a motion to approve the SCO for t/a Cambria Hotel at College Park, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

Substitution of Corporate Officers applications for the University of Maryland and University of Maryland Golf Club are heard concurrently since the same individual is being replaced as the licensee. Vote was taken separately.

4. Substitution of Corporate Officers application, **t/a University of Maryland**, Class B(ECF/DS), Beer, Wine and Liquor, Room 1144 South Dining Hall, College Park, 20742, Christopher R. Moore, to serve as Sr. Associate Director instead of Joseph F. Mullineaux, Sr. Associate Director. Represented by **Linda Carter, Esquire**.

Mr. Mullineaux started as a server and reaching his way up to Director. Currently, there are more than 1,760 employees all of which are Alcohol Awareness certified and 10-11 trainers at any given time, Mr. Mullineaux has had no prior violations.

Mr. Mullineaux has trained **Mr. Moore** to tend to his duties as he will be retiring.

Mr. Moore has been in dining services for three years and at the University of Maryland for more than sixteen. He is familiar with the Board's Rules and Regulations. There is a policy in place known as the "No bite rule" in which, an employee failing to abide by the University's Rules and Regulations is terminated and referred to the conduct Board, leaving no margin for error.

Ms. Carter asked the standard questions typically used to qualify the Substitution of Corporate Officers Application. Including what are the six acceptable forms of I.D.'s, and the legal age to purchase and sell alcohol. The applicant was able to answer each question.

No changes will be made to the application.

Commissioner Camacho makes a motion to approve the SCO for t/a University of Maryland, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

5. Substitution of Corporate Officers application, **t/a University of Maryland Golf Club**, Class C, GCC, Beer, Wine, and Liquor, 3800 Golf Course Road, College Park, 20742, Christopher R. Moore, to serve as Sr. Associate Director instead of Joseph F. Mullineaux, Sr. Associate Director. Represented by **Linda Carter, Esquire**.

Commissioner Camacho makes a motion to approve the SCO for t/a University of Maryland Golf Club, seconded by **Commissioner Norman**.
After Board vote, the motion carries.

TRANSFER OF LOCATION

1. Ashuta Tandon, Member-Manager for a Class A, Beer, Wine and Liquor for the use of Collington Wine & Spirits, LLC, t/a **Collington Wine & Spirits**, 3400 Crain Highway, Bowie, 20716, transfer from Town Hall Wine & Spirits, LLC, t/a Town Hall Restaurant & Liquor, 8133 Baltimore Avenue, College Park, 20740, Ashuta Tandon, Member-Manager.

Applicant is represented by **Robert Kim, Esquire**.

Rip's Country Inn, Crescent Wine & Spirits, Bowie Liquors and T&T are in opposition of this application is represented by **Linda Carter, Esquire**.

Director Sheppard gave the rules of engagement.

Ms. Carter makes a continuing objecting for the record to the rules, as they were never told in advance that they would be limited to five witnesses.

Ms. Carter makes another continuing objection for the record to the rules as the time stipulations are unfair.

Continuing objection for the record to the rules by Ms. Carter.

Senator Watson (23rd Legislative District) testified in opposition of this application on behalf of his Legislative team, to include the Councilwoman of District 4, Ingrid Watson, Delegates Boafo, Taylor and Holmes.

A five-minute recess was held at 11:07 a.m. for Ms. Carter to arrange her witnesses.

The hearing resumed at 11:12 a.m.

Continuing objection for the record to the rules by Ms. Carter.

Chief Clark gave a maps presentation.

Mr. Kim asked Chief Clark for clarification on the types of licenses that were included in the map's presentation by the BOLC.

Mr. Kim states that he knows the Board is familiar with Town Hall Liquors and their attempts to relocate due to the development of the former Town Hall.

Ms. Tandon will still be on the application and will be the Licensee for t/a Collington Wine & Spirits. She will continue to be the sole licensee for t/a Town Hall Wine & Spirits LLC which has been a College Park institution for many years. She has been the licensee since 2016 and has owned and operated the business for eight years with no violations.

Mr. Kim asked the standard questions typically used to qualify for this type of license. Including what are the six acceptable forms of I.D., and the legal age to purchase and sell alcohol. The applicant was able to answer each question.

There will be no changes to the application filed with this Board.

Mr. Kim states there are no other Class A, BWL licenses within a one-mile radius.

Under the new statute you can relocate a Class A, BWL to an area where there is not a Class A, BWL license within a one-mile radius.

Ms. Carter cross examined Ms. Tandon.

Both attorneys asked for their exhibit books to be moved into evidence.

Mr. Watkins (Bowie resident) testified in opposition of this application.

Mr. Patel (Rip's Country Inn) testified in opposition of this application.

Mr. Arrington testified in opposition of this application.

Ms. Patel (Sunnybrook Tavern and Bowie Resident) testified in opposition of this application.

Mr. Kim cross examined each witness.

Mr. Reddi (Crescent Beer & Wine) testified in opposition of this application.

Mr. Colman (Rip's Country Inn) testified in opposition of this application.

Mr. Kim states Ms. Tandon wants to keep the business in line. The lawmakers enacted this law to be able to do this Transfer of Location. Ms. Tandon has been a proper operator with history of running a great establishment. Allowing the approval of this transfer, may encourage other stores within the area better.

Mr. Kim asked the Board to look at the demographic and visit studies. There are over three million visitors annually and three hundred thousand visitors monthly. I'm not sure if there are other stores within the County who bring in that kind of traffic in a shopping center. The location in which Ms. Tandon is attempting to relocate to is not near a residential property, church, or school.

Commissioner Norman asked for clarification on the reason for this transfer of location?

Mr. Kim states that the property in the College Park shopping center behind Town Hall was purchased by a student housing developer causing everything to have to be raised. Student housing buildings for University of Maryland, College Park are being built.

Commissioner Norman asked what is the estimated time for Ms. Tandon to relocate?

Mr. Kim explained that Ms. Tandon has been closed since the end of March 2024.

Ms. Carter stated it is her understanding Ms. Tandon voluntarily came to an agreement and sold her business to the developer. She also clarified that Special Sunday Sales permits that are a B+ license no longer require to have a kitchen. Rip's Country Inn could close its kitchen if there was a Class A license available to convert to, but they believe the restaurant and hotel continue to serve a unique need within the county. It feels as if they are being punished by letting another store come across the street from them while they continue to operate as a full service independently owned restaurant in Bowie, MD.

Ms. Carter asked the Board to look at the exhibit book. The Board should not grant the transfer of this license just because Rip's Country Inn is a B+ and there are no Class A licenses within a one-mile radius. It is not the standard.

Commissioner Camacho states the Board is going to invoke the ten-day rule to permit the parties to supplement the record with additional documentation and allow anyone from the public to submit written testimony in favor of or in opposition to this matter. A decision will be made after all documents are reviewed.

Mr. Kim states that a lease has already been signed with the landlord and asked the Board if after ten days, will a rendering decision and a new hearing be made?

Board Attorney Deloach clarifies that there will be no new hearing. Anyone from the public who didn't get a chance to testify can submit a letter or send an email to the Board. Ms. Carter can incorporate any arguments that the new information provides. Mr. Kim can provide a counterargument to the new information. If anything is needed from the Board stating that we are in the decision-making process, that can be provided to the landlord.

Mr. Kim states he will inform the landlord about the ten-day rule and that no firm decision has been made yet so that he can decide to deny or extend the lease.

Board Attorney Deloach states if any new information comes in on the tenth day of the ten-day rule, both Ms. Carter and Mr. Kim will have an additional seven days to respond.

2. Phani K. Damaraju, Member-Manager, Shweta Kansal, Member for a Class A, Beer, Wine and Liquor for the use of Cheers N Beer, LLC, **t/a Cheers N Beers**, 3500 East West Highway, #1433 Hyattsville, 20782, transfer from Town Center Wine and Spirits, LLC, t/a Town Center Wine and Spirits, 6401 America Blvd, Suite 100, Hyattsville, 20782, Phani K. Damaraju, Member, Shweta Kansal, Member. Represented by **Robert Kim, Esquire.**

Director Sheppard informed the Board Mr. Kim requested a continuance to the next hearing.

Adjourned: 12:29 p.m.

Respectfully Submitted,

Ariana Posada-Mejia
Administrative Aide BOLC