

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

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

The Board of License Commissioners of Queen Anne's County met on Tuesday, February 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; Crystal Richard, 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.

REVIEW FOR ADVERTISING:

The Board reviewed an application for the transfer 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. Sara Arthur, Esq. from Arthur Law Group, LLC in Annapolis, MD, Counsel for MHI Services LLC, appeared before the Board. Ms. Richard said the file is in order. The only difference in this application is the statute requires three members but it also treats LLC's as authorized persons. The applicant will need to provide a Resolution of Authorization. Ms. Arthur said she will provide this. Ms. Richard said normally the LLC has to have 15%. However, this LLC is made up of family limited partnerships and the way Ms. Arthur has treated it makes sense. The general partners in two of the family partnerships are the applicants. So they own 23%. The sheet Ms. Arthur provided (Attachment No. 1) states who the GP's are in the family partnership and that they hold a majority interest that gives them ownership of the LLC. There is a problem if you don't have an individual with enough percentage interest directly to meet the County's 15% rule. Ms. Richard said she feels this is sufficient but it is the Board's decision to determine their comfort level. Mr. Ransom suggested that Ms. Richard and Ms. Arthur work out the details so the appropriate documents will be available at the public hearing in March. Ms. Arthur said MHI Services will be operating the hotel and they are a

majority interest in the ownership of the hotel. They own a number of hotels, it is a family operation. She said there are three family partnerships. They hold alcohol licenses in other MD counties but not Queen Anne's. Mr. Ransom asked if the applicant plans to change the areas where alcohol will be served or delivered. Ms. Arthur said they are requesting one additional area, a landscaped area just outside of the restaurant, overlooking the marina. This licensed premises is depicted in yellow on "Attachment 6". Ms. Richard said this application will be a transfer of license plus an expansion of premises and will be advertised as such. Mr. Ransom said at the public hearing it will be important that the Board is assured that the alcohol is going to be controlled in that outside area. Ms. Calvert will schedule a meeting with the applicants prior to the public hearing. This application will be advertised for a public hearing on Tuesday, March 1, 2022.

The Board reviewed an application 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. Justin Kiernan and Mr. Jody Schulz appeared before the Board. Ms. Richard said the applicant will need to provide an Authorizing Resolution stating who is authorized to hold the license. The applicant had considered applying for a Class "B-D" license but is requesting the Class "B" as stated. Mr. Schulz will also provide the Board with a clear plat of the licensed premises highlighted in yellow. Ms. Calvert will schedule a meeting with the applicant prior to the public hearing. This application will be advertised for a public hearing on Tuesday, March 1, 2022.

The Board reviewed an application 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 Barbeque 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. Ms. Richard said the applicants need to provide Bylaws insuring that there is one class of stock prior to the public hearing in March. Also the Board has received a plat showing the licensed premises highlighted in yellow, which includes a patio that is being built upon approval from Planning & Zoning. Mr. Ransom said at the public hearing it will be important that the Board is assured that the alcohol is going to be controlled in that outside area. Ms. Calvert will schedule a meeting with the

applicants prior to the public hearing. This application will be advertised for a public hearing on Tuesday, March 1, 2022.

SPECIAL/TEMPORARY LICENSES:

Kent Island Running Club – Date of event – March 27

This approval is contingent upon the applicant receiving an approved Events Permit from Ms. Vivian Swinson, Zoning Administrator.

APPROVAL OF MINUTES AND REPORTS:

The January 4, 2022 Minutes and January, 2022 Liquor Inspector’s Report were approved.

LIQUOR INSPECTOR AND LONG RANGE SENIOR PLANNER

Ms. Mandy Calvert appeared before the Board. She followed up on the refund request from Queenstown Mart at the January 4, 2022 meeting. The Board had requested receipts for the last three years. To date the requested documents have not been received and an extension was requested by the licensee. Mr. Ransom asked if the Board had a motion to grant an extension and a motion was not made. Therefore, the refund request is denied.

Mr. Rob Tracey appeared before the Board. He presented a letter of support for the Board’s signature in support of House Bill 555 and Senate Bill 340 which is Queen Anne’s Co. Alcoholic Beverages license application exception. The MD General Assembly convened earlier this month. The QA County Commissioners have various legislation and have submitted a letter of support for this particular Bill. Senator Hershey’s and Delegate Arentz’s office have requested a letter from this Board in support of that Bill. A motion was made by Mr. Beery, seconded by Mr. McQueeney, to have these two letters signed. All members voted in favor. Mr. Ransom signed the letters. He suggested to Mr. Tracey that future letters be signed by the entire Board. Mr. Ransom said the Board is very glad to have Mr. Tracey’s assistance.

EXPANSION OF PREMISES REQUEST:

The Board reviewed an expansion of premises request for Ramshead Shore House for a St. Patrick’s Day event on Saturday, March 12, 2022. An Events Permit has been applied for and approved by Ms. Swinson. Ms. Swinson appeared before the Board and said Ramshead will also need to schedule an inspection from the

Fire Marshal once the tent is installed. A motion was made by Mr. Beery, seconded by Mr. McQueeney, to approve the expansion request, subject to the County approval. All members voted in favor.

PUBLIC HEARINGS:

The Board held a public hearing for the 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 appeared before the Board. Mr. Ransom administered the oath to all who were to testify. Mr. Khalar said he is requesting to transfer his current license to a new location. He appeared before the Board at the January 4, 2022 meeting requesting a conditional license with timeframes to build, etc. He is currently in the process of getting that started. There have been some drawbacks due to Covid. He plans to get the new property surveyed towards the end of February and hopefully have drawings done by the end of March. He has not officially signed documents because he first wanted to get this Board’s response. Mr. Ransom said in order for this Board to approve this request, Mr Khalar has to meet the standards under §4-210 of the Alcoholic Beverages Code, approval or denial of license. He said Mr. Khalar is asking the Board to approve something that is not yet existing. Mr. Khalar said he does have a signed contract with the seller on the proposed property. Ms. Richard said Mr. Khalar does have the ability to appear before this Board under that signed contract. She said it will be difficult for the Board to address the factors of the Code without construction plans and drawings. Mr. Ransom said in order for the Board to approve a transfer, Mr. Khalar must comply with all State, County and local jurisdictions. This location is within the town limits of Centreville so this Board would need their approval before moving forward. Mr. Ransom said he understands that Mr. Khalar would like a certain level of security before moving forward. Mr. Ransom reviewed §4-210 of the Code and said Mr. Khalar must comply with these standards before a transfer could be approved. Ms. Richard said the most problematic issue is the lack of Condition No. 5, health, safety and welfare. It is hard to consider that when there is no plan. Mr. Khalar said he had originally contacted the current owner of the property and they had drawings for other projects. He was basically doing his plans off of their old plans. Then when the bridge was redone, the State did take a corner of that property. Now Mr. Khalar has to get the property

resurveyed and the whole process restarted. He said he can obtain drawings of a previous building that the previous owner was planning to build and that is the basic layout he plans to use. The proposed new building is 4500-5000 sq. ft. Mr. Ransom suggested that this hearing be continued at the March 1 meeting and Mr. Khalar bring in plans for review. Re-advertising would not be required since it is a continuation. Ms. Richard said the plans would have to be specific. Mr. Ransom also suggested that Mr. Khalar discuss his proposal with the Town of Centreville. Mr. Khalar said he has discussed this with the Town and had no issues. He said the timeframe for getting surveys, drawings, etc. is the end of February. Mr. Ransom said the hearing can be continued to the April meeting if so desired. Mr. Khalar requested that this hearing continued until April 5, 2022. A motion was made by Mr. McQueeney, seconded by Mr. Ferrar, to continue this hearing until the Board's monthly meeting on Tuesday, April 5, 2022. All members voted in favor. No one else appeared before the Board to testify regarding this application.

The Board held a public hearing for a new Class "B" Beer, Wine & Liquor license for Abimael Morales-Meja and Irving Padilla Araujo, for the benefit of El Manantial, LLC, trading as El Manantial Tex-Mex, permitting the sale of the aforesaid beverages on the premises located at 2640 Centreville Rd., Centreville, MD 21617. Mr. Morales-Meja and Mr. Araujo appeared before the Board. Mr. Ransom administered the oath to all who were to testify. Ms. Richard said all submitted paperwork was in order and was admitted as Applicant's Exhibit No. 1. Both applicants have completed alcohol awareness training. Ms. Richard said the trade name on the application lists it as El Manantial LLC. Mr. Meja said they plan to change their sign. Mr. Ransom reviewed § 4-210 of the Alcoholic Beverages Code, approval or denial of license application. Mr. Meja said customers come in and request alcohol and sometimes they leave. This license will have no negative effect on other license holders in the area since no one else offers this type of food. They are open 7 days a week. Mr. Ransom said it is very important that the applicants check ID's. Ms. Richard said the plat highlighting the licensed premises needs to be amended to include storage and all areas where alcohol will be located. A motion was made by Mr. Beery, seconded by Mr. Hibbard, to approve this license, contingent upon receipt of Fire Marshal approval, TIPS certification, a revised plat that includes the kitchen and storage space, and the trade name and signage being corrected. All members voted in favor. No one else appeared before the Board to testify regarding this application.

The Board held a hearing for a new Class “B” Beer & Wine License for Jun Zhang, for the benefit of Z&H Fortune, LLC, trading as Shogun Suhshi-Teriyā, permitting the sale of the aforementioned beverages on the premises located at 600 Abruzzi Dr., Unit A, Chester, MD 21619. Mr. Zhang 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. Ransom administered the oath to all who were to testify. Ms. Richard said all submitted paperwork was in order and was admitted as Applicant’s Exhibit No. 1. Mr. Zhang is the sole member and managing member of the LLC. There will be no outdoor seating. Mr. Zhang has completed the alcohol awareness class but has not received his certificate. Mr. McQueeney highlighted in red the licensed premises on the map. Mr. Zhang is a citizen of the U.S. Mr. McQueeney reviewed § 4-210 of the Alcoholic Beverages Code, approval or denial of license application. Mr. Zhang said he believes there is a public need for this license. There are other sushi restaurants on Kent Island but they are all based on either Chinese food mixed with Japanese or Thai food. Shogun is solely sushi. He said his customers ask for alcohol so he decided to apply for this license. He does not feel this license would have a negative impact on other licenses in the area. He understands there must always be someone on premises who is alcohol awareness certified. He plans to send his staff to the class. Mr. McQueeney said Mr. Zhang meets all the requirements of §4-210 and he requests that the Board approve this license. Mr. Ransom said he visits this establishment often and Mr. Zhang is always there. A motion was made by Mr. Hibbard, seconded by Mr. Beery, to approve this license, contingent upon receipt of Fire Marshal approval and TIPS certification. With a vote of four in favor, none opposed and Member McQueeney recused, the motion passed. No one else appeared before the Board to testify regarding this application.

DRUG FREE COALITION:

Mr. Warren Wright appeared before the Board. He thanked the Board for their continuing support of children not being served alcohol. He had no additional reports or comments.

ROUNDTABLE:

Mr. Jody Schulz appeared before the Board. Mr. Schulz had submitted general questions regarding to vessels and alcohol related matters. Ms. Richard said a lot of Mr. Schulz’s questions are not governed by this Board. The Comptroller’s

Office issues vessels licenses. That license will govern waterways in the State. If you dock, then that waterway State license goes away, it does not cover the docking. Mr. Schulz would need a County license to cover that situation if he is going on the docks. Just hooking the boat, Ms. Richard thinks the Comptroller's license will still cover it because he's still in a waterway. If Mr. Schulz is talking about docking at a restaurant that already has a licensed premises, he would not be allowed to bring them on, unless they have an off-sale license. Mr. Schulz asked what if he provides rental to an individual group and he provides the captain and the passengers to bring their own alcohol. Ms. Richard said in that situation he needs to be very clear in his contract. Mr. Schulz said, for example, a boat picks up someone at the Crab Deck but they buy their alcohol at a liquor store, can they bring that across the Crab Deck licensed premises to get on a pier to get on their boat. Or can they dock at a County pier like Wells Cove. Ms. Richard said when you have a licensed premises covering an area, you want to make sure you are not covering a walkway that's going to be used for back and forth. A Class "B" license does not allow you to buy a drink at the Crab Deck and walk onto the boat. Mr. Schulz asked if he provides rental to an individual or group, he provides the captain and the bartender and he sells the alcohol. Ms. Richard said that is when he needs the Comptroller's license. If he is allowing them to come off the boat then he needs a County license. Mr. Schulz asked if any of his questions fall under a caterer's license. Ms. Richard said with a caterer's license you have to provide food in addition to alcohol. That would be a State caterer's license. Mr. Ransom suggested perhaps someone from the Comptroller's Office could attend a Kent Narrows Foundation meeting to answer questions. Ms. Richard said one question she is not clear on is if you license the boat, can you still allow people to bring on their own alcohol. This would have to be answered by the Comptroller's Office. Mr. Schulz asked if a boat goes to a private dock like Four Seasons or Gibson's Grant. Mr. Ransom said as long as they do not have an alcohol license it would not be a problem. If there's a clubhouse that covers that area it could be a problem. Ms. Calvert gave Mr. Schulz contact information for Mr. Lou Berman at the Comptroller's Office for guidance.

Mr. Roger L'Heureux, Licensee for BBQ Bueno, appeared before the Board. He thanked the Board for the license fee refund. He said he is involved in two businesses in Centreville, BBQ Bueno on one side of the building and Station Steak and Grille on the other side. He asked if you can have a single business with one liquor license that might have two "dba's, doing business as". Ms. Richard said

the Board does not normally get involved in how a business is structured. If his company has reserved two different trade names, this Board would not get involved. Mr. L'Heureux said he wanted to discuss with this Board before he proceeded any further. He said the business is coming to the point where they are about to create a single entity, where it used to be multiple entities. With the two licenses presently at this location, can he create a single company that has these two businesses associated with it on that one plot. That would be Station Steak and Grille and BBQ Bueno functioning under one liquor license that he would hold. Ms. Richard said her suggestion would be to cancel one license at the same time he transfers and expands another. If this were done in the same meeting, it could be done simultaneously. Mr. L'Heureux currently has a Class "B" beer license at BBQ Bueno and a Class "B" beer, wine & liquor at the Steak House. Mr. Ransom suggested that he use the Steak House license to expand and withdraw the BBQ Bueno license. He said this would be an application to expand the Steak House license and upon approval of that, the BBQ Beuno license would be surrendered. Ms. Richard said this should be able to be accomplished in one hearing so there will be no gap. Mr. Ransom suggested that Mr. L'Heureux submit his paperwork to be reviewed for advertising at the March meeting and a public hearing could be in April.

2022 RENEWAL APPLICATIONS:

The Board discussed Chesapeake Bay Beach Club. Mr. John Wilson, licensee, passed away and his wife, Deidre Wilson, was temporarily put on the license as personal representative. She is also licensee for the Inn at the Beach Club. Ms. Richard said §4.802-804 of the Alcoholic Beverages Code addresses this issue. Also Board's Rules and Regulations No. 2.15 reads as follows: "In the event of the death of a licensee, the license will need to be transferred. The Board may extend the license until the first scheduled meeting occurring more than 30 days after the death of the licensee. Thereafter, the personal representative of the licensee can attend the first scheduled meeting occurring more than 30 days after the death of the licensee to discuss if and how a transfer will be effectuated. Ms. Richard said extensions are not to exceed 18 months". The licensee will be contacted and advised that a transfer is necessary as soon as possible and this will be on the March 1, 2022 Agenda.

The Board discussed Café Sado. The licensee passed away in December 2021. There has been no communication from the personal representative. A motion

was made by Mr. Beery, seconded by Hibbard, to extend the license under Rules and Regulations No. 2.15. Mr. Ransom asked Ms. Calvert to reach out to Café Sado and advise them that the license has been extended until the March 1, 2022 meeting and they must provide the name of the personal representative who will serve as the licensee for a time period not to exceed 18 months under §4.803. A transfer to the appropriate party will follow. This will be on the March 1, 2022 Agenda.

The Board discussed a business who was advertising “Free Beer”. Ms. Calvert said she met with the owner and advised them to take the sign down. She will follow up on this. Mr. Beery said he has not seen in the Code any rules against free beer, but you must still charge the tax.

The Board followed up on a business who had a violation at the January 4, 2022 meeting of not having a current TIPS card on premises. The Board gave them 60 days from that date to complete the training. Ms. Calvert will follow up on this.

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There being no further business, the meeting was adjourned to meet again on Tuesday, March 1, 2022.

Respectfully Submitted,

Cathy Maxwell
Clerk

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