

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, March 30, 2022, at 9:15 A.M.

PRESENT: Stephen Miller, Chairman
Kristen Ortt, Commissioner
Bernard Chiominto, Commissioner
Lawrence Scott, Board Attorney
Holly Ayers, Risk Manager/Legal Tech
Earl Bradford, Chief Alcoholic Beverage Inspector
Robin S. Trader, Administrative Assistant

At 9:15 AM, Chairman Miller called the Cecil County Board of License Commissioners meeting to order. He asked everyone to rise and say the Pledge of Allegiance to the flag.

APPLICATIONS – NEW LICENSE

Application received from Anthony Charles Seidle, Seidle Place, T/A Our Place at The Bottom of The Hill, 325 W. Main Street, Rising Sun, Maryland 21911 for a new Class “B” Beer, Wine & Liquor Alcoholic Beverages License.

Anthony Seidle appeared before the Board; he was duly sworn by the Clerk. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 6. Mr. Lawrence asked if the information in the application as submitted had changed since submitting; the applicants stated no. Mr. Scott asked Mr. Seidle to explain his plan for the business. Mr. Seidle stated he plans to keep the business almost the same; they have cleaned up and made interior upgrades, like paint as needed. He continued he would like to start breakfast for families on weekends, his main plan is to get it opened again. Mr. Scott asked what his hours of business will be: Mr. Seidle stated 7 AM – 11 AM Saturday breakfast; 11 AM – 11 PM weekdays; 11 AM – 12:30 AM weekend and 7 AM – 11 AM Sunday breakfast and close at 8 PM on Sunday nights; all of this could change based on the customers. Mr. Scott asked if he planned to have amplified music with outdoor service; Mr.

Seidle stated there is a deck he would like to utilize and inside there is a jukebox, he may put a speaker on the deck, but no plans for any bands. Mr. Scott asked about parking; Mr. Seidle stated there is a parking lot to the left that holds about 40 cars. Mr. Scott asked when his projected opening date is, Mr. Seidle stated he is hoping to open April 11, 2022; he is meeting with the Cecil County Health Department prior to opening, he has spoken with the Town of Rising Sun, they would like to do a ribbon ceremony and they are in high hopes of having the restaurant opened back up. Mr. Scott asked if anyone was present who wished to speak for or against this application; hearing none, Chairman Miller called for a motion. Commissioner Chiominto made a motion to approve the application for issuance of Class "B" Beer, Wine & Liquor Alcoholic Beverage License to Anthony Charles Seidle, Seidle Place, T/A Our Place at The Bottom of The Hill, 325 W. Main Street, Rising Sun, Maryland 21911; Commissioner Ort seconded the motion and the Board unanimously voted to approve the issuance of Class "B" Beer, Wine & Liquor Alcoholic Beverage License to Anthony Charles Seidle, Seidle Place, T/A Our Place at The Bottom of The Hill, 325 W. Main Street, Rising Sun, Maryland 21911.

APPLICATIONS – TRANSFER

Application received from Kirtan Gopal Patel, Managing Member; Hema Kirtan Patel, Member; Robin Lynn Nelson, Maryland Resident; Elkton Liquor Emporium LLC, T/A Elkton Liquor Emporium, 157 Big Elk Mall, Elkton, Maryland 21921 for transfer of Class "A" Beer, Wine & Liquor Alcoholic Beverages License No. A-54 from Naynika A. Patel, President; Sondra Larson, Cecil County Resident; Tech Pride of America, Inc. T/A Happy 40 Liquors, 600 E. Pulaski Highway, Elkton, MD 21921

Kirtan Gopal Patel, Hema Kirtan Patel, and Robin Lynn Nelson appeared before the Board with attorney, Jay Emrey. The applicants were duly sworn by the Clerk. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 3. Mr. Lawrence asked if the information in the application as submitted had changed since submitting; the applicants stated no.

Mr. Patel stated: "I see opportunity in the Big Elk Mall where I'm planning on relocating a license. I'm hoping to do a good business over there, my

history background I have 15 years' experience in retail, especially in a liquor store beer, wine and liquor so happened to if I get this license, I will have a good variety of products. At the good the ongoing for square footage for the liquor store reason is, there is a quantity discounts from the distributor. I see the industry nowadays is changing for the liquor store and requires a lot of square footage is, and if you get one square footage is then you can buy both products and then you pass that discount to your customer, and I should with my background in 15 years in this industry I'm hoping that I will do a good business now at my location.

Mr. Emrey interrupted and stated, "I'm sorry to interrupt but what hours, would you be operating and tell us the location; Mr. Patel stated, "it's next to the Ollie's store there, yes, the location is 157 Big Elk Mall, it's right next to Ollie's and Planet Fitness. My shopping center has acme and many other stores. Many other anchoring stores and is right on route 40. I believe it is a pretty much a shopping center and has a good traffic flow and we are hoping that my operation for weekdays will be nine to nine, and then we can do nine to 10 pm. We will be open Sunday limited hours nine to eight."

Mr. Emrey stated: "Anything else you want to add as far as your operation but let me ask you the unit is not readily fit out yet is it? How much time, do you think it'll take to have them ready for open for business."

Mr. Patel stated, "Luckily my location is a vanilla box so pretty much we have flooring we have lights, we have the plumbing, we have everything is there, so what the additional time that we will require is that is for my counters, shelving, furniture, fixtures pretty much, so I will require, if I can get at least two or three months because of the COVID materials are not available, so the cooler box, I believe might take longer, so but I would say within three months I should have store running target date is on or before July 1."

Mr. Emrey asked, "How much how much square footage are you going to operate the store?"

Mr. Patel replied, "It's 13,400,

Mr. Emrey: "And are you going to be operating a liquor store in all 13,400?"

Mr. Patel: "You know I'm going to carry on any other businesses there other than the liquor store or you know other than supporting like chips and sodas."

Mr. Scott: "And you have the ability to make that space smaller, if required."

Mr. Patel: "I went with the agreement, you know that's a space used to be a clothing store and I'm getting it at a good rate because I'm getting bigger square footage is, and that is the reason I went bigger, and it requires like with the competition but currently that we have in Elkton. If I don't go big more square footage than pretty much you know I wouldn't be able to compete. So I believe that it's going to require for my business."

Mr. Scott asked: "And I just want to ask the following question, are you aware that there are more restrictive requirements for the Board to consider if there's greater than 10,000 square feet under the Statute?"

Mr. Patel: "What are the requirements?"

Mr. Scott: "On Section 4206 I would refer to you and your attorney to be aware of that, that the Board must consider the standards put in the Statute in order to grant a liquor license to an establishment greater than 10,000 square feet. I'd have to refer you to the statute itself. If you're if you're not prepared, we're more than happy to table your application if you want to become more familiar with that."

Mr. Emrey: "We hadn't really looked at that because it did not become an issue until you just mentioned it."

Mr. Scott: "It's always an issue for us because it's in the Statute so I don't know you can certainly continue that's your it's your prerogative."

Mr. Emrey: "I think we should continue, at least with the presentation today, but some other issues will do that okay. Now, I just want to point out to the Board that there was a liquor store there in the Big Elk Mall, not at this exact location, but it closed a number of years ago, over 10 years ago. I don't think there's been anything I since I would point out, this is a transfer from about a mile away on Route 40. The Big Elk Mall liquor store

what type of liquor store was it is it being transferred from you know square footage and type of liquor store sure we have the previous owner of the transfer or is here, you could probably answer that question, better than we could okay.

Mr. Scott: "Was he did you were you sworn in when you raise your hand okay. Just please state your name and your address, for the record."

Mr. Naynika Patel: "My name is Naynika Patel, I live at 404 North Hampton Court Middletown, Delaware. Our store was 6800 square feet."

Mr. Scott: "Mr. Emrey yes, are you planning on continuing or are we going to make a ruling today?"

Mr. Emrey: "I guess what I'm going to ask is to table it; we will be come back next month and complete the interview process."

Chairman Miller: "I hate to back it off for everybody that came today, but I think we have no choice at this moment, it's up to you to request us to table it so it's your prerogative you're at the table."

Questions/Public Comment

General Business

- **Approve Minutes**
- **Specials**

Old Business

- **Rules & Regulations** – Commissioner Chiominto made a motion to vote on the new Rules & Regulations at the next meeting; Commissioner Ortt seconded that motion; the Board unanimously voted to vote on the new Rules & Regulations at the next meeting.
- **Stay Alert** – Chief Braford stated they have visited 97 establishments and 38 sold to the 21-year-old.

At 9:42 AM, Chairman Miller called for a motion. Commissioner Chiominto made a motion to adjourn; Commissioner Ortt seconded that motion and the Board unanimously voted to adjourn the meeting.

BY:

Stephen Miller, Chairman

ATTEST:
Robin S. Trader, Administrative Assistant