

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, June 27, 2018** at 9:15 A.M.

PRESENT: Tim Snelling, Chairman
Steven A. Miller, Commissioner
H. Norman Wilson, Jr., Esquire
Earl R. Bradford, Chief Alcohol Beverage Inspector
Robin S. Trader, Administrative Assistant

Chairman Snelling announced the resignation of Commissioner Ed Cole; he added that if anyone wish to have a full Board, they may do so at a later date when his replacement is made, there is however, a quorum to continue the hearings.

TRANSFER

Application received from Frederick Lewis, Fair Hill Foods, LLC, T/A Fair Hill Inn, 3370 Singerly Road, Elkton, MD 21921 for transfer of Class "B" Beer, Wine & Liquor Alcoholic Beverage License No. B-59 from Frederick Lewis, President; Patricia Krejci, Vice President; Fair Hill Foods, LLC, T/A Fair Hill Inn, 3370 Singerly Road, Elkton, MD 21921

Frederick Lewis appeared before the Board; he was duly sworn by the Clerk. Mr. Wilson read the legal notice that was published on June 13 and 20, 2018. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 4. Mr. Wilson asked if the questions that were answered and submitted were the same as when they were submitted; the applicants stated yes. Chief Bradford stated Ms. Krejci resigned her position on the license. With no further questions, Commissioner Miller made a motion to approve the transfer of the license; Chairman Snelling seconded that motion and the Board unanimously approved the transfer of the license.

REQUEST FOR OUTDOOR USE

Class "B" BWL No. B-10 - James J. Bivens, President; Mary Bivens, Vice President; Rookies, Inc., T/A Hilltop Inn, 825 Hilltop Road, Elkton, MD 21921

James Bivens appeared before the Board; he, along with Chief Bradford and Jane Cutler were duly sworn by the Clerk. Mr. Bivens stated he opened the outside area about two weeks ago. Chief Bradford stated he observed the premises several times over the past few weeks, 6/2, 6/9, 6/10, 6/16, there was no activity. Mr. Wilson asked Mr. Bivens if there were any problems on the days he was opened; Mr. Bivens replied, "not that I'm aware of."

Jane Cutler, 3875 Telegraph Road, stated she lives three driveways down Telegraph Road, 1.3 miles from the intersection of 273 and 213; before Wesley's; she has lived there for 46 years. She stated Mr. Bivens caters to motorcyclists and the noise level is unbearable, revving their

engines all day long on Saturday and Sunday. As residents we have the right to a decent quality of life. She stated she has a nice property, a five acre property that she keeps well maintained.

Chairman Snelling stated, so your concerns are motorcycle noise and music; Mrs. Cutler stated yes. Mr. Wilson asked if she has ever heard music; Mrs. Cutler stated, yes, she has heard music. Mr. Miller asked, "in the last 30 days?" Mrs. Cutler answered no.

She asked if the Board could request that Mr. Bivens put signs on the doors stating, Do not rev engines; Mr. Bivens stated he has signs up inside; he said, "if I can't talk with someone, the music is too loud!" Chairman Snelling asked Mr. Wilson, I don't believe the county has a noise ordinance; Mr. Wilson stated no and Mrs. Cutler stated, they used to, but that has gone to the wayside. Mrs. Cutler stated the neighbors should matter; the business should be a good neighbor.

Mr. Wilson stated "this Board cannot do anything about traffic and I don't think that granting him the use for outdoor use on Saturday and Sunday will stop the motorcycles that go there. If this Board said you cannot have outdoor use, that isn't going to stop the motorcycles from going there.

Mrs. Cutler asked if he's allowed to have music in the outdoor space; the Board stated yes. Mrs. Cutler asked if there will be live music outdoors; Mr. Bivens stated there will be no outdoor music. He asked where Mrs. Cutler lived; she explained again; Mr. Bivens asked if she could hear their music; she stated yes, she can. He said if she can hear their music inside at her house, everyone will be complaining.

Commissioner Miller said, he lives one block from center square in Rising Sun; he is sympathetic to her concerns; with Harley Davidsons with no exhausts revving up their motors at the red lights and the dump trucks; I've made every attempt I can with every county official, every state official, you can't do anything about it.

Mrs. Cutler asked if the Board could suggest that he put signs up indicating they not rev their motors. Chairman Snelling stated we've indicated he needs to be a good neighbor and work with the neighbors and he's indicated he is willing to do that.

Mr. Bivens continued that he has charity events at that bar, he had 80 motorcycles at event a week ago; I run charity events at that bar, they raised \$6200 recently at a benefit at that event at that bar.

Mrs. Cutler: "I have the impression that argument is a moot, that there's nothing."

Mr. Wilson: "I don't believe your argument has not fallen upon deaf ears, it hasn't. I have spoken with Chief Bradford and the Board is in agreement to give them a longer trial period through the end of September."

Mrs. Cutler stated that her wish is that he would put a sign on the outside and the inside of the door stating "we're part of the neighborhood, please be considerate."

Commissioner Miller asked if Mrs. Cutler has called the Cecil County Sheriff's Office or Maryland State Police; she stated no. Commissioner Miller suggested she call them about the noise and traffic on Route 273.

Commissioner Miller made a motion that Rookies Inc. T/A Hilltop Inn, receive an extension of the their outside operations until September 30 of this year with monitoring and Mrs. Cutler, if you hear noises besides motorcycles you call the office; and Mr. Bivens we hope you do some operations out there so we can see how you're doing. Chairman Snelling seconded that motion and the Board unanimously voted for the extension of the outside operations until September 30.

Joseph Gary Brown, President; Shirley A. Brown, Vice President/Secretary/Treasurer; Fletchwood Inn, Inc., Anthony Hindright, Lease Manager; T/A Catfish Inn, 208 Fletchwood Road, Elkton, MD 21921 - **POSTPONED**

NEW LICENSE

Application received from Warren N. Beverung III, Woody's Restaurant Development LLC, T/A Woody's Taco & Tequila Bar, 26 South Main Street, North East, Maryland 21901 for issuance of a new Class "B" Beer, Wine & Liquor Alcoholic Beverage License

Warren Beverung appeared before the Board; he was duly sworn by the Clerk. Mr. Wilson read the legal notice that was published on June 13 and 20, 2018. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 5. Mr. Wilson asked if the questions that were answered and submitted were the same as when they were submitted; the applicants stated yes. Mr. Beverung stated they will be opening a Southwestern Mexican Restaurant. When asked about music, Mr. Beverung stated they will have a muzak system, no live music and that will be inside only. There is a gated patio out front where there is room for two tables which was approved by the Town of North East. When asked when they are planning to open, Mr. Beverung stated August. With no further questions; Mr. Miller made a motion to approve the issuance of the license conditioned upon submitting a copy of the occupancy permit; Chairman Snelling seconded that motion and the Board unanimously voted to approve the issuance of the license.

Application received from Eddie S. Saw, President; Vidya S. Takikonda, Member; ESVT, Inc. T/A Elkton Market, 211 W. Pulaski Highway, Elkton, MD 21921 for transfer of Class "A" Beer, Wine & Liquor Alcoholic Beverage License No. A-42 from Mandeep Kaur, President; AMNF, Inc., T/A Navy Gas, 211 Pulaski Highway, Elkton, MD 21921

Eddie Saw and Vidya Takikonda appeared before the Board; they were duly sworn by the Clerk. Mr. Wilson read the legal notice that was published on June 13 and 20, 2018. The fully executed application packet with proper fees included: signatures of 10 registered voters and property owners in District 4. Mr. Wilson asked if the questions that were answered and submitted were the same as when they were submitted; the applicants stated yes. Mrs. Trader stated they will need to submit the Settlement sheet and we are waiting on the Bulk Sales Permit and will need

to have this in order to issue the license. With no further questions, Commissioner Miller made a motion to approve the transfer of the license conditioned upon the applicants submitting the required paperwork; Chairman Snelling seconded that motion and the Board unanimously approved the transfer of the license.

Application received from Richard Kelso, President; Kimberley Guerrieri, Vice President; Rick's Beer, Wine & Spirits, 1205 Jacob Tome Memorial Highway, Port Deposit, Maryland 21904 for transfer of Class "B" Beer, Wine & Liquor Alcoholic Beverage License from Richard A. Kelso, T/A Rick's Crabs, 1205 Tome Highway, Port Deposit, MD 21904

Chief Bradford stated this is an application for transfer from Richard Kelso, individually to Rick's Beer, Wine & Spirits, Inc.; Mr. Kelso has had some health issues over the past few years and Ms. Guerrieri had to drive him to an appointment in Baltimore and they have asked that the hearing continue without them and she will appear next month to meet the Board. With no further questions, Commissioner Miller made a motion to approve the transfer of the license; Chairman Snelling seconded that motion and the Board unanimously approved the transfer of the license.

General Business

- **Approve Minutes**
The minutes from the May 30th meeting were approved.
- **Specials**

Old Business

New Business

- **Stuffer's Restaurant was closed, they are now open**
- **Madison House has closed**
- **Legislative Requests**

With no further business to discuss, the meeting was adjourned at 10:20 AM.

BY:

Tim Snelling, Chairman

ATTEST:

Robin S. Trader, Administrative Assistant