

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF EDWARD	*	
RANDOLPH MARRINER, MARY	*	BEVERAGE HEARING BOARD
ELIZABETH MARRINER, AND	*	
RACHAEL HAYES MULL ON BEHALF	*	FOR
VICTORIA RESTAURANT GROUP, LLC,	*	
t/a MANOR HILL TAVERN, FOR A NEW	*	HOWARD COUNTY, MARYLAND
CLASS B BEER, WINE, AND LIQUOR	*	
7-DAY ON-SALE LICENSE AND A	*	Case No.: 16-51
CLASS B SBW LICENSE	*	
	*	

\*\*\*\*\*

### **DECISION AND ORDER**

The Board of License Commissioners for Howard County, Maryland (the “Liquor Board”), pursuant to Rule 1.02(A) of the Liquor Board Rules and Regulations, has delegated the authority to hear and decide cases to the Alcoholic Beverage Hearing Board for Howard County, Maryland (the “Hearing Board”).

On November 8, 2016, the Hearing Board heard the application of Edward Randolph Marriner, Mary Elizabeth Marriner, and Rachael Hayes Mull (the “Applicants”), on behalf of Victoria Restaurant Group, LLC, t/a Manor Hill Tavern (“Victoria Restaurant Group, LLC”), for a new Class B Beer, Wine, and Liquor, 7-day on-sale license, and a Class B SBW license for a 6,400 square foot restaurant with a 375 square foot outdoor patio located at 3733 Old Columbia Pike, Ellicott City, Maryland 21043. The hearing was properly advertised pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were represented by Thomas Coale, Esquire. There were no protestants who appeared in opposition to the application.

All the documents on file were incorporated into the record by reference. These

include the following: a letter from the assistant to the attorney for the Applicants, dated August 15, 2016, attaching amended pages one and two of the application; a letter from the assistant to the attorney for the Applicants, dated July 15, 2016, enclosing the application; a copy of the floor plan; copies of the background investigation questionnaires for the Applicants; a copy of the Corporate Charter Approval Sheet for Victoria Restaurant Group, LLC; a copy of the Articles of Organization of Victoria Restaurant Group, LLC; a letter from the Maryland State Department of Assessment and Taxation dated May 9, 2016, confirming the acceptance of Victoria Restaurant Group, LLC; a memorandum dated October 7, 2016, from the Liquor Board Administrator to the Alcohol Beverage Inspector, the Department of Inspections, Licenses, and Permits, the Bureau of Environmental Health, the Department of Planning and Zoning, and the Office of the Fire Marshal; the background investigations of the Applicants by the Alcohol Beverage Inspector, dated October 24, 2016; an e-mail from the Department of Inspections, Licenses and Permits dated October 12, 2016; a memorandum dated October 17, 2016, from the Department of Planning and Zoning; a letter dated October 17, 2016, from the Office of the Fire Marshal; a letter dated October 7, 2016 to the Department of Finance; a letter from the Department of Finance; a letter dated October 7, 2016, to the Comptroller of the Treasury; a letter dated October 31, 2016, from the Comptroller of the Treasury; a fax transmission dated October 7, 2016, from the Liquor Board Administrator to the attorney for the Applicants, enclosing a letter dated October 7, 2016, advising notification of the hearing date, and enclosing the required advertisement; a letter dated November 7, 2016, from the assistant to the attorney for the Applicants enclosing the certificates of advertisement from The Baltimore Sun and Patuxent Publishing Company; an e-mail dated October 23, 2016, from the Alcoholic Beverage Inspector stating the premises

had been posted.

### **SUMMARY OF TESTIMONY**

Edward Randolph Marriner, Managing Member and 30% shareholder of Victoria Restaurant Group, LLC, t/a Manor Hill Tavern, was sworn and testified that he has 10 years experience in the restaurant business. Mr. Marriner testified that he has been a licensee at Victoria's Gastro Pub since 2007, where there have been no alcohol violations and that he had a financial interest in the Iron Bridge Inn.

Mr. Marriner testified that for several years Don Reuwer had been asking him to come to Ellicott City to open a restaurant. Mr. Marriner testified that when Mr. Reuwer contacted him and advised him that the Diamondback Tavern location was available, he decided to take advantage of the opportunity. Mr. Marriner testified that he and Mr. Reuwer each own 50% of the real property at 3733 Old Columbia Pike, Ellicott City, Maryland.

Mr. Marriner testified that he will be the principal owner/operator of Victoria Restaurant Group, LLC, t/a Manor Hill Tavern. Mr. Marriner testified that he will be at the restaurant initially every day of the week. Mr. Marriner testified that he plans to share some of the management team that he has at Victoria's Gastro Pub, with Manor Hill Tavern. Mr. Marriner testified that he is alcohol awareness certified and that all of the managers will be alcohol awareness certified, and that one of them will always be at Manor Hill Tavern when he is not there.

Mr. Marriner testified that they will have approximately 50 employees. Mr. Marriner testified that they will have a written program and training manual for the employees. Mr. Marriner testified that the alcoholic beverage service policy will be the same as the one at Victoria's Gastro Pub. Mr. Marriner testified that their hours of operation will be 11:00 A.M.



to 2:00 A.M.

Mr. Marriner testified that the outside patio is located behind the building, and is protected by a stone wall and the hillside. Mr. Marriner also testified that the patio is only accessible through the restaurant past the hostess. Mr. Marriner testified that they have surveillance cameras, and that there are windows that look out onto the patio. Mr. Marriner testified that they will also have service staff out on the patio.

Mr. Marriner testified that the other two licensees are his wife, and his daughter.

Mr. Marriner testified that he does not feel his establishment will disturb the peace and safety of the neighborhood, and that he has received a warm response from the community regarding his restaurant.

The following Exhibits were entered into the record:

Exhibit #1 – a copy of the opening menu

Exhibit #2 – a copy of the alcohol beverage service policy from Victoria Gastro Pub

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicants waived their right to request the Liquor Board to hear the case.

Based on the evidence presented at the hearing, the Alcoholic Beverage Hearing Board makes the following Findings of Fact and Conclusions of Law:

#### **FINDINGS OF FACT**

1. The Hearing Board finds that Edward Randolph Marriner, Mary Elizabeth Marriner, and Rachael Hayes Mull, on behalf of Victoria Restaurant Group, LLC, t/a Manor Hill Tavern, have applied for a new Class B Beer, Wine, and Liquor, 7-day on-sale license and a Class B SBW license for a 6,400 square foot restaurant with a 375 outdoor patio located at 3733 Old Columbia Pike, Ellicott City, Maryland 21043.

2. The Hearing Board finds that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board finds that Edward Randolph Marriner has been a Howard County resident for more than two years, is a registered voter, and a managing member of Victoria Restaurant Group, LLC, t/a Manor Hill Tavern.

4. The Hearing Board finds that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board finds that the granting of the application will not unduly disturb the peace and safety of the residents of the neighborhood.

#### **CONCLUSIONS OF LAW**

1. The Hearing Board concludes that Edward Randolph Marriner, Mary Elizabeth Marriner, and Rachael Hayes Mull, on behalf of Victoria Restaurant Group, LLC, t/a Manor Hill Tavern have applied for a new Class B Beer, Wine, and Liquor, 7-day on-sale license and a Class B SBW license for a 6,400 square foot restaurant with a 375 outdoor patio located at 3733 Old Columbia Pike, Ellicott City, Maryland 21043.

2. The Hearing Board concludes that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board concludes that Edward Randolph Marriner meets the requirements of Rules 1.09(T), 1.09(U), 2.06, and 2.10 of the Liquor Board Rules and Regulations concerning resident agent qualifications.

4. The Hearing Board concludes that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board concludes that the granting of the application would not

unduly disturb the peace and safety of the neighborhood.


**ORDER**

For the foregoing reasons, it is this 15<sup>th</sup> day of August, 2016, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Edward Randolph Marriner, Mary Elizabeth Marriner, and Rachael Hayes Mull, on behalf of Victoria Restaurant Group, LLC, t/a Manor Hill Tavern, for a new Class B Beer, Wine, and Liquor, 7-day on-sale license and a Class B SBW license for a 6,400 square foot restaurant with a 375 outdoor patio located at 3733 Old Columbia Pike, Ellicott City, Maryland 21043, be and the same is hereby **GRANTED**, subject to the following conditions:

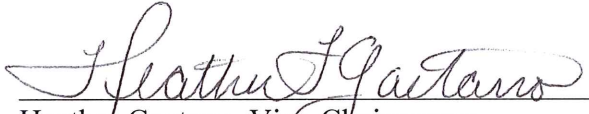
- (a) That the Applicants comply with all State and County Rules and Regulations; and
- (b) Failure to comply with these conditions and obtain the license by April 30, 2017, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING  
BOARD OF HOWARD COUNTY,  
MARYLAND

  
\_\_\_\_\_  
Denise E. King  
Administrator


  
\_\_\_\_\_  
Mary Bird, Chairperson

  
\_\_\_\_\_  
Heather Gaetano, Vice-Chairperson

REVIEWED BY HOWARD COUNTY  
OFFICE OF LAW  
GARY W. KUC  
COUNTY SOLICITOR

  
\_\_\_\_\_  
Charles C. Feaga, Member

  
\_\_\_\_\_  
Charley C. Sung, Member

  
\_\_\_\_\_  
Lewis Taylor, Esquire  
Assistant County Solicitor