

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF DENISE ZIPPELLI	*	
AND THOMAS JOHN ZIPPELLI ON	*	BEVERAGE HEARING BOARD
BEHALF OF THE STEEL MERCHANT,	*	
LLC, t/a THE TURN HOUSE FOR A	*	FOR
TRANSFER OF A CLASS GC BEER,	*	
WINE AND LIQUOR 7-DAY ON-SALE	*	HOWARD COUNTY, MARYLAND
LICENSE	*	
	*	Case No. 16-55
	*	

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 15, 2016, the Hearing Board heard the application of Denise Zippelli and Thomas John Zippelli (the “Applicants”), on behalf of The Steel Merchant, LLC, t/a The Turn House (“The Steel Merchant, LLC”), for a transfer of a Class GC Beer, Wine, and Liquor 7-day on-sale license from Charles Sachs on behalf of Flats, Inc., t/a Coho Grill for a 6,500 square foot clubhouse plus a 204 acre golf course located at 11130 Willow Bottom Drive, Columbia, Maryland 21044. The hearing was properly advertised pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicant was represented by Frank V. Boozer, Jr., 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 memorandum dated October 5, 2016, from the Applicants advising of a trade name change; an email dated October 5, 2016, from Denise Zippelli attaching a new management agreement between Flats, Inc. and The Steel Merchant, LLC; the application; the background investigation questionnaires for the Applicants; a copy of the Articles of Organization of The Steel Merchant, LLC; a copy of the Minutes of Meeting of Members of The Steel Merchant, LLC; a copy of a memorandum dated October 14, 2016, from the Liquor Board 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 November 10, 2016; a memorandum dated October 27, 2016, from the Department of Planning and Zoning; an email dated October 17, 2016, from the Office of the Fire Marshal; an email dated November 10, 2016, from Environmental Health; a letter dated October 14, 2016, to the Department of Finance; a letter from the Department of Finance; a letter dated October 14, 2016, to the Comptroller of the Treasury; a letter dated October 31, 2016, from the Comptroller of the Treasury; an email dated October 14, 2016, from the Liquor Board Administrator to the attorney for the Applicants attaching a fax transmission and a letter dated October 17, 2016, from the Liquor Board Administrator to the attorney for the Applicants, advising notification of the hearing date, and enclosing the required advertisement; and an email dated November 2, 2016, from the Alcoholic Beverage Inspector stating the premises had been posted.

SUMMARY OF TESTIMONY

Thomas John Zippelli, Member and 90% shareholder of The Steel Merchant, LLC, t/a

The Turn House, was sworn and testified he has been operating The Turn House through a management agreement dated June 30, 2016. Mr. Zippelli testified that he has been working at The Turn House seven days a week, approximately 85 to 90 hours per week. Mr. Zippelli testified that he has prior restaurant experience, and attended Johnson & Wales Culinary School. Mr. Zippelli testified that he also worked at the French Laundry restaurant as a saucier.

Mr. Zippelli testified that the hours of operation are Sunday through Thursday, 11:00 A.M. to 9:00 P.M., and Friday and Saturday, 11:00 A.M. to 10:00 P.M. Mr. Zippelli testified that the liquor license includes the 204 acre Hobbits Glen Golf Course. Mr. Zippelli testified that they do allow alcoholic beverages to be sold from a golf cart on the course, and the operator is a bartender. Mr. Zippelli testified that they only allow one alcoholic beverage per golfer on the course. Mr. Zippelli testified that they use an IPAD to keep track of the service of beverages.

Mr. Zippelli testified that their general manager, their four bartenders, and their two sous chefs are alcohol awareness certified.

Denise Zippelli, Member and 10% shareholder for The Steel Merchant, LLC, t/a The Turn House, was sworn and testified that she has lived in Howard County for 15 years, is alcohol awareness certified, and is a registered voter. Ms. Zippelli testified that she will be involved in the accounting part of the business. Ms. Zippelli testified that they have 45 part, and full-time employees. Ms. Zippelli testified that she is familiar with the rules and regulations governing the sale of alcoholic beverages, and that she will abide by them.

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 Denise Zippelli and Thomas John Zippelli, on behalf of The Steel Merchant, LLC, t/a The Turn House, have applied for a transfer of a Class GC Beer, Wine, and Liquor 7-day on-sale license from Charles Sachs on behalf of Flats, Inc., t/a The Coho Grill, for a 6,500 square foot clubhouse plus a 204 acre golf course located at 11130 Willow Bottom Drive,, Columbia, Maryland 21044.

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 Denise Zippelli has been a Howard County resident for more than two years, is a registered voter, and a 10% shareholder of The Steel Merchant, LLC, t/a The Turn House.

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 this application will not unduly disturb the peace and safety of the residents of the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Denise Zippelli and Thomas John Zippelli, on behalf of The Steel Merchant, LLC, t/a The Turn House, have applied for a transfer of a Class GC Beer, Wine, and Liquor 7-day on-sale license from Charles Sachs on behalf of Flats,

Inc., t/a The Coho Grill, for a 6,500 square foot clubhouse plus a 204 acre golf course located at 11130 Willow Bottom Drive, Columbia, Maryland 21044.

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 Denise Zippelli 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 this application would not unduly disturb the peace and safety of the neighborhood.

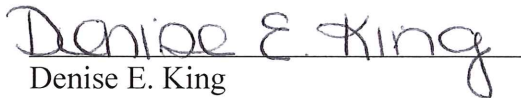
ORDER

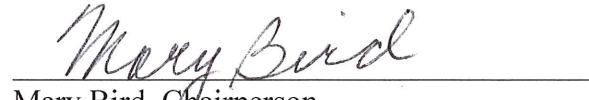
For the foregoing reasons, it is this 2 day of December, 2016, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Denise Zippelli and Thomas John Zippelli, on behalf of The Steel Merchant, LLC, t/a The Turn House, for a transfer of a Class GC Beer, Wine, and Liquor 7-day on-sale license from Charles Sachs on behalf of Flats, Inc., t/a The Coho Grill, for a 6,500 square foot clubhouse plus a 204 acre golf course located at 11130 Willow Bottom Drive, Columbia, Maryland 21044, be and the same is hereby **GRANTED**, subject to the following conditions:

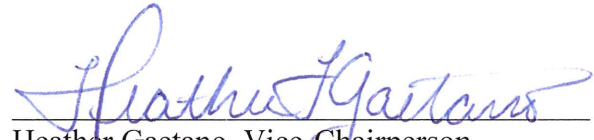
- (a) That the Applicant complies with all State and County Rules and Regulations; and
- (b) That the resident agent submit an alcohol awareness certification; and
- (c) Failure to comply with these conditions and obtain the license by January 31, 2017, shall render this Proposed Decision and Order null and void.

ATTEST:

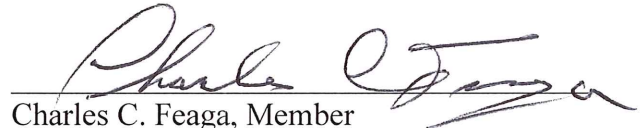
ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



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


Gene Ryan, Member


Lewis Taylor, Esquire
Assistant County Solicitor


Charley C. Sung, Member