

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF RAYMOND BRYANT	*	
ANDREASSEN, TIMOTHY THOMAS	*	BEVERAGE HEARING BOARD
KENDZIERSKI, AND RICHARD CRAIG	*	
WINTER ON BEHALF OF ELLICOTT	*	FOR
MILLS BREWING COMPANY, LLC, t/a	*	
ELLICOTT MILLS BREWING COMPANY*	*	HOWARD COUNTY, MARYLAND
FOR A CLASS B BEER, WINE, AND	*	
LIQUOR 7-DAY ON-SALE LICENSE	*	Case No.: 16-24
	*	

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 May 24, 2016, the Hearing Board heard the application of Raymond Bryant Andreassen, Timothy Thomas Kendzierski, and Richard Craig Winter (the “Applicants”), on behalf of Ellicott Mills Brewing Company, LLC, t/a Ellicott Mills Brewing Company (“Ellicott Mills Brewing Company, LLC”), for a resident agent change from William Pastino to Raymond Bryant Andreassen on the Class B Beer, Wine, and Liquor, 7-day on-sale license for a 11,270 square foot restaurant located at 8308-8316 Main Street, Ellicott City, Maryland 21043. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicants were represented by Thomas M. Meachum, 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 dated March 1, 2016, from the attorney for the Applicants attaching the application for a resident agent change; copies of the background investigation questionnaires for the Applicants; a copy of the background check results for Timothy Thomas Kendzierski from the Alcohol Beverage Inspector dated March 19, 2013; a copy of the background check results for Richard Craig Winter from the Alcohol Beverage Inspector dated March 27, 2013; copies of alcohol awareness certificates from BEST Achievement for the Applicants; a memorandum dated April 12, 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 May 4, 2016; a memorandum dated April 21, 2016, from the Office of the Fire Marshal; an email dated May 24, 2016, from the Office of the Fire Marshal; a memorandum dated April 22, 2016, from the Department of Planning and Zoning; a letter dated April 12, 2016, to the Department of Finance; a letter from the Department of Finance; a letter dated April 12, 2016, to the Comptroller of the Treasury; a letter dated May 17, 2016, from the Comptroller of the Treasury; a facsimile transmission dated April 12, 2016, from the Liquor Board Administrator to the attorney for the Applicants enclosing a letter dated April 12, 2016, with notification of the hearing date and the necessity to advertise; a letter dated May 20, 2016, from the attorney for the Applicants enclosing the certificates of notice of public hearing from the Howard County Times and the Baltimore Sun; and an e-mail dated May 9, 2016, from the Alcoholic Beverage Inspector stating the premises had been posted.

SUMMARY OF TESTIMONY

Raymond Bryant Andreassen, Authorized Person for Ellicott Mills Brewing Company, LLC, t/a Ellicott Mills Brewing Company, was sworn and testified that he has lived in Howard County for 40 years, is a registered voter, is alcohol awareness certified, and is a 10% shareholder of Ellicott Mills Brewing Company, LLC. Mr. Andreassen testified that he has approximately ten years of experience in the restaurant business. Mr. Andreassen testified that he has been employed as the head brewer at Ellicott Mills Brewing Company for nine years, and that during his employment, there have not been any violations.

Mr. Andreassen testified that he is on the premises from 9:00 A.M. to 5:00 P.M., Monday through Friday. Mr. Andreassen testified that along with continuing as the head brewer, he plans to focus on observing the bartenders, servers, and customers while at the restaurant. Mr. Andreassen testified that they have written policies for the employees.

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 Raymond Bryant Andreassen, Timothy Thomas Kendzierski, and Richard Craig Winter on behalf of Ellicott Mills Brewing Company, LLC, t/a Ellicott Mills Brewing Company, have applied for a resident agent change from William Pastino to Raymond Bryant Andreassen on the Class B Beer, Wine, and Liquor, 7-day on-sale license for a 11,270 square foot restaurant located at 8308-8316 Main Street, 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 Raymond Bryant Andreassen has been a Howard County resident for more than two years, is a registered voter, and a 10% shareholder of Ellicott Mills Brewing Company, LLC, t/a Ellicott Mills Brewing Company.

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 Raymond Bryant Andreassen, Timothy Thomas Kendzierski, and Richard Craig Winter on behalf of Ellicott Mills Brewing Company, LLC, t/a Ellicott Mills Brewing Company, have applied for a resident agent change from William Pastino to Raymond Bryant Andreassen on the Class B Beer, Wine, and Liquor, 7-day on-sale license for a 11,270 square foot restaurant located at 8308-8316 Main Street, 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 Raymond Bryant Andreassen 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

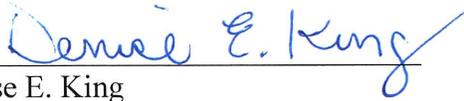
For the foregoing reasons, it is this 14th day of June, 2016, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Raymond Bryant Andreassen, Timothy Thomas Kendzierski, and Richard Craig Winter on behalf of Ellicott Mills Brewing Company, LLC, t/a Ellicott Mills Brewing Company, for a resident agent change from William Pastino to Raymond Bryant Andreassen on the Class B Beer, Wine, and Liquor, 7-day on-sale license for a 11,270 square foot restaurant located at 8308-8316 Main Street, Ellicott City, Maryland 21043, be and the same is hereby **GRANTED**, subject to the following conditions:

1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicants obtain the license and comply with 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 July 31, 2016, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



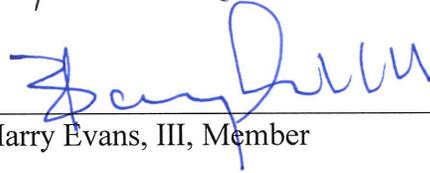
Denise E. King
Administrator

Mary Bird, Chairperson



Heather Gaetano, Vice-Chairperson

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



Harry Evans, III, Member



Lewis Taylor, Esquire
Assistant County Solicitor



Charles C. Feaga, Member

Charley C. Sung, Member