

IN THE MATTER OF	*	BEFORE THE ALCOHOLIC
THE APPLICATION OF MONICA	*	
PARSONS AND JEFFREY MENGEL	*	BEVERAGE HEARING BOARD
ON BEHALF OF CRANBERRY III, LLC,	*	
t/a PIE FIVE PIZZA COMPANY, FOR A	*	FOR
CLASS B BEER AND LIGHT WINE 7-	*	
DAY ON-SALE LICENSE	*	HOWARD COUNTY, MARYLAND
	*	
	*	Case No.: 16-17
	*	

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 March 22, 2016, the Hearing Board heard the application of Monica Parsons and Jeffrey Mengel (the “Applicants”), on behalf of Cranberry III, LLC, t/a Pie Five Pizza Company (“Cranberry III, LLC”), for a new Class B Beer and Light Wine 7-day on-sale license for a 2,400 square foot restaurant located at 6455-32 Dobbin Road, Columbia, Maryland 21045. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicants were represented by David F. Mister, 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 17, 2016, from the attorney for the Applicants enclosing an operating agreement and a detailed floor plan; a letter dated February 5, 2016, from the attorney

for the Applicants amending the application; a letter dated January 11, 2016, from the attorney for the Applicants enclosing the application for a new restaurant; a copy of the floor plan; a letter dated January 11, 2016, from the Maryland State Department of Assessments and Taxation confirming that Cranberry III, LLC is a registered LLC in the State of Maryland and is in good standing; a copy of the Articles of Organization of Cranberry III, LLC; a Corporate Charter approval sheet for Cranberry III, LLC; the background investigation questionnaires for the Applicants; a copy of the Certification of Birth Abroad for Monica M. Parsons; copies of fingerprinting receipts from the Department of Public Safety and Correctional Services, Criminal Justice Information System - Central Repository, for the Applicants; a memorandum dated November 24, 2015, 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 investigation of the Applicants by the Alcohol Beverage Inspector, dated January 19, 2016; e-mails dated March 16, 2016, from the Office of the Fire Marshal; a memorandum dated March 18, 2016, from the Department of Planning and Zoning; an e-mail dated March 16, 2016, from the Department of Inspections, Licenses and Permits; a letter dated January 12, 2016, to the Department of Finance; an e-mail dated March 16, 2016 from the Department of Finance; a letter dated January 5, 2016, to the Comptroller of the Treasury; a letter dated March 16, 2016, from the Comptroller of the Treasury; an e-mail dated February 10, 2016, from the Administrator of the Liquor Board to the attorney for the Applicants, enclosing a letter dated February 9, 2016, with notification of the hearing date and the necessity to advertise; an e-mail dated February 24, 2016, from the Alcoholic Beverage Inspector stating the premises had been

posted; and an e-mail dated March 18, 2016, from the paralegal for the attorney for the Applicants, enclosing the legal advertisements from The Baltimore Sun and Patuxent Publishing.

SUMMARY OF TESTIMONY

Jeffrey Mengel, Managing Member and 85% shareholder for Cranberry III, LLC, t/a Pie Five Pizza Company, was sworn and testified that Pie Five Pizza is located in the Dobbin Square Shopping Center. Mr. Mengel testified that he owns four Pie Five Pizza restaurants, two in Howard County, one in Baltimore County, and one in Anne Arundel County. Mr. Mengel testified that he has not had violations at any of the restaurants.

Mr. Mengel testified that Pie Five Pizza Company is a fast, casual pizza restaurant. Mr. Mengel testified that the customers choose what toppings they want, and staff builds their pizza, which is ready to eat in five minutes.

Mr. Mengel testified that the managers are alcohol certified, and that they are the only employees allowed to serve alcoholic beverages. Mr. Mengel testified that they do not have entertainment, and are not interested in serving alcoholic beverages on their outside patio. Mr. Mengel testified that they only have single serve options for the beer and wine. Mr. Mengel testified that he has a sign on the door that says "Beer Stops Here", to prevent customers from taking alcoholic beverages outside.

Monica Parsons, member and 15% shareholder for Cranberry III, LLC, t/a Pie Five Pizza Company, testified that she is Mr. Mengel's sister. Ms. Parsons testified that she is on the other liquor license in Howard County, and that she is a registered voter. Ms. Parsons testified that she has been monitoring the operation at the other Pie Five Pizza Company

restaurant, and that she plans to do the same at this restaurant. Ms. Parsons testified that they plan to operate this restaurant the same as the one in Ellicott City, other than they will not have an outside licensed area. Ms. Parsons testified that she plans to visit the restaurant periodically to observe the operation.

The following Applicants' Exhibit was entered into the record:

Exhibit #1 - menu for Pie Five Pizza Company

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 Monica Parsons and Jeffrey Mengel on behalf of Cranberry III, LLC, t/a Pie Five Pizza Company, have applied for a new Class B Beer and Light Wine 7-day on-sale license for a 2,400 square foot restaurant located at 6455-32 Dobbin Road, Columbia, Maryland 21045.
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 Monica Parsons has been a Howard County resident for more than two years, is a registered voter, and a 15% shareholder of Cranberry III, LLC, t/a Pie Five Pizza 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 Monica Parsons and Jeffrey Mengel on behalf of Cranberry III, LLC, t/a Pie Five Pizza Company, have applied for a new Class B Beer and Light Wine 7-day on-sale license for a 2,400 square foot restaurant located at 6455-32 Dobbin Road, Columbia, Maryland 21045.

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 Monica Parsons 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 26th day of April, 2016, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Monica Parsons and Jeffrey Mengel on behalf of Cranberry III, LLC, t/a Pie Five Pizza Company, for a new Class B Beer and Light Wine 7-day on-sale license for a 2,400 square foot restaurant located at 6455-32 Dobbin Road, Columbia, Maryland 21045, 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 laws; and
- (b) Failure to comply with these conditions and obtain the license by September 30, 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

ABSENT

Harry Evans, III, Vice-Chairperson

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



Charles C. Feaga, Member



Heather Gaetano, Member



Lewis Taylor, Esquire
Assistant County Solicitor



Charley C. Sung, Member