

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF NATHAN PAUL	*	
SOWERS ON BEHALF OF RIVER	*	BEVERAGE HEARING BOARD
HOUSE PIZZA CO., LLC, t/a RIVER	*	
HOUSE PIZZA CO., FOR A NEW CLASS	*	FOR
B BEER AND LIGHT WINE 7-DAY	*	
ON-SALE LICENSE	*	HOWARD COUNTY, MARYLAND
	*	
	*	Case No.: 17-23
	*	

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### **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 2, 2017, the Hearing Board heard the application of Nathan Paul Sowers (the “Applicant”), on behalf of River House Pizza Co., LLC, t/a River House Pizza Co. (“River House Pizza Co., LLC”), for a new Class B Beer and Light Wine 7-day on-sale license for a 884 square foot restaurant with a 4,757 square foot patio located at 3741 Hamilton Street, Ellicott City, Maryland 21043. The hearing was properly advertised pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicant was 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 dated April 25, 2017, from the attorney for the Applicant enclosing the application; the background investigation questionnaire for the Applicant; a

criminal history record check for the Applicant, from the Department of Public Safety and Correctional Services, Maryland's Criminal Justice Information System; a copy of an alcohol awareness certificate for the Applicant; a copy of the Corporate Charter Approval Sheet mailed to the Applicant; the Articles of Organization for River House Pizza Co., LLC dated July 8, 2014; floor plan for River House Pizza Co., LLC; a memorandum dated April 6, 2017, 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 investigation of the Applicant by the Alcohol Beverage Inspector dated April 25, 2017; an email dated April 10, 2017, from the Department of Inspections, Licenses, and Permits; a memorandum dated April 13, 2017, from the Department of Planning and Zoning; a memorandum dated April 19, 2017, from the Bureau of Environmental Health; a letter dated April 6, 2017, to the Department of Finance; a letter from the Department of Finance; a letter dated April 6, 2017, to the Comptroller of the Treasury; an email from the Liquor Board Administrator to the attorney for the Applicant including a fax transmission dated April 6, 2017, and a letter enclosing the required advertisement; an e-mail dated April 18, 2017, from the Alcoholic Beverage Inspector stating the premises had been posted, and a letter dated April 28, 2017, from the office of the Attorney for the Applicant enclosing certification of advertisement from two newspapers of general circulation.

#### **SUMMARY OF TESTIMONY**

Nathan Paul Sowers, 100% owner of River House Pizza Co., LLC, t/a River House Pizza Co., was sworn and testified that he has lived in Howard County for approximately 13 years, and that he is alcohol awareness certified. Mr. Sowers testified that he has experience

with the restaurant business as he worked at Tersiguel's for nine years, and has been operating the River House Pizza in Ellicott City for approximately four years without alcoholic beverages. Mr. Sowers testified that he will be the principal owner/operator, and will be at the restaurant daily.

Mr. Sowers testified that the pizza restaurant is seasonal, and is open 11:00 A.M. to 9:00 P.M., Wednesday through Sunday, or until dark. Mr. Sowers testified that they will be open Friday through Sunday in January and February. Mr. Sowers testified that they have heated tents to accommodate customers. Mr. Sowers testified that they have approximately 20 employees, and that he plans to have everyone become alcohol awareness certified. Mr. Sowers testified that he has spoken with Officer Turner of the Howard County Police Department regarding the restaurant, and that he recommended that Mr. Sowers contact the Liquor Inspector, Detective Mark Baxter, to help with training.

Mr. Sowers testified that the restaurant area is two stories. The main kitchen is downstairs, and there is a kitchen upstairs with a refrigerator for overflow of beer and wine. Mr. Sowers testified that customers will come up to the window to order their pizza and their beverage, and that there will not be any service indoors.

Mr. Sowers testified that both the pizza oven and the tables for customers are outside. Mr. Sowers testified that the patio is a courtyard that has the pizza oven on one side and the service area on the other side. Mr. Sowers testified that the staff will have full visibility of the courtyard, and that he will always have a staff member assigned to the service area. Mr. Sowers testified that the entire courtyard will be fenced in.

Mr. Sowers testified that the customers have been asking for beer and wine to accompany their pizza, and he feels that it will enhance the pizza experience. Mr. Sowers

testified that the restaurant has been embraced by the community, and that he feels it will not disturb the peace and safety of the neighborhood. Mr. Sowers testified that he is familiar with the rules and regulations governing the sale of alcoholic beverages, and that he will abide by them.

Matthew Milani, testified in support of the application. Mr. Milani testified that he is the Executive Chef for the Governor, and that he was previously a licensee in Howard County for 10 years. Mr. Milani testified that Mr. Sowers is a responsible person, who shows attention to detail.

Five other attendees stood in support of the application.

The following Exhibits were entered into the record:

Exhibit #1 – a menu

Exhibit #2 – an updated floor plan

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicant waived his 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 Nathan Paul Sowers on behalf of River House Pizza Co., LLC, t/a River House Pizza Co., has applied for a new Class B Beer and Light Wine, 7-day on-sale license for a 884 square foot restaurant with a 4,757 square foot patio located at 3741 Hamilton Street, Ellicott City, Maryland 21043.

2. The Hearing Board finds that the Applicant is a fit and proper person to hold an alcoholic beverage license.



3. The Hearing Board finds that Nathan Paul Sowers has been a Howard County resident for more than two years, is a registered voter, and 100% shareholder of River House Pizza Co., LLC, t/a River House Pizza Co.

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 Nathan Paul Sowers on behalf of River House Pizza Co., LLC, t/a River House Pizza Co. has applied for a new Class B Beer and Light Wine 7-day on-sale license for a 884 square foot restaurant with a 4,757 square foot patio located at 3741 Hamilton Street, Ellicott City, Maryland 21043.

2. The Hearing Board concludes that the Applicant is a fit and proper person to hold an alcoholic beverage license.

3. The Hearing Board concludes that Nathan Paul Sowers meets the requirements of Rules 1.10(S), 1.09(T), 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.

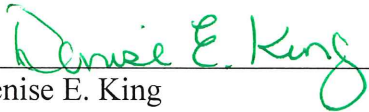
**ORDER**

For the foregoing reasons, it is this 30<sup>th</sup> day of May, 2017, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Nathan Paul Sowers on behalf of River House Pizza Co., LLC, t/a River House Pizza Co., for a new Class B Beer and Light Wine, 7-day on-sale license for a 884 square foot restaurant with a 4,757 square foot patio located at 3741 Hamilton Street, Ellicott City, Maryland, 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) Failure to comply with these conditions and obtain the license by August 30, 2017, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING  
BOARD OF HOWARD COUNTY,  
MARYLAND

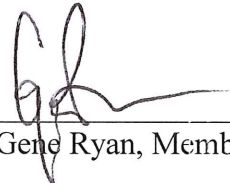
  
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Denise E. King  
Administrator


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ABSENT  
Heather Gaetano, Chairperson

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Mary Bird, Vice-Chairperson

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

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

  
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Gene Ryan, Member

  
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Lewis Taylor, Esquire  
Assistant County Solicitor

  
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Charley C. Sung, Member