

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF WILLIAM ERNESTO	*	
MELGAR LOPEZ AND LANCE ALAN	*	BEVERAGE HEARING BOARD
COOK ON BEHALF OF	*	
SALTYDOGOODS HOLDING, LLC, t/a	*	FOR
TINO'S ITALIAN BISTRO, FOR A	*	
TRANSFER OF A CLASS B BEER,	*	HOWARD COUNTY,
WINE, AND LIQUOR 7-DAY ON-SALE	*	
LICENSE	*	MARYLAND
	*	
	*	Case No. 17-04
	*	

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 January 10, 2017, the Hearing Board heard the application of William Ernesto Melgar Lopez and Lance Alan Cook (the "Applicants"), on behalf of Saltydogoods Holding, LLC, t/a Tino's Italian Bistro ("Saltydogoods Holding, LLC"), for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license from Charles Jerome Ware and Christopher Infantino on behalf of Tino's Italian Bistro, LLC, t/a Tino's Italian Bistro, for a 3,365 square foot restaurant plus a 448.65 square foot side patio located at 8775 Centre Park Drive, Columbia, Maryland 21045. 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 dated January 9, 2017, from the assistant to the attorney for the Applicants enclosing a supplement to the background questionnaires for the Applicants, and documentation of the voter registration for Mr. Lopez; an email dated January 6, 2017, from the attorney for the Applicants to the Liquor Board Administrator, enclosing additional information on the Applicants; a copy of the floor plan; a Corporate Charter approval sheet for Saltydogoods Holding, LLC, dated September 2, 2014; a copy of the Articles of Organization for Saltydogoods Holding, LLC; background questionnaires for the Applicants; a letter dated November 21, 2016, from the assistant to the attorney for the Applicants enclosing a revised application; a copy of the Certificate of Naturalization for William Ernesto Melgar Lopez; a letter from President Barack Obama, congratulating Mr. Lopez for becoming a citizen of the United States of America; a letter dated October 31, 2016, from the assistant to the attorney for the Applicants enclosing an executed Interim Beverage Management Agreement between Tino's Italian Bistro, LLC and Saltydogoods Holding, LLC dated October 28, 2016; a copy of a memorandum dated October 21, 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 December 30, 2016; a memorandum dated October 17, 2016, from the Department of Planning and Zoning; an e-mail dated January 3, 2017, from the Office of

the Fire Marshal; a letter dated October 21, 2016, to the Department of Finance; a letter from the Department of Finance; a letter dated October 21, 2016, to the Comptroller of the Treasury; a letter dated January 3, 2017, from the Comptroller of the Treasury; a fax transmission and a letter dated November 29, 2016, from the Liquor Board Administrator to the attorney for the Applicants, advising notification of the hearing date, and enclosing the required advertisement; a letter dated January 6, 2017, from the attorney for the Applicants to the Liquor Board Administrator, enclosing the certificate of advertisement from The Baltimore Sun and Patuxent Publishing Company; and an email dated January 5, 2017, from the Alcoholic Beverage Inspector stating the premises had been posted.

SUMMARY OF TESTIMONY

Lance Alan Cook, President and 70% shareholder of Saltydogoods Holding, LLC, t/a Tino's Italian Bistro, was sworn and testified that he has been operating the restaurant for two years under a management agreement. Mr. Cook testified that the reason he was operating that long before being heard by the Hearing Board, was that it did not work out with his previous business partner, who was going to be the resident agent. Mr. Cook testified that he had to find a replacement, and immediately hired an attorney to assist him in the process. Mr. Cook testified that he has kept in contact with Mr. Infantino, the previous owner, and that Mr. Infantino comes into the restaurant regularly.

Mr. Cook testified that he is requesting that the application be amended. Mr. Cook testified that he is eliminating the request to license the 311.83 square foot front patio, but is requesting to license the 448.65 square foot side patio, which was included in the application and advertising. Mr. Cook testified that they have complied with the Bulk

Transfers Act. Mr. Cook stated that he did not know that Tino's Italian Bistro, LLC, had recently been dissolved and that he understood the license could not be transferred until all outstanding taxes have been paid.

Mr. Cook testified that he has 20 years of experience in the restaurant business, and has never had any violations. Mr. Cook testified that he is at the restaurant every day, that he understand and will abide by the Liquor Board Rules and Regulations, and that he and seven of his employees are alcohol awareness certified.

Mr. Cook testified that he has 42 employees, and that they have regular meetings to review alcohol service. Mr. Cook testified that they are trained to ask for identification from anyone who appears to be under the age of 35.

Mr. Cook testified that the hours of operation are Sunday through Thursday, 11:00 A.M. to 10:00 P.M., and Friday and Saturday 11:00 A.M. to 11:00 P.M.

Mr. Cook testified that he supports local charities and schools. Mr. Cook testified that he has charity nights two times per week, and that in 2016, he raised \$58,000 for local non-profit organizations. Mr. Cook testified that he loves the restaurant business, and that he loves being a part of the community. Mr. Cook testified that he has been recognized by Howard County for his generosity, and his willingness to create a better place for residents of Howard County.

William Ernesto Melgar Lopez, Vice President and 30% shareholder of Saltydogoods Holding, LLC, was sworn and testified that he has lived in Howard County for more than five years, is a registered voter, and is alcohol awareness certified. Mr. Lopez testified that he is the Executive Chef at Tino's Italian Bistro, and that he is on

premises six days per week. Mr. Lopez testified that he is familiar with the rules and regulations governing the sale of alcoholic beverages, and that he understands the responsibility of being the resident agent.

The following Exhibits were entered into the record:

Exhibit A – newspaper article from the Howard County Times regarding Tino’s Italian Bistro winning a Hire Power Award
Exhibit B – menu for Tino’s Italian Bistro

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, William Ernesto Melgar Lopez and Lance Alan Cook on behalf of Saltydogoods Holding, LLC, t/a Tino’s Italian Bistro have applied for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license from Charles Jerome Ware and Christopher Infantino on behalf of Tino’s Italian Bistro, LLC, t/a Tino’s Italian Bistro, for a 3,365 square foot restaurant with a 448.65 square foot side patio located at 8775 Centre Park Drive, 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 William Ernesto Melgar Lopez has been a Howard County resident for more than two years, is a registered voter, and a 30% shareholder of Saltydogoods Holding, LLC, t/a Tino’s Italian Bistro.

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, William Ernesto Melgar Lopez and Lance Alan Cook on behalf of Saltydogoods Holding, LLC, t/a Tino's Italian Bistro have applied for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license from Charles Jerome Ware and Christopher Infantino on behalf of Tino's Italian Bistro, LLC, t/a Tino's Italian Bistro, for a 3,365 square foot restaurant with a 448.65 square foot side patio located at 8775 Centre Park Drive, 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 William Ernesto Melgar Lopez 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.

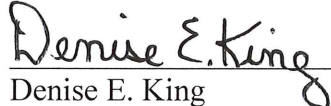
ORDER

For the foregoing reasons, it is this 24th day of January 2017, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of William Ernesto Melgar Lopez and Lance Alan Cook on behalf of Saltydogoods Holding, LLC, t/a Tino's Italian Bistro for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license from Charles Jerome Ware and Christopher Infantino on behalf of Tino's Italian Bistro, LLC, t/a Tino's Italian Bistro, for a 3,365 square foot restaurant with a 448.65 square foot side patio located at 8775 Centre Park Drive, Columbia, Maryland 21045, 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) That the Applicants provide documentary evidence that all outstanding taxes have been paid; and
- (c) Failure to comply with these conditions and obtain the license by February 28, 2017, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Denise E. King
Administrator


Heather Gaetano, Chairperson

ABSENT
Mary Bird, Vice-Chairperson

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


Charles C. Feaga, Member


Lewis Taylor, Esquire
Assistant County Solicitor

ABSENT AT TIME OF SIGNING
Gene Ryan, Member


Charley C. Sung, Member