

IN THE MATTER OF THE * BEFORE THE ALCOHOLIC
 APPLICATION OF RAYMOND WALSH *
 AND BHUPINDER SINGH ON BEHALF * BEVERAGE HEARING BOARD
 OF POLO CLUB, LLC, t/a ANANDA, FOR*
 A NEW CLASS B BEER, WINE, AND * FOR
 LIQUOR 7-DAY ON-SALE LICENSE *
 * HOWARD COUNTY, MARYLAND

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 February 11, 2014 and March 27, 2014, the Hearing Board heard the application of Raymond Walsh and Bhupinder Singh ("Applicants"), on behalf of Polo Club, LLC, t/a Ananda ("Polo Club, LLC"), for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 9,494 square foot restaurant with a 1,394 square foot outdoor patio, and a 1,040 square foot outdoor patio, located at 7421 Maple Lawn Boulevard, Maple Lawn, Maryland 20759. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicants were represented by Katherine L. Taylor, Esquire. There were no protestants who appeared in opposition to the application.

All the documents on file are incorporated herein by reference. These include: a letter dated December 6, 2013, from the Applicants' attorney enclosing the application; a copy of the floor plan; a copy of the Amended and Restated Articles of Organization of Polo Club, LLC; the background investigation questionnaire from Raymond Walsh; a copy of the Maryland Motor Vehicle Administration driving record of Raymond Walsh; a copy of a receipt from the Department of Public Safety and Correctional Services Information Technology & Communications Division Criminal Justice Information System – Central Repository for Raymond Walsh; a copy of the Maryland Driver's License for Raymond Walsh; a copy of the Certificate of Birth for Raymond Walsh; evidence of voter registration for Raymond Walsh from Maryland's official website for voter registration; the background investigation questionnaire

from Bhupinder Singh; a copy of the Maryland Driver's License for Bhupinder Singh; a copy of Alcohol Awareness Certification for Bhupinder Singh; a copy of the application for a Naturalization/Citizenship Certificate through the Department for Homeland Security for Bhupinder Singh; a copy of a United States Passport for Bhupinder Singh; a criminal history record check for Bhupinder Singh from the Department of Public Safety and Correctional Services; a memorandum dated January 15, 2014, from the Liquor Board to the Alcoholic Beverage Inspector, the Department of Inspections, Licenses and Permits, the Bureau of Environmental Health, and the Department of Planning and Zoning; the background investigations for the Applicants from the Alcoholic Beverage Inspector dated January 23, 2014; an e-mail dated January 21, 2014, from the Department of Inspections, Licenses and Permits; a memorandum dated January 30, 2014, from the Department of Planning and Zoning; a letter dated January 16, 2014, to the Department of Finance; a letter dated January 31, 2014, from the Department of Finance; a letter dated January 16, 2014, to the Comptroller of Maryland; a letter dated January 29, 2014, from the Comptroller of Maryland; an email from the Liquor Board Administrator enclosing a fax transmission to the Applicants' attorney, and a letter dated January 6, 2014, with notification of the hearing date and the necessity to advertise; a memorandum dated January 17, 2014, from the Alcoholic Beverage Inspector stating the premises had been posted; a letter dated March 4, 2014 to the Applicants' attorney from the Liquor Board Administrator advising the hearing continuation date of March 27, 2014;; a letter dated February 11, 2014, from the Applicants' attorney enclosing an updated list of square footage; and updated floor plan; a copy of a notice issued by the Baltimore City Liquor Board for Bhupinder Singh/Carlyle Club, and a printout showing that an administrative fee was paid in lieu of a hearing being held; a printout from the Maryland Department of Assessments and Taxation regarding personal property taxes for Binda Systems, Inc., t/a Carlyle Club; a printout from the Baltimore Liquor Board System, indicating Binda Systems, Inc., t/a Carlyle Club closed; and copies of certification of legal advertisements from Patuxent Publishing and The Howard Sun.

SUMMARY OF TESTIMONY

The Applicants' attorney began by addressing the following preliminary matters: Applicants will have to amend their application to increase the square footage, which will require re-advertising, and a continued hearing. Regarding Mr. Singh's background, there was a notice of a violation in Baltimore City for failure to pay personal property taxes. Applicants' attorney

stated that it was not a violation, as it was remedied before the hearing. Applicants' attorney stated that Mr. Singh recently moved to Howard County, but has not yet lived here for two years. If approved, Mr. Singh will resign from Ambassador Restaurant.

Bhupinder Singh, 90% owner of Polo Club, LLC, was sworn and testified that he has been in the hospitality industry since 1993, and has worked in various positions. Mr. Singh testified that he was employed at the Ambassador Restaurant, but was not a licensee. Mr. Singh testified that he was also on a license at the Carlisle Club, and was 100% owner from 2000 to 2013. Mr. Singh testified that the lease expired, and the landlord turned the building into apartments.

Mr. Singh testified that the concept of the restaurant is to offer healthy food, while using products from local farmers. Mr. Singh testified that they also have 2.5 acres to grow some of their own products. Mr. Singh testified that their plan is to bring school children to the restaurant to show them the steps from growing the food, to the service of the food to the customers. Mr. Singh testified that this will be the first upscale/family-oriented, white table cloth, Indian restaurant with good prices. They will also be the first Indian restaurant to offer the "farm to table" concept.

Mr. Singh testified that one of the patios will be enclosed by glass garage doors, so that during nice weather, they will be able to open the doors. There will be doors on three sides of the patio. Mr. Singh testified that there is a railing around the patio area, along with a retaining wall and a living fence. Mr. Singh testified that customers will not be able to get from the street to the patio. Customers will need to go through the restaurant to be seated outside. Mr. Singh testified that there will be a hostess and a server on the outside patios at all times.

Mr. Singh testified that the other patio is in the front of the building, and has a solid four foot wall on three sides.

Mr. Singh testified that they will have a banquet area, where they can host private events and small parties. Mr. Singh testified that on the lower level they will have a storage area for dry goods and alcoholic beverages. Mr. Singh testified that the alcoholic beverages will be stored in a locked area, and that he will have the key.

Mr. Singh testified that alcoholic beverages are necessary, and are an essential part of the dining experience.

Mr. Singh testified that they initially plan to open for dinner from 4:00 P.M. to 10:00 P.M. week nights, and 4:00 P.M. to 12:00 midnight on weekends. They eventually plan to offer brunch, lunch and dinner.

Mr. Singh testified that they developed procedures with the help of Martin Johnson, a retired Howard County Alcoholic Beverage Inspector. The employees will be required to read these procedures, and sign them. Mr. Singh testified that they plan to start with hiring 15 employees, which will include himself, as the general manager, a bar manager, a chef, and servers. Mr. Singh testified that he understands the responsibility of being a licensee.

Raymond Walsh, 10% owner of Polo Club, LLC, was sworn and testified that he has lived in Howard County for 25 years, is a registered voter, and is alcohol awareness certified. Mr. Walsh testified that he was a former Howard County Police Officer, and that his role will be to work with the owners to assure they are in compliance with alcoholic beverage laws. Mr. Walsh testified that he understands the responsibility of being a resident agent, and that he will visit the restaurant regularly at various times of the day. Mr. Walsh testified that he intends to initially stop in the restaurant, one to two times per week.

Martin Johnson, a retired Howard County Alcoholic Beverage Inspector, was sworn and testified that he was the Alcoholic Beverage Inspector for 13 years. Mr. Johnson testified that he now is employed on contract work for the United States Department of Homeland Security, and does consulting with liquor licensees.

Mr. Johnson testified that he has been part of a development team regarding the application of Polo Club, LLC. Mr. Johnson testified that he has been to the restaurant several times, and that he has reviewed the Liquor Board Rules and Regulations with the employees.

The Hearing was continued until March 27, 2014 so that the licensees could run the correct advertisements listing the proper square footage of the proposed licensed premises. On March 27, 2014, the Hearing Board heard the continuation of the Copies of the certification of the corrected advertisement from Patuxent Publishing and the Howard Sun were submitted.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicants waived the right to request the Liquor Board to hear the case.

Based on the evidence presented at the hearing, the Hearing Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Hearing Board finds that Raymond Walsh and Bhupinder Singh on behalf of Polo Club, LLC, t/a Ananda, have applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 9,494 square foot restaurant with a 1,394 square foot outdoor patio, and a 1,040 square foot outdoor patio located at 7421 Maple Lawn Boulevard, Maple Lawn, Maryland 20759.

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 Walsh has been a Howard County resident for more than two years, is a registered voter, and 10% owner of Polo Club, LLC, t/a Ananda.

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 in the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Raymond Walsh and Bhupinder Singh on behalf of Polo Club, LLC, t/a Ananda, have applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 9,494 square foot restaurant with a 1,394 square foot outdoor patio, and a 1,040 square foot outdoor patio located at 7421 Maple Lawn Boulevard, Maple Lawn, Maryland 20759.

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 Walsh, Jr. meets the requirements of Rules 1.09(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 will not unduly disturb the peace and safety of the residents in the neighborhood.

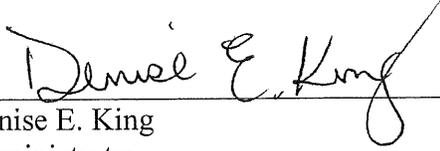
ORDER

For the foregoing reasons, by a 3 to 0 vote, it is this 8th day of April, 2014, by the Alcoholic Beverage Hearing Board of Howard County, Maryland **ORDERED:** that the application of Raymond Walsh and Bhupinder Singh on behalf of Polo Club, LLC, t/a Ananda, for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 9,494 square foot restaurant with a 1,394 square foot outdoor patio, and a 1,040 square foot outdoor patio located at 7421 Maple Lawn Boulevard, Maple Lawn, Maryland 20759, be and the same is hereby **GRANTED** subject to the following conditions:

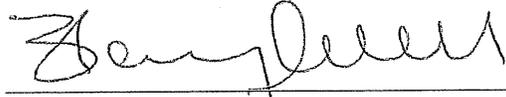
1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicants obtain the license, and comply with the following conditions:
 - a. That the Applicants comply with all State and County rules and regulations; and
 - b. Failure to comply with these conditions and obtain the license before April 30, 2014, shall render this proposed Decision and Order null and void.

ATTEST:

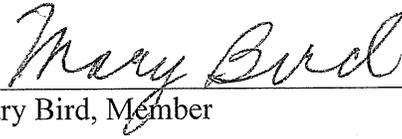
**ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND**



Denise E. King
Administrator

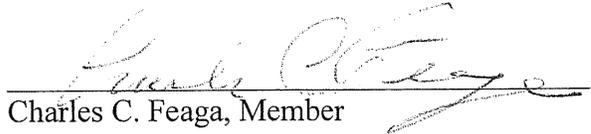


Harry Evans, III, Chairperson



Mary Bird, Member

REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
MARGARET ANN NOLAN
COUNTY SOLICITOR



Charles C. Feaga, Member



Lewis Taylor, Esquire
Assistant County Solicitor

ABSENT

William Neault, Member