

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF PAUL SAIZ ON	*	
BEHALF OF BOLDER, LLC, t/a	*	BEVERAGE HEARING BOARD
BOLDER, FOR A NEW CLASS B	*	
BEER, WINE, AND LIQUOR 7-DAY	*	FOR
ON-SALE LICENSE	*	
	*	HOWARD COUNTY, MARYLAND
	*	
	*	Case No. 16-29

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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 June 28, 2016, the Hearing Board heard the application of Paul Saiz (the “Applicant”), on behalf of Bolder, LLC, t/a Bolder (“Bolder, LLC”), for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 2,100 square foot restaurant with a 800 square foot outdoor patio located at 17004 Frederick Road, Mt. Airy, Maryland 21771. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicant was represented by Edwin Tillman, 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: an email dated April 21, 2016 from Ellie Ennis to the Liquor Board Administrator, requesting that the application on behalf of Bolder, LLC be scheduled; a letter dated February 18, 2016, from the Applicant enclosing the application; a letter dated February 9, 2016, from the

Liquor Board Administrator to the Applicant, rescheduling the hearing; a copy of the Articles of Organization of Bolder, LLC; a copy of a letter dated October 28, 2015, from the Department of the Treasury Internal Revenue Service assigning Bolder, LLC an employer identification number; a copy of a floor plan; the background investigation questionnaire for the Applicant; a copy of the driving record of Paul Saiz, from the Motor Vehicle Administration for the State of Maryland; a copy of a memorandum dated May 26, 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 investigation of the Applicant by the Alcohol Beverage Inspector, dated January 5, 2016; an email dated June 1, 2016, from the Department of Inspections, Licenses, and Permits; a memorandum dated June 8, 2016, from the Bureau of Environmental Health; a memorandum dated January 11, 2016, from the Department of Planning and Zoning; a letter dated June 3, 2016, from the Office of the Fire Marshal; a letter dated May 26, 2016, to the Department of Finance; a letter from the Department of Finance; a letter dated May 26, 2016, to the Comptroller of the Treasury; a letter dated June 16, 2016, from the Comptroller of the Treasury; a facsimile transmission cover sheet dated May 26, 2016, to Ellie Ennis, attaching a letter with notification of the hearing date, and the necessary advertisement; and an email dated June 14, 2016, from the Alcoholic Beverage Inspector stating the premises had been posted.

### **SUMMARY OF TESTIMONY**

Paul Saiz, Managing Member and 100% shareholder for Bolder, LLC, t/a Bolder, was sworn and testified that he has been a resident of Howard County for 18 years, is a registered voter, and is alcohol awareness certified. Mr. Saiz testified that he has prior experience in the

alcoholic beverage business, as he worked for a catering service in Colorado, and was a bartender in Olney, Maryland.

Mr. Saiz testified that he owns a contracting company, but will be at the restaurant daily.

Mr. Saiz testified that he has hired Ellie Ennis to be the manager.

Mr. Saiz testified that they expect to be open by the end of July.

Ellie Ennis, was sworn and testified that she has been a resident of Howard County for 30 years, that she is a registered voter, and that she is alcohol awareness certified. Ms. Ennis testified that she worked as a manager at Coho Grill for 28 years, where she over saw the food, beverage, and staff. Ms. Ennis testified that while she worked there, they never had a violation.

Ms. Ennis testified that she was contacted by the property owner, and previous licensee, Larry Smith, and asked if she would come to work for him. Ms. Ennis testified that at that time, she was not interested. Ms. Ennis testified that after the new building of Coho Grill was completed, she changed her mind, and decided she would like to work at Bolder. Ms. Ennis testified that she will be at the restaurant every day, and that she will probably be on premises for approximately 80 hours per week.

Larry Smith, the land lord and real property owner of 17004 Frederick Road, Mt. Airy, Maryland 21771, was sworn and testified that he has been a resident of Howard County since 1960, and is a registered voter. Mr. Smith testified that he is the accountant, and manages the partnership that owns the building at 17004 Frederick Road, Mt. Airy, Maryland 21771. Mr. Smith testified that he has owned the building at 17004 Frederick Road, Mt. Airy, Maryland 21771, since 2007 and previously he leased the building to Country Kettle Café. He then ran a business called Drover's Steak and Seafood, where he was a licensee, which then became

Springs Landing Pub, and was operated by Kevin Vanek, although Mr. Smith remained a licensee. Mr. Smith stated that he was unaware that Springs Landing Pub owes outstanding personal property taxes.

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 Paul Saiz, on behalf of Bolder, LLC, t/a Bolder, has applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 2,100 square foot restaurant with an 800 square foot outdoor patio located at 17004 Frederick Road, Mt. Airy, MD 21771.
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 Paul Saiz has been a Howard County resident for more than two years, is a registered voter, and a 100% shareholder of Bolder, LLC, t/a Bolder.
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 Paul Saiz, on behalf of Bolder, LLC, t/a Bolder, has applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 2,100 square foot restaurant with an 800 square foot outdoor patio located at 17004 Frederick Road, Mt. Airy, MD 21771.

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 Paul Saiz 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 12<sup>th</sup> day of July, 2016, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Paul Saiz, on behalf of Bolder, LLC, t/a Bolder, for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 2,100 square foot restaurant with an 800 square foot outdoor patio located at 17004 Frederick Road, Mt. Airy, MD 21771, be and the same is hereby **GRANTED**, subject to the following conditions:

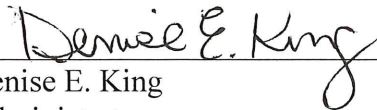
1. That this **PROPOSED DECISION AND ORDER** shall become final


when the Applicant obtains the license and complies with 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 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

  
\_\_\_\_\_  
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

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Charley C. Sung, Member