

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF BRUCE P. MARTIN,	*	
ROCCO RICCI, AND KRISTIE ANN MILLER	*	BEVERAGE HEARING
ON BEHALF OF COLUMBIA VANTAGE	*	
HOUSE CORPORATION, t/a VANTAGE	*	BOARD FOR
HOUSE, FOR A RESIDENT AGENT CHANGE	*	
ON A CLASS C (CONTINUING CARE	*	HOWARD COUNTY, MD
RETIREMENT COMMUNITY) BEER, WINE,	*	
AND LIQUOR 7-DAY ON-SALE LICENSE	*	Case No. 17-14

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, 2017, the Hearing Board heard the application of Bruce P. Martin, Rocco Ricci, and Kristie Ann Miller (the “Applicants”), on behalf of Columbia Vantage House Corporation, t/a Vantage House (“Columbia Vantage House Corporation”), for a resident agent change from Nail Sara to Bruce P. Martin on a Class C (Continuing Care Retirement Community) Beer, Wine, and Liquor 7-day on-sale license for a 12,062 square foot facility located at 5400 Vantage Point Road, Columbia, Maryland. The hearing was properly advertised pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were represented by Katherine L. Taylor. 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 March 13, 2017, from the Administrator to Carolyn Bernhardt at Vantage House notifying them that the hearing scheduled before the Alcoholic Beverage Hearing Board on March 14, 2017, would be postponed until March 22, 2017; a March 13, 2017 notice from the attorney for the Applicants entering her appearance; a letter dated January 30, 2017, from the Executive Director of Vantage House enclosing amendments to their application; the application; an email from the Restaurant Association of Maryland to Carolyn Bernhardt of Vantage House, confirming payment for an alcohol awareness course for Bruce P. Martin; a letter dated November 21, 2016, from the Executive Director of Vantage House enclosing the application; copies of the background investigation questionnaires for the Applicants; receipts from the Criminal Justice Information System – Central Repository for Kristie Ann Miller and Bruce P. Martin; a memorandum dated February 13, 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 investigations of the Applicants by the Alcohol Beverage Inspector dated March 6, 2017; a memorandum dated March 1, 2017, from the Department of Planning and Zoning; a letter dated February 16, 2017, from the Office of the Fire Marshal; a letter dated February 13, 2017, to the Department of Finance; a letter from the Department of Finance; a letter dated February 13, 2017, to the Comptroller of Maryland; a letter dated March 8, 2017, from the Comptroller of Maryland; an email dated February 16, 2017, from the Liquor Board Administrator to the attorney for the Applicants, attaching a letter advising notification of the hearing date, and enclosing the required advertisement; an email dated March 18,

2017, from the attorney for the Applicants, to the Liquor Board Administrator enclosing the legal advertisements from the Baltimore Sun and from Patuxent Publishing; and an e-mail dated February 21, 2017, from the Alcoholic Beverage Inspector stating the premises had been posted.

SUMMARY OF TESTIMONY

Bruce P. Martin, Esq., an officer of the Board of Directors for Columbia Vantage House Corporation, t/a Vantage House, was sworn and testified that he has been on the Board of Directors for two years as Secretary. Mr. Martin testified that he is very knowledgeable about Vantage House as his mother was a resident at the facility, prior to her passing. Mr. Martin testified that he is very familiar with Lisa Rohrauer, the Director of Dining Services at Vantage House, and that she is very experienced. Mr. Martin testified that he is confident that she will ensure that sales and consumption of alcoholic beverages will be monitored, and that they will follow the rules and laws, with regards to alcoholic beverages.

Mr. Martin further testified that he will visit and talk to the staff to see how things are going, and whether there are any problems. Mr. Martin testified that he will periodically stop in on Sundays to observe the operation during family visitation.

Kristie Miller, Director of Finance, and on-site manager for Vantage House, was sworn and testified that she has been employed at Vantage House since January 2016. Ms. Miller testified that she is on the premises 40 hours per week, and, as the Director of Finance, is a manager of the facility. Ms. Miller testified that she is familiar with the rules and regulations governing the sale of alcoholic beverages, and that she understands the responsibility of being a licensee.

Ms. Miller testified that she works closely with Lisa Rohrauer, the Director of Dining Services, who has been employed at Vantage House for eight years. Ms. Miller testified that she will be observing the operation, and will keep Mr. Martin updated.

The following Exhibit was entered into the record:

Exhibit #1 – Alcohol awareness certificates for Kristie Miller and Bruce P. Martin.

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 Bruce P. Martin, Rocco Ricci, and Kristie Ann Miller, on behalf of Columbia Vantage House Corporation, t/a Vantage House, have applied for a resident agent change from Nail A. Sara to Bruce P. Martin on a Class C (Continuing Care Retirement Community) Beer, Wine, and Liquor 7-day on-sale license for a 12,062 square foot facility located at 5400 Vantage Point Road, Columbia, Maryland 21044.
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 Bruce P. Martin has been a Howard County resident for more than two years, is a registered voter, and a corporate officer for Columbia Vantage House Corporation, t/a Vantage House.
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 Bruce P. Martin, Rocco Ricci, and Kristie Ann Miller, on behalf of Columbia Vantage House Corporation, t/a Vantage House, have applied for a resident agent change from Nail A. Sara to Bruce P. Martin on a Class C (Continuing Care Retirement Community) Beer, Wine, and Liquor 7-day on-sale license for a 12,062 square foot facility located at 5400 Vantage Point Road, Columbia, Maryland 21044.

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 Bruce P. Martin 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 finds that the granting of the application will not unduly disturb the peace and safety of the residents of the neighborhood.

ORDER

For the foregoing reasons, it is this 28th day of April, 2017, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Bruce P. Martin, Rocco Ricci, and Kristie Ann Miller, on behalf of Columbia Vantage House Corporation, t/a Vantage House, for a resident agent change from Nail A. Sara to Bruce P.

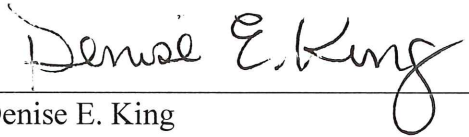
Martin on a Class C (Continuing Care Retirement Community) Beer, Wine, and Liquor 7-day on-sale license for a 12,062 square foot facility located at 5400 Vantage Point Road, Columbia, Maryland 21044, be and the same is hereby **GRANTED**, subject to the following conditions:

(a) That the Applicants comply with all State and County laws; and

(b) Failure to comply with these conditions and obtain the license by April 30, 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

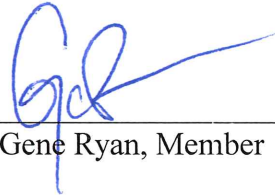


Mary Bird, Vice-Chairperson

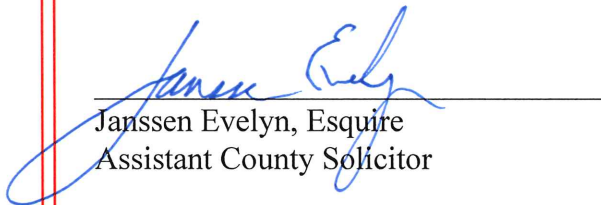
REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
GARY W. KUC
COUNTY SOLICITOR

ABSENT

Charles C. Feaga, Member



Gene Ryan, Member



Janssen Evelyn, Esquire
Assistant County Solicitor



Charley C. Sung, Member