

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF PATRICIA ANNE	*	
MILLER, BRYAN DOUGLAS	*	BEVERAGE HEARING BOARD
MCCRORY AND JEFFREY ALAN	*	
HOBAN ON BEHALF OF MAGGIANO'S	*	FOR
OF HOWARD COUNTY, INC., t/a	*	
MAGGIANO'S LITTLE ITALY FOR A	*	HOWARD COUNTY, MARYLAND
NEW CLASS B BEER, WINE AND	*	
LIQUOR 7-DAY ON-SALE LICENSE	*	
	*	

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 13, 2014 and May 20, 2014, the Hearing Board heard the application of Patricia Anne Miller, Bryan Douglas McCrory, and Jeffrey Alan Hoban ("Applicants"), on behalf of Maggiano's of Howard County, Inc., t/a Maggiano's Little Italy ("Maggiano's of Howard County, Inc."), for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 8,254 square foot restaurant with a 2,052 square foot outdoor patio, located at 10300 Little Patuxent Parkway, Suite 3160, Columbia, Maryland 21044. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicants were represented by Leanne M. Schrecengost, 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 29, 2014, from the Applicants' attorney providing corrected information for Patricia Miller; a letter dated April 4, 2014, from the Applicants' attorney requesting that Mr. Hoban be allowed to testify on May 13, 2014, and requesting that the application be continued on May 20, 2014; an email dated April 8, 2014, from the Applicants' attorney attaching a revised list of stockholders for Maggiano's of Howard County, Inc.; a letter dated March 13, 2014, from the Applicants' attorney enclosing the application; a list of stockholders and officers for Maggiano's; acceptance letter from the State Department of

Assessments and Taxation for Maggiano's of Howard County, Inc.; a copy of the Articles of Incorporation for Maggiano's of Howard County, Inc.; a State License Listing for Brinker International License; copies of the floor plan; the background investigation questionnaire from Patricia Anne Miller; a criminal history record check from the Maryland Criminal Justice Information System for Patricia Anne Miller; a background investigation questionnaire from Jeffrey Alan Hoban; a certified three year history record dated January 21, 2014, from the Texas Department of Public Safety for Jeffrey Hoban; a background investigation questionnaire from Bryan Douglas McCrory; a certified three year history record from the Texas Department of Public Safety for Bryan Douglas McCrory; a memorandum dated April 1, 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 May 6, 2014; memorandum dated April 16, 2014, from the Bureau of Environmental Health; a letter dated April 18, 2014, from the Office of the Fire Marshal; a memo dated May 13, 2014 from the Department of Planning and Zoning, a letter dated March 14, 2014, to the Department of Finance; a letter dated April 21, 2014, from the Department of Finance; a letter dated March 14, 2014, to the Comptroller of Maryland; a letter dated April 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 April 9, 2014, with notification of the hearing date and the necessity to advertise; a memorandum dated April 24, 2014, from the Alcoholic Beverage Inspector stating the premises had been posted; and an email dated May 7, 2014, from the Applicants' attorney attaching the certification of advertisement from Howard County Times and The Baltimore Sun.

SUMMARY OF TESTIMONY – MAY 13, 2014

Jeffrey Hoban, Vice President, Treasurer and Assistant Secretary for Maggiano's of Howard County, Inc., was sworn and testified that he is Senior Vice President and General Counsel for Brinker International, which is a publicly traded company. Mr. Hoban testified that he will not be involved in the day to day operation of Maggiano's of Howard County, Inc. Mr. Hoban testified that Maggiano's Little Italy is a Chicago style family restaurant that serves large portions of food, and provides a warm and inviting atmosphere. Mr. Hoban testified that there are 45 Maggiano's Little Italy restaurants in the United States.

Mr. Hoban testified that they will have an outdoor patio, which will be enclosed with a three foot metal fence. Mr. Hoban testified that the entrance to the patio would be through the restaurant.

Mr. Hoban testified that they will have approximately 150 employees, and that they will all be alcohol awareness certified. Mr. Hoban testified that the employees will be retrained every two years.

Mr. Hoban testified that the hours of operation will be Monday through Thursday, 11:00 A.M. to 10:00 P.M., Friday and Saturday 11:00 A.M. to 11:00 P.M., and Sunday 12:00 noon – 9:00 P.M.

Mr. Hoban testified that he is familiar with the Liquor Board's rules and regulations, and that he will abide by them.

The following Exhibit was entered into the record:

Exhibit #1 – menus for Maggiano's of Little Italy

SUMMARY OF TESTIMONY – MAY 20, 2014

Bryan McCrory, President/Secretary of Maggiano's of Howard County, Inc., was sworn and testified he has been employed with Brinker International for 23 years, and is a Vice President/Assistant General Counsel. Mr. McCrory testified that he has been on many liquor licenses for Brinker International. Mr. McCrory testified he has read the Liquor Board's rules and regulations, and that he understands his responsibility as a licensee.

Patricia Miller, Assistant Secretary and 10% owner of Maggiano's of Howard County, Inc., was sworn and testified that she has been a resident of Howard County for 25 years, is a registered voter, and is alcohol awareness certified. Ms. Miller testified that she will be meeting the management staff next week, prior to the restaurant opening. Ms. Miller testified that if she observes anything wrong when she visits the restaurant, she will contact the manager. Ms. Miller testified that she is familiar with the Liquor Board's rules and regulations, and that she will abide by them.

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 Patricia Anne Miller, Bryan Douglas McCrory, and Jeffrey Alan Hoban on behalf of Maggiano's of Howard County, Inc., t/a Maggiano's Little Italy, have applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for an 8,254 square foot restaurant with a 2,052 square foot outdoor patio located at 10300 Little Patuxent Parkway, Suite 3160, 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 Patricia Anne Miller has been a Howard County resident for more than two years, is a registered voter, and 10% owner of Maggiano's of Howard County, Inc., t/a Maggiano's Little Italy.

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 Patricia Anne Miller, Bryan Douglas McCrory, and Jeffrey Alan Hoban on behalf of Maggiano's of Howard County, Inc., t/a Maggiano's Little Italy, have applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for an 8,254 square foot restaurant with a 2,052 square foot outdoor patio located at 10300 Little Patuxent Parkway, Suite 3160, 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 Patricia Anne Miller 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 will not unduly disturb the peace and safety of the residents in the neighborhood.

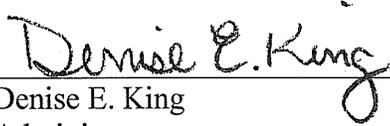
ORDER

For the foregoing reasons, by a 3 to 0 vote, it is this 30th day of May, 2014, by the Alcoholic Beverage Hearing Board of Howard County, Maryland **ORDERED** that the application of Patricia Anne Miller, Bryan Douglas McCrory, and Jeffrey Alan Hoban on behalf of Maggiano's of Howard County, Inc., t/a Maggiano's of Little Italy, for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 8,254 square foot restaurant with a 2,052 square foot outdoor patio located at 10300 Little Patuxent Parkway, Suite 3160, Columbia, Maryland 21044, 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 August 31, 2014, shall render this proposed Decision and Order null and void.

ATTEST:

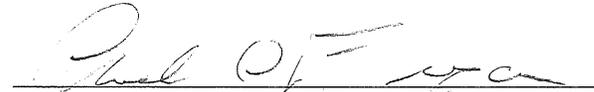
ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Denise E. King
Administrator



Harry Evans, III, Chairperson



Charles C. Feaga, Vice-Chairperson

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

Mary Bird, Member



William Neault, Member



Lewis Taylor, Esquire
Assistant County Solicitor