

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF MICHAEL DAMIAN	*	
SITA ON BEHALF OF BAPS, INC., t/a	*	BEVERAGE HEARING BOARD
THE HIDEOUT, FOR A NEW CLASS D	*	
BEER, WINE, AND LIQUOR 7-DAY ON-	*	FOR
SALE LICENSE	*	
	*	HOWARD COUNTY, MARYLAND
	*	
	*	Case No. 16-21
	*	

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 10, 2016, the Hearing Board heard the application of Michael Damian Sita (the “Applicant”), on behalf of BAPS, Inc., t/a The Hideout (“BAPS, Inc.”), for a new Class D Beer, Wine, and Liquor 7-day on-sale license for a 2,400 square feet tavern located at 9855 North Washington Boulevard, Laurel, Maryland 20723. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicant was not represented by an attorney. 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 cover sheet listing the documents submitted by Applicant; a letter dated January 26, 2016, from the Applicant requesting that the application be held temporarily; the application; a copy of the floor plan; a copy of the Articles of Incorporation for BAPS, Inc., a

copy of the Articles of Amendment for BAPS, Inc.; a stockholder statement dated February 11, 2016, for BAPS, Inc.; a stockholder statement of no other license interest dated February 11, 2016, for BAPS, Inc.; a copy of the meeting minutes dated January 28, 2016, for BAPS, Inc.; a letter dated May 4, 2016, from the Applicant attaching a declaration from the shareholders of BAPS, Inc.; a stockholder statement of no other license interest dated April 29, 2016; a copy of the By-Laws of BAPS, Inc.; the background investigation questionnaire for the Applicant; a copy of the Certificate of Live Birth for the Applicant; a copy of the receipt from the Department of Public Safety and Correctional Services Criminal Justice Information System – Central Repository; a copy of a memorandum dated March 17, 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 April 7, 2016; an email dated March 18, 2016, by the Department of Inspections, Licenses, and Permits; a memorandum dated April 1, 2016, from the Department of Planning and Zoning; a letter dated March 17, 2016, to the Department of Finance; a letter from the Department of Finance; a letter dated March 17, 2016, to the Comptroller of the Treasury; a letter dated March 24, 2016, from the Comptroller of the Treasury; a facsimile transmission cover sheet dated March 17, 2016, to the Applicant, attaching a letter with notification of the hearing date, and the advertisement; an email dated April 15, 2016, from the Alcoholic Beverage Inspector stating the premises had been posted, and a copy of the certificates of advertising from the Howard County Times and the Baltimore Sun.

SUMMARY OF TESTIMONY

Michael Sita, Director and 50% shareholder of BAPS, Inc., t/a The Hideout, was sworn and testified that he has lived in Howard County 18 years, and that he is a registered voter. Mr. Sita testified that he has 20 years of experience in the restaurant business, and that he previously owned Laurel Station, which is now closed.

Mr. Sita testified that he is familiar with the rules and regulations governing the sale of alcoholic beverages, that he has studied with Martin Johnson, and that he has met with the Liquor Inspector. Mr. Sita testified that he plans to be on premises approximately 60 hours per week.

Mr. Sita testified that this location was previously licensed for P.W.'s Place. Mr. Sita testified that The Hideout will be a small neighborhood bar. Mr. Sita testified that he will have 20 tables with 80 seats, and 14 seats at the bar. Mr. Sita testified that he plans to have small local bands performing, and will have small mounted televisions on the wall. Mr. Sita testified that he will not have an outside licensed area. The hours of operation will be Monday through Thursday, 8:00 A.M. until 12:00 midnight, Friday, 8:00 A.M. until 2:00 A.M., Saturday, 12:00 noon until 2:00 A.M., and Sunday, 12:00 noon until 12:00 midnight. Mr. Sita testified that he has sufficient lighting and parking for the business.

Mr. Sita testified that he will have eight full-time and four part-time employees. Mr. Sita testified that there will be a written policy that all employees will be required to sign. Mr. Sita testified that he will train all of the staff on alcohol awareness issues, and that his policy will be to ask for identification from anyone who appears to be under the age of 40.

Mr. Sita testified that he feels there is a need for this tavern, as there has been an

increase in growth in the commercial and residential areas. Mr. Sita testified that he plans to draw customers from the Laurel, Savage, and Jessup areas, along with commuters and travelers.

Mr. Sita testified that he feels his establishment will accommodate the public, and will not have a negative effect on the neighborhood. Mr. Sita testified that he feels he is a fit and proper person to hold an alcoholic beverage license.

The following Exhibits were entered into the record:

- Exhibit #1 – (6) photographs of The Hideout (aerial, interior and exterior photographs)
- Exhibit #2 - a copy of a sample menu for The Hideout
- Exhibit #3 - (3) copies of alcohol awareness certificates for Michael Sita, Sharina Blount, and Gitana Anderson

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 Michael Damian Sita, on behalf of BAPS, Inc., t/a The Hideout, has applied for a new Class D Beer, Wine, and Liquor 7-day on-sale license for a 2,400 square feet tavern located at 9855 North Washington Boulevard, Laurel, Maryland 20723.
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 Michael Damian Sita has been a Howard County resident for more than two years, is a registered voter, a Director, and a 50% shareholder of BAPS, Inc., t/a The Hideout.

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 Michael Damian Sita, on behalf of BAPS, Inc., t/a The Hideout, has applied for a new Class D Beer, Wine, and Liquor 7-day on-sale license for a 2,400 square foot tavern located at 9855 North Washington Boulevard, Laurel, Maryland 20723.

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 Michael Damian Sita 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

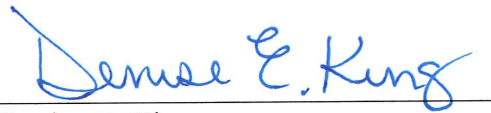
For the foregoing reasons, it is this 25th day of May, 2016, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Michael Damian Sita, on behalf of BAPS, Inc., t/a The Hideout, for a new Class D Beer, Wine, and

Liquor 7-day on-sale license for a 2,400 square feet tavern located at 9855 North Washington Boulevard, Laurel, Maryland 20723, be and the same is hereby **GRANTED**, subject to the following conditions:

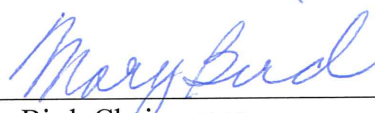
1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicant obtains the license and complies with the following conditions:
 - (a) That the Applicant complies with all State and County Rules and Regulations; and
 - (b) Failure to comply with these conditions and obtain the license by August 31, 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

ABSENT

Charley C. Sung, Member