

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF ANTHONY	*	
MICHAEL GUARINO AND ROSA G.	*	BEVERAGE HEARING BOARD
GUARINO ON BEHALF OF	*	
CONCORDIA, INC., t/a TONY LOCOS,	*	FOR
FOR A NEW CLASS B BEER, WINE,	*	
AND LIQUOR 7-DAY ON SALE	*	HOWARD COUNTY, MARYLAND
LICENSE	*	
	*	Case No.:18-09
	*	

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 January 23, 2018, the Hearing Board heard the application of Anthony Michael Guarino and Rosa G. Guarino (“Applicants”), on behalf of Concordia, Inc., t/a Tony Locos, (“Concordia, Inc.”), for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 3,150-square foot restaurant with a 600-square foot outdoor patio located at 710 Lisbon Center Drive, Units L, M, N, Woodbine, Maryland 21797. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicants were represented by Thomas Coale, Esquire. There were no Protestants who appeared in opposition to the application.

All the documents on file were incorporated into the record by reference.

SUMMARY OF TESTIMONY

As a preliminary matter, Thomas Coale confirmed that he had sent communication to the Board on January 22, 2018, addressing the traffic citations that Anthony Guarino received that were not disclosed on the license application. There was a miscommunication and Mr.

Guarino believed the 30-year old charges were too old to be relevant, and he did not mean to withhold anything from the Board.

Anthony Michael Guarino, principal owner and operator, and 50% shareholder of Concordia, Inc., t/a Tony Locos, was sworn and testified that he appeared previously before the Alcoholic Beverage Hearing Board on July 8, 2014, for this same license with the same licensees and the application was granted. Mr. Guarino explained that the septic field at the property became an issue and the Maryland Department of the Environment and the Health Department stopped them from going forward, however, the septic problems have now been rectified. Mr. Guarino received 2 extensions for obtaining the prior license, but was unable to obtain the license within the required time and so reapplied. He expects to open the restaurant in March or April 2018 and plans to be on premises every day. He testified that he has been alcohol awareness certified several times and will be certified again, along with his staff, prior to opening. He expects to have about 20 employees. Mr. Guarino testified that he has had no criminal or any other violation since his first appearance before the Board. He testified that he has experience in owning and operating restaurants – a restaurant in Canton from 1997-2001 and a restaurant in Federal Hill from 2000-2004, and has been involved in the restaurant business since the age of 16. Mr. Guarino testified that he has a consulting business called Barmax which opened in 2010, however, he forgot to put this in the application and he did not mean to withhold this from the Board. He helps clients prevent loss and stay in compliance with liquor laws. Mr. Guarino testified that the restaurant will be located in the Lisbon Center in Woodbine. He submitted a rough draft of the anticipated menu which was marked as Applicant's Exhibit 1. He stated that the concept for the restaurant is a family-style restaurant with a bar on one side with a separate restaurant serving Italian, American, and Puerto Rican

food and the restaurant will be affordable, casual, fun and clean. Mr. Guarino testified that the outdoor area is small and under cover and will seat 20-22 customers and that a server will monitor the patio area whenever customers are present. The restaurant will be open daily at 11 a.m. and will close at 2 a.m. on Thursday, Friday and Saturday and earlier during the week. Mr. Guarino testified that the restaurant is located inside a larger commercial center so it will not disturb the surrounding neighborhood. He stated that he has read and understands the Liquor Board Rules and Regulations and that he will make sure that all Rules and Regulations are complied with and no prohibited practices will occur.

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 Anthony Michael Guarino and Rosa G. Guarino on behalf of Concordia, Inc., t/a Tony Locos, have applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 3,150-square foot restaurant with a 600-square foot outdoor patio located at 710 Lisbon Center Drive, Units L, M, N, Woodbine, Maryland 21797.

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 Anthony Michael Guarino has been a Howard County resident for more than two years, is a registered voter, and 50% owner of Concordia, Inc., t/a Tony Locos.

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 Anthony Michael Guarino and Rosa G. Guarino on behalf of Concordia, Inc., t/a Tony Locos, have applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 3,150-square foot restaurant with a 600-square foot outdoor patio located at 710 Lisbon Center Drive, Units L, M, N, Woodbine, Maryland 21797.

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 Anthony Michael Guarino 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, with the exception of 2.06(D), which is pending.

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, it is this 27th day of March, 2018, by the Alcoholic Beverage Hearing Board of Howard County, Maryland, **ORDERED** that the application of

Anthony Michael Guarino and Rosa G. Guarino on behalf of Concordia, Inc., t/a Tony Locos, for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 3,150-square foot restaurant with a 600-square foot outdoor patio located at 710 Lisbon Center Drive, L, M, N, Woodbine, Maryland 21797, be and the same is hereby **GRANTED** subject to the following conditions:

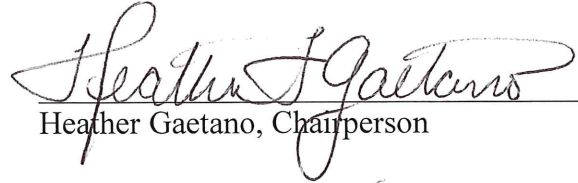
- (a) That the Applicants comply with all State and County rules and regulations; and
- (b) That Anthony Michael Guarino provide proof of current alcohol awareness certification; and
- (c) That the Applicants satisfy any requirements necessary to obtain the license by June 27, 2018, unless that deadline is extended by the Board upon good cause shown; and
- (d) Failure to comply with these conditions and shall render this proposed Decision and Order null and void.

ATTEST:

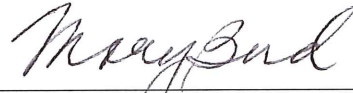
ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Robin Regner
Board Administrator

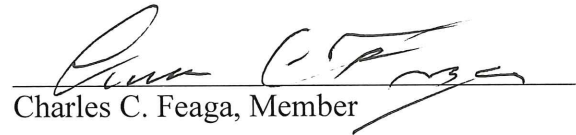


Heather Gaetano, Chairperson

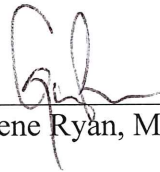


Mary Bird, Vice-Chairperson

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



Charles C. Feaga, Member



Gene Ryan, Member



Lewis Taylor, Esquire
Senior Assistant County Solicitor

ABSENT AT TIME OF SIGNING
Charley C. Sung, Member