

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF NATHANIEL DAVID	*	
HYNISON ON BEHALF OF MUTINY	*	BEVERAGE HEARING BOARD
PIRATE BAR II, LLC T/A MUTINY	*	
PIRATE BAR & ISLAND GRILLE,	*	FOR HOWARD COUNTY, MARYLAND
FOR A CLASS B BEER, WINE AND	*	
LIQUOR 7-DAY ON SALE LICENSE	*	Case No.:18-01
	*	

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 December 12, 2017, the Hearing Board heard the application of Nathaniel David Hynson (“Applicant”), on behalf of Mutiny Pirate Bar II, LLC t/a Mutiny Pirate Bar & Island Grille (“Mutiny Pirate Bar”), for a new Class B, Beer, Wine, and Liquor, 7-day on sale license for a 4,200-square foot restaurant and lounge located at 7190 Troy Hill Drive, Elkridge, Maryland 21075.

The hearing was properly advertised and the property posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicant was 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

Nathaniel David Hynson, proposed resident agent and 100% shareholder of the LLC, was sworn. He stated that he was granted a new license by the Board in 2016, but part of the business deal fell through and he never claimed the license. See ABHB Case No. 16-15, incorporated by reference. He testified that he has worked in the restaurant business for over 20 years, including positions as general manager, bar manager and floor manager, and has never been involved with an alcohol violation. Mr. Hynson testified that he is alcohol awareness certified and plans to work at this restaurant 7 days a week at first and then 5 days a week. Mr. Hynson stated that the managers at this restaurant will be TAM certified and he anticipates having 40-50 employees who will be alcohol awareness certified through a continuous training program and this training will be a constant topic of conversation. Mr. Hynson testified that the hours of operation will be 11 a.m. to 11 p.m. Monday through Thursday; 11 a.m. to midnight on Friday and Saturday; and 11 a.m. to 10 p.m. on Sunday. Mr. Hynson testified that this restaurant will operate as a rum bar using fresh ingredients and the operations will be an accommodation to the public and will not disturb residents in the immediate neighborhood. Mr. Hynson addressed his previous driving record and indicated that he had no traffic citations since March of 2016, which is the last time he appeared before the Board and promised to improve his driving record. Mr. Hynson testified that he is 17% owner of another Mutiny restaurant, however, will be 100% owner of this Troy Hill location. The building is new construction, currently with no electric or plumbing, and will not be ready until the end of May, 2018. Mr. Hynson testified that he has lived in Howard County for more than 2 years and is a registered voter.

A copy of the proposed menu was submitted in the record and identified as Applicant's Exhibit No.1.

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 Nathaniel David Hynson, on behalf of Mutiny Pirate Bar II, LLC t/a Mutiny Pirate Bar & Island Grille, has applied for a new Class B, Beer, Wine, and Liquor, 7-day on sale license for a 4,200-square foot restaurant and lounge located at 7190 Troy Hill Drive, Elkridge, Maryland 21075.

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 Nathaniel David Hynson has been a Howard County resident for more than two years, is a registered voter, and a 100% shareholder of Mutiny Pirate Bar II, LLC t/a Mutiny Pirate Bar & Island Grille.

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 Nathaniel David Hynson, on behalf of Mutiny Pirate Bar II, LLC t/a Mutiny Pirate Bar & Island Grille has applied for a new Class B, Beer, Wine, and Liquor, 7-day on sale license for a 4,200-square foot restaurant and lounge located at 7190 Troy Hill Drive, Elkridge, Maryland 21075.

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 Nathaniel David Hynson meets the requirements of Rules 1.10(S), 1.10(T), and 2.06 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.

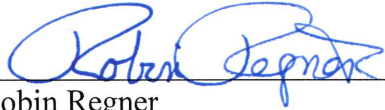
5. The Hearing Board concludes that the granting of the application would not unduly disturb the peace and safety of the neighborhood.

ORDER

For the foregoing reasons, it is this 27th day of February, 2018, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Nathaniel David Hynson, on behalf of Mutiny Pirate Bar II, LLC, t/a Mutiny Pirate Bar & Island Grille, for a new Class B, Beer, Wine, and Liquor, 7-day on sale license for a 4,200-square foot restaurant and lounge located at 7190 Troy Hill Drive, Elkridge, Maryland 21075, be and the same is hereby **GRANTED**, subject to the following conditions:

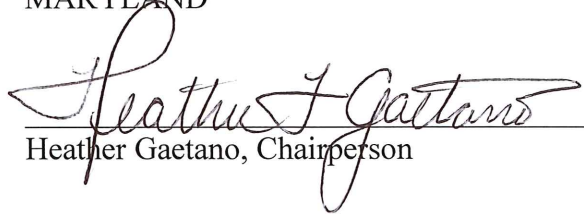
- (a) That the Applicant comply with all State and County laws and regulations; and
- (b) That the Applicant satisfy any requirements necessary to obtain the license by June 25, 2018, unless that deadline is extended by the Board upon good cause shown; and
- (c) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.

ATTEST:



Robin Regner
Acting Board Administrator

ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND




Heather Gaetano, Chairperson

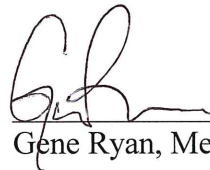


Mary Bird, Vice-Chairperson

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