

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF ROBERT JOSEPH	*	
GALLIZZO AND FELISBERTO	*	BEVERAGE HEARING BOARD
AVELINO PINHEIRO, JR., ON BEHALF	*	
OF LYNDWOOD SQUARE WINE AND	*	FOR
SPIRITS, INC., T/A LYNDWOOD	*	
SQUARE WINE AND SPIRITS, FOR	*	HOWARD COUNTY, MARYLAND
AN EXTENSION OF PREMISES ON	*	
A CLASS A-1, BEER, WINE, AND	*	CASE NO.: 18-14
LIQUOR 7-DAY, OFF-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 March 27, 2018, the Hearing Board heard the application of Robert Joseph Gallizzo and Felisberto Avelino Pinheiro, Jr. (“Applicants”) on behalf of Lyndwood Square Wine and Spirits, Inc., t/a Lyndwood Square Wine and Spirits, (“Lyndwood”) for an extension of premises on the Class A-1, Beer, Wine, and Liquor 7-day off-sale license, from a 2,987-square foot package goods store to a 4,964-square foot package goods store, located at 6010 Marshalee Drive, Suite 260, Elkridge, Maryland 21075.

The hearing was properly advertised and the premises posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were represented by Thomas Meachum, 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

Felisberto Avelino Pinheiro, 90% shareholder of Lyndwood, was sworn and testified that he has been a licensee for 21 years without ever having a violation. He is requesting an extension of premises to add an additional 1,977 square feet to the existing package goods store to be utilized for both storage and floor displays. Mr. Pinheiro testified that he is running out of room in his store and wishes to add more wines and micro-brews to his store to accommodate the population growth in the local area. Mr. Pinheiro also plans to hire additional employees. He stated that there are currently four employees that are alcohol awareness certified and that his store actively participates in the surrounding community.

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 of Robert Joseph Gallizzo and Felisberto Avelino Pinheiro, Jr., on behalf of Lyndwood Square Wine and Spirits, Inc., t/a Lyndwood Square Wine and Spirits, have applied for an extension of premises on a Class A-1, Beer, Wine, and Liquor 7-day off-sale license, from a 2,987-square foot package goods store to a 4,964-square foot package goods store, located at 6010 Marshalee Drive, Suite 260, Elkridge, Maryland 21075.

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 Robert Joseph Gallizzo has been a Howard County resident for more than two years, is a registered voter, and 10% shareholder of Lyndwood Square Wine and Spirits.

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 Robert Joseph Gallizzo and Felisberto Avelino Pinheiro, Jr., on behalf of Lyndwood Square Wine and Spirits, Inc., t/a Lyndwood Square Wine and Spirits, have applied for an extension of premises on a Class A-1, Beer, Wine, and Liquor 7-day off-sale license, from a 2,987-square foot package goods store to a 4,964-square foot package goods store, located at 6010 Marshalee Drive, Suite 260, ElkrIDGE, Maryland 21075.

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 Robert Joseph Gallizzo 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 this application will not unduly disturb the peace and safety of the neighborhood.

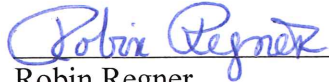
ORDER

For the foregoing reasons, it is this 8th day of MAY, 2018, by the Alcoholic Beverage Hearing Board of Howard County, **ORDERED**, that the application of Robert Joseph Gallizzo and Felisberto Avelino Pinheiro, Jr., on behalf of Lyndwood Square Wine and Spirits, Inc., t/a Lyndwood Square Wine and Spirits, for an extension of premises on a Class A-1, Beer, Wine, and Liquor 7-day off-sale license, from a 2,987-square foot package goods store to a 4,964-square foot package goods store, located at 6010 Marshalee Drive, Suite 260, Elkridge, Maryland 21075, be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicants comply with all State and County law and regulations; and
- (b) That the Applicants satisfy any requirements necessary to obtain the license by August 8, 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:

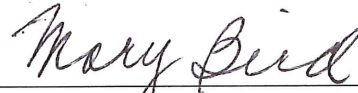
ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Robin Regner
Board Administrator



Heather Gaetano, Chairperson

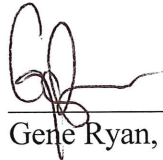


Mary Bird, Vice-Chairperson

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

Charley C. Sung, Member