

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF CHARLES	*	
SAVILLE JOHNSON, JR. AND	*	BEVERAGE HEARING BOARD
MICHELE NICOLE DIMEO ON	*	
ON BEHALF OF MEATBALLS OF	*	FOR
JESSUP II, INC., T/A MEATBALLS	*	
ETC., FOR A NEW CLASS B, BEER	*	HOWARD COUNTY, MARYLAND
AND LIGHT WINE 7-DAY	*	
ON-SALE LICENSE	*	Case No.:18-22
	*	

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### **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 8, 2018, the Hearing Board heard the application of Charles Saville Johnson, Jr. and Michele Nicole DiMeo (the “Applicants”), on behalf of Meatballs of Jessup, II, Inc., t/a Meatballs, Etc. (“Meatballs”), for a new Class B, Beer and Light Wine 7-Day On-Sale License for a 2,714-square foot restaurant located at 7351 Assateague Drive, Suite 100, Jessup, MD 20794.

The hearing was properly advertised and the property 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**

Counsel for the Applicants asked that the testimony by both applicants that had just been introduced in the previous case for Squisito of Ellicott City, II, Inc., (ABHB 18-21) be relied on by the Board in the present case and the Board agreed. Accordingly, the testimony in ABHB 18-21 is incorporated here by reference. Michele Nicole DiMeo, President and 90%owner of Meatballs and an applicant for the liquor license, had been previously sworn and was recalled and provided additional testimony specific to Meatballs.

Ms. DiMeo testified that she has been in the restaurant business for over ten years and has been a licensee for many restaurants. She testified that she has never had a liquor violation at any of the restaurants that she has an interest or license in. She stated that she has read and understands the Liquor Board Rules and Regulations and agrees to abide by them.

Ms. DiMeo testified that Meatballs is a fast-casual restaurant located in the Columbia East Shopping Center. She testified that it is a build-your-own concept where you order and choose your ingredients at the counter and bring your food to your seat. Ms. DiMeo explained that the alcohol is stored and served from behind the counter by a TIPS certified employee who would ID the customers. Ms. DiMeo testified that there will always be one or two TIPS certified employees at the restaurant and that alcohol sales are two to three percent of sales.

Ms. DiMeo testified that there will be approximately fifteen employees and all the employees who serve alcohol will be TIPS certified. She stated that Charles Johnson, who will be the resident agent, has taken the TIPS course. She testified she and Mr. Johnson

have discussed their respective roles to ensure compliance with the liquor laws and that in addition to having employees take the TIPS course, Meatballs has its own specific training for employees including written guidelines regarding serving alcohol.

Ms. DiMeo stated that she will serve as the owner/operator and will be at the restaurant approximately 30 hours per week conducting training and overseeing the operations. She stated that when the staff is fully trained she will be spending approximately 10 to 15 hours per week at the restaurant.

Ms. DiMeo testified that the restaurants she is involved with are active in the local communities and host fundraisers, collect donations, support the schools, charitable runs, and church and religious facilities.

In response to questions from the Board, Ms. DiMeo testified that there is not a bar in the restaurant and that the beer and wine is kept behind the register and is served over the counter as there is no table service. Ms. DiMeo testified that she is the COO and Director of Stores for Monte Restaurant Development Group which is the management company that manages their corporate owned stores. She manages the leases, accounting, audits and anything operational. She testified that about 80 percent of their restaurants have liquor licenses.

The Board noted that she had not disclosed employment or business associations with three entities including G&M of Glen Burnie, Sazio of Anne Arundel County and Squisito of Cockeysville. She stated that she did not disclose them because she is not an employee but a stock holder and they do not have liquor licenses.

The following exhibit was submitted into the record as Applicant's Exhibit #1

- *Meatballs Menu*

Charles Saville Johnson, Jr., 10 percent owner and proposed resident agent, was sworn and testified before the Board. Mr. Johnson testified that he has lived in Howard County for twenty-two years and is a registered voter. He stated that he will be working with Ms. DiMeo regarding policies and procedures for the restaurant, especially as it relates to beer and wine sales. Mr. Johnson stated that he will be in the restaurant three or four times a month to make sure the employees are adhering to the policies and procedures and will check employee records to make sure everything is in full compliance.

Mr. Johnson testified that he is TIPS certified and has read the Liquor Board's Rules and Regulations and agrees to abide by them.

The following exhibit was submitted into the record as Applicant's Exhibit #2:

- *Alcohol Awareness certification for Mr. Johnson*

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 Michele Nicole DiMeo and Charles Saville Johnson, Jr., on behalf Meatballs of Jessup, II, Inc. t/a Meatballs, Etc., have applied for a new Class B, Beer and Light Wine 7-Day On-Sale License for a 2,714-square foot restaurant located at 7351 Assateague Drive, Suite 100, Jessup, MD 20794.



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 Mr. Johnson, the resident agent applicant, is a 10 percent owner of Meatballs, has been a Howard County resident for more than two years, and is a registered voter.

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 Michele Nicole DiMeo and Charles Saville Johnson, Jr., on behalf Meatballs of Jessup, II, Inc. t/a Meatballs, Etc., have applied for a new Class B, Beer and Light Wine 7-Day On-Sale License for a 2,714-square foot restaurant located at 7351 Assateague Drive, Suite 100, Jessup, MD 20794.

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 Charles Saville Johnson, Jr. 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 will not

unduly disturb the peace and safety of the residents of the neighborhood.

**ORDER**

For the foregoing reasons, it is this 19<sup>th</sup> day of June, 2018, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Michele Nicole DiMeo and Charles Saville Johnson, Jr. on behalf of Meatballs of Jessup, II, Inc. t/a Meatballs, Etc., for a new Class B, Beer and Light Wine 7-Day On-Sale License for a 2,714-square foot restaurant located at 7351 Assateague Drive, Suite 100, Jessup, MD 20794, be and the same is hereby **GRANTED**, subject to the following conditions:

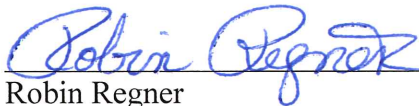
- (a) That the Applicants comply with all State and County laws and regulations;
- (b) That the Applicants satisfy any requirements necessary to obtain the license by September 5, 2018, unless that deadline is extended by the Board upon good cause shown; and
- (c) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING

BOARD

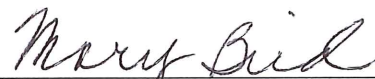
OF HOWARD COUNTY, MARYLAND



Robin Regner  
Board Administrator

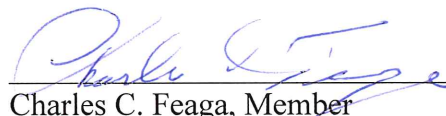


Heather Gaetano, Chairperson

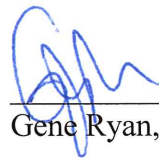


Mary Bird, Vice-Chairperson

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



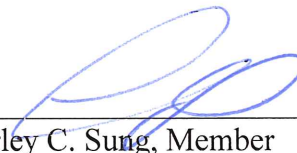
Charles C. Feaga, Member



Gene Ryan, Member



Lewis Taylor, Esquire  
Senior Assistant County Solicitor



Charley C. Sung, Member