

IN THE MATTER OF THE APPLICATION * BEFORE THE ALCOHOLIC
OF RYAN TAVISH DUGGAN AND * BEVERAGE HEARING BOARD
CHRISTOPHER MICHAEL SWANN ON * FOR
BEHALF OF FTH HOLDINGS INC. * HOWARD COUNTY, MARYLAND
T/A RECKLESS ALE WORKS FOR A *
NEW CLASS D, BEER, WINE & LIQUOR * Case No.: 20-31
7-DAY ON-SALE LICENSE AND AN *
ON-SITE CONSUMPTION PERMIT *

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 September 22, 2020, the Hearing Board heard the application of Ryan Tavish Duggan and Christopher Michael Swann (“Applicants”) on behalf of FTH Holdings, Inc. t/a Reckless Ale Works (“Reckless Ale Works”) for a new Class D Beer, Wine and Liquor, 7-day on-sale license and an on-site consumption permit for a 14,560 square foot brewery and bar located at 6655 Dobbin Road, Suites 13-18, Columbia, MD 21045.

The hearing was properly advertised, and the property was posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were not represented by counsel and 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

Christopher Swann, proposed licensee and 100% owner of FTH Holdings, Inc, was sworn in and testified that he is requesting a Class D liquor license with an on-site consumption permit for an existing brewery. Mr. Swann testified that the proposed location is zoned for commercial and retail use and produced aerial photographs showing that there are no residential areas nearby the site.

Mr. Swann testified that he has studied the Liquor Board's rules and regulations and plans to be on site between 25-30 hour per week. Mr. Swann testified that he currently has five employees, however, if this license is approved, he plans to have 12-15 employees and will add additional staff after seeing how the business operates, how the tasting room works and what the needs and desires are of the business. Mr. Swann testified that all employees will be required to read the Liquor Board's Rules and sign a statement acknowledging they received a copy of the company's alcohol service policy. Mr. Swann stated that employees will be alcohol awareness certified within a short time of being hired.

Mr. Swann testified that it will be the policy that anyone appearing to be under the age of 40 will be required to provide identification. In addition, anyone that shows signs of being intoxicated or being disruptive will not be served. Mr. Swann testified that he will have Martin Johnson provide training to staff members who have not yet been TIPs certification or have taken similar alcohol related classes.

Mr. Swann testified that he has been a CPA in Maryland and Virginia for 21 years. Mr. Swann testified that he has held a Class H license at Frisco Tap House in Anne Arundel County for the past seven years and has had no violations since opening.

Mr. Swann testified that he has had an existing brewery at this location for the past five years and has a wholesale license through the Comptroller of Maryland to operate a brewery to produce beer, distribute to distributors or partner with distributors. Mr. Swann testified that he is typically on site at the brewery approximately 30 hours a week and the proposed resident agent, Ryan Duggan, will on site approximately 50 hours a week. Mr. Swann testified that they have between 8-12 different beers for distribution and that he currently works with four different distributors in Maryland.

Mr. Swann testified that he is currently allowed to offer 3-ounce tastings and sell for off premises consumption, however, now he wants to expand operations to also sell beer on the premises as his operations have continued to grow and customers have requested to not only taste beer, but to purchase different pints and sit and enjoy freshly-made beer. Mr. Swann testified that due to COVID, he is not able to provide keg beer for various bars and can only can and label beer which has kept his business afloat, but canning beer is more expensive than providing keg beer.

Mr. Swann testified that he hopes that once allowed by law, he can have people in the brewery for tours and the 15,000 square foot large open warehouse will allow for social distancing and make people feel more comfortable. Mr. Swann testified that he does not plan to offer food at this establishment, but customers can have food delivered or they can bring in their own food.

Ryan Duggan, proposed resident agent and general manager, was sworn in and testified that he will be the full-time manager working approximately 50 hours per week at Reckless Ale Works. Mr. Duggan testified that he has been alcohol awareness certified five times, however, his current certification has expired, and he is enrolled in

Martin Johnson's class to get recertified. Mr. Duggan testified that he is a registered voter and has 22 years of experience in retail alcohol service. Mr. Duggan testified that he also has experience in staff training and will make sure staff follows all liquor rules and regulations.

Mr. Duggan testified that he was previously a regional manager at Eggspectation for four years and there were two under-age violations during that time, however, he was not involved. He also testified that 18-20 years ago, he worked at GL Shacks in Ellicott City and there was a violation there with an underage person.

Mr. Duggan testified that they have been planning this project for about a year and want to appeal to customers by providing activities such as darts, pool tables, basketball hoops, ping pong, air hockey, and possibly ax throwing in the future. Mr. Duggan testified that ax throwing will require a reservation, will be overseen by experienced coaches, and participants will be required to sign event waivers. Mr. Duggan testified that he plans to provide a relaxed atmosphere for customers at Reckless Ale Works with a well-lit, pet friendly environment with couches, long tables, background music and possibly an occasional band or musical act. Even though only patrons that are 21 years of age and older will be allowed to enter the facility, he does expect to offer some specialty events with family gatherings that would allow entry for those under the age of 21. Mr. Duggan testified that during these events a government photo identification will be required at the door, only one drink per person will be permitted, and there will be no sharing of drinks. Additionally, the alcohol will be kept in a locked box or closet.

Mr. Duggan testified that Reckless Ale Works will only carry Reckless beer but

will offer a limited wine selection and a rare mixed drink, consequently they are requesting a beer, wine and liquor license. The hours of operation will be 11 a.m. to 6 p.m. on Monday and Tuesday and 11 a.m. to 10 p.m. on the other days. Mr. Duggan testified that they are already generous to local organizations and will continue the same practice. Mr. Duggan plans to have 2-5 employees working at any one time overseeing the floor activities.

Martin Johnson, liquor consultant and former Howard County Alcohol Inspector, was sworn and testified that he has personally met with the closest competition for this type of venue that has adult type games and they are in favor of this application and want to cross advertise. Mr. Johnson testified that he met with the head of brewery regulations, Lou Berman from the State Comptroller's Office, and received approval for this plan of a brewery with a Class D liquor license. Mr. Johnson testified that he will set up self- inspections for Reckless Ale Works, so they will be ready to pass inspections when they are conducted by the State. Mr. Johnson also testified that he offers alcohol awareness training which is taught 100% on line and he has been given verbal permission from the Comptroller to do so and is currently waiting for an official letter of approval from the Comptroller.

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 Ryan Tavish Duggan and Christopher Michael

Swann, on behalf of FTH Holdings, Inc. t/a Reckless Ale Works, have applied for a new Class D Beer, Wine and Liquor, 7-day on-sale license and an on-site consumption permit for a 14,560 square foot brewery and bar located at 6655 Dobbin Road, Suites 13-18, Columbia, MD 21045.

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 Ryan Tavish Duggan lives in Howard County, is a registered voter, and will be a full-time manager at this facility.

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 that Ryan Tavish Duggan and Christopher Michael Swann, on behalf of FTH Holdings, Inc. t/a Reckless Ale Works, have applied for a new Class D Beer, Wine and Liquor, 7-day on-sale license and an on-site consumption permit for a 14,560 square foot brewery and bar located at 6655 Dobbin Road, Suites 13-18, Columbia, MD 21045.

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 Ryan Tavish Duggan meets the State of Maryland requirements 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.

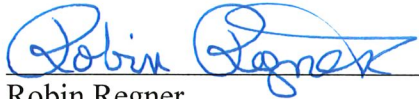
ORDER

For the foregoing reasons, it is this 21ST day of December, 2020, by the Alcoholic Beverage Hearing Board of Howard County, **ORDERED**, that the application of Ryan Tavish Duggan and Christopher Michael Swann, on behalf of FTH Holdings, Inc. t/a Reckless Ale Works, for a new Class D Beer, Wine and Liquor, 7-day on-sale license and an on-site consumption permit for a 14,560 square foot brewery and bar located at 6655 Dobbin Road, Suites 13-18, Columbia, MD 21045, 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; and
- (b) That Ryan Duggan submit to the Alcoholic Beverage Hearing Board his Alcoholic Awareness certification prior to issuance of the liquor license; and
- (c) That the Applicants satisfy any requirements necessary to obtain the license by February 22, 2021, unless that deadline is extended by the Board upon good cause shown; and
- (d) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.

ATTEST:

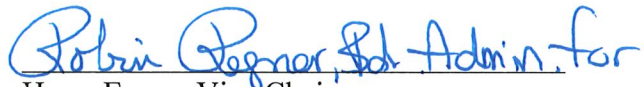
**ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND**



Robin Regner
Board Administrator

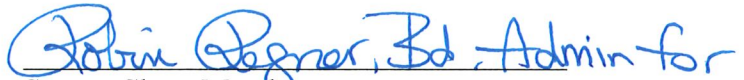


Mary Bird, Chairperson



Harry Evans, Vice Chairperson

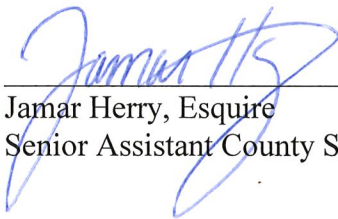
**REVIEWED BY HOWARD
COUNTY OFFICE OF LAW
GARY W. KUC
COUNTY SOLICITOR**



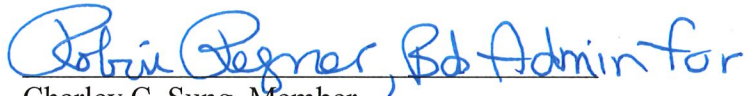
Steven Chen, Member



Claire Kim, Member



Jamar Herry, Esquire
Senior Assistant County Solicitor



Charley C. Sung, Member