

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF MATTHEW KRIST	*	
AND ALLISON KRIST ON BEHALF OF	*	BEVERAGE HEARING BOARD
BACKWATER BOOKS, LLC T/A	*	
BACKWATER BOOKS FOR A NEW	*	FOR
CLASS D BEER, WINE, AND LIQUOR	*	
7-DAY LICENSE	*	HOWARD COUNTY, MARYLAND
	*	
	*	Case No.: 22-51

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 November 8, 2022, the Hearing Board heard the application of Matthew Krist and Allison Krist (the “Applicants”) on behalf of Backwater Books, LLC t/a Backwater Books (“Backwater Books”) for a New Class D, Beer, Wine and Liquor, 7-day license for a 2,002 sq. ft. upstairs area and 277 sq. ft. outdoor patio located at 8156 Main Street, Ellicott City, MD 21043.

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 Christopher DeCarlo, Esquire 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

Matthew Krist, 50% interest holder and proposed resident agent, was sworn in and

testified before the Hearing Board.

Mr. Krist testified that he is a Howard County resident and that he has never had a felony. Mr. Krist stated that he has read the Howard County Liquor Board Rules and Regulations and that he and Ms. Allison Krist are Alcohol Awareness Certified. Mr. Krist stated that any additional employees and family members working at the establishment will be Alcohol Awareness Certified and that he is currently looking to hire a bar manager. Mr. Krist stated that he has never held a liquor license, and that prior to owning a business, he and his wife were schoolteachers. Mr. Krist stated that a security surveillance system will be installed to assist with monitoring customers with alcoholic beverages on the second level where the outdoor patio section is located. Mr. Krist stated that entry and exit to the outdoor patio will only be from within the business and that alcoholic beverages will not be permitted in the children's area located on the first level. Mr. Krist stated that he and Ms. Krist will be monitoring the business initially from separate floors and that they will be managing the establishment full-time.

Mr. Krist testified that the bookstore hours will be Tuesday through Thursday 12pm to 8pm, Saturday 12pm to 10pm and Sunday 10am to 8pm and that they will be closed on Mondays. Mr. Krist stated that the bookstore should be thought of as a community hub, which will offer such things as author talks for children and adults, hosting watch parties, and conducting ghost and history tours. Mr. Krist stated that he plans to give back to the community by giving teacher discounts, holding outreach programs, and holding after school programs for students. Mr. Krist stated that the business will not undermine or disrupt the peace of the neighborhood, and that there would be no negative impact the neighborhood health, safety, traffic, and parking.

The following exhibits were entered into the record:

Applicant's Exhibit A – Sample Menu

Applicant's Exhibit B – Floor Plans

Applicant's Exhibit C – Letter from Councilwoman Liz Walsh

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 Matthew Krist and Allison Krist (the “Applicants”) on behalf of Backwater Books, LLC t/a Backwater Books (“Backwater Books”) have applied for a New Class D, Beer, Wine and Liquor, 7-day license for a 2,002 sq. ft. upstairs area and 277 sq. ft. outdoor patio located at 8156 Main Street, Ellicott City, MD 21043.

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 Matthew Krist is a Howard County resident.

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 Matthew Krist and Allison Krist (the

“Applicants”) on behalf of Backwater Books, LLC t/a Backwater Books (“Backwater Books”) have applied for a New Class D, Beer, Wine and Liquor, 7-day license for a 2,002 sq. ft. upstairs area and 277 sq. ft. outdoor patio located at 8156 Main Street, Ellicott City, MD 21043.

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 Matthew Krist 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 residents of the neighborhood.

ORDER

For the foregoing reasons, it is this 12th day of January, 2023, by the Alcoholic Beverage Hearing Board of Howard County, **ORDERED** that the application of Matthew Krist and Allison Krist (the “Applicants”) on behalf of Backwater Books, LLC t/a Backwater Books (“Backwater Books”) for a New Class D, Beer, Wine and Liquor, 7-day license for a 2,002 sq. ft. upstairs area and a 277 sq. ft. outdoor patio located at 8156 Main Street, Ellicott City, MD 21043, 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 the Applicants satisfy any requirements necessary to obtain the license

by May 8, 2023, unless that deadline is extended by the Hearing 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**

Kel L. Berg for
Ashley Aguilar
Board Administrator

[Signature]
Harry Evans, Vice-Chairperson

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

Kel L. Berg for
Charley Sung, Member

Kel L. Berg for
Steven Chen, Member

[Signature]
Hyunjae Shin, Esquire
Senior Assistant County Solicitor

Kel L. Berg for
Claire Kim, Member