

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF HITESH	*	
NATVARAL VAIDYA ON BEHALF	*	BEVERAGE HEARING BOARD
MAADHRUV, LLC T/A MD FINE	*	
WINE & SPIRITS FOR A NEW	*	FOR
CLASS A BEER, WINE, AND	*	
LIQUOR 7-DAY OFF SALE	*	HOWARD COUNTY, MARYLAND
LICENSE	*	
	*	Case No.: 25-31
	*	

DECISION AND ORDER

The Board of License Commissioners for Howard County, Maryland, 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” or the “Board”).

PROCEDURAL BACKGROUND

On December 10, 2024, March 11, 2025, June 10, 2025, August 12, 2025 and September 30, 2025 the Hearing Board heard the application of Hitesh Natvaral Vaidya (the “Applicant”), on behalf of Maadhruv, LLC t/a MD Fine Wine & Spirits (“MD Fine Wine & Spirits”), for a new Class A Beer, Wine, and Liquor 7-day off sale license for a 2,400 sq. ft. package store to be constructed at 7561 Washington Boulevard, Elkridge, MD 21075.

The Applicant was represented by Mr. Melvin Kodenski, Esquire. On December 10, 2024, some of the opposition was represented by David Mister, Esquire. After the December 10, 2024 hearing Mr. Mister was no longer involved with the case. On March 7, 2025, Linda Carter, Esquire entered her appearance on behalf of Howard Wine and Spirits, in opposition. On September 30, 2025, the Hearing Board agreed to allow Ray Shepard, Esquire, to participate in the hearing on

behalf of Hiren Patel, in opposition. Additionally, there were several people in attendance in favor and in opposition representing themselves.

All of the documents on file were incorporated into the record by reference.

HEARING SUMMARY

I. December 9, 2024 Hearing

On December 9, 2024, a Motion to Postpone was filed by Mr. Mister and a response thereto, filed by Mr. Kodenski.

Mr. Mister stated that the advertising requirements were not met, as the hearing notice sign was not properly posted. Mr. Mister stated that the premises are under construction with limited access, and that the community did not have enough awareness of this hearing, due to not being able to see the hearing notice sign.

Upon hearing testimony regarding the appropriateness of the location of the public hearing notice, the Board made a motion to postpone the application hearing, which was approved by a 3-2 vote. The application hearing was continued to March 11, 2025.

II. March 11, 2025 Hearing

Mr. Kodenski stated that he asked for a postponement request, due to the unavailability of Dr. Gerald Patnode, the Applicant's expert witness. Ms. Carter stated that while she does not consent, she would not oppose the postponement request, as she wants to be able to cross-examine Dr. Patnode.

Chairman Chen stated that the Board had received a Request for Postponement, filed by Mr. Kodenski on March 10, 2025. As there was no objection to the Request for Postponement, the Board agreed to postpone this case to a date to be determined.

III. June 10, 2025 Hearing

The Applicant, Hitesh Natvaral Vaidya, a 100% interest holder and proposed resident agent, was sworn in and testified before the Hearing Board through an interpreter, Maadhav Vaidya, the son of Hitesh Vaidya.

Mr. Hitesh Vaidya testified that everything in his application was correct and that the liquor store was in the process of being built. Mr. Vaidya stated that he has 8 months of liquor selling experience, that he is Alcohol Awareness Certified, and that he plans to hire 3-4 employees who will all be Alcohol Awareness Certified. When Mr. Kodenski asked Mr. Vaidya what unique or special alcohol products he will be selling exclusively, Mr. Vaidya stated that he will support local Maryland distilleries, wineries, and breweries and will sell “fine age, high end” products. He also stated that he is familiar with the Howard County Liquor Board Rules and Regulations. Mr. Vaidya stated that the hours of operation will be every day from 9 a.m. until 12 a.m. and he stated that the shopping plaza, which includes this proposed liquor store, also has a coffee shop, Hangry Joe’s, a UPS Store, and a pizza store. Mr. Vaidya stated that his business will not have any adverse effects on the area or on other nearby liquor stores, and that it will accommodate consumer needs. Mr. Vaidya stated that the liquor store has its own parking lot, that he submitted a business plan, and that he will have security cameras. Mr. Vaidya stated that he understands his role as the resident agent and that his son, Maadhav Vaidya, will be a store manager. Mr. Hitesh Vaidya stated that he will work at the restaurant 70 hours a week, that he lives 10 minutes from the store, and that he is a resident of Howard County.

On cross-examination from Ms. Linda Carter, Mr. Vaidya stated that he drives past only 2 other liquor stores during the 10-minute drive from his house to the proposed liquor store on northbound Washington Blvd. and also confirmed that there was a flea market directly across the

street from the business location. When Ms. Carter asked if he knew that there was a Class D licensed establishment that also sells liquor located in that flea market, Mr. Vaidya stated that he did not know if the flea market included a business with a liquor license. Mr. Vaidya also stated that 40% to 50% of the approximately 2400 sq. ft. floor space will be devoted to wine.

Maadhav Vaidya, son of the applicant and proposed manager for the business, was sworn in as a language interpreter and as a witness and testified before the Hearing Board, mainly to assist his Applicant father who was having some difficulty understanding and responding to Ms. Carter's cross examination questions.

During this time, Mr. Maadhav Vaidya stated that the liquor store will have 40% to 50% of floor space devoted to wine, 200 sq. ft. of storage space, and that the cost for wine inventory will be \$180,000 to \$200,000. Mr. Vaidya stated that he will have 7 to 8 different varieties of wine and one shelf devoted to Maryland local products. Mr. Vaidya stated that he will have high-end wines and spirits, that he will offer products not available at other liquor stores, and that the average cost for wine bottles will be \$25 to \$30. Mr. Vaidya added that about 50-60 bottles will be in the cost range above \$50. Mr. Vaidya stated that he has visited most of the competitor liquor stores within the area of the proposed liquor store. Mr. Vaidya testified that the selection of products that this proposed store will be offering is not offered in any of the other liquor stores. When Ms. Carter specifically asked him to name exclusive wine bottles that this store will sell that the other neighboring liquor stores currently do not, Mr. Vaidya was unable to do so. Mr. Vaidya also admitted that he did not personally go to and ask the other liquor store owners in the area about whether they carry any of the exclusive products the Applicant intends on selling. Mr. Vaidya stated that he planned to have 40 different types of whiskey and that he was not sure how much square footage would be devoted to beer. Mr. Vaidya stated that he planned to have a 17-door

beer cave cooler with about a third of the space dedicated to local craft beer brands, and that cold wines would be available. Mr. Vaida stated that he planned to be open by the end of the year but he has not yet submitted building plans to Howard County. Mr. Vaida stated that he expected to accommodate over 100 customers a day, and that customers would come from the Route 1 area, neighborhoods from Route 103, commercial traffic and flea market traffic. Mr. Vaida stated that he has been receiving alcohol service training at Towson Plaza and at Wine Culture for the past year.

Gerald Patnode, expert witness for the applicant, was sworn in and testified before the Hearing Board.

Dr. Patnode stated that he is retired professor of marketing and economics at York College and that he provides market evaluations for prospective liquor license applicants. Dr. Patnode stated that his evaluation showed sufficient demand for an additional liquor license in the proposed area based on significant population growth. Dr. Patnode testified that he derived his liquor market analysis for the area at issue by looking at 5-minute and 10-minute drive times for the surrounding population. He testified that historically, a 10-minute drive time is appropriate for an individual to purchase alcohol at a liquor store. Dr. Patnode stated that there are five liquor stores in the immediate area and a total of nine liquor stores within the 10-minute drive time per his calculations. Dr. Patnode stated that despite legalized cannabis and alcohol sales dropping after peak-sales numbers during COVID, the population growth in the area and the correlating increase in demand for alcohol creates a need for this additional liquor store license.

On cross-examination from Ms. Linda Carter, Dr. Patnode admitted that the market evaluation report that he authored for the Applicant focused primarily on the competitor liquor stores located within the 5-minute drive time even though he testified earlier that a 10-minute drive

time was historically appropriate for an individual to purchase alcohol from a liquor store. Dr. Patnode also conceded that the three licensed establishments listed in his report as “additional stores near a ten-minute drive from the [Applicant’s proposed] site” is not an exhaustive list and there may be more that he did not mention. When Ms. Carter asked why some of the liquor stores within the ten-minute drive time were excluded from his market evaluation, Dr. Patnode replied that it was because he chose to include only the “competitive” stores in his market evaluation report without further explanation. When Ms. Carter asked if Dr. Patnode personally visited any of the other liquor stores within the vicinity of the proposed site, he answered in the affirmative and provided a summary of his notes for each store he visited. For Howard Wine and Spirits, he mentioned a “wide selection of wines, spirits, and beers that were well stocked.” For Jessup Discount Liquors, he mentioned “extensive range of liquors.” For U.S. 1 Liquors, he noted “pretty broad selection.” For Meadowridge Wine, he noted “high-end wine and spirits and that they cater to the market place very well.” For Wine Culture, he mentioned “big on wines/spirits from around the world.” For Elkridge Liquors, he noted “pretty diverse selection of beers.”

On redirect examination from Mr. Kodenski, Dr. Patnode stated that his data supported the need for an additional Class A liquor license in the area due to existing sales, demand, and continued population growth. Dr. Patnode stated that customers have store loyalty, that most pricing is competitive, and that an additional liquor store will not “put somebody out of business.”

In response to Board Member questions, Dr. Patnode stated that he did not drive to any other liquor stores besides the ones he mentioned. He also stated that convenience and availability of product selection will lead to consumers choosing one liquor store to patron over another.

Gregory Woody, in support of the application, was sworn in and testified before the Hearing Board.

Mr. Woody stated that he is a family friend of the Applicant who will be providing consulting services to the Applicant as needed. Mr. Woody stated that he worked in the restaurant industry for over 15 years, specializing in marketing, and that he was in favor of the granting of this license.

On cross-examination from Linda Carter, Mr. Woody stated that he did not have experience in the retail sale of alcoholic beverages outside of the hospitality industry.

Kenneth Bernstein, in support of the application, was sworn in and testified before the Hearing Board.

Mr. Bernstein stated that he was the former landlord for the Applicant's Subway restaurant for 8 years. Mr. Bernstein stated that Mr. Vaidya was an excellent tenant who always paid the rent and serviced the clients in the area. Mr. Bernstein stated that he was in favor of the granting of this license.

On cross-examination from Linda Carter, Mr. Bernstein stated that he lives in Owings Mills and does not routinely conduct liquor shopping in Howard County.

Pratik Bhavsar, in support of the application, was sworn in and testified before the Hearing Board.

Mr. Bhavsar stated that he was the former operator of JP's Fine Wine and Spirits in Jessup for 7 years (now closed). Mr. Bhavsar stated that he has lived in Howard County since 1985, that he knows the family and the proposed location, and that he is in favor of the license.

Nana Omole, in support of the application, was sworn in and testified before the Hearing Board.

Ms. Omole stated that she has known the Applicant and his family since 2009 and that she is a professor in nursing at Towson University. Ms. Omole stated that she was in favor of the

application, that she lives 10 minutes from the proposed liquor store, and that she planned to frequent the business if the license was approved.

Nandan Vaidya, in support of the application, was sworn in and testified before the Hearing Board.

Mr. Vaidya stated that the Applicant was his cousin and that he was in favor of the application. Mr. Vaidya stated that he lived nearby, that there were other liquor stores in the area, and that he planned to frequent the Applicant's liquor store if the license was approved.

Sanket Bhatt, in support of the application, was sworn in and testified before the Hearing Board.

Mr. Bhatt stated that the Applicant was his employer at the Subway restaurant owned by the Applicant and that he was in favor of the granting of the license. Mr. Bhatt stated that there are other liquor stores in the area but that he will go to this liquor store because it is conveniently located on his way home from work.

Ronak Sharma, in support of the application, was sworn in and testified before the Hearing Board.

Mr. Sharma stated that he was in favor of the license and that the Applicant was his uncle. Mr. Sharma stated that he owns a liquor store in St. Mary's County and that Mr. Vaidya has helped him at his liquor store when needed.

On cross-examination from Linda Carter, Mr. Sharma stated that he lives in St. Mary's County and that his liquor store was located in St. Mary's County.

Bithika Sharma, in support of the application, was sworn in and testified before the Hearing Board.

Ms. Sharma stated that she has been a neighbor of the Applicant for 18 years and that she

is in favor of the liquor license. Ms. Sharma stated that she will be a customer and that she likes to visit various liquor stores.

Jeffrey Cleveland, in support of the application, was sworn in and testified before the Hearing Board.

Mr. Cleveland stated that he teaches economics at Howard Community College and that he is an avid wine collector. Mr. Cleveland stated that he has lived in Ellicott City for over 36 years, that he searches for unique bottles, and that he supports the application.

Riddhi Vaidya, in support of the application, was sworn in and testified before the Hearing Board.

Ms. Vaidya stated that the Applicant was her uncle and that she was in support of the liquor license. Ms. Vaidya stated that she lives near the liquor store.

The parties agreed to continue the case to August 12, 2025.

IV. August 12, 2025 Hearing

Shrinath Desai, in opposition of the application, was sworn in and testified before the Hearing Board.

Mr. Desai stated that he owns All Saints Liquors in Howard County, and that in the past 5 years a lot of liquor stores have opened in the area.

On cross-examination from Mr. Kodenski, Mr. Desai stated that his liquor store was about 8 miles away from the proposed liquor store, and that he has protested new liquor license applications in the past.

Sam Sood, in opposition of the application, was sworn in and testified before the Hearing Board.

Mr. Sood stated that there are enough liquor stores in the area and that he has lived in

Howard County for a long time.

On cross-examination from Mr. Kodenski, Mr. Sood stated that he lives about 15 minutes from the proposed liquor store and that he buys alcohol from a liquor store near the Columbia Mall.

Shanda Shepard, in opposition of the application, was sworn in and testified before the Hearing Board.

Ms. Shepard stated that she lives in Howard Square, which is close to the proposed site of this liquor store. She has resided there for 4 years. She stated that she is concerned with rising crime and public disturbances in the community. She mentioned studies that show higher concentration of alcohol stores being linked to increased crime rates. Within the last two years, her vehicle has been broken into. She stated that the community already has 2 liquor stores “within a very short radius” and she believes those two stores are more than adequate to meet consumer demand without risking any type of rising crime. She stated that she has two young children and having another liquor store this close to her community would raise the likelihood of underage access to alcohol and raises safety risks as the children walk to the school bus stops. She states that she works as a realtor and studies in urban planning and real estate show that areas with oversaturation of liquor stores often experience a decrease in home values. She believes the addition of this additional liquor store will decrease her home value in the future. She wants the Board to consider the long-term effects on the families, property values, and community safety in the area and to deny this Application.

On cross-examination from Mr. Kodenski, Ms. Shepard stated that two liquor stores closest to her home are: (1) Howard Wine and Spirits and (2) Jessup Discount Liquors. When asked for more details on her stance on increased crime rates due to liquor stores, Ms. Shepard cited a Johns

Hopkins 2018 study that showed every 10% increase in alcohol access led to a 4.2% increase in crime exposure. Ms. Shepard stated that the proposed liquor store will be within walking distance from her community. She finds Howard Wine and Spirits staff to be friendly and knowledgeable regarding the products that they carry. When she wanted something that the store did not carry, the Howard Wine staff were able to procure it by the next day for her.

Richard Rose, in opposition of the application, was sworn in and testified before the Hearing Board.

Mr. Rose stated that he has lived in Elkridge for 29 years and Howard County for 37 years and he stated that there is a large number of liquor stores in the area. Mr. Rose stated that the proposed liquor store is 5 miles from where he lives and that it would not change his current alcohol purchasing habits. Mr. Rose stated that he was attending the hearing to support the community and that another [non-liquor store] type of business would be better suited for the area.

On cross-examination from Mr. Kodenski, Mr. Rose stated that he frequents Wine Culture once a week and that he tries to support existing local businesses.

Arif Ali, in opposition of the application, was sworn in and testified before the Hearing Board.

Mr. Ali stated that there is an abundance of liquor stores in the area, that they contribute to increases in crime, and that there is no need for a new liquor store.

On cross-examination from Mr. Kodenski, Mr. Ali stated that he frequents Columbia Fine Wine & Spirits, located 10 minutes away from the proposed liquor store. Mr. Ali stated that he had no knowledge of a specific liquor store contributing to crime in the area.

Aashish Parikh, in opposition of the application, was sworn in and testified before the Hearing Board.

Mr. Parikh stated that existing liquor stores are struggling to pay their rent and bills and that a new liquor store will negatively affect existing liquor stores. Mr. Parikh also stated that recent crimes/break-ins have targeted liquor stores due to the lottery cards, cash, and liquor products available inside those businesses.

On cross-examination from Mr. Kodenski, Mr. Parikh stated that he lives approximately 10 miles from the proposed liquor store and that he frequents all the liquor stores in the area. Mr. Parikh stated that he has protested new liquor license applications in the past, and that he personally held a liquor license in Howard County from 2008 to 2010. Mr. Parikh mentioned the Crestmount Liquors break-in, among others, when Mr. Kodenski asked for examples of crimes involving liquor stores in the area.

Bijal Patel, in opposition of the application, was sworn in and testified before the Hearing Board.

Mr. Patel stated that there are a lot of liquor stores in the area, that Howard County is family-oriented, and that another liquor store is not necessary.

On cross-examination by Mr. Kodenski, Mr. Patel stated that he did not own a liquor store but that his brother, Hiren Patel, has owned Wine Culture since 2022. Mr. Patel stated that Wine Culture is the liquor store that he frequents the most.

Parag Pancholi, in opposition of the application, was sworn in and testified before the Hearing Board.

Mr. Pancholi stated that he is a current licensee for Howard Wine and Spirits, that he has owned his liquor store since 2020, and that the proposed liquor store is less than a mile from his business. Mr. Pancholi testified regarding an exhibit from the opposition, which listed the number of liquor stores in the area and he stated that his sales have decreased post-COVID and

that his expenses have risen. Mr. Pancholi stated that he has 5 employees, and that if the proposed liquor store license is granted, he will lose 10% of his revenue and have to let employees go. Mr. Pancholi stated that his business is 3,000 square feet, that his store holds over 1,500 wine bottles and 2,500 liquor bottles, and that his hours of operation are from 10 a.m. to 12 a.m. seven days a week. Mr. Pancholi stated that he will place specific orders for customers if he does not have the requested product in stock.

On cross-examination by Mr. Kodenski, Mr. Pancholi stated that his liquor license was protested but granted in June 2021. Mr. Pancholi stated that his gross sales were approximately \$1 million and that his gross profit was around 20%. Mr. Pancholi stated that he received liquor violations in 2024, that he was the owner, and that he utilizes a point of sale (POS) system.

Hiren Patel, in opposition of the application, was sworn in previously and testified again before the Hearing Board.

Mr. Patel stated that he has owned Wine Culture since 2022 and that it was a new business. Mr. Patel stated that since he has been open, no new liquor stores have opened, a nearby business called Troy Farm Liquors burned down, and yet he has not noticed growth in sales. Mr. Patel stated that he participates in marketing, that his store is over 2,000 sq. ft., that his inventory value is around \$350,000, and that he typically has 2,500 to 3,000 bottles of product in the store. Mr. Patel stated that the liquor industry is constantly changing, that customers have decreased their spending, and that he has 1,200 less customers compared to last year. Mr. Patel stated that he has experienced increased costs in product, rent and labor. He also stated that there has been additional expenses due to crime. Mr. Patel testified that his store had been broken into twice in the past 1.5 years. Bottles were taken and doors were broken and he incurred that cost. Mr. Patel also stated that shoplifting is a reoccurring problem. Mr. Patel

stated that his hours of operation are from 9:30 a.m. until 10 p.m. during the week and from 9:30 a.m. until 11 p.m. on the weekend. Mr. Patel stated that he has 3 employees and that if he loses 10% of his business he will struggle to pay the mortgage. Mr. Patel stated that he recently met with his landlord where he informed the landlord that if the new license is granted, he would need a rent reduction to continue operations. On cross-examination by Mr. Kodenski, Mr. Patel stated that when he applied for his liquor license it was protested, that costs were going up for everyone, that his gross sales for last year were \$1.2 million, and that he also sells tobacco, lottery and snacks at Wine Culture. Mr. Patel stated that the proposed liquor store is 1.7 miles away.

Valerie Henderson, in opposition of the application, was sworn in and testified before the Hearing Board.

Ms. Henderson stated that she is a property manager, that there is crime in the community, and that it is taking longer to rent properties. Ms. Henderson stated that she did not think another liquor store was needed.

On cross-examination by Mr. Kodenski, Ms. Henderson stated that the property she manages is 2 miles from the proposed liquor store, that there are other liquor stores in the area, and that she attributes some of the crime to people drinking and breaking into cars.

Harriet Sheridan, in opposition of the application, was sworn in and testified before the Hearing Board.

Ms. Sheridan stated that she has lived in Howard County for 11 years and that there are 13 liquor stores within a 2-mile radius of her home. She stated that she was able to gather this data using Google. She stated that she walks with her dog about 2-3 miles on a daily basis and can purchase liquor from many businesses during the walk. Ms. Sheridan stated that with an

increase in liquor stores there will be an increased risk of violence, alcohol related harms, traffic issues, drug dealing/illicit activity, neighborhood degradation, and loitering/littering. Ms. Sheridan testified that the Hearing Board should consider the health and wellness of the community and not just the convenience of alcohol consumers.

Mani Gupta, in opposition of the application, was sworn in and testified before the Hearing Board.

Mr. Gupta testified that there is no traffic light when attempting to make a left turn onto southbound Route 1 from the shopping center where the proposed liquor store will be located., In addition to the speed of passing cars going at 50-55 mph, Mr. Gupta stated that there is reduced visibility due to the shopping center [where the proposed liquor store will be located] being located on a decline of a hill.

On cross-examination by Mr. Kodenski, Mr. Gupta stated that he works at Howard Wine & Spirits.

The parties agreed to continue the case to September 30, 2025.

V. September 30, 2025 Hearing

Ray Shepard, Esquire stated that he was hired by Mr. Hiren Patel of Wine Culture. The Board unanimously agreed to proceed without allowing testimony by Mr. Shepard but agreed to allow him to be able to participate in the hearing.

Ms. Linda Carter, Esquire stated that an affidavit of the Dorset Gardens Homeowners Association was provided by Harriet Sheridan, and that the HOA was in objection to the application. The Board was not convinced that the affidavit alone, without accompanying meeting minutes and/or proof of voting results, was sufficient to allow Ms. Sheridan to speak on behalf of the entire HOA. As such, due to Ms. Sheridan's testimony in her individual capacity

already being on the record from the August 12th Hearing, the Board voted not to allow additional testimony from Ms. Sheridan.

The following exhibits were entered into the record:

Applicant's Exhibit #1 – Class A Report of Public Need by Dr. Gerald Patnode

Oppositions' Exhibit #1 – Exhibit Book prepared by Ms. Linda Carter

Oppositions' Exhibit #2 – Supplemental Exhibit Book prepared by Ms. Linda Carter

Once the preliminary matters were resolved, each party, by and through their respective counsel, provided closing remarks. The Board then deliberated on the Record and voted 3-2 to deny this application for a new Class A license.

ANALYSIS

Under the Maryland Alcoholic Beverages and Cannabis Code § 4-210(a), the Board is required to consider the following factors before deciding whether to approve an application and issue a license:

- (1) The public need and desire for the license;
- (2) The number and location of existing license holders;
- (3) The potential effect on existing license holders of the license for which application is made;
- (4) The potential commonality or uniqueness of the services and products to be offered by the business of the applicant;
- (5) The impact of the license for which application is made on the health, safety, and welfare of the community, including issues related to crime, traffic, parking, or convenience.

Furthermore, upon consideration of the factors above, if the Board determines that the granting of the license is not necessary to accommodate the public, the Board is required to *deny* the license application. (emphasis added) MD AL BEV § 4-210(b). While the Board is not required to go through each factor one-by-one and explain whether it supports or weighs against granting the liquor application, for the decision to satisfy “any meaningful review,” the Board is required to analyze its factual findings against the statutory factors. *In re Nu Liquor, LLC*, 2023 WL

4614769, at *6 (Md. Ct. Spec. App. July 19, 2023) (quoting *Blackburn v. Bd. of Liquor License Comm'rs for Balt. City*, 130 Md. App. 614, 624 (2000)).

Both the Applicant and the opposition group procured numerous witnesses who provided credible testimony regarding the “public need and desire” factor of § 4-210(a)(1) of the Alcoholic Beverages and Cannabis Code. However, the Board found that the evidence on the record regarding the remaining factors of § 4-210(a) presented negatively towards the Applicant, which ultimately led to the decision to deny this application. The Board’s analysis of the remaining factors is explained in more detail below.

I. Uniqueness of Products and/or Services

The Applicant testified that he will “support local Maryland distilleries, wineries, and breweries” and will sell “fine age, high end” products. The Applicant’s son, Maadhav Vaidya, added additional details. For example, Mr. Maadhav Vaidya stated that the store will have 7-8 varieties of wine and a whole shelf devoted to Maryland local products and that the store will have high-end wine and spirits that will not be available at other liquor stores. However, on cross examination, neither the Applicant nor his son were able to name any exclusive wine bottles that the proposed store will sell that the other liquor stores in the area currently do not. Mr. Maadhav Vaidya also admitted that he did not personally go and ask the other liquor store owners in the area about whether those stores carry any of the exclusive products the Applicant intends on selling. Throughout the record, the Applicant failed to present *any* products or services that the Board considered unique enough to differentiate the proposed business from the other liquor stores within the vicinity.

What *is* clear on the record is that the other nearby liquor stores provide an extensive offering for the consumers in the area. The Applicant’s Expert Witness, Dr. Patnode, testified

that Howard Wine and Spirits had a “wide selection of wines, spirits, and beers that were well stocked.” He stated that “Jessup Discount Liquors had an “extensive range of liquors.” He stated that Meadowridge Wine had “high-end wine and spirits” and that they “cater to the market place very well.” For Wine Culture, he mentioned that they were “big on wines, spirits from around the world.” For the reasons stated above, the Board finds that the Applicant failed to establish that the proposed business would offer *unique* products or services to consumers in the area.

II. Impact on Health, Safety, and Welfare of the Community

The Applicant’s counsel argued that most crime is committed by juveniles and this cannot be attributed to the presence of liquor stores in the neighborhood. However, the Board found convincing evidence that the addition of another liquor store in the area would negatively impact the health, safety, and welfare of the surrounding community. Mr. Aashish Parikh testified that there have been recent crimes/break-ins targeting liquor stores. To verify this claim, the Board’s counsel was able to find a publicly available news article online that reported recent break-ins/burglary of liquor stores very close to the Applicant’s proposed business.¹ The news article from patch.com stated that on March 3, 2024, around 7:36 PM suspects broke the rear glass door of Howard Wine & Spirits, a liquor store just 0.6 miles away from the proposed site, where alcohol was stolen. The article went on to state that on March 4, 2024, around 2:18 AM, police were called to Crestmount Wine & Spirits in Jessup (approximately 1.1 miles from the proposed store) for a report of a burglary in progress. The suspects had entered the business by prying open a rear door. Mr. Hiren Patel of Wine Culture (approximately 1.7 miles from the proposed store) also testified that his store experienced two break-ins during the past 1.5 years.

¹ <https://patch.com/maryland/columbia/2-liquor-stores-report-thefts-alcohol-money-howard-county-police>

Lastly, Ms. Shanda Shepard, who lives near the proposed store testified that her vehicle had been broken into within the last two years. She also stated that she works as a realtor and that there have been studies within her profession which indicate that an oversaturation of liquor stores will decrease nearby home values. In short, this evidence validates Mr. Parikh's testimony that recent crimes/break-ins have been targeting liquor stores in the area. As such, the Board finds that an additional liquor store in this neighborhood would, more likely than not, negatively impact the health, safety, and welfare of the community.

III. Number and Location of Existing Liquor Store License Holders

The Applicant's Expert Witness, Dr. Patnode, testified that he derived his liquor market analysis by looking at 5-minute and 10-minute drive times for the surrounding population. He testified that historically, a 10-minute drive time is appropriate for an individual to purchase alcohol at a liquor store. In Dr. Patnode's report, he indicated that six liquor stores were within his estimated 5-minute drive time of the proposed liquor store. Dr. Patnode's report also indicated that three additional stores were within his estimated 10-minute drive time of the proposed site, for a total of *nine* stores within a 10-minute drive time. Based on the nine stores he reported on, Dr. Patnode concluded that the population growth in the area and the correlating increase in demand for alcohol created a need for this additional liquor store license. For the following reasons, the Board cast doubt on Dr. Patnode's analysis.

As an initial matter, during cross examination, Dr. Patnode conceded that there are *more* than three additional stores within the 10-minute drive time and that his list was non-exhaustive. Ms. Carter, the counsel for the opposition, provided convincing evidence that Dr. Patnode grossly miscalculated the number of additional liquor stores within the 10-minute drive time from the Applicant's proposed business site. For the number of stores within the 5-minute drive

time, Ms. Carter was able to show that there are two additional stores that should have been included in Dr. Patnode's analysis, Mel's Liquors (2.1 miles from proposed site) and Harwood Convenience (2.3 miles from proposed site), bringing the total number of liquor stores within the immediate 5-minute driving distance to *eight*.² For the number of liquor stores within the 10-minute drive time, the Board found convincing evidence that Dr. Patnode disregarded *fourteen* additional liquor stores (other than the three stores he already included in his report).³ When Dr. Patnode was asked why some of the liquor stores within the ten-minute drive time were excluded from his market evaluation, he simply replied that it was because he only included "competitive" stores in his evaluation. How Dr. Patnode defined "competitive" was never provided. Furthermore, Dr. Patnode admitted that he only visited the stores within the 5-minute drive time from the proposed site. Without any logical explanation on why so many stores that are clearly within the 10-minute drive time were excluded from his market analysis, the Board found his report to be lacking credibility in providing an accurate liquor store market analysis. Lastly, Ms. Harriet Sheridan, who testified in her individual capacity as a nearby resident, stated that she walks her dog about 2-3 miles daily and walks past approximately 13 liquor stores during her walks. In short, the Board finds that there was credible evidence to prove the presence of eight liquor stores within a 5-minute drive time from the proposed site with an additional seventeen liquor stores within a 10-minute drive time. The Board finds that the ample number of other liquor stores within such proximity to the Applicant's proposed site weighed negatively towards

² The Board did not consider Troy Farms Liquors (2.1 miles from proposed site) as it is still currently closed and not operating.

³ **1)** The Perfect Pour (2.6 miles away); **2)** 103 Wine & Spirits (3.0 miles away); **3)** Sandy's Liquors (3.1 miles away); **4)** Latela's Discount (3.2 miles away); **5)** Star Liquors (3.2 miles away); **6)** Woody's Liquor & Bar (3.3 miles away); **7)** Lynwood Square Wine & Spirits (3.7 miles away); **8)** The Loft Wine, Liquor & Beer (3.8 miles away); **9)** Dobbin Square Liquors (4.0 miles away); **10)** Richburn Discount Liquors, Beer and Wine (4.5 miles away); **11)** Oakland Mills Wine & Spirits (4.6 miles away); **12)** Snowden River Liquors (4.7 miles way); **13)** Elkridge Liquors (4.8 miles away); **14)** Angels Cut Wine & Spirits (4.8 miles away)

the Applicant's argument that another license was necessary to accommodate the public.

IV. Impact on Existing License Holders

The Board heard credible testimony from existing licensees who own and operate a liquor store near the proposed site. Mr. Parag Pancholi, the owner of Howard Wine & Spirits, testified that if the proposed liquor store license is granted, he will lose 10% of his revenue and will have to let employees go. Mr. Hiren Patel, the owner of Wine Culture, testified that he noticed that the customers have decreased their spending and he approximated that he had 1,200 less customers compared to last year. At the same time, Mr. Patel testified that his store experience increased costs in product, rent, and labor. He also testified regarding additional expenses due to the store being broken into twice in the past 1.5 years. Lastly, Mr. Patel testified that he recently met with his landlord and informed the landlord that if the new license is granted, Wine Culture would need a rent reduction to continue operations. In light of the foregoing evidence, the Board finds that the granting of this Applicant's license would, more likely than not, negatively impact existing license holders.

CONCLUSION

The Board finds that the granting of this license is not necessary to accommodate the public and as such is denying this license application pursuant to the Maryland Alcoholic Beverages and Cannabis Code § 4-210 (b)(1)(i). For the reasons stated *supra*, the Board finds the following: 1) the Applicant failed to prove that it will provide unique products/services when compared to offerings from nearby licensees; 2) the approval of this application will, more likely than not, negatively impact the health, safety, and welfare of the neighboring communities; 3) there are currently eight liquor stores within a 5-minute drive time from the proposed site with an additional seventeen liquor stores within a 10-minute drive time, which all service the alcohol

consumer needs in the surrounding area; and 4) the approval of this application will, more likely than not, negatively impact the existing licensees who are operating a liquor store near the proposed site.

ORDER

For the foregoing reasons, it is this 13th day of November, 2025, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Hitesh Natvaral Vaidya (the “Applicant”), on behalf of Maadhruv, LLC t/a MD Fine Wine & Spirits (“MD Fine Wine & Spirits”), for a new Class A Beer, Wine, and Liquor 7-day off sale license for a 2,400 sq. ft. package store located at 7561 Washington Boulevard, Elkridge, MD 21075, be and the same is hereby **DENIED**.

ATTEST:

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

Kel L. Berg
Kel L. Berg
Board Administrator

/S/
Steven Chen, Chairperson

/S/
Steve Hunt, Vice-Chairperson

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

/S/
Ed Coleman, Member

/S/
Beth Johnson, Member

/S/
Hyunjae Shin, Esquire
Senior Assistant County Solicitor

/S/
Claire Kim, Member

