

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF DAVID	*	
UPTON CARNEY ON BEHALF	*	BEVERAGE HEARING BOARD
OF VESPEREC, LLC T/A	*	
VESPER FOR A NEW CLASS	*	FOR
B BEER, WINE AND LIQUOR	*	
7-DAY ON SALE LICENSE	*	HOWARD COUNTY, MARYLAND
	*	
	*	Case No.: 26-12
	*	

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 12, 2026, the Hearing Board heard the application of David Upton Carney (the “Applicant”), on behalf of VesperEC, LLC t/a Vesper (“Vesper”), for a new Class B Beer, Wine, and Liquor, 7-Day on-sale License for a 1,895 sq. ft. restaurant with a 624 sq. ft. patio located at 8210 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. Mr. Martin Johnson was hired as a consultant for the Applicant 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

Martin Johnson, consultant for the Applicant, was sworn in and testified before the Hearing

Board.

Mr. Johnson testified as to the location of the restaurant and as to photos presented. Mr. Johnson stated that there were many people in attendance in support of the Applicant.

David Upton Carney, 100% interest holder and proposed resident agent, was sworn in and testified before the Hearing Board.

Mr. Carney testified that he is a Maryland resident and that he has been wanting to open a restaurant. Mr. Carney stated that noise will not be an issue because he will not offer live music or be open late, and because there are no surrounding residential homes. Mr. Carney stated that the restaurant concept will be upscale with small plates, large plates, classic cocktails and wine. Mr. Carney stated that he will employ a Michelin star chef, that the dining room and patio will seat 72 people and that the bar has 12 seats. Mr. Carney stated that a host will seat customers, that reservations will be required for the dining room, and that the upper level will only be utilized as a waiting area. Mr. Carney stated that the food will be paired with specific drinks and that he will carry local beers and mocktails. Mr. Carney stated that food sales will be over 50% of alcohol sales.

Mr. Carney stated that he owned The Wine Bin in Ellicott City for 18 years, and prior to that he worked at The Elkridge Furnace Inn for 13 years. Mr. Carney stated that he currently holds a liquor license at The Wine Bin and that he has incurred no alcohol violations. Mr. Carney stated that he will manage the daily operations of Vesper with his team, that he will work 35 to 60 hours a week, and that he also works at The Wine Bin 25 hours a week. Mr. Carney stated that alcohol will be stored behind the bar and in a locked wine cellar area. Mr. Carney also stated that he is Alcohol Awareness Certified and that he is familiar with the Howard County Liquor Board Rules and Regulations. Mr. Carney further stated that he usually cards everyone and that he does not

typically accept vertical IDs. Mr. Carney stated that he will not serve anyone who appears to be intoxicated and that he plans to hire about 17 employees with about 11 being involved with alcohol service. Mr. Carney stated that all employees will be Alcohol Awareness Certified, that he will have an in-house alcohol training program, and that he has cameras inside and outside the building. Mr. Carney stated that the hours of operation will be Wednesdays and Thursdays from 4 p.m. until 10 p.m., Fridays and Saturdays from 4 p.m. until 11 p.m., and on Sundays from 11 a.m. until 7 p.m. Mr. Carney stated that he will not offer carryout or delivery and that he plans to open in July.

Heather Gaetano, in support of the application, was sworn in and testified before the Hearing Board.

Ms. Gaetano stated that she has lived in Ellicott City since 1997, that she has previously served on the Board of the Ellicott City Partnership and the Alcoholic Beverage Hearing Board, and that the historic district needs to expand restaurants in the area. Ms. Gaetano stated that she has known Mr. Carney for 15 years and that The Wine Bin is a town highlight with friendly staff. Ms. Gaetano stated that Mr. Carney is a community participant who hosts music events, summer movies, and donates proceeds. Ms. Gaetano stated that she encourages the approval of the application.

Matt Fleming, in support of the application, was sworn in and testified before the Hearing Board.

Mr. Fleming testified that he has lived a half mile from Main Street since 2006, that he previously served as president of the Board of the Ellicott City Partnership and he supports the application. Mr. Fleming stated that Vesper will be a welcome addition to the town.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicant waived his 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 David Upton Carney (the “Applicant”), on behalf of VesperEC, LLC t/a Vesper (“Vesper”), has applied for a new Class B Beer, Wine, and Liquor, 7-Day on-sale License for a 1,895 sq. ft. restaurant with a 624 sq. ft. patio located at 8210 Main Street, Ellicott City, MD 21043.

2. The Hearing Board finds that the Applicant is a fit and proper person to hold an alcoholic beverage license.

3. The Hearing Board finds that David Upton Carney, the resident agent applicant, 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 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 David Upton Carney (the “Applicant”), on behalf of VesperEC, LLC t/a Vesper (“Vesper”), has applied for a new Class B Beer, Wine, and Liquor, 7-Day on-sale License for a 1,895 sq. ft. restaurant with a 624 sq. ft. patio located at 8210 Main Street, Ellicott City, MD 21043.

2. The Hearing Board concludes that the Applicant is a fit and proper person to hold an alcoholic beverage license.

3. The Hearing Board concludes that David Upton Carney, the resident agent applicant, 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.

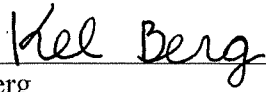
ORDER

For the foregoing reasons, it is this 15th day of June, 2026, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of David Upton Carney (the “Applicant”), on behalf of VesperEC, LLC t/a Vesper (“Vesper”), for a new Class B Beer, Wine, and Liquor, 7-Day on-sale License for a 1,895 sq. ft. restaurant with a 624 sq. ft. patio located at 8210 Main Street, Ellicott City, MD 21043, be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicant comply with all State and County laws and regulations;
- (b) That the Applicant satisfy any requirements necessary to obtain the license by November 12, 2026 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**



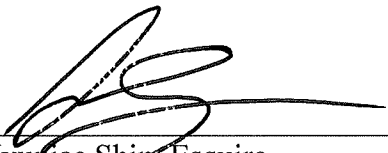
Kel Berg
Board Administrator

_____/S/_____
Steven Chen, Chairperson

_____/ABSENT_____
Steve Hunt, Vice-Chairperson

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

_____/S/_____
Ed Coleman, Member



Hyunjae Shin, Esquire
Senior Assistant County Solicitor

_____/S/_____
Beth Johnson, Member

_____/S/_____
Claire Kim, Member