

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF SEAN PATRICK	*	BEVERAGE HEARING BOARD
BROWN AND CHAD KURT GAUSS, SR.	*	FOR
ON BEHALF OF COAL MARKET 450,	*	HOWARD COUNTY, MARYLAND
LLC, T/A THE FOOD MARKET FOR	*	
A NEW CLASS B BEER, WINE AND	*	
LIQUOR 7-DAY ON SALE LICENSE	*	Case No.: 21-05

\*\*\*\*\*

**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 March 23, 2021, the Hearing Board heard the application of Sean Patrick Brown and Chad Kurt Gauss, Sr. (“the Applicants”) on behalf of Coal Market 450, LLC t/a The Food Market (“The Food Market”) for a 4,827 square foot restaurant with a 4,882 square foot outdoor area located at 10480 Little Patuxent Parkway, #G-150, Columbia, MD 21044.

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 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**

Chad Kurt Gauss, Sr., managing member and 47.5% owner of Coal Market 450, LLC was sworn and testified as follows:

Mr. Gauss testified that The Food Market, which will have a modern American cuisine and they currently have another location in Baltimore City. Mr. Gauss testified that he is also a licensee at the Baltimore location. He stated that in his 27 years in the restaurant business and as a liquor license holder he has never received a violation.

Mr. Gauss testified that he will be the General Manager and Culinary Director and expects to initially spend 50-70 hours a week at the restaurant. He stated he is Alcohol Awareness certified and of the 50 full time staff, anyone who serves alcohol will also be certified. Mr. Gauss testified that Mr. Sharoky is only an investor and that he is the only person authorized to sign on behalf of the LLC.

He testified that there will be a patio area outside surrounded by a wall with its own bar and that there will be a hostess, manager, servers and bussers outside to monitor the alcohol service. Mr. Gauss testified that he has read the Board's Rules and Regulations and will abide by them.

Sean Brown, 10 % interest holder in Coal Market 450, LLC and proposed resident agent was sworn and testified as follows:

Mr. Brown testified that he is a Howard County resident and a registered voter. He stated that he has read the Board's Rules and Regulations, understands them, and has taken an alcohol awareness course. He testified that he lives approximately a mile from the restaurant and he plans to visit the restaurant a minimum of six times a month to make sure all the documents are current and will monitor the servers and managers for compliance.

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 Sean Patrick Brown and Chad Kurt Gauss, Sr. on behalf of Coal Market 450, LLC t/a The Food Market have applied for a new Class B beer, wine and liquor 7-day on sale license for a 4,827 square foot restaurant with a 4,882 square foot outdoor area located at 10480 Little Patuxent Parkway, #G-150, Columbia, MD 21044.

2. The Hearing Board finds that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board finds Sean Patrick Brown is a Howard County resident, and is a registered voter

3. The Hearing Board finds that the granting of the application is necessary for the accommodation of the public.

4. 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 Sean Patrick Brown and Chad Kurt Gauss, Sr. on behalf of Coal Market 450, LLC t/a The Food Market have applied for a new Class B beer, wine and liquor 7-day on sale license for a 4,827 square foot restaurant with a 4,882 square foot outdoor area located at 10480 Little Patuxent Parkway, #G-150, Columbia, MD 21044.

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 Sean Patrick Brown meets the requirements of Rules 1.10(S), 1.10(T), and 2.06 of the Liquor Board's 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 would not unduly disturb the peace and safety of the neighborhood.

**ORDER**

For the foregoing reasons, it is this 5<sup>th</sup> day of April, 2021, by the Alcoholic Beverage Hearing Board of Howard County, **ORDERED**, that the application of Sean Patrick Brown and Chad Kurt Gauss, Sr. on behalf of Coal Market 450, LLC t/a The Food Market for a new Class B beer, wine and liquor 7-day on sale license for a 4,827 square foot restaurant with a 4,882 square foot outdoor area located at 10480 Little Patuxent Parkway, #G-150, Columbia, MD 21044, be and the same is hereby **GRANTED**, subject to the following conditions:

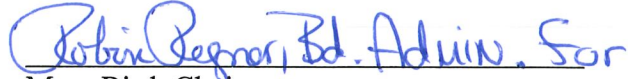
- (a) That the Applicants comply with all State and County laws and regulations;  
and
- (b) That the Applicants satisfy any requirements necessary to obtain the license by June 29, 2021, unless that deadline is extended by the Board upon good cause shown; and
- (c) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.

ATTEST:

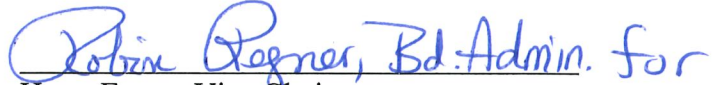
ALCOHOLIC BEVERAGE HEARING  
BOARD OF HOWARD COUNTY,  
MARYLAND



Ann Nicholson  
Asst. Board Administrator

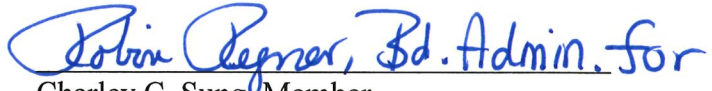


Mary Bird, Chairperson

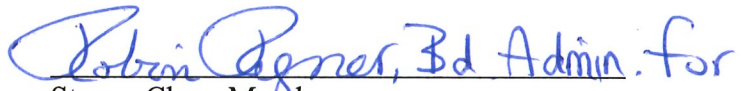


Harry Evans, Vice Chairperson

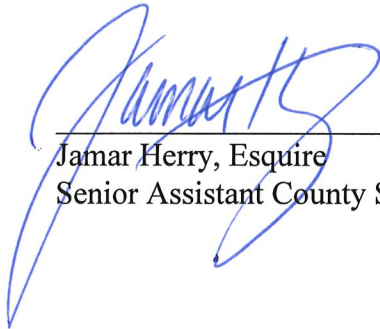
REVIEWED BY HOWARD COUNTY  
OFFICE OF LAW  
GARY W. KUC  
COUNTY SOLICITOR



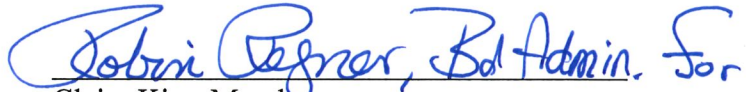
Charley C. Sung, Member



Steven Chen, Member



Jamar Herry, Esquire  
Senior Assistant County Solicitor



Claire Kim, Member