

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF PATRICIA	*	
THOMPSON AND WAI YUNG LI ON	*	BEVERAGE HEARING BOARD
BEHALF OF BOTTOM OF THE BAY	*	
SEAFOOD WENDY, INC., t/a BOTTOM	*	FOR
OF THE BAY, FOR A RESIDENT AGENT*		
CHANGE ON THE CLASS D BEER,	*	HOWARD COUNTY, MARYLAND
WINE, AND LIQUOR 7-DAY ON/OFF	*	
SALE LICENSE	*	Case No. 15-10
	*	

\*\*\*\*\*

**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 24, 2015, the Hearing Board heard the application of Patricia Thompson and Wai Yung Li (“Applicants”), on behalf of Bottom of the Bay Seafood Wendy, Inc., t/a Bottom of the Bay (“Bottom of the Bay Seafood Wendy, Inc.”), for a resident agent change from Jennifer Olson to Patricia Thompson on the Class D Beer, Wine, and Liquor 7-day on/off-sale license, currently held by Jennifer Olson and Wai Yung Lee, for a 2,866 square foot tavern located at 9590 North Laurel Road, Laurel, Maryland 20723. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicants were represented by Thomas M. 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. These include the following: a letter dated January 30, 2015, from the attorney for the applicants

enclosing the application; an email dated March 13, 2015, from the attorney for the applicants attaching the Assignment of Stockholder Interest in Bottom of the Bay Seafood Wendy, Inc.; a copy of the background investigation questionnaires from the Applicants; a memorandum dated February 26, 2015, from the Liquor Board to the Alcoholic Beverage Inspector, the Department of Inspections, Licenses, and Permits, the Bureau of Environmental Health, and the Department of Planning and Zoning; the background investigations of the Applicants by the Alcoholic Beverage Inspector dated March 8, 2015; a memorandum dated February 26, 2015, from the Department of Planning and Zoning; a memorandum dated March 17, 2015, from the Bureau of Environmental Health; a letter dated March 6, 2015, from the Howard County Department of Fire and Rescue Services; a letter dated February 26, 2015, to the Department of Finance; a letter dated March 13, 2015, from the Department of Finance; a letter dated February 26, 2015, to the Comptroller of Maryland; a letter dated March 4, 2015, from the Comptroller of Maryland; a facsimile cover sheet to the Applicants' attorney attaching a letter dated February 26, 2015, with notification of the hearing date and the necessity to advertise; certification of advertisement from the Howard County Times and the Baltimore Sun; and a memorandum dated March 6, 2015, from the Alcoholic Beverage Inspector stating the premises had been posted.

#### **SUMMARY OF TESTIMONY**

Patricia Thompson, 10% shareholder for Bottom of the Bay Seafood Wendy, Inc., t/a Bottom of the Bay, was sworn and testified that she has been a Howard County resident for more than two years, and that she is a registered voter. Ms. Thompson testified that she has been with the Savage Volunteer Fire Department for 24 years. Ms. Thompson testified that she has been on the liquor license for Cazabe Restaurant since 2008, without any violations.

Ms. Thompson testified that she plans to visit Bottom of the Bay at least once per week, and will observe the operations regarding the sale of alcoholic beverages. Ms. Thompson testified that she has been alcohol awareness certified, and that she will renew her certification.

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.

### **FINDINGS OF FACT**

1. The Hearing Board finds that Patricia Thompson and Wai Yung Li on behalf of Bottom of the Bay Seafood Wendy, Inc., t/a Bottom of the Bay, have applied for a resident agent change from Jennifer Olson to Patricia Thompson on the Class D, Beer, Wine, and Liquor 7-day on/off-sale license, currently held by Jennifer Olson and Wai Yung Li, on behalf of Bottom of the Bay Seafood Wendy, Inc., t/a Bottom of the Bay, for a 2,866 square foot tavern located at 9590 North Laurel Road, Laurel, Maryland 20723.
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 Patricia Thompson has been a Howard County resident for more than two years, is a registered voter, and a 10% shareholder of Bottom of the Bay Seafood Wendy, Inc., t/a Bottom of the Bay.
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 in the neighborhood.

**CONCLUSIONS OF LAW**

1. The Hearing Board concludes that Patricia Thompson and Wai Yung Li on behalf of Bottom of the Bay Seafood Wendy, Inc., t/a Bottom of the Bay, have applied for a resident agent change from Jennifer Olson to Patricia Thompson on the Class D, Beer, Wine, and Liquor 7-day on/off-sale license, currently held by Jennifer Olson and Wai Yung Li, on behalf of Bottom of the Bay Seafood Wendy, Inc., t/a Bottom of the Bay, for a 2,866 square foot tavern located at 9590 North Laurel Road, Laurel, Maryland 20723.

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 Patricia Thompson meets the requirements of Rules 1.09(T), 1.09(U), 2.06, and 2.10 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 in the neighborhood.

**ORDER**

For the foregoing reasons, it is this 14<sup>th</sup> day of April, 2015, by the Alcoholic Beverage Hearing Board of Howard County, Maryland **ORDERED** that the application of Patricia Thompson and Wai Yung Li on behalf of Bottom of the Bay Seafood Wendy, Inc., t/a Bottom of the Bay, for a resident agent change from Jennifer Olson to Patricia Thompson on the Class D, Beer, Wine, and Liquor 7-day on/off-sale license, currently held by Jennifer Olson and Wai Yung Li, for a 2,866 square foot tavern located at 9590 North Laurel

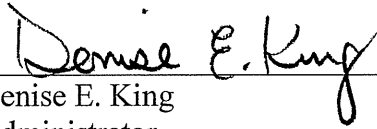
Road, Laurel, Maryland 20723, be and the same is hereby **GRANTED** subject to the following conditions:

1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicants obtain the license and comply with the following conditions:

- (a) That the Applicants comply with all State and County Rules and Regulations; and
- (b) Failure to comply with these conditions and obtain the license by April 20, 2015, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING  
BOARD OF HOWARD COUNTY,  
MARYLAND



Denise E. King  
Administrator

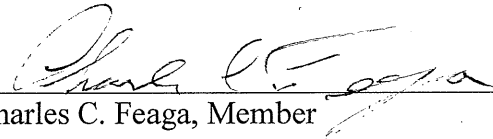


Mary Bird, Chairperson



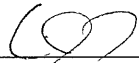
Harry Evans, III, Vice-Chairperson

REVIEWED BY HOWARD COUNTY  
OFFICE OF LAW  
MARGARET ANN NOLAN  
COUNTY SOLICITOR



Charles C. Feaga, Member

Heather Gaetano, Member



Lewis Taylor, Esquire  
Assistant County Solicitor



Charley C. Sung, Member