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| IN THE MATTER OF THE   | * | BEFORE THE ALCOHOLIC    |
| APPLICATION OF STEPHEN CHARLES   | * |                         |
| WECKER AND VINCENT JOSEPH  | * | BEVERAGE HEARING BOARD  |
| CULOTTA, ON BEHALF OF CURED/   | * |                         |
| 18 <sup>TH</sup> & 21 <sup>ST</sup> , LLC T/A CURED/18 <sup>TH</sup> & | * | FOR                     |
| 21 <sup>ST</sup> FOR AN EXTENSION OF                                   | * |                         |
| PREMISES FOR A CLASS B, BEER,  | * | HOWARD COUNTY, MARYLAND |
| WINE, AND LIQUOR, 7-DAY  | * |                         |
| ON-SALE LICENSE  | * | CASE NO.: 19-31         |

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**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 July 9, 2019, the Hearing Board heard the application of Stephen Charles Wecker and Vincent Joseph Culotta (“Applicants”) on behalf of Cured/18<sup>th</sup> & 21<sup>st</sup>, LLC t/a Cured/18<sup>th</sup> & 21<sup>st</sup> (“Cured/18<sup>th</sup> & 21<sup>st</sup>”) for an extension of premises on the Class B, Beer, Wine, and Liquor 7-day on-sale license, from a 8,154-square foot restaurant with a 600-square foot rear patio to a 8,154-square foot restaurant with a 600-square foot rear patio and a 700-square foot front patio for a restaurant located at 10980 Grantchester Way, One Merriweather, Columbia, Maryland 21044.

The hearing was properly advertised, and the premises posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were represented by Thomas Coale, Esquire. There were no protestants who appeared in opposition to the application.

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

As a preliminary matter, Thomas Coale explained that the front patio was previously approved by the Alcoholic Beverage Hearing Board on March 21, 2018, however, he requested in writing on April 17, 2018 that the license be modified to remove the front patio as the Department of Planning and Zoning indicated that the Site Development Plan did not include the front patio area and a red-line revision would be necessary. Mr. Coale stated that the red-line revision has now been approved by the Department of Planning and Zoning and that the front patio proposal is the same request as submitted with the original application.

#### **SUMMARY OF TESTIMONY**

Stephen C. Wecker, Resident Agent and Class A shareholder, was sworn and testified that Cured/18<sup>th</sup> & 21<sup>st</sup> has been open for a full year and is doing well and he is looking forward to a successful second year. He also testified that Cured/18<sup>th</sup> & 21<sup>st</sup> holds charity nights to raise monies for local non-profits in the community.

Mr. Wecker described Cured/18<sup>th</sup> & 21<sup>st</sup> as two concepts under one roof which includes a corner bar with American comfort food and a prohibition-style supper club with live jazz entertainment. Mr. Wecker testified that there is one kitchen that serves both restaurants.

Mr. Wecker testified that this establishment includes two patios – one in the rear and one in the front. He stated that the front patio will be a 700-square foot area and is visible from inside the restaurant and will be monitored by a hostess. Mr. Wecker testified that there are planters and barriers that separate the patio area and posts that support an overhang. He stated that the access to the patio area is by a hostess who seats customers and there will be a server station on the patio with 2-3 servers on any given night. He further testified that there

will be staff on the outside patio at all times.

Mr. Wecker testified that bartenders inside the restaurant can view the outdoor area and there have been no problems over the past year. Additionally, Mr. Wecker testified that the establishment has made the conscious decision to not serve alcohol to concertgoers that have already have had too much to drink at Merriweather Post Pavilion. He stated that the licensee will comply with all liquor rules and regulations.

Pursuant to Rule 6.13(D)(3) 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 Stephen Charles Wecker and Vincent Joseph Culotta on behalf of Cured/18<sup>th</sup> & 21<sup>st</sup>, LLC t/a Cured/18<sup>th</sup> & 21<sup>st</sup> have applied for an extension of premises on the Class B, Beer, Wine, and Liquor 7-day on-sale license, from a 8,154-square foot restaurant with a 600-square foot rear patio to a 8,154-square foot restaurant with a 600-square foot rear patio and a 700-square foot front patio for a restaurant located at 10980 Grantchester Way, One Merriweather, Columbia, Maryland 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 that Stephen Charles Wecker has been a Howard County resident for more than two years, is a registered voter, and a Class A Shareholder of Cured/18<sup>th</sup> & 21<sup>st</sup>.

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 Stephen Charles Wecker and Vincent Joseph Culotta on behalf of Cured/18<sup>th</sup> & 21<sup>st</sup>, LLC t/a Cured/18<sup>th</sup> & 21<sup>st</sup> have applied for an extension of premises on the Class B, Beer, Wine, and Liquor 7-day on-sale license, from a 8,154-square foot restaurant with a 600-square foot rear patio to a 8,154-square foot restaurant with a 600-square foot rear patio and a 700-square foot front patio for a restaurant located at 10980 Grantchester Way, One Merriweather, Columbia, Maryland 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 Stephen Charles Wecker 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 neighborhood.

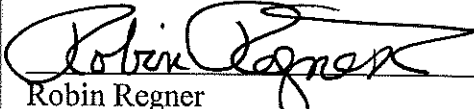
**ORDER**

For the foregoing reasons, it is this 27<sup>th</sup> day of August, 2019, by the Alcoholic Beverage Hearing Board of Howard County, **ORDERED**, that the application of Stephen Charles Wecker and Vincent Joseph Culotta on behalf of Cured/18<sup>th</sup> & 21<sup>st</sup>, LLC t/a Cured/18<sup>th</sup> & 21<sup>st</sup> for an extension of premises on the Class B, Beer, Wine, and Liquor 7-day on-sale license, from a 8,154-square foot restaurant with a 600-square foot rear patio to a 8,154-square foot restaurant with a 600-square foot rear patio and a 700-square foot front patio for a restaurant located at 10980 Grantchester Way, One Merriweather, Columbia, Maryland 21044, be and the same is hereby **GRANTED**, subject to the following conditions:

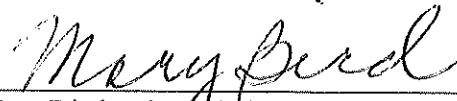
- (a) That the Applicants comply with all State and County law and regulations; and
- (a) That the Applicants satisfy any requirements necessary to obtain the license by November 13, 2019, unless that deadline is extended by the Board upon good cause shown; and
- (b) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.

ATTEST:


ALCOHOLIC BEVERAGE HEARING  
BOARD OF HOWARD COUNTY,  
MARYLAND

  
Robin Regner  
Board Administrator

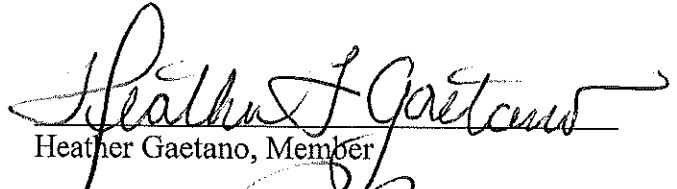
                   ABSENT  
Gene Ryan, Chairperson

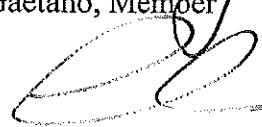
  
Mary Bird, Vice Chairperson

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

  
Harry Evans, Member

  
Jamar Herry, Esquire  
Assistant County Solicitor

  
Heather Gaetano, Member

  
Charley C. Sung, Member