

**January 5, 2022
9200 Basil Court
Largo, MD 20774
Virtual Hearing**

Present:

Armando Camacho, Vice Chairman
Tammie Norman, Commissioner
Tammy Sparkman, Commissioner
Dennis Smith, Commissioner
Jason DeLoach, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Johnny Toles, Deputy Chief Liquor Inspector
Christian Mendoza, Deputy Chief Liquor Inspector
Leonard Vauss, Administrative Assistant
Patricia Bell, Administrative Manager
Keyanna Little, Administrative Aide

Start Time: 7:06 p.m.

Commissioner Camacho: I'm going to go over a few house rules. We understand that we're in a network situation with connectivity issues, we ask that you mute your computers or cell phones until you're called. We operate under the Maryland Open Meetings Act, any transactions, all of our testimony, and discussions between Commissioners is done in the open and totally transparent. When we do call cases and we experience connectivity issues we will pause that case, proceed to the next case, and allow you to reestablish connectivity with us. Additionally, I'll explain the procedure, the Director will call the case, I'll swear in whoever is going to be testifying, after the testimony is taken, I'll ask for a motion, someone will second the motion and then we'll take a vote. We normally have five Commissioners, but our Chairwoman isn't with us today.

Director Sheppard: During a typical hearing, there would be an exchange between the Board and the attorneys to exchange information as exhibits. Because this hearing is now virtual, we have implemented a 10-day rule to give those individuals here today, 10-days from today's date to add to the official record. I would ask that you email myself or the administrative staff of the BOLC. You may add information to the record long as it is information that has been discussed in this hearing.

REGULAR SESSION:

1. **Kajal C. Makwana**, Member/Authorized Person, **Govind Krupa, LLC, t/a Sunnybrook Tavern**, 9001 Livingston Road, Fort Washington, 20744. – Request for a drive thru window.

Linda Carter, Esquire is representing.

Commissioner Camacho: If there's anyone in the audience tonight that wishes to speak in favor of the proposal or against the proposal for the drive through window? Hearing none.

Ms. Kajal Makwana is sworn in.

Mr. Dhara Patel is sworn in.

Ms. Carter: We have filed an application requesting a drive through window for the use of Sunnybrook Tavern. We provided the Board with a proposed site plan, an interior layout design, along with petitions that have been signed by five hundred and sixty customers. The reason my clients are making this request is the bar and restaurant has been reopened. They're a popular place and the parking lot is full of patrons that go into the restaurant and bar which limits the amount of parking spaces available for the people that are making a quick stop at the liquor store. There are no residents or any other commercial buildings that are going to be impacted by this at all. If the county accepts our plan, we will do this properly permitted, they'll lose three parking spaces on the side to accommodate a drive thru. All times the drive thru is in use only employees twenty-one or older will work that window. Any employee on that window will be Alcohol Awareness certified.

Commissioner Norman: I have some concerns of the increase of traffic flow exiting the business. I'm familiar with that area. Have you all had a traffic study done?

Ms. Carter: We have not, we don't believe this is going to create additional customers. We just think this will accommodate existing customers. If the county believes there's an adverse traffic issue, we're going to have to address it because the county won't let us, do it otherwise.

Commissioner Norman: I still have some concerns, that area exiting the liquor store to the left it's not the safest. Where's the closest drive in? Therefore, we would anticipate increased traffic because of the convenience of a drive through.

Ms. Carter: I know there are some drive through's, I'm just not sure where the closest one is. This is being done to accommodate the existing customers. There have been very few accidents there, our customers are very careful, and I don't see that changing.

Commissioner Camacho: Did DPIE take this into consideration?

Ms. Carter: I know they look at the traffic pattern. If we must do a traffic site for them, we will.

Commissioner Norman: I think we should wait until the traffic study is done. It's a part of our responsibility, we know we want to do things for the convenience of the customers and our residents, but we want to be assured the exiting of the premises is safe for our customers. I'm uncomfortable with that at this point.

Ms. Carter: I would respectfully suggest that the Board has never required this previously.

Commissioner Camacho: If it's a part of DPIE's permitting process and they think it's necessary, I think that would address it because they're the proper authority for that particular matter.

Commissioner Norman: I'm fine with DPIE addressing it, I just want to know what the final resolution would be and their opinion upon the safety in exiting the premises.

Commissioner Camacho: We can take action on that condition. We can reinforce what DPIE would do.

No further questions.

Commissioner Norman makes a motion to approve the drive thru window for Sunnybrook Tavern, after DPIE's approval of the traffic flow, seconded by

Commissioner Smith.

After Board vote, the motion carries.

2. Giles Fletcher II, President/Vice President/Secretary/Treasurer, Strick's Inc., t/a **Strick's Restaurant**, 3211 Branch Avenue, Silver Hill, 20748, Class B, BL+, Beer, Wine and Liquor is summonsed to show cause for an alleged violation of R.R No. 60 of the Rules and Regulations of Prince George's County, Meals must be available when alcohol is being served in the restaurant facility or sold from the off-sale portion of the premises on all Class B+, Beer, Wine and Liquor Licensed premises and R.R. 58 of the Rules and Regulations of Prince George's County, "Any interruption in the operation of the restaurant facilities for any reason must be reported to the Board promptly. Failure to immediately report an interruption is a violation. To wit: On Friday October 8, 2021, at approximately 1:58 pm Inspectors Caraway and Patterson entered Strick's Restaurant located at 3211 Branch Avenue, Silver Hill, MD 20748 to address a complaint that Strick's Restaurant had the Restaurant portion and bar closed and were only operating the Off-sale portion of the establishment (Liquor Store). Once inside the Liquor Store the restaurant was found to be closed and the licensee did not make notification to the Board that the restaurant would be closed temporarily.

Licensee does not have an attorney, acknowledge his right to an attorney, and agree to move forward without representation.

Inspector Maleek Caraway of the BOLC is sworn in.

Mr. Giles Fletcher II is sworn in.

Inspector Caraway testifies about the incident that occurred on October 8, 2022, at approximately 1:56 p.m., Inspector Patterson and I investigated a complaint about Strick's restaurant. The complaint entailed that there's no actual food available and the restaurant and bar portion is closed. We found that the restaurant portion and bar were closed. Hot and cold food is required to be available with a BL + license and the kitchen must be operable. The manager told us Strick's restaurant was not providing meals alongside alcohol on the premises but instead providing to-go meals that included combo deals of food and low volume alcohol. Strick's restaurant didn't notify the Board of this change in operation regarding a closing of the restaurant and bar. The liquor store was the only section in use on the premises. All members of Strick's restaurant were cooperative with the investigative team. Photos of the establishment and the to-go menu were reported as evidence and attached to the inspection report.

Mr. Fletcher: We provide hot meals; we just didn't have the bar open due to covid. We didn't know we had to have it open. There were several surrounding restaurants that were offering carry out only.

Commissioner Camacho: Inspector Caraway, were you able to observe the kitchen area? Were there any signs of activity in the kitchen? While you were inside the establishment were there any individuals visible in the kitchen?

Inspector Caraway: I didn't go into the kitchen. There were no signs of activity or individuals in the kitchen from what Inspector Patterson, and I saw.

Commissioner Norman: Mr. Fletcher, how long have you been the licensee for Strick's restaurant? Are you aware that you're responsible for understanding the rules and regulations set forth by the Board of License Commissioners?

Mr. Fletcher: I've been a licensee since 1973. I understand, I thought with covid we didn't have to keep bringing people inside endangering them. We have the bar and restaurant open now. The reason there was nobody in the kitchen, is because the person inspectors were talking to is the main cook.

Commissioner Norman: Are you aware that anytime there's any variants in the operations of your establishment you must inform the Board? Are you aware that the Board and the staff are there to assist you? Your testimony is the kitchen was definitely open?

Mr. Fletcher: I didn't know I had to notify the Board. We've been serving food to go. We've had very few people to eat inside once the bar and restaurant opened back up.

Commissioner Camacho: Inspector Caraway, did you see anyone coming into the restaurant purchasing food? How long were you there?

Inspector Caraway: No sir, I would say we were there over thirty minutes. There was no sign of food activity or customers coming in to purchase food.

No further questions.

Commissioner Norman makes a motion to fine the licensee for t/a Strick's Restaurant in violation as charged with a fine of \$1,500 and training, seconded by **Commissioner Sparkman**.

The fine can be paid over three equal monthly installments of \$500.

Commissioner Smith voted against the motion.

After Board vote, the motion carries.

Adjourned: 7:42 p.m.

Respectfully Submitted,

Alecia L. Hughes
Administrative Aide BOLC