

MINUTES

The Garrett County Board of License Commissioners / Liquor Control Board held their monthly meeting on Thursday, July 13, 2023. The meeting was conducted at 10:00 AM in the Garrett County Commissioners Public Meeting Room 209 as well as virtual. Present at the meeting was Chairperson David Moe, Commissioner Michael Fratz and Administrator to the Board Deborah Owston. Commissioner Lisa Herman and Attorney to the Board, M. Elizabeth Georg dialed in to the meeting.

Chairperson Moe called the meeting to order. The Board signed mileage sheets. The Board approved the May 17, 2023 Minutes. Commissioner Fratz made the motion to approve with them with a grammar correction. The motion was second by Chairperson Moe and approved.

There was general discussion before the hearings. In accordance with AB § 21-203 and effective July 1, 2023, David L. Moe will be the Board of License Commissioners chairperson. Ms. Owston updated the Board on the 2023-2024 renewal issuance and late fee collections. The Manor restaurant opened to the public on July 5, 2023. Long Branch would like to be approved for the Growler Permit. Chairperson moved to approve Growler Permit. The motion was second by Commissioner Fratz and approved. Ms. Owston noted that The Long Branch Saloon will have an event to celebrate 30 years on July 19, 2023. Pawn Run would like approval for a new storage building and the Growler Permit. The Board approved the request on July 6, 2023. Chairperson Moe made the motion. The motion was second by Commissioner Herman and made unanimous by Commissioner Fratz. The updates on the Red Barn Events, LLC renovations for the lower level will be discussed later in the meeting. Garrett Trails held a licensed event for the Gran Fondo event on June 17, 2023. The administrative hearing was May 24, 2023. The Grantsville Lions Club held licensed events during the Grantsville Day celebration on June 23, 2023 and June 24, 2023. The Garrett County Arts Council held a licensed event with Garrett Lakes Arts Festival at the Performing Arts Center on July 1, 2023. Our Town Theatre held a licensed event with the Garrett County Arts Council on July 15, 2023 at the Performing Arts Center on July 21, 2023. The Chamber of Commerce Business After Hours event will be held at M&T Bank on July 13, 2023. The Mt. Lake Park Historical Association had an administrative hearing on June 22, 2023 for an event on July 7, 2023. Midway is still closed due to fire damage. The license was renewed. Deep Creek Bar & Grill served their suspension from June 9, 2023 through June 30, 2023. The \$500 fine was paid by June 30, 2023 deadline.

A new license hearing was held at 10:20 AM for a Class B Beer & Wine On-Sale 7- Day License in accordance with the Alcoholic Beverages Article 21-803. Applicants for the license are Douglas Anderson, Mark Fischer and Ronald J Hawkes. The legal entity name is Everbright Pacific, LLC. The trade name will be Wisp Resort. The business is located at 1393 Wisp Mountain Road, McHenry, Maryland at the Adventures Sports Center complex. A discussion took place about the license privileges and the outside theatre events. The application was submitted for Beer & Wine License but will be initially approved as just a Class B Beer License with the option to add the wine privilege to the license before June 30, 2023. The main license for the Wisp Resort will become a Resort License since the Wisp ASCI property is contiguous and not within a reasonable distance from the primary license.

Ms. Owston reviewed the license issuance procedures and regulations. The Gilligan's Island theatre performances will be held at the whitewater lodge amphitheater from July 27, 2023 through August 20, 2023. Commissioner Herman made a motion to approve the new Class B Beer On-Sale 7-Day License with the option to upgrade to a Class B B&W On-Sale 7-Day License by June 30, 2023. The motion was second by Commissioner Fratz and unanimously approved by Chairperson Moe. The license was issued upon payment.

A discussion session was held at 10:40 AM with Abigail Kopischke of Short Story Brewing. The business is located at 1550 Deep Creek Drive, Suite I at The Fort in McHenry. This was a result of an advertisement for A Mountain Fix and Short Story Brewing for an outdoor summer concert in the parking lot on July 29, 2023 and an expansion of the premises to an adjacent space. Mrs. Kopischke said she was appreciative of everyone's time and asked for guidance on how to move forward. A discussion took place about the expansion of the business and increased indoor and outdoor seating. Chad Fike of the Planning & Land Management Office was present. He noted that a tavern requires a Special Exception in Town Center Zoning. He mentioned that the Zoning Board makes their decision specifically based on what is presented at the time of their hearing. If anything changes to the use in character or extent, it needs to go back for another Special Exception. It was determined that the event could not take place due to the zoning restriction on the property. Mrs. Kopischke acknowledged that the expansion and live outdoor entertainment would require another special exception hearing in the future. She said she would be in contact with Bruce Metz to proceed with the zoning special exception hearing.

A discussion session was held at 10:50 AM with Lori Livingston of Red Barn Events, LLC. The business is located at 184 North Glade Road in Swanton. This was a result of the increased premise area, vacation rental bar use and recent advertisement for alcoholic beverage delivery from Red Barn Vacations. Ms. Owston mentioned the recent transformation of the lower-level expansion has been approved by the Fire Marshal. She said they have a couple concerns on recent advertisements and the Liquor Boards approval for it as more of a wedding barn with contracted events. As well as the advertisements for the Red Barn Vacations. It was noted there are a couple Special Exceptions on record for the property. Chad Fike of the Planning & Land Management Office was present to address concerns and answer questions in regard to the zoning. Ms. Owston noted that they are concerned about whether the business is still meeting how they were approved. Mr. Fike stated the property is approved as a commercial catering facility. The Red Barn property is located in a residential area verses a Town Center area that has a little more flexibility of use. He said they have to be careful because things like restaurants and taverns are not permitted. He mentioned that with some of the improvements that have been made like the little bar area, as long as you have it as an amenity to the catering facility, we are ok with it from a zoning perspective but it can not turn in to an open tavern where the general public can be there. He said Zoning has to look at it a little differently because it is in that residential zone. Ms. Livingston said she does not want it to be open to the public. She said that has never been her desire at all. She said it is used to support the weddings or special events. She said they are getting a lot of pressure from the homeowners within that area that want access to it because they have nowhere to go. She said they don't want to have regular openings; that has never been a part of their model. Mr. Fike said that's Zoning's main concern to make sure that what is going on there is just amenities to the commercial catering facility and not turning in to some other use that is open every day. Ms. Livingston

acknowledged. Ms. Livingston said the local homeowners want membership. They keep asking if they could have a membership. She questioned Mr. Fike if it was allowed. Mr. Fike read the catering facility definition. A business establishment for the accommodation of private parties which are scheduled and reserved in advance of the planned event, providing the following services relating to private parties: food and beverage service including kitchen and bar facilities for preparing and serving meals and beverages on or off the premises, seating accommodations including tables for on-premises meal service, an assembly area designed in compliance with the state's Fire Code. Such an establishment must schedule and reserve special events in advance and may not be open to the general public as would be the case with a restaurant or tavern. He said those are the conditions of the Zoning Ordinance. Additional discussion took place. The Board determined that they will follow up on the matter and consider the possibility of a new Catering / Banquet Facility alcoholic beverage license to be introduced in the upcoming legislative session. The Board also pointed out that Red Barn Vacations is not licensed to deliver alcoholic beverages as it is advertised on social media.

The next regular meeting of the Board of License Commissioners is scheduled for Thursday, August 10, 2023.

There being no further business to discuss, Commissioner Herman made a motion to adjourn. The motion was seconded by Commissioner Fratz and unanimously approved by Chairperson Moe.

David Moe
Chairperson

August 10, 2023
Date