

October 2, 2019
9200 Basil Court
Largo, MD 20774

THE BOARD OF LICENSE COMMISSIONERS MET IN REGULAR SESSION:

PRESENT:

Daphne Turpin Forbes, Chairman
Armando Camacho, Vice Chairman
Ken Miles, Commissioner
Tammie Norman, Commissioner
Tammy Sparkman, Commissioner
Benjamin Rupert, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Cristian Mendoza, Deputy Chief Liquor Inspector
Kelly Markomanolakis, Administrative Assistant
Nikole Bennett, Administrative Aide

Time: 7:06 p.m.

In the matter of Nathan Groenendyk, Co-Owner, Jeffrey Harner, Co-Owner for a Distillery Permit for the use of Sangfroid Distilling, LLC, **t/a Sangfroid Distilling**, 5130 Baltimore Avenue, Hyattsville, 20781.

Terence Sheppard stated that this matter was previously presented to the Board

Ms. Turpin Forbes stated that she wants everyone to know what's going on; that this matter was heard at the last hearing; there was an internal discussion and checking of the Rules and Regulations before voting about the permit.

Mr. Camacho moved to approve the application for a Distillery Permit, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

In the matter of **t/a De Ranch**, Class B, Beer, Wine and Liquor, 3511 Maryland Avenue, Cheverly, 20785 –Special Entertainment Permit.

Applicant is represented by Matthew Tedesco, Esquire.

Matthew Tedesco, Esquire stated that he is here on behalf of his client to apply for a Special Entertainment Permit; that he understands there are members of the community in support and opposition; that County Council Member Jolene Ivey is here today as well; that they have a letter of support from the Town of Cheverly; that they also have letters of support from Senator Malcolm Augustine, Delegate Diana Fennell, and the Radiant Valley Civic Association; that they request to have entertainment three days a week, Wednesday, Friday and Saturday; that they have worked with the community as evidenced by the letters of support; that they have had the license since 2017; that there has not be any incidents since they got the license; that they have not had any violations; that they are aware of previous incidents at and around the establishment; that they have been taken care of; that they have worked closely with the mayor and Town of Cheverly to resolve issues and will continue to work with them; that the restaurant has been there

for two decades; that they have a long standing relationship with the community; that the security plan was deemed adequate by Corporal Cicale.

Ms. Turpin Forbes stated that she wants to clarify the hours for Wednesday, Friday and Saturday.

Matthew Tedesco, Esquire stated that the hours of operation will be close at 1:00 a.m. on Wednesday and close at 2:00 a.m. on Friday and Saturday; that if need be, they are willing to discuss a reduction in hours.

Mr. Miles asked if De Ranch Restaurant is in Cheverly.

Matthew Tedesco, Esquire stated that it is not; that they are close though; that they are separated by Maryland Avenue.

Ms. Turpin Forbes asked if the entertainment Wednesday will only be karaoke and spoken word; that there will not be a Disc Jockey.

Pascal Agubuzo stated that there will be a Disc Jockey on Wednesday; that he will be more of an announcer and to amplify karaoke and comedy; that he will also provide background music.

Matthew Tedesco, Esquire stated that they need to add comedy to their list of entertainment; that they acknowledge concerns about noise with the area; that the noise will be kept down; that patrons will still be able to talk to each other; that they will address any issues that arise.

Ms. Turpin Forbes asked if there was evidence that Mr. Agubuzo worked hard with the community to gain support and alleviate concerns.

Matthew Tedesco, Esquire stated that he thinks the letters of support are evidence; that there also two members of the community in support present; that Mr. Agubuzo is also involved in the community; that he assists with events in the community; that they have tried to reach out to those in opposition through Ms. Small to address the concerns; that their requests to meet have gone unanswered.

Ms. Turpin Forbes asked for evidence the previous incidents were not the fault of De Ranch Restaurant.

Matthew Tedesco, Esquire stated that in previous letters submitted by Radiant Valley they cited incidents dated May 6, 2009 and September 13, 2010 as well as other suspicious activities around the barbershop and hair salon that are next door to De Ranch Restaurant; that the same people that caused these issues vandalized De Ranch Restaurant; that there were people in the streets; that the businesses have now left; that they vacated in 2016 and there have not been issues since; that he believes there will be no issues; that there have been no calls for service otherwise.

Ms. Turpin Forbes stated that she would like to hear from the Mayor of Cheverly; that they had thought the town was not in support of the Special Entertainment Permit; that there was a letter dated May 2019; that she would like to know what caused the change.

Laila Riaz stated that she is a resident of Cheverly; that she is the current Mayor; that the letter submitted previously was on behalf of the previous mayor; that since the first letter and she was appointed mayor, the council has taken the time to take a second look and reevaluate their previous assessment; that they wanted to see if the problems was from this establishment or other places on Maryland Avenue; that they wanted to see if there were still calls for service and if not what changed; that they spoke to Mr. and Mrs. Agubozo to see what the security plan is and the idea for entertainment; that they don't want to both benefit from a business and hurt the residents outside of the town that are closer to the restaurant; that the restaurant is outside the town limits, but they will be impacted by it; that they didn't have an Alcoholic Beverage License for two decades and there haven't been any issues; that things did not run amok with De Ranch having

an Alcoholic Beverage License; that Mr. and Mrs. Agubozo even gave the town their personal phone numbers to call at any time with any issues; that it goes a long way for reassuring the council; that they managed to get two council members that were in opposition to change their opinion and give their support; that the only council member still in opposition is less in full opposition and more so concerned about respecting the residents.

Matthew Tedesco, Esquire stated that there will be no patron dancing, no adult dance; that he believes they have gone the extra mile to get support.

Ms. Turpin Forbes stated that she appreciates the testimony; that she would like to hear from the opposition now.

Jolene Ivey stated that she is a resident of Cheverly; that she is the County Councilwoman for District 5; that Mr. Agubozo seems very nice; that she has known him for many years; that he is a good businessman; that he visits many communities and provides them with free food; that all this helps with the community being in support; that the people affected are not in support and are not in Cheverly; that most people are not aware Aldi is in Cheverly; that the area where this is located is almost a world away; that Angel's was a licensee that caused problems; that they created lots of calls for service and were far away; that she doesn't understand how the music will stay inside the four walls; that they want to know the type of music, how loud, the number of people, how they will keep people who are leaving from spilling out to the area; that people need to be aware that when people leave they will make noise, even if they don't mean to be disruptive; that this is in a bad area; that it is too close to residents; that she will get calls with people complaining if the Special Entertainment Permit is granted; that she will direct the calls back to the Board; that she understands that her being in opposition may put her at odds with some of the people in Cheverly; that she feels she must do what is right; that she isn't here to worry about the civic associations that want free chicken; that all of the council members are new people; that they don't have the history of the area; that the Town Administrator became Mayor only a few months ago; that the Senator in support is new as well; that she requests that there be mercy on those that live on Old Landover Road and the area; that her neighbor had a party recently that is further down from her than De Ranch Restaurant is from the residents and it was very disruptive; that Mr. and Mrs. Carmon are less than a stone's throw away; that she appreciates the opportunity to speak.

Sandra Carmon stated that she is a resident of Landover; that her and her husband have lived there for over 25 years; that since 2006 they have sent letters and made calls for one year about problems from De Ranch Restaurant and nothing happened; that she has brought copies with her; that Mr. Agubozo did not have a Special Entertainment Permit previously; that he is currently having parties without a Special Entertainment Permit; that it shows a lack of respect and that Mr. Agubozo is being untruthful; that in July 2019 Mr. Agubozo received a violation for not reporting a previous alcohol violation when he applied for the license; that this shows he has not been upfront with the Board; that Mr. Agubozo has not talked with them; that they have many sleepless nights as it is and have problems with people parking by their bedroom; that they have experienced noise past 2:00 a.m. for the past 15 years; that in 2015 there is an email complaining about the noise; that nothing happened; that they don't understand how he can be trusted to be responsible; that in 2017 when Mr. Agubozo got the license he said food was his focus, not entertainment; that they came to that hearing as well to protest Mr. Agubozo getting the license; that now he is applying for entertainment less than two years later; that he tested the waters with the Alcoholic Beverage License and now wants to get a Special Entertainment Permit to try to

bring back a juke joint to the neighborhood; that Ms. Mamie and the others that support the permit won't have the noise, trash or problems they will because they don't live by there; that there aren't cars there during the day.

James Carmon stated that he has been before the Board several times about De Ranch Restaurant; that Mrs. Carmon already said most of the concerns; that he has seen people there as late as 2:00 a.m. and 3:00 a.m.; that there is trash and people in the parking lot; that the lights shine in the house; that they have trouble sleeping; that they say the noise won't leave the building but for the past 15 years Mrs. Carmon has woken him up to go over there about issues; that he has taken pictures and comes back and calls the police; that by the time the police get there the parking lot has cleared; that Mr. Agubozo plays these games; that many businesses have left because of the trash and problems; that people coming in this area are coming from Bowie and Cheverly; that not even Mr. Agubozo lives in the area.

Matthew Tedesco, Esquire stated that Ms. Smalls from Radiant Civic Association would like to speak and so he will yield some time to her; that he sympathizes with the Carmon's and the residents that live nearby; that the property is zoned commercial; that the comments match up with what they have said; that there haven't been issues since 2015; that since the license has been issued there have been no incidents; that he recognizes the issues Councilmember Ivey has brought up; that people can complain about the noise because of the noise ordinances; that they shouldn't be penalized before they are given a chance.

Mamie Small stated that she has been a resident of Landover Hills since 1975; that she has raised a child there; that she disagrees with comments made; that she has sent letters to Mr. and Mrs. Carmon to try to resolve the issues and they haven't responded; that she believes the problems are being confused with the barber shop next door; that the barber shop was having problems with people who used the space after normal hours; that Mr. Agubozo is only there until 11:00 p.m. but the people stay until 3:00 a.m. so it is not his restaurant; that Mr. Carmon knew the area was commercial when he moved in; that has participated in community clean ups and Ms. Ivey has never attended any.

Ms. Turpin Forbes stated that she wants a picture of what has happened from 2017 to now.

James Carmon stated that he knows and had put in a letter that he submitted the establishment was still open at 11:30 p.m. on May 8, 2019; that the *Open* sign was on with people inside; that he also took pictures; that right after they were before the Board earlier this year De Ranch Restaurant had a party; that he took pictures at about 8:00 p.m.; that there was parking everywhere; that they forwarded the information to the County Council to let them know what was going; that they understand they weren't in violation at that time, but it was still disruptive.

Ms. Turpin Forbes stated that they have listened to the opposition; that she wants to know if there has been entertainment at the restaurant.

Pascal Agubozo stated that the information is incorrect; that he wouldn't do any of that because the Board can send Inspectors to check on him; that he would have been caught; that he is permitted to be open until 12:00 a.m.; that he has never had entertainment; that it was the barber shop; that they wouldn't jeopardize their livelihood.

Matthew Tedesco, Esquire stated that he has a letter from the Board in 2017 stating that the hours were 11:00 a.m. to 12:00 am on Friday and Saturday; that he was approved for those hours; that if an incident took place there would be evidence; that there is no evidence; that the Carmon's may be confused; that there is no basis to deny the permit; that Mr. Agubozo is

passionate and wants to cooperate with the community and the Board; that he hopes they never have to come before the Board for a violation.

Mr. Camacho stated that it is a hard situation; that the concern is with a threat to the peace and safety of the community; that adding entertainment won't make the current issues any better.

Ms. Turpin Forbes stated that they place a high value on the opinions of the residents and property owners in Prince George's County; if Councilwoman Ivey can throw a stone to hit the front door it is very concerning; that the Board gives weight to both; that the residents should be given greater weight.

Mr. Miles stated that he agrees; that this is a scary situation; that they don't want to run people out.

Ms. Turpin Forbes stated that there is also a lot of support for the permit; that the problem is that most of the support is not residents of the area.

Ms. Sparkman stated that she agrees; that she understands not being able to sleep three nights of the week because of entertainment going on; that it is hard to deal with that; that the support lives out of the area and don't see the effects first hand.

Ms. Norman stated that she agrees they are too close.

Ms. Turpin Forbes stated that she places value on the resident's own property regardless of where they purchased; that they have a right to enjoy their own property.

Mr. Camacho moved to deny the application for a Special Entertainment Permit, seconded by Mr. Miles and made unanimous by Ms. Norman, Ms. Sparkman and Ms. Turpin Forbes.

In the matter of **t/a El Bucanas Café**, Class B, Beer and Wine, 5409 Kenilworth Avenue, Riverdale, 20737 – Special Entertainment Permit.

Applicant is represented by Victor Ramirez, Esquire.

Francisco Osorio stated that he is a resident of Bowie.

Irma Osorio stated that she is a resident of Fort Washington; that she is Mr. Osorio's daughter; that she will be translating.

Victor Ramirez, Esquire stated that there is not any opposition; that this is simply a case of a lapse in renewing the Alcoholic Beverage License; that they reapplied and have since picked up, but lost the old permit when the license expired; that he requests that the permit be issued based on the approval of the security plan by Prince George's County Police Department's Corporal Cicale.

Ms. Turpin Forbes stated that when they applied five out of ten cameras were not in operation; that she would like to know if they have been fixed.

Iman Osorio stated that they were repaired; that they have nine working security cameras; that the tenth is not hooked to anything; that it is cloud based storage; that the video is kept for 30 days.

Mr. Camacho moved to approve the request for a Special Entertainment Permit, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

In the matter of Maria Aguilar, President/Secretary/Treasurer, Sofia and Gicelle, Inc., **t/a Fast Eddie's**, 4801 Allentown Road Suitland, 20746, Class B(LX), Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Sections 6-304 of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rule 1 of the Rules and Regulations for Prince George's County, to wit; That on July 16, 2019 at approximately 7:30 p.m., Inspectors Johnny

Toles and Jerry Glenn of the Prince George's County Board of License Commissioners observed an underage operative possess a 12-ounce bottle of Bud Light from an agent of the licensee. Furthermore, the licensee was previously found in violation of: Use of a promoter on April 30, 2019 and fine of \$1500 was imposed. Sale to a minor on August 11, 2017 and a fine of \$7500 was imposed.

Licensee is represented by Linda Carter, Esquire.

Inspector Jerry Glenn stated that he is an Inspector for Prince George's County Board of License Commissioners; read his report into the record.

Maria Aguilar stated that she admits the violation occurred; that she had just left the restaurant; that she was at the Dollar Store when the violation occurred; that the employee that served the minor had been there for 12 years and the service industry for 25 years; that they had previous certificates for passing the compliance checks; that they didn't fire the employee for the violation, but did suspend them for two weeks and then have them be retrained; that there are six employees that serve alcohol; that all the employees who serve alcohol are Alcohol Awareness certified; that they changed the policy and card everyone; that they have two employees at the door during the Special Entertainment Permit hours to card people; that they card when ordering at the table during regular business hours; that if an employee serves underage they will be fired.

Linda Carter, Esquire stated that she understands that there will be a penalty; that everyone has already been recertified; that they are carding everyone; that there unfortunately have been multiple incidents in a short amount of time; that she wasn't sure if the violation in 2017 was the third at that point because the fine was \$7,500; that there have been two previous violations in a 24 month period; that the Board isn't supposed to look past more than a 24 month period for a violation.

Mr. Camacho stated that it is only when determining penalty; that they still look at the history.

Linda Carter, Esquire stated that she thinks part of the problem with the Sale to a Minor violation aside, is that Ms. Aguilar did not understand the Rule and Regulation regarding Promoters; that it doesn't specify what a promoter is; that they worked with Corporal Cicale after the violation to address the issues; that they want to change the business from a night club to a restaurant; that they want to do brunch on Sunday and a buffet every day; that Ms. Aguilar understands a liquor based business is difficult to change, but she wants to; that she understands that she can't be there all the time; that she doesn't want it to just be the place to go after dinner, but to go for dinner.

Ms. Turpin Forbes stated that she hopes that plan includes not selling to minors.

Linda Carter, Esquire stated that they hope not to have any more violations; that they understand the importance of carding; that she requests that the August 2017 not be included in punishment.

Mr. Camacho stated that it will be because of when the violation occurred; that they can choose to suspend or revoke the license; that this is a long history of violations; that this didn't happen suddenly; that they have pool tables and can hold 700 people; that he hopes the change to a restaurant works.

Mr. Miles stated that he has seen them here before; that they were told not to make a mistake and they did; that it is a scary thought; that the Board won't continue to put up with it.

Ms. Norman stated that they must answer to the public and senators; that there is a big issue of underage sales; that they need to be responsible; that Andrew's Air Force Base is close by; that they can't continue to have problems.

Mr. Camacho moved to find the license in violation of Sale to a Minor and fine the business \$7,500, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

In the matter of Phillip Ricker, President/Treasurer, Benjamin Ricker, Secretary, Maryland News Center, Inc., **t/a Maryland News Center**, 29123 Hamilton Street, Hyattsville, 20782, Class D(R), Beer and Wine, is summonsed to show cause for an alleged violation of Section 26-208 of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rule 70 of the Rules and Regulations for Prince George's County, to wit; That on Thursday, June 27, 2019, Deputy Chief Cristian Mendoza and Inspector James Golato observed an excessive amount of signs on the front exterior of the building obstructing the view into the licensed premises. Further, the licensee was found in violation of purchasing from other than a wholesaler on July 23, 2019.

Licensee is represented by Linda Carter, Esquire.

Cristian Mendoza stated that the case was from Operation Clean Sweep; that he wanted to have the Board give official notice to comply.

Linda Carter, Esquire stated that the business complied immediately; that the problems were resolved within 24 hours; that she would like to request the violation be dismissed.

Cristian Mendoza stated that he has been by the business and the problems have been resolved. Mr. Camacho moved to dismiss the violation, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

Respectfully Submitted,

Nikole Bennett
Administrative Aide

Adjourned 8:23 p.m.