

TALBOT COUNTY, MARYLAND
BOARD OF LIQUOR LICENSE COMMISSIONERS

Minutes of Public Meeting
August 12, 2024

The meeting of the Talbot County Board of Liquor License Commissioners was called to order at 10:00 a.m. on Monday, August 12, 2024. Present were Chairman Jack M. Gottschalk, Commissioner Edward M. Bridges, Jr., Alternate Jacqueline O’Neil and Board Secretary Victoria E. Bradley.

OLD BUSINESS

- Upon motion by Commissioner Fike, seconded by Commissioner Bridges, the minutes of the meeting of April 22, 2024, were unanimously approved.

NEW BUSINESS

- **Chopsticks Asian Bistro & Sushi, LLC** – Application for a Class F-A alcohol license (hotels/restaurants – on-sale, beer, wine and liquor)

All those in attendance to testify in the matter were sworn in, (Applicants Shi Wen Wang and Xu Chen and Interpreter Guang Wang).

Chairman Gottschalk gave brief description of the application. Commissioner Bridges noted for the record the application is missing an answer on page 4, question 14. The applicants testified that they were not sure of the meaning of the question, so they left it blank. Chairman Gottschalk advised that the Board would not be able to provide legal advice, and they would need to answer the question to the best of their ability. The applicants looked over the question and determined the answer is ‘no’.

Chairman Bridges asked about a signature portion not being signed for the Articles of Incorporation. Secretary Bradley confirmed that the one from the state office does not have signatures.

The applicants gave opening statements regarding the application and the business plan. Mr. Wang testified that the applicants have many years of experience in the restaurant business, and they want to offer an upscale dining experience with a complete menu.

Chairman Gottschalk asked about the name including the word bistro. The applicants testified that it is simply in the name for the business, and they do not intend to operate as a bistro with a bistro

license. The Chairman suggest the name be changed to remove bistro. The applicants testified that they would have some trouble doing this because the signs and other products have already been ordered with the bistro name. The Board stated for the record that they would allow them to keep bistro in the name to not cause undue hardship provided they do not operate as a bistro unless they request a license change to obtain the bistro license.

Commissioner Fike mentioned that the Business license is missing from the application. Chairman Gottschalk asked if the applicants have applied for one yet. The applicants testified that the building is under construction at this time, so they are not able to receive the Fire Marshall inspection, the Health Department Permit, the letter from Planning and Zoning or the Business License.

Chairman Gottschalk explained that if the application is approved it would be pending the Board receiving the missing permits and licenses.

- Motion made by Commissioner Bridges, seconded by Commissioner Fike that the Borad approve the applicants use of the word Bistro in name only and the application of the Class FA license pending the board receiving the Fire Marshall inspection, the Health Department Permit, the letter from Planning and Zoning and the Business License. Motion passed unanimously.
 - **St. Michaels Pub, LLC** – Application for a transfer of a Class E Beer, Wine & Liquor License (Off-sale Alcohol Dispensaries)

All those in attendance to testify in the matter were sworn in, (Applicant Ian Krynski and his Attorney Zachary Smith).

Chairman Gottschalk gave a brief description of the application. Chairman Gottschalk noted that Attachment 2 is missing information regarding years knowing the applicant. Commissioner Bridges noted the Fire Marshalls Certificate, and the Health Department Permit are missing from the application. Commissioner Fike noted the fingerprint background information was not included. Secretary Bradley stated that because Mr. Krynski already has a license for another business in Talbot County and the fingerprinting was done within the last year, he was not required to go through the fingerprint background check again.

Mr. Smith gave opening statements regarding the application and the applicant. Mr. Smith gave testimony regarding the applicant's experience with his current liquor license and his experience within the industry. Mr. Smith gave further testimony as to the reason the applicant has chosen the St. Michaels community for this business.

Mr. Krynski gave testimony on the work his current business is doing and how they have been able to give back to the community. Mr. Krynski testified that he was able to ask his current customers at his Easton location if they would like a second location in St. Michaels and they received 400 signatures from members in the community who support his application.

Mr. Smith testified that the application is currently missing the Health Department permit and the Fire Marshalls inspection because the sale of the location is pending the Board approval of a license, and the location would need to go under construction to fit Mr. Krynski's business plan. Mr. Smith asked that if the Board considers the application for approval that it would be conditional of them getting the missing documents.

Chairman Gottschalk explained the Market Study they received shows the location for this business fails the Market Study, the location is over saturated and would not allow for another off-sale license to be there.

Mr. Smith testified that he believes a transfer of a current license is allowed in this case and would not be affected by the Market Study. This application is for the transfer of Gina's current off-sale BR license to Mr. Krynski and in the same application change the license to a class E. Mr. Smith states the transfer of the license would not affect the market study because the number of off-sale licenses would not change.

Chairman Gottschalk asked for what the business model would look like. Mr. Krynski testified that it would be like a boutique liquor store offering local products as well. Mr. Krynski further testified they would not be open late because they would want to keep their hours similar to other establishments in the area closing around 8 pm.

Mr. Krynski testified they would also like to have a classroom area for alcohol awareness classes and similar classes around alcohol.

Commissioner Fike asked if there was a legal document regarding the transfer of Gina's current off-sale license. Mr. Krynski testified that he did not have one at this time but would be able to get one to provide to the board. Chairman Gottschalk stated the board would require a document if the application were approved stating Gina's license is being transferred.

The Chairman asked if the public had any other comments regarding this application.

Brooke Mesko, the owner of Town and Country Liquors gave testimony on why she opposes this application. Ms. Mesko testified that the location in question is over saturated and that is what she has been told for many years now. Ms. Mesko testified that she believes this location would be a large liquor store which would be very different from what Gina's license is currently, a class BR

is not equal to a class E. Ms. Mesko further testified that the code requiring the Market Study is there for a reason and this would go against the nature of the code.

Mr. Smith testified that he appreciates Ms. Mesko's comments however, he disagrees that the intent of the code would not allow this transfer. Mr. Smith further testified that the BR license must go through the same requirements as a E license.

Mr. Krynski testified that the location in St. Michaels would be smaller than his store in Easton, the building is large but the store space that is selling the alcohol is going to be smaller.

Alex Krynski testified that the location has three structures, and the liquor sales would be in the smaller structure, the other structures would be rented out, used for storage and classroom space.

Martin Johnson testified in favor of the application and in favor of Mr. Krynski. Mr. Johnson further testified that Mr. Krynski is responsible and fit to be a license holder.

Steve Myers testified that he is an employee of Mr. Krynski at his Easton location and has a long history of working in the alcohol sale industry. Mr. Myers further testified that he works with Mr. Krynski on some of the training he provides at the Easton location and feels the St. Michaels location will be good for what they are planning to do.

Commissioner Fike stated he would like to discuss the legal issues with the County Attorney and the other members of the Board agreed.

- A motion was made by Mr. Fike, seconded by Mr. Bridges for the Board to move into closed session to obtain legal advice.

Summary of Closed Session Held on August 12, 2024:

1. Statement of the time, place, and purpose of the closed session:

Time of closed session: 11:20 a.m. to 11:40 a.m.
Place of closed session: Council Meeting Room, 11 N. Washington St., Easton MD 21601.

Purpose of the closed session: To consult with counsel to obtain legal advice regard the application

2. Record of the Vote of each member as to closing the session:

Names of members voting aye: Gottschalk, Bridges, Fike, and O'Neil

Members opposed: None
 Abstaining: None
 Absent: None

3. Statutory authority to close and listing of each topic actually discussed, persons present, and each action taken in the session:

Topic Description	Statutory Authority	Reason for Closed Session Discussion	Persons Present	Action Taken
To consult with counsel to obtain legal advice	GP § 3-101(b)(7)	Attorney Client Confidentiality	Jack Gottschalk, Edward Bridges, David Fike, Jacqueline O’Neil, Patrick Thomas and Victoria Bradley	none

- A motion was made by Mr. Bridges and seconded by Mr. Fike to reconvene in open session at 11:40 a.m.

Chairman Gottschalk testified that after discussions with the County Attorney the Board does not feel that the existing laws support the approval of the application. The Chairman further testified that the Board reviewed this application and all the facts and public comments very carefully.

There being no further discussion, the following motion was made:

- Motion made by Commissioner Fike, seconded by Commissioner Bridges that the Board decline the application for the transfer of a Class E Beer, Wine & Liquor License (Off-sale Alcohol Dispensaries). Motion passed unanimously.

Old Business

Secretary Bradley asked the Board to check their County Emails for one day applications that are pending administrative approval and upcoming meeting dates.

There being no further business to discuss, the Board moved to adjourn.

- Upon motion by Commissioner Bridges, seconded by Commissioner Fike, there being no further business to discuss, the Board voted unanimously to close the meeting at 11:53 a.m.