

North East Board of Appeals
June 14, 2018

**NORTH EAST BOARD OF APPEALS-
North East Town Hall / 106 South Main Street
Thursday, June 14, 2018
7:00 P.M.**

Chairman Gabrielle Oldham called the meeting to order at 7:07 P.M. Present for the meeting included members, Peg Hardin, and Maurice Tenney. Also in attendance were Betsy Vennell, Director of Planning, David Beste, Town Attorney, and Lisa Rhoades, Planning and Zoning Assistant. Ms. S.J. Anderson was absent from the meeting.

-MINUTES-

May 24, 2018

Ms. Hardin made a motion to approve the May 24, 2018 minutes as presented, with a minor correction. Mr. Tenney seconded the motion and the motion was approved by all.

-COMMENTS FROM THE PUBLIC-

None.

-OLD BUSINESS-

None.

-NEW BUSINESS-

Public Hearing

Chairman Oldham opened the Public Hearing at 7:09 P.M.

Ms. Oldham reported that the Board of Appeals has a quorum however, since there are only three members, if one board member is not in favor of approving the case, the application cannot be approved. Chairman Oldham inquired if the applicant wished to continue with the case or if he desired to wait until next month when more members could be present. The applicant agreed to have the case heard this evening.

Case A-2018-03-SE: Applicant, Warren N. Beverung, III, 29 South Main Street, North East, Maryland, is requesting a special exception for the purpose of obtaining an on premise alcohol beverage license for 26 South Main Street, North East, Maryland in conjunction with a restaurant. Property owner: South Main Street Properties, LLC, 1304 Business Center Way, Suite 201, Edgewood, Maryland. Also found on Tax Map 400, Parcel 0270 in the General Commercial Zoning District.

Ms. Kimberly Dacey, court reporter, swore in all of those who would testify this evening.

Chairman Oldham inquired if the applicant would like the application to be submitted as part of the record and Mr. Beverung replied yes.

Approved
January 24, 2019

Mr. Beverung stated he would like to open a family friendly Mexican restaurant with a full service alcohol beverage license at 26 South Main Street, North East, Maryland. Mr. Beverung reported the hours for the new restaurant would be consistent with Woody's Crab House and would be open 6 to 7 days a week, closing at 9:30 P.M. on week nights and 11:00 P.M. on Friday and Saturday nights. In addition, Mr. Beverung reported that the new restaurant shall create about 30 jobs.

Mrs. Vennell reported the prior applicant received Special Exception approvals for both an on-premise alcohol beverage license and for the use of a restaurant. The previous restaurant closed and Mr. Beverung opted to apply for a new alcohol beverage license versus a transfer for his proposed restaurant. Mrs. Vennell displayed the existing approved site plan for 26 South Main Street and reported that there were two phases outlined on the site plan. Phase 1 was completed and 26 South Main Street opened as a restaurant pursuant to an approved Special Exception. Phase 2 was only a concept plan which never came to fruition. Mr. Tenney inquired if Mr. Beverung had any plans to move forward with the previously proposed Phase 2 outdoor upstairs deck. Mr. Beverung replied no, not at this time.

Ms. Hardin inquired about the number of seats previously approved for this location and the number of proposed seats for the new restaurant. Mrs. Vennell reported that there is water allocation on file for 155 seats. Mr. Beverung reported he will not be installing more than 135 seats which will include two outdoor tables.

With no further comments, Chairman Oldham closed the public hearing at 7:16 P.M.

Mr. Tenney made a motion to approve the special exception for an on premise alcohol beverage license for 26 South Main Street, North East, Maryland in conjunction with a restaurant. Ms. Hardin second the motion and the motion was approved by all.

26 South Main Street - Restaurant Name

Mrs. Vennell reported that in the past, the Planning Office has solicited the Planning Commission and Board of Appeals opinions regarding the name of a restaurant when it contains the word "bar", "saloon" etc." within the name of a sign. Mrs. Vennell reported that the North East Zoning Ordinance does not permit any signs which would in any way be degrading to the Town, or its image, adding that the Town Boards have worked very hard to make downtown North East what it is today. Mrs. Vennell requested the opinion of the Boards concerning the proposed names of the restaurant: "Woody's Tacos and Tequila", "Woody's Tacos and Tequila Bar" or "Woody's Tacos and Tequila Cantina".

Mr. Tenney stated that the word "bar" in a business name does not portray that the business is family friendly. Chairman Oldham added that there are currently no businesses on Main Street with the word "bar" in their name and in keeping with the town's image, she would prefer that the word "bar" not be included in the name. Mr. Beverung stated that they are comfortable naming the restaurant "Woody's Tacos and Tequila" as both Boards are in agreement with this name.

North East Board of Appeals
June 14, 2018

-REPORTS-

None.

-MISCELLANEOUS-

None.

-NEXT MEETING-

Chairman Oldham cancelled the July 26, 2018 Board of Appeals meeting as there are no agenda items.

-ADJOURNMENT

Ms. Hardin made a motion to adjourn the meeting at 7:27 P.M. Mr. Tenney seconded the motion and the motion was approved by all.

Respectfully submitted:

Attest:

Lisa Rhoades
Planning and Zoning Assistant

Gabrielle D. Oldham
Chairman

Approved
January 24, 2019