

**Brandon Board of Liquor Control Commissioners Meeting**  
**February 24, 2020**  
**7:00 p.m.**

The Brandon Board of Liquor Control Commissioners will meet Monday, February 24, 2020 in conjunction with the Select Board Meeting to begin at 7:00 p.m. at the Brandon Town Hall located at 1 Conant Square expecting to consider the items noted on this agenda. Agendas shall be posted on the community bulletin board located at the Town Office at 49 Center Street and on the community bulletin board located at the Forest Dale Post Office. The Select Board reserves the right to add additional items, if necessary, at the beginning of the meeting.

- 1) Call to Order
  - a) Agenda Adoption
- 2) Approval of Minutes:
  - a) Board of Liquor Control Commissioners Meeting – February 10, 2020
- 3) Discussion of Alcoholic Beverage Control Ordinance
- 4) Approve Liquor Licenses:
  - a) Second Class
    - Mousa Brothers, Inc. dba Brandon Discount Beverage & Tobacco
    - Wesco, Inc. dba Champlain Farms
- 5) Review of Request to Cater Malt, Vinous and/or Spirituous Liquors Previously Approved by the Town Clerk
  - Common Ground Restaurant & Pub LLC dba Mae's Place for an event (Brandon Idol) to be held at the Town Hall on March 21, 2020
- 6) Adjournment

## **Brandon Board of Liquor Control Commissioners Meeting February 10, 2020**

**NOTE: These are unapproved minutes, subject to amendment and/or approval at the subsequent board meeting.**

**Board Members In Attendance:** Seth Hopkins, Doug Bailey, Tracy Wyman, Tim Guiles, Brian Coolidge

**Others In Attendance:** Dave Atherton, Erynn Doaner, Andy Doaner, Bill Moore

### **1. Call to Order**

The meeting was called to order at 8:40PM by Seth Hopkins - Chair.

#### ***a. Agenda Adoption***

**Motion** by Tracy Wyman/Tim Guiles to approve the agenda. **The motion passed unanimously.**

### **2. Approval of Minutes**

#### ***a) Board of Liquor Control Commissioners Meeting – January 27, 2020***

**Motion** by Tracy Wyman/Doug Bailey to approve the January 27, 2020 Board of Liquor Control Commissioners meeting minutes. **The motion passed unanimously.**

### **3. Discussion of Alcoholic Beverage Control Ordinance**

Dave Atherton advised there is an Outside Consumption permit request from the Common Ground for the new location. According to the Town's ordinance, alcohol cannot be consumed in public areas that include sidewalks. A previous request from the Center Street Bar had been denied. Erynn Doaner asked if tables could be placed outside the business. Mr. Atherton noted Gourmet Provence places tables outside their business and the ordinance does not indicate that tables cannot go outside, but the consumption of alcohol would have to follow State law, as it would require roping off the area. Doug Bailey expressed concern with a business cording off an area that is on town property. Bill Moore stated other businesses have items placed on the sidewalks. Ms. Doaner stated they would be café tables and would be brought in at the end of the day. Tim Guiles noted the Center Street Bar would merit the same treatment. Ms. Doaner stated being allowed to place tables on the sidewalk would be like other businesses placing items on the sidewalks. Ms. Doaner stated the tables would be placed outside during the summer and it could be indicated that alcohol would only be served inside. Mr. Moore suggested the Board may want to revisit the ordinance, as there are going to be more requests with the change in businesses in Town. Mr. Wyman stated if the ordinance is changed, it would be a suggestion to place a time limit on the outside consumption. There was a suggestion of potentially issuing a series of

special event permits for outside seating, though it was cautioned not to get too far outside the scope of the ordinance, as there are other businesses to consider. Ms. Doaner thanked the Board for their consideration and noted that she will surrender the Outside Consumption permit and wait to see what the Town will do with the ordinance going forward. Mr. Guiles noted the business is going to be very successful without this item. Seth Hopkins advised that Bill Moore, Chief Brickell and he have worked on the Alcohol policy, but it is difficult to change the existing policy the Board could get behind. It was noted there is no Board action required, following the discussion. Tim Guiles had a question regarding the application and asked if there is an example of a public area that is privately owned when a public event takes place. Tracy Wyman noted an example would be his home when the Blue Grass Festival is taking place and also the Brandon Inn during the Summer Concert series. Mr. Guiles questioned with regard to commercial premises if his home would be considered a public space, since he teaches piano lessons in his home. Seth Hopkins advised that the commercial use of a home is incidental to the primary use of the house. Mr. Hopkins noted it is likely time to redo the ordinance.

#### **4. Approve Liquor Licenses**

Seth Hopkins disclosed that he has a business relationship with Alois, Inc. dba Brandon Inn and a membership in the American Legion.

**Motion** by Doug Bailey/Tracy Wyman to approve the liquor licenses as presented. **The motion passed unanimously.**

##### *a) First Class*

- . American Legion Post #55*
- . Common Ground Restaurant & Pub, LLC dba Mae's Place*

##### *b) Second Class*

- . Global Montello Group, Corp. dba Jiffy Mart #436*
- . Martin's Foods of South Burlington dba Hannaford Supermarket #8409*

##### *c) Third Class*

- . Alois, Inc. dba Brandon Inn*
- . American Legion Post #55*

#### **5. Approve Outside Consumption Permit**

- . Alois, Inc. dba Brandon Inn*
- . Common Ground Restaurant & Pub, LLC dba Mae's Place*

**Motion** by Tracy Wyman/Doug Bailey to approve the Outside Consumption permit for Alois, Inc. dba Brandon Inn. **The motion passed unanimously.**

Common Ground Restaurant & Pub, LLC dba Mae's Place permit application was surrendered by Erynn Doaner, as noted in prior discussion.

**6. Review of Request to Cater Malt, Vinous and/or Spirituous Liquors Previously  
Approved by the Town Clerk  
. *Red Clover Ale Company LLC for an event to be held on February 8, 2020***

**Motion** by Brian Coolidge/Tracy Wyman to adjourn the Board of Liquor Control  
Commissioners meeting at 9:15PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary

2020 LIQUOR LICENSE RENEWAL APPLICATION

9803-001-SECN-001

SECOND CLASS LICENSE TO SELL MALT AND VINOUS BEVERAGES

Page 1

License Year Beginning May 1, 2020 ending April 30, 2021

Fee: \$140.00 of which
\$70.00 is paid to town/city
\$70.00 is paid to DLC
Town: 11010 - BRANDON

MISREPRESENTATION OF A MATERIAL FACT ON ANY LICENSE APPLICATION SHALL BE GROUNDS FOR SUSPENSION OR REVOCATION OF THE LICENSE, AFTER NOTICE AND HEARING

Applicant: Review all of the information presented on this form, indicating any changes in the spaces provided.

Applicant: Mousa Brothers, Inc.

Licensee # 9803- 1

Doing Business As:

Brandon Discount Beverage & Tobacco
34 Conant Street
Brandon VT 05733
Telephone: (802) 000-0000

Mailing Address:
P.O. Box 183
Bomoseen VT 05732

PLEASE INCLUDE EMAIL ADDRESS:

Description of Premises:

2nd class store on a single story strip mall, consisting of approximately 3,600 sq ft of space in the northern end of the mall. Situated on the west side of Route 7, designated as 34 Conant Square #2 in the Town of Brandon, Vermont.

Lessor:

Double Bogey Realty
68 Litchfield Avenue
Rutland VT 05701

Last Enforcement Seminar: 05/09/2018

Fed. ID Number: 47-4965715 Incorporation Date: 08/14/2015 Valid Charter?: Yes State of Charter: Vermont

Majority of Directors are US Citizens: Yes

ATTACH AN ADDITIONAL SHEET TO THIS APPLICATION NOTING ANY NECESSARY CORRECTIONS OR CHANGES AND UPDATES THAT HAVE OCCURRED DURING THE PAST YEAR.

Table with 5 columns: Corporation, Name, Address, Town/City, State Zip Code. Row 1: Director, 1. Bilal, Muhammad, 40 Route 4A, Castleton, VT 05735

Has any director or stockholder been convicted or pleaded guilty to any criminal or motor vehicle offense in any court of law (including traffic tickets by mail) during the last year? Yes No

If yes, please attach the following information: Individual's name, court/traffic bureau, offense and date

In the past year has any director or stockholder of the corporation held any elective or appointive state, county, city, village or town office in Vermont (See VSA, T.7, Ch.9, Sec. 223)? Yes No

If yes, please attach the following information: Individual's name, office and jurisdiction

Disclosure of Non-profit Organization?: Yes No

ALL APPLICANTS MUST COMPLETE AND SIGN

The applicant understands and agrees that the Liquor and Lottery Control Board may obtain criminal history record information from State and Federal record repositories.

I/We hereby certify, under the pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan approved by the Commissioner of Taxes to pay any and all taxes due the State of Vermont as of the date of this application. (VSA, Title 32, Section 3113)

I/We hereby certify that I/We are not under an obligation to pay child support or that I/We are in good standing with respect to child support or are in full compliance with a plan to pay any and all child support payable under a support order. (VSA, Title 15, Section 795)

In accordance with 21 VSA, Section 1378 (b), I/We certify, under pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan to pay any and all contributions or payments in lieu of contributions due to the Department of Employment and Training.

I/We have registered the trade name of these premises with the Secretary of State.

I/We hereby certify that the information in this application is true and complete.

Dated this 08 day of February, 2020

Signature of authorized agent of corporation, company, club or association

Signature of individual or partners

Handwritten signature of authorized agent

President (Title)

Are you making this application for the benefit of any other party? Yes No

2020 LIQUOR LICENSE RENEWAL APPLICATION  
SECOND CLASS LICENSE TO SELL MALT AND VINOUS BEVERAGES

9803-001-SECN-001  
Page 2

----- LOCAL COMMISSIONER SECTION BELOW -----

Upon being satisfied that the conditions precedent to the granting of this license as provided in Title 7 of the Vermont Statutes Annotated, as amended, have been fully met by the applicant, the commissioners will endorse their recommendation on the back of the application and transmit it to the Liquor and Lottery Control Board for suitable action thereon, before any License may be granted. For the information of the Liquor and Lottery Control Board, applications shall carry the signature of each individual commissioner registering either approval or disapproval.

APPROVED

DISAPPROVED

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Approved by Board of Control Commissioners of the City or Town of \_\_\_\_\_.

Total Membership \_\_\_\_\_, \_\_\_\_\_ members present Attest, \_\_\_\_\_, Town Clerk

TOWN OR CITY CLERK SHALL MAIL APPROVED RENEWAL DIRECTLY TO:  
DIVISION OF LIQUOR CONTROL  
13 GREEN MOUNTAIN DRIVE  
MONTPELIER, VT 05602

If application is disapproved, local control commissioners shall notify the applicant by letter.

No formal action taken by any agency or authority of any town board of selectmen or city board of aldermen on a first or second class license application shall be considered binding except as taken or made at an open public meeting. VSA T-1, Sec.312

STATE OF VERMONT - AGENCY OF HUMAN SERVICES  
STATE BOARD OF HEALTH  
License to Operate

I.D.# 10440

LICENSE TYPE: CATERER - COMMERCIAL

EFFECTIVE DATE: 06/26/2019

ESTABLISHMENT NAME & LOCATION:  
BRANDON DISCOUNT BEVERAGE & TOBACCO  
34 CONANT SQ UNIT 2  
BRANDON, VT 05733

LICENSEE NAME & ADDRESS:  
MOUSA BROTHERS INC  
PO BOX 183  
BOWSEEN, VT 05732

FEE: \$260.00

EXPIRATION DATE: 06/26/2020

THIS IS TO CERTIFY THAT ABOVE ESTABLISHMENT IS LICENSED  
TO OPERATE UNDER THE PROVISIONS OF TITLE 18, SECTIONS  
4351-4451 VERMONT STATUTES ANNOTATED. THIS LICENSE IS  
VALID PENDING RATIFICATION BY THE VERMONT BOARD OF  
HEALTH.

THIS LICENSE IS NOT TRANSFERRABLE AND IS  
VALID ONLY FOR THE LICENSEE LISTED.  
THIS LICENSE SHALL BE CONSPICUOUSLY POSTED.

2020 LIQUOR LICENSE RENEWAL APPLICATION  
SECOND CLASS LICENSE TO SELL MALT AND VINOUS BEVERAGES

2396-007-SECN-001  
Page 1

License Year Beginning May 1, 2020 ending April 30, 2021

Fee: \$140.00 of which  
\$70.00 is paid to town/city  
\$70.00 is paid to DLC  
Town: 11010 - BRANDON

MISREPRESENTATION OF A MATERIAL FACT ON ANY LICENSE APPLICATION SHALL BE GROUNDS  
FOR SUSPENSION OR REVOCATION OF THE LICENSE, AFTER NOTICE AND HEARING

Applicant: Review all of the information presented on this form, indicating any changes in the spaces provided.

Applicant: Wesco, Inc.  
Doing Business As:

Licensee # 2396- 7

Champlain Farms  
1 Grove Street  
Brandon VT 05733  
Telephone: (802) 247-6164

Mailing Address:  
32 San Remo Drive  
South Burlington VT 05403-6310

PLEASE INCLUDE EMAIL ADDRESS: Scharn@ChamplainFarms.com

Description of Premises:

A gas station and convenience grocery store in a one story wood building located at 1 Grove Street in the town of Brandon, Vermont.

Lessor:

Wesco, Inc.  
32 San Remo Drive  
South Burlington Vt 05403

Last Enforcement Seminar: 08/23/2019

Fed. ID Number: 03-0273319 Incorporation Date: 09/21/1979 Valid Charter?: Yes State of Charter: Vermont  
Majority of Directors are US Citizens: Yes

ATTACH AN ADDITIONAL SHEET TO THIS APPLICATION NOTING ANY NECESSARY CORRECTIONS OR CHANGES AND UPDATES THAT HAVE OCCURRED DURING THE PAST YEAR.

Corporation	Name	Address	Town/City	State	Zip Code
Director	1. Simendinger, David	88 Calloway Drive	Williston	VT	05495
Director	2. Sarvak, Kathryn	25 North Prospect Street	Burlington	VT	05401
Director	3. Simendinger, Joann	43 Summit Ridge	Williston	VT	05495
Stockholder	4. Simendinger, David	88 Calloway Drive	Williston	VT	05495
Stockholder	5. Simendinger, Joann	43 Summit Ridge	Williston	VT	05495

Has any director or stockholder been convicted or pleaded guilty to any criminal or motor vehicle offense in any court of law (including traffic tickets by mail) during the last year? Yes  No  
If yes, please attach the following information: Individual's name, court/traffic bureau, offense and date

In the past year has any director or stockholder of the corporation held any elective or appointive state, county, city, village or town office in Vermont (See VSA, T.7, Ch.9, Sec. 223)? Yes  No  
If yes, please attach the following information: Individual's name, office and jurisdiction

Disclosure of Non-profit Organization?: Yes  No

ALL APPLICANTS MUST COMPLETE AND SIGN

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I/We hereby certify, under the pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan approved by the Commissioner of Taxes to pay any and all taxes due the State of Vermont as of the date of this application. (VSA, Title 32, Section 3113)

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Continued on next page



2020 LIQUOR LICENSE RENEWAL APPLICATION  
SECOND CLASS LICENSE TO SELL MALT AND VINOUS BEVERAGES

2396-007-SECN-001  
Page 2

I/We hereby certify that the information in this application is true and complete.

Dated this 14 day of January, 2020

Signature of authorized agent  
of corporation, company, club or association

Signature of individual or partners

[Signature]  
President  
(Title)

\_\_\_\_\_  
\_\_\_\_\_

Are you making this application for the benefit of any other party? Yes  No

----- LOCAL COMMISSIONER SECTION BELOW -----

Upon being satisfied that the conditions precedent to the granting of this license as provided in Title 7 of the Vermont Statutes Annotated, as amended, have been fully met by the applicant, the commissioners will endorse their recommendation on the back of the application and transmit it to the Liquor and Lottery Control Board for suitable action thereon, before any License may be granted. For the information of the Liquor and Lottery Control Board, applications shall carry the signature of each individual commissioner registering either approval or disapproval.

APPROVED

DISAPPROVED

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Approved by Board of Control Commissioners of the City or Town of \_\_\_\_\_.

Total Membership \_\_\_\_\_, \_\_\_\_\_ members present

Attest, \_\_\_\_\_, Town Clerk

TOWN OR CITY CLERK SHALL MAIL APPROVED RENEWAL DIRECTLY TO:  
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Request to Cater Malt, Vinous and/or Spirituous Liquors

\$20.00 Fee (must be included)

License Number: 8905-001

Licensee Name: Common Ground Restaurant and Pub LLC

Doing Business as: Maes Place

Street: 18 Center Town/City: Brandon

Contact Name & Phone: Erynne Joanel

Email or Fax: maesplace2015@gmail.com

BE SURE TO READ INSTRUCTIONS BELOW, BEFORE COMPLETING APPLICATION

- 1) Describe type of event: Brandon Idol Singing Competition
- 2) Location of event: Brandon Town Place
- 3) Date of event: MARCH 21, 2020
- 4) Hours of operation from beginning to end: 8pm - 11pm
- 5) Approximate number of persons expected: 50-70 people

Signed: Erynne Joanel Date: February 20, 2020

Each catered event must have approval from the Town/City before submitting this application to Liquor Control.

Please check one:  Approved  Disapproved

SAC Brandon 2/19/2020

Town/City Clerks Signature (Catered location) Town/City Date

SUBMIT THIS APPLICATION TO DLC AT LEAST 5 DAYS PRIOR TO EVENT

DIRECTIONS:

- 1) Submit to Town/City clerk for approval (Town/City Clerk will send to DLC).
- 2) Follow all liquor control laws and regulations (what applies to a first or first and third class license also applies to the caterer's license).
- 3) Must have a defined area for serving and consumption of alcohol with designated barriers.
- 4) Must have separate toilet and lavatory facilities available for both men and woman.
- 5) Provide sufficient number of employees for control purposes.