

March 26, 2013

The regular meeting of the Board of Appeals was called to order on Tuesday, March 26, 2013 at 7:30 p.m. at the Town Hall, 39 N. Hickory Avenue, Bel Air, Maryland.

MEMBERS PRESENT: Roy Milan, Chair
Gregory Adolph
Clarence Fry

ABSENT: Bruce Linder

IN ATTENDANCE: Robert Syphard, Planning Department
Charles Keenan Town Counsel
Joan Suitt, Recording Secretary

NEW BUSINESS

Request of Dong Yang, Inc., 15 North Main Street – Special Exception to Section 165-93 and Table 3-1 of the Development Regulations

Mr. Syphard reported the case this evening is a request of Dong Yang, Inc. for a Special Exception pursuant to Section 165-93 and Table 3-1 of the Development Regulations to serve alcohol at the Orient Restaurant located at 15 North Main Street.

This meeting was advertised in the newspaper of general circulation and the property duly posted. The Staff Report dated February 12, 2013 was prepared by the Planning Department during the ordinary course of business and is being offered as evidence in this case.

Mr. Syphard advised the Orient Restaurant opened in 2012 and wants to add alcohol service to the food service at the restaurant. They are not planning any type of changes to the facility, no open bar. Their intent is to have a service bar and this requires Special Exception from the Board of Appeals. Mr. Kevin Mahoney is here tonight representing the applicant.

Mr. Mahoney displayed the site plan of the restaurant and stated there is no change to the restaurant and the request is simply for service of alcohol. He advised the Sushi Bar in front will remain the same with no physical changes.

Mr. Mahoney called upon David Huang who is one of the principals of the establishment and on site daily. Mr. Huang advised they have two other restaurants in Baltimore County and the Bel Air restaurant opened in September, 2012 with seating capacity of seventy. He then explained the layout of the restaurant and commented the Harford County Liquor Control Board approved the selling of alcohol on the premises subject to approval of a Special Exception from the Town of Bel Air. The alcohol will be stored in a storage unit with no off-site or outdoor service. The restaurant's staff will receive Alcohol Awareness classes.

Mr. Mahoney advised the nearest school to the property is approximately 475 feet away and the application meets all the requirements of the Town of Bel Air's Zoning Regulations.

Mr. Huang stated customers have requested the addition of alcoholic beverages and feels it will not have adverse impact on surrounding properties.

Mr. Adolph wanted to know if the rear door is utilized on a routine basis and inquired about the 475 feet proximity to the school. Mr. Huang explained the rear door is used for delivery and emergencies only. Mr. Mahoney stated it meets the requirement.

Mr. Mahoney presented petitions signed by numerous customers of the Orient to the Board. He further mentioned the Liquor Board held their meeting last week and granted approval conditioned on approval from the Town.

Councilman James McMahan stated he is here tonight as a citizen of Harford County and a lifelong resident of the Town who is very interested in what happens here. On occasion, he has had dinner at the Orient and is impressed with what the owner has done to the appearance of the building. Councilman McMahan believes the kind of setting seen at the Orient Restaurant is a responsible one where people using alcohol can have a family or romantic outing. He feels this is a positive step for Main Street and pleased of what has happened at this location. He thanked the Board for the opportunity to speak on behalf of family and neighbors and stated everyone has been positive.

Mr. Fry commented he enjoyed dinner at the Orient and agreed with the comments heard saying it is well decorated, well served, good food and an asset to the community to progress.

Mr. Adolph stated he concurs with the comments.

Mr. Milan called for a motion.

Mr. Adolph moved and Mr. Fry seconded the motion to approve the Special Exception pursuant to Section 165-93 and Table 3-1 of the Development Regulations for the applicant Dong Yang, Inc. based on the staff report and the testimony provided at the hearing, the Board found that the service of alcohol at the Orient Restaurant located at 15 N. Main Street would not adversely impact the surrounding properties and conditioned the approval on the issuance of a liquor license by the Harford County Liquor Board.

Ayes: Mr. Adolph, Mr. Fry and Mr. Milan

Nays: None

The motion carried.

ADMINISTRATIVE MATTERS

Approval of Minutes

Mr. Fry moved and Mr. Adolph seconded the motion to approve the June 26, 2012 minutes as submitted.

Ayes: Mr. Adolph, Mr. Fry, and Mr. Milan

Nays: None

The motion carried.

Election of Officers

Mr. Adolph moved and Mr. Fry seconded the motion to elect Roy Milan as Chair of the Board of Appeals.

Ayes: Mr. Adolph and Mr. Fry

Nays: None

The motion carried.

Mr. Milan moved and Mr. Fry seconded the motion to elect Gregory Adolph as Vice Chair of the Board of Appeals.

Ayes: Mr. Fry and Mr. Milan

Nays: None

The motion carried.

Disclosure Statement

Mr. Syphard distributed Disclosure Statements to each Board member and asked that it be signed and returned to him.

Vacancy

He mentioned the current vacancy on this Board and asked members to submit names of those who may be interested in serving.

The meeting was adjourned at 8:00 p.m.

Roy Milan, Chair

