



To Preserve And Promote Our Historic Lifestyle

June 24th, 2013

Via Email to: Douglas.Paige@baltimorecity.gov

Douglas K. Paige
Acting Executive Secretary
Board of Liquor License Commissioners for Baltimore City
231 E. Baltimore Street, 6th Floor
Baltimore, Maryland 21202

Re: 12 – 14 E. Cross Street Liquor License Transfer / Expansion

Mr. Paige:

This letter is on behalf of Federal Hill Neighborhood Association's (FHNA) opposition to Mr. Brett Austin's and Mr. Joshua Foti's application for the transfer and expansion of the liquor license located at 12 – 14 E. Cross Street to 12 – 18 E. Cross Street.

Federal Hill has reached a critical mass of liquor license establishment patrons, and when this critical mass leaves the immediate area of Cross and S. Charles, its impact is not adequately mitigated. This proposed expansion would take a BD7 license, which when last used in 2009, had an associated maximum capacity of 165, to a significantly larger figure, to be determined by the Fire Marshall. As recognized in a recent letter from our State Representatives in the 46th Delegation, we have a sum maximum capacity of over 5,000 liquor license establishment patrons, which has increased nearly 40% over the past 10 years. Our neighbors have encountered a noticeable growth in quality of life issues driven by this increase. This neighborhood cannot possibly support more patrons. **The question lies in: "when is enough expansion enough?"**

On two occasions, Mr. Brian McComas, the President of Mr. Austin's and Mr. Foti's restaurant group, spoke to our neighborhood. Specifically, on April 03rd at an open house he held at 42 E. Cross Street, and subsequently, at the FHNA General Membership meeting on April 16th. On both occasions, Mr. McComas publicly stated that he: 1- "would not sign a Memorandum of Understanding (MOU) with FHNA"; 2- was "not willing to negotiate issues of capacity or other issues that he believed would devalue this license"; 3- this project is a "done-deal and there was nothing that could be done to change that"; and 4- as a result, he "did not need the community's support". This brash unwillingness to negotiate coupled with the capacity issues outlined above forced our group to take a very defensive-posture. As a direct result, our Membership and Board voted unanimously to oppose this expansion and to formally engage with legal counsel.



To Preserve And Promote Our Historic Lifestyle

I am pleased to state that we have the unwavering support of four of our sister community associations, which directly surround the area of the proposed expansion: South Baltimore Neighborhood Association, represented by President Amy Mutch; Federal Hill South Neighborhood Association, represented by President Dave Hirst; Sharp-Leadenhall Planning Committee, represented by President Corwin Jones; and Otterbein Community Association, represented by President Ron Solomon. These groups share first hand in the unmitigated impact of unruly liquor license establishment patrons.

On the behalf of FHNA, I strongly urge the BLLC to deny the proposed transfer and expansion as it has been proposed. Thank you for your time and for all that you do for Baltimore City and our neighborhoods. Please contact me at costello.eric@gmail.com or 607-743-8926 if you have questions.

Sincerely,

Eric Costello
President, Federal Hill Neighborhood Association

CC: Delegate Luke Clippinger, Maryland, 46th District
Councilman William H. Cole, IV, Baltimore City, 11th District
Eric Costello, FHNA, President
Senator Bill Ferguson, Maryland, 46th District
Delegate Pete Hammen, Maryland, 46th District
Delegate Brian McHale, Maryland, 46th District
Sharon Krevor-Weisbaum, Brown Goldstein Levy, Attorney
Brooke Lierman, Brown Goldstein Levy, Partner
Jane Schroeder, BLLC, Deputy Executive Secretary

BCC: Mellisa Colimore, FHNA, At-large Director
Keenan Dworak-Fisher, FHNA, Liquor Advisory Committee Chair
Ginny Gerhart, FHNA, At-Large Director
Joe Halperin, FHNA, At-Large Director
Dave Hirst, Federal Hill South Neighborhood Association, President
Mark Jaskulski, Federal Hill South Neighborhood Association, President-Elect
Corwin Jones, Sharp-Leadenhall Planning Committee, President
Jody Martin, FHNA, Vice President
Bob Merbler, FHNA, Secretary



To Preserve And Promote Our Historic Lifestyle

Gayle McClure, FHNA, Treasurer
Amy Mutch, South Baltimore Neighborhood Association, President
Bob O'Donoghue, FHNA, At-Large Director
Rich Polan, FHNA, Member
Bill Romani, FHNA, Member
Marie Sennett, South Baltimore Neighborhood Association, Member
Kelly Sheehan, FHNA, Acting At-Large Director
Ron Solomon, Otterbein Community Association, President