

**STATE OF CONNECTICUT**

**DEPARTMENT OF CONSUMER PROTECTION**

**IN THE MATTER OF**

Wolf's Wine & Spirits

Edward Wolfert, Permittee

Wolf's Enterprises LLC, Backer

Liquor Permit No. LIP.14148

Case No. 2016-347

November 3, 2016

**MEMORANDUM OF DECISION**

This matter involves a removal application for Wolf's Wine & Spirits from 641 Farmington Avenue, Bristol, Connecticut, to 568 Jerome Avenue, Bristol, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on October 27, 2016, at which time Edward Wolfert, permittee, appeared. The hearing was held in accordance with Section 30-39(c), Connecticut General Statutes, as a result of a legally sufficient remonstrance questioning the suitability of the proposed location. Remonstrants appeared on behalf of the remonstrance to oppose the removal application.

Based upon the evidence adduced at the hearing, we find the following facts: Liquor Control Agent Anderson conducted a thorough investigation in connection with the remonstrance. He found nothing questionable about the removal application. He conducted an on-site investigation, took photographs and contacted local police and zoning authorities. He prepared a detailed report of his findings.

The premises, which is a free-standing building, is located in a residential area. The building had previously been occupied by stores which held a grocery store beer permits. The Department of Consumer Protection had granted Mr. Wolf's removal

application on stipulation, and the package store is currently operating at 568 Jerome Avenue.

Agent Anderson obtained a list of calls for service to 568 Jerome Avenue from the Bristol Police Department. All of the reported calls for service predated Wolf's Wine & Spirits' relocation to that address.

Agent Anderson also confirmed with Monica Holloway, Zoning Enforcement Officer, that her approval of the removal application had not been rescinded. But for the filing of this remonstrance, Agent Anderson would have submitted the removal application for final approval.

Remonstrants expressed their concern that the premises was improperly placard. The building is less than 25 feet from the public sidewalk and we find that the placard posted meets the department's requirements

Remonstrants also expressed their concern that a package store is not a suitable business to operate in a neighborhood environment. They expressed concern about trash emanating from the store, unruly behavior in the parking lot by patrons, and patrons drinking in the parking lot. Remonstrants also pointed out that a school bus stop was located in front of the building.

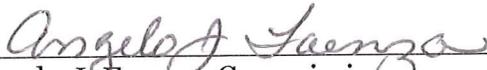
Mr. Wolfert expressed a willingness to meet with the neighbors and try to address their concerns should his final removal application be granted.

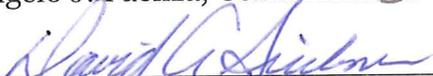
Based upon the substantial evidence presented, we find the location to be suitable for a package store liquor permit. The determination of factual matters with regard to the suitability of the location of proposed liquor permit premises is vested with the Liquor Control Commission. Brown v. Liquor Control Commission, 176 Conn. 428, 407 A.2d 1020 (1973). Accordingly, we hereby deny the remonstrance and

grant the final of the liquor permit removal application of Edward Wolfert and Wolf's Wine & Spirits.

**DEPARTMENT OF CONSUMER PROTECTION  
LIQUOR CONTROL COMMISSION**

BY:

  
\_\_\_\_\_  
Angelo J. Faenza, Commissioner

  
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David A. Scribner, Commissioner

Parties:

SEAN RICH, AGENT FOR REMONSTRANTS

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BRISTOL, CT 06010

(Via US Mail and Certified Mail # 7002 3150 0004 2069 8179)

EDWARD B WOLFERT

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Nonparties:

John Suchy, Director, Liquor Control Division

Connecticut Beverage Journal, 2508 Whitney Ave., P.O. Box 185159, Hamden, CT

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Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106