

STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

IN THE MATTER OF

Sunilkumar R. Patel, Permittee
Krauszer's
Liquor Permit No. LGB-14217

Case No. 2017-0163
June 6, 2017

MEMORANDUM OF DECISION

This matter involves a renewal application for a grocery store beer permit for Krauszer's, 1959 State Street, Hamden, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on May 11, 2017, at which time Sunilkumar R. Patel, 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 location. Remonstrants appeared to oppose the renewal of this permit.

Based upon the evidence adduced at the hearing, we find the following facts: Liquor Control Agent Eric Gagne conducted the remonstrance investigation. He spoke with the Agent for the Remonstrants, David Huston, who informed him the Remonstrants did not believe the business was primarily engaged in the sale of groceries in accordance with C.G.S. Sec. 30-20(c). Agent Gagne confirmed that 10 people named on the remonstrance petition were over the age of 18 and residents of Hamden.

Liquor Control Director Jack Suchy testified at the hearing. He stated there was no enforcement history for this premise in the last year and he did not believe there was any reason to deny the renewal.

Two of the Remonstrants appeared at the hearing. They expressed their concern that there were insufficient groceries at this premise.

Mr. Patel testified and submitted pictures taken from inside his store. He also submitted a recent breakdown of sales to prove he does have sufficient groceries to continue to qualify for the grocery store beer permit.

Based upon the evidence presented at the hearing, we do not find substantial evidence to deny the renewal of this grocery store beer permit. The determination of factual matters with regard to the suitability of the location of 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 renewal of the grocery store beer permit of Krauszer's, 1959 State Street, Hamden, CT.

**DEPARTMENT OF CONSUMER PROTECTION
LIQUOR CONTROL COMMISSION**

BY:



Anne K. Stiber, Esq., Designated Presiding Officer



Angelo J. Faenza, Commissioner



David A. Scribner, Commissioner

Parties:
David Huston, AGENT FOR REMONSTRANTS
51 Benton Street

Hamden, CT 06517
(Via US Mail and Certified Mail)

Sunilkumar R. Patel
1959 State Street
Hamden, CT 06026

Nonparties:

John Suchy, Director, Liquor Control Division
Connecticut Beverage Journal, 2508 Whitney Ave., P.O. Box 185159, Hamden,
CT 06518
Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106