

**STATE OF CONNECTICUT**

**DEPARTMENT OF CONSUMER PROTECTION**

**In the Matter of**

Troche's Night Train Bar & Restaurant

Blanca Troche-Otero, Applicant

Angel R. Troche, Backer

Liquor Permit No. LIR.17877

Docket No. 09-1025

Case No. 2009-5474

October 20, 2009

**MEMORANDUM OF DECISION**

This matter involves an application for a restaurant liquor permit for Troche's Night Train Bar & Restaurant, 729 Windsor Street, Hartford, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on October 15, 2009. Blanca Troche-Otero, applicant, and Angel R. Troche, backer, 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 place of business. The agent for the remonstrants appeared to oppose the granting of this permit.

The following facts are found based upon evidence adduced at the hearing. Liquor Control Agent Richards reviewed the pending application and found it to be in order. There is local zoning approval for the application. Agent Richards communicated with the town clerk's office, the health department and the police department. No local officials expressed concern about this application. The

police department provided Agent Richards with a list of calls for service since the applicants opened their location in September 2008. Since that time, there have been a few community service calls but no calls related to liquor. The health certificate is in the name of the backer, Angel R. Troche, which is not out of the ordinary. Agent Richards spoke with the agent for the remonstrants about her concerns. The agent conducted an on-site inspection. The premises meets the requirements to qualify for a restaurant liquor permit. If granted, this permit would allow for a service bar only. There is nothing questionable about this application other than the fact that a remonstrance has been filed against the granting of the final permit. Naimah Shabazz, the agent for the remonstrants, testified and expressed concerns about the negative effect another liquor dispensing establishment would have on the neighborhood, which she stated was in a high crime area.

There was no substantial evidence which was presented which would necessitate a finding of unsuitability of the proposed location. It is well-settled that the determination of factual matters with respect to applications for liquor permits is vested with in the liquor control commission, which has a liberal discretion in determining the suitability of the proposed liquor permit premises. Gulia v. Liquor Control Commission, 164 Conn. 537, 325 A.2d 455 (1973).

Accordingly, we hereby deny the remonstrance and grant the final restaurant liquor permit to Blanca Troche-Otero and Troche's Night Train Bar & Restaurant, subject to the agent's final requirements.

**DEPARTMENT OF CONSUMER PROTECTION  
LIQUOR CONTROL COMMISSION  
BY**

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Elisa A. Nahas, Esq.  
Presiding Officer

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Angelo J. Faenza, Commissioner

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Stephen R. Somma  
Commissioner

**Parties:**

Naimah Shabazz, Agent for Remonstrants  
P.O Box 1683  
Hartford, CT 06144  
(Via US Mail and Certified Mail # 7009 1680 0001 2915 5947)

**Nonparties:**

John Suchy, Director, Liquor Control Division, Department of Consumer  
Protection  
Connecticut Beverage Journal  
Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106