

STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

In the Matter of

Galaxy Liquor Store
Vikramadithy A. Routhu, Permittee
Galaxy Liquor Store LLC, Backer
Liquor Permit No. LIP.14865P

Case No. 2011-910
Docket No. 12-49
February 7, 2012

MEMORANDUM OF DECISION

This matter involves a new application for a package store liquor permit for Galaxy Liquor Store, 247 Hazard Avenue, Enfield, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on January 19, 2012. Vikramadithy A. Routhu, permittee and sole member of the backer limited liability company, appeared with counsel. The hearing was held in accordance with Section 30-39(c), Connecticut General Statutes, as a result of two legally sufficient remonstrances questioning the suitability of the proposed place of business. Remonstrants appeared to oppose the granting of this permit. The premises is currently operating under the auspices of a provisional package store liquor 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. The proposed location is in a small shopping plaza located on Hazard Avenue, a busy thoroughfare leading into the center of Enfield. Within the same shopping plaza are a martial arts studio, cabinet business, hair salon, medical supply center and a travel agency. The proposed location had previously

housed a portion of a video rental store, and it is properly zoned for the operation of a package store. In May 2011, following a public hearing, the Enfield Planning and Zoning Commission granted a Special Use permit to the applicant for the proposed package store at the proposed location.

As part of her investigation, Agent Richards visited the site on three occasions. While there, Agent Richards observed activity in the plaza, but did not observe any accidents or problems in obtaining a parking spot in the plaza. Agent Richards wrote to the chief of police requesting information concerning calls for service at this location; no incidents were reported relevant to the location since it has been open and operating under its provisional permit. As the result of her investigation, Agent Richards found nothing questionable about the application, the applicant or the location. The premises complies with all applicable zoning requirements.

Remonstrants testified in opposition to the permit and expressed their concerns with regard to issues of traffic accidents, children and elderly pedestrians in the plaza parking lot, the possibility of intoxicated patrons of the package store driving, and financial impact on nearby package stores.

Based upon the testimony and documents presented at the hearing, we do not find substantial evidence to deny this package store permit application and we find the location to be suitable. It is the role of the Liquor Control Commission to determine suitability for liquor permits. 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, which has broad discretion.

Crescimanni v. Department of Liquor Control, 41 Conn. App. 83, 674 A.2d 851 (1996). The final package store permit application is granted for this premises, pending any agent final requirements.

**DEPARTMENT OF CONSUMER PROTECTION
LIQUOR CONTROL COMMISSION**

Elisa A. Nahas, Esq.
Designated Hearing Officer

Angelo J. Faenza, Commissioner

Stephen R. Somma, Commissioner

Parties:

Vikramadithy A. Routhu, Permittee, Galaxy Liquor Store, 247 Hazard Avenue, Enfield, CT 06082

(Via US Mail and Certified Mail # 7010 1670 0000 0761 8006)

Charles G. Nai, Agent for Remonstrants, 402 Hazard Avenue, Enfield, CT 06082

(Via US Mail and Certified Mail #7010 1670 0000 0761 7986)

Erick Gustafson, Agent for Remonstrants, 310 Hazard Ave., Apt B, Enfield, CT 06082

(Via US Mail and Certified Mail # 7010 1670 0000 0761 7993)

Vikramadithy A. Routhu, Permittee, c/o Regina von Gootkin, Esq., Brown, Paindiris & Scott, 100 Pearl Street, Hartford, CT 06103

Nonparties:

John Suchy, Director, Liquor Control Division

Connecticut Beverage Journal

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