

**STATE OF CONNECTICUT**

**DEPARTMENT OF CONSUMER PROTECTION**

**IN THE MATTER OF**

Stew's Wines & Spirits of Newington  
William N. Sweedler, Applicant  
Stew's Wines & Spirits of Newington LLC, Backer  
Liquor Permit No. LIP.14203  
Docket No. 07-205

March 27, 2007

**MEMORANDUM OF DECISION**

This matter involves a new application for a package store liquor permit for Stew's Wines & Spirits of Newington, 3475 Berlin Turnpike, Newington, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on February 8, 2007, at which time William N. Sweedler, applicant, appeared with counsel. 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 person. A remonstrant appeared on behalf of the remonstrance to oppose the granting of the permit. At the conclusion of the hearing, the record was left open until March 15, 2007, for the submission of briefs.

Based upon the evidence adduced at the hearing, we find the following facts: Liquor Control Agent Finnegan conducted a thorough investigation in connection with the new application and the remonstrance. He found nothing questionable about the applicant or the proposed location based upon his investigation. There is proper zoning approval.

The Remonstrants have raised two issues in opposition to the granting of the permit:

1) an existing backer (Stewart J. Leonard, Jr.) will acquire an interest in more than two liquor permits in violation of Connecticut General Statutes, Section 30-48a; and

2) the applicant, William Sweedler, has not been delegated full authority and control of the premises in violation of Connecticut General Statutes, Section 30-47(6).

Based upon the substantial evidence presented, we do not find the applicant to be unsuitable for a package store liquor permit. The determination of factual matters with respect to applications for liquor permits is vested in the Liquor Control Commission. Brown v. Liquor Control Commission, 176 Conn. 428, 407 A.2d 1020 (1973).

As for the question on the two permit rule, the Attorney General has issued an opinion on a similar fact situation dealing with a trust (Attorney General's Opinion, November 28, 2000). This opinion stated that Connecticut General Statutes, Section 30-48a, may bar a liquor permit if it is found that the trust in question was controlled by disqualified members of the family of the existing permit holder. In reviewing the details of the trust, we do not believe that any family members of Stewart J. Leonard, Jr. have control of the trust. As to the second issue, the evidence shows that the applicant has full authority and control of the permit premises. Mr. Sweedler is the Trustee of the Trust that is the sole member of Stew's Wines & Spirits of Newington LLC, the backer for this permit. As Trustee, Mr. Sweedler has complete control of the premises.

Accordingly, we hereby deny the remonstrance and grant the final package store liquor permit to William Sweedler and Stew's Wines & Spirits of Newington, subject to the agent's final requirements.

**DEPARTMENT OF CONSUMER PROTECTION  
LIQUOR CONTROL COMMISSION**

BY:

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Steven Schwane  
Presiding Officer

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Gary Koval  
Commissioner

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Angelo Faenza  
Commissioner

**Parties:**

William N. Sweedler, Applicant

Camille DeGalan, Attorney for Applicant, 30 Main Street, Suite 204, Danbury, CT 06810

Matthew G. Conway, Attorney for Remonstrants, 818 Farmington Avenue, West Hartford, CT 06119

**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

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