

STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

IN THE MATTER OF

Matthew Bailey, Permittee
COBA Investment Group LLC, Backer
Aqua Sports Bar
Permit No. LCA.6735
Docket No. 08-1045

Case No. 2007-6016
August 26, 2008

MEMORANDUM OF DECISION

This matter involves a café liquor permit issued to Aqua Sports Bar, 9 Tilley Street, New London, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on July 24, 2008, at which time Matthew Bailey, permittee and member of the backer limited liability company, appeared with Wayne Cosentino who is also a member of the backer limited liability company.

The alleged violation came to the attention of the Department of Consumer Protection by way of a police referral from the New London Police Department. It is alleged that on or about August 3, 2007, the Respondent violated Sec. 30-91(e) of the Connecticut General Statutes. The Liquor Control Act vests in the Commission a liberal discretionary power to determine factual matters with regard to liquor permits. Gulia v. Liquor Control Commission, 164 Conn. 537, 325 A.2d 455 (1973). Based upon the testimony and documents presented at the hearing, the charge is dismissed.

DEPARTMENT OF CONSUMER PROTECTION

LIQUOR CONTROL COMMISSION

BY:

Elisa A. Nahas, Esq.
Designated Presiding Officer

Angelo J. Faenza, Commissioner

Stephen R. Somma, Commissioner

Parties:

Matthew Bailey, Permittee, Aqua Sports Bar, 9 Tilley Street, New London
CT 06320 (Via US Mail and Certified Mail No. 70070 1490 0000 0381
9713)

Non-Parties:

Officer Suarez, New London Police Department, 5 Governor Winthrop
Blvd., New London, CT 06320

Director John Suchy, 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