

STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

In the Matter of

South Quaker Wine & Spirits
Beverly Cantafi, Permittee
Cantafi, LLC, Backer
Liquor Permit No. LIP.14306P
Case No. 2007-9570

Docket No.08-145
February 28, 2008

MEMORANDUM OF DECISION

This matter involves an application for a package store liquor permit for South Quaker Wine & Spirits, 610 South Quaker Lane, West Hartford, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on February 7, 2008. Beverly Cantafi, 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 proposed place of business. A remonstrant appeared to oppose the granting of this permit.

The following facts are found based upon evidence adduced at the hearing. Liquor Control Agent Anderson reviewed the pending application and found it to be in order. He visited the site on several occasions, including the day prior to the hearing when he took additional photographs at the request of the remonstrant. The exterior was very clean and has adequate lighting. He noted the presence of Sterling Field playing field, a medical building and an Armed Forces reserve center in the vicinity. The proposed location is in a free-standing

building which also houses a laundromat and another business. A package store is a permitted use at this location, and the zoning officer has signed off on this application. This location has been operating under the auspices of a provisional permit since May, 2007, and there have been no derogatory calls for service to this location during that time. Agent Anderson found nothing questionable about this application, with regard to the applicant or the location.

The remonstrant expressed concerns about litter in an adjacent lot which is not owned by Ms. Cantafi and the possible adverse affect of a package store on children and adults in the neighborhood and utilizing the neighborhood athletic facilities. He also expressed his belief that the neighborhood is already well-served by the alcohol beverage industry, and his concern regarding delivery trucks in the neighborhood streets servicing this package store. At the hearing, the applicant stated that she intends to work with the neighborhood residents, has taken steps to address the litter on property within his control, and intends to operate a neat, clean business.

This question of whether this location is a suitable one for a package store liquor permit has been before this Department in the past and the location has been found suitable. See, Memorandum of Decision, In the matter of Ramesh Asundani, Applicant, South Quaker Wine & Spirits, Docket No. 06-2181, August 22, 2006. Substantial evidence was not presented which would cause us to deny Ms. Cantafi's

pending package store liquor application. If specific problems develop with the premises in the future, the Commission is empowered to take action concerning the liquor permit and will certainly do so as warranted. It is well settled that the determination of whether a proposed location is suitable for a liquor permit rests with the Liquor Control Commission. Williams v. Liquor Control Commission, 175 Conn. 409, 399 A.2d 834 (1978).

Accordingly, we hereby deny the remonstrance and grant the final package store liquor permit to Beverly Cantafi and South Quaker Wine & Spirits, subject to the agent's final requirements.

**DEPARTMENT OF CONSUMER PROTECTION
BY**

Elisa A. Nahas, Esq.
Designated Hearing Officer

Gary W. Berner, Commissioner

Parties:

Beverly Cantafi c/o Wesley S. Spears, Esq., P.O. Box 330872, West Hartford, CT 06133-0872

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(Via US Mail and Certified Mail # 7007 2680 0000 7472 3054)

David S. Pauluk, Agent for Remonstrants, 416 Oakwood Avenue, West Hartford, CT 06110

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Nonparties:

John Suchy, Director, Liquor Control Division

Connecticut Beverage Journal

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

